

**Remarks by John Tory, MPP
Leader of the Progressive Conservative Party of Ontario
Ontario Association of Police Services Boards Convention Breakfast
Owen Sound, Ontario
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CHECK AGAINST DELIVERY

Thank you very much for inviting me to speak with you today.

I'm delighted to have the opportunity to meet with the Ontario Association of Police Services Boards. I admire the work that you do – and I recognize the important role that you play in achieving the necessary and delicate balance between our provincial and municipal governments and Ontario's outstanding frontline police personnel.

I count myself fortunate to have been able to build a strong relationship with Ontario's dedicated, courageous and professional police officers – and believe that we can and will cooperate better to build the safer, more prosperous Ontario we all want to see.

As you may be aware, we have already committed to several distinct policies that you can expect from a Progressive Conservative Government.

For instance, we were the first to commit to establishing a grow-op registry – a public health *and* public safety issue...where the public definitely has a right to know. Since I first spoke of this – the government has shown signals that they too are considering such a measure. I believe that this would be a step forward indeed.

I've also long been on the record – since my time running for the mayor of Toronto, in fact -- for improving the presence of police in our communities, not just to enforce or investigate but to also build a stronger relationship with at-risk communities. We are seeing some slow progress here as well – and I look forward – as Premier – to working with you to further accelerate this process.

I've committed to tightening the system of bail and sentencing deals which, right now, leaves far too many people free to violate their bail conditions or, worse still, re-offend without consequence. Ending what I call 'Catch and Release' justice is a big part of public safety too.

I have said that we must do a better job of appointing more Justices of the Peace, to alleviate the backlog of cases that leaves thousands of charges being dropped. This breeds disrespect for the law, which is a cancer which cannot be allowed to spread.

And, we've also come forward with many new ideas to address the root causes of crime. Including poverty. Including social and economic marginalization – problems that have been unaddressed by governments of every description for far too long. I'll speak more about this in a moment – but I wanted to state up front that we absolutely have to do a better job in providing supports for kids and families in marginalized and challenged communities so they too have the education and job opportunities that many other communities take for granted.

If I have a single, overarching, defining belief in our entire justice system it is this.

There is one law for all.

While this might sound like a no-brainer on the surface, the fact is that right now, across several fronts – we do not have one law for all. And I believe that this must change.

First of all – I strongly believe that *no one is beneath the law.*

We, in Ontario, must do everything it takes to protect the disenfranchised, the poor, the vulnerable portions of our population and to ensure that they are protected under the same law as applies to everyone else and that they have equitable access to justice.

One of the first major policy statements I made after becoming Leader of the Opposition – was our action plan to combat youth violence. We held a summit on the issue – and spoke with police officers, social workers, families of victims, former gang members – everyone who had a stake.

This included the families who live in many of those disadvantaged urban neighbourhoods where the problems of gangs, and guns and crime are most endemic. Not coincidentally, these are the same neighbourhoods where there exists a social and economic marginalization that contributes to an anxiety and insecurity that these people feel.

If the law is only about sending in the police to put up yellow tape after a crime is committed – then we are failing to extend to these families everything they deserve. We owe them much better.

Maybe it comes from renewing housing stock in the most disadvantaged areas. Maybe it is through more supports for young parents, or single-parent homes. Maybe it is through working with schools to provide after-school opportunities that direct young people away from the gangs.

Maybe it is through job-placement and internship programs that give young people the all important first job experience they need to escape the vicious cycle

that ensnares too many. These were all recommendations in our report which illustrates our approach with a bottom line which says we must do better.

Ensuring that *no one is beneath the law* also means we do a better job of providing a fair hearing for what are often very legitimate grievances held by those who are in difficult situations. Some of our Aboriginal communities would argue with justification that our legal system has not worked for them and we must make an effort to address that.

Similarly, following legislative changes forced through by the McGuinty Government, many of those with human rights complaints now find a financial barrier to pursuing their complaint and I do not accept that either.

The second core commitment in our Rule of Law platform is that *no one is above the law*. No matter the grievance, no matter the dispute, all of our laws, every single one, apply to all of us, equally, at all times – without exception – unless the exception is explicitly part of the law itself.

Many people might first interpret this as a reflection on the situation currently unfolding in Caledonia. A miscarriage of justice that has gone on for 429 days – has torn apart an entire community, placed police officers in a completely untenable situation, and left people on both sides of the barricades living in fear.

Certainly, I am sensitive to the breakdown of the rule of law we have seen in Caledonia – I have gone to that community to see the barricades first hand and listen to the frustrated people and front line police officers on the ground – something Mr. McGuinty has not done.

But this issue is more than about Caledonia. Less than two weeks ago we saw another protest in Deseronto completely shut down our rail lines. Yesterday, we saw frustrated employees occupying a plant.

The fact is, the First Nations people in Ontario have longstanding concerns, and I believe that all levels of Government must do a better job of listening to and responding to them in a timely manner. There is no question that the Government of Ontario must be a better friend to the Aboriginal people in this province. That's our part of the bargain.

I'm sure the employees who occupied that plant had their own grievances which need to be addressed.

But that doesn't take away from the fact that the rule of law must prevail, especially when people have claims and especially when they are frustrated.

My conviction that *no one is above the law* is equally applicable to any situation where people act as if they can disregard the rules and laws that the rest of us

are expected to follow – be it a political protest, labour dispute – or any other such issue.

I believe that the Premier of Ontario must be prepared to vigorously pursue new tools and new measures to ensure all parties comply with the rule of law. Simply standing by and allowing land occupations and railway blockades that defy court injunctions just cannot be an option.

People with political agendas will always say this means sending in the police. I remain adamant that political direction to the police is unacceptable. In the absence of violence – we must always look first to non-confrontational methods. I am looking forward to the final report of the Ipperwash Inquiry expected to be released on May 31, which I am optimistic will set out a standard of engagement between and among politicians, police and protesters alike.

But there are plenty of other tools a government can and should use. Including, in particular, the courts.

I am prepared to aggressively pursue civil remedies against those who lead protests that cross the line between free speech and disregard for public safety and the rule of law. We will undertake to develop new tools and protocols for government to protect the public interest – whether it is in situations where people are concerned about environmental projects, a land claim, or any other matter.

There needs to be a better way to manage dissent in Ontario. It comes down to leadership.

The choice is not, as Mr. McGuinty has frequently suggested, between sending in the police or turning a blind eye to lawlessness. Ontario needs a leader who will find different and new ways to ensure that the interests of all Ontarians are protected. Mr. McGuinty has wavered between weak leadership and no leadership and that has been an abdication of responsibility.

The third and final pillar of our rule of law plan states that *no one is beyond the law*.

The growth of organized crime and gang culture in Ontario is an unacceptable phenomenon – and we need to better empower our police services to fight against it.

At the same time, we must identify new methods of fighting gangs through the legal system. I will have more to say about combating gang warfare in the coming days, but for now – I want to state simply that these gang operations cost government and the public millions of dollars in the form of policing costs – not to mention human costs – as well as damaged and stolen property, violence and

intimidation. We must take the necessary steps to stop this kind of action in its tracks.

We also have to do a better job in fighting white-collar crime – I think it's time we all said enough is enough and use new tools to protect the public and make those who shirk the system pay. White collar criminals cannot think they are beyond the law either.

Right now, at the exact same time as so many small businesses are nearly collapsing under the burden of increasingly and punitive regulatory burden, we see ineffective efforts to crack down on those who take advantage of the system,

A John Tory PC Government will get serious about investigating, prosecuting and adjudicating securities fraud, and other white collar crimes.

As a former business leader myself – I recognize just how frustrating it is to the majority of law-abiding conscientious members of the business community that the greed, arrogance and disregard for others, we see from a small minority tarnishes the reputation of our entire province as a place to invest.

Our current securities regime – which places administrative, investigatory and adjudicative responsibilities all under one roof at the OSC, is simply not as effective as it must be. Prosecutions are rare, successful prosecutions rarer still. In the face of tougher measures to fight white-collar crime south of the border, Canada is slipping in esteem as a place where the innocent investor is well protected and far too many transgressions seem to fall between the cracks.

We have to send a message to white collar criminals. You are not welcome. We will catch you. We will stop you. And we will make you pay.

We will create a new white-collar offences court with specialist judges, move the adjudicative functions of the Ontario Securities Commission to a separate tribunal, and give it new powers to protect investors – like the power to order restitution to investors where appropriate. We will also support a National Securities Commission to create greater consistency, streamline regulation, reduce duplication and ensure resources are put to more effective, efficient and timely enforcement of white-collar crimes.

Beyond these specific measures there is an even more fundamental responsibility that all governments hold. Governments must themselves act in a way that shows a fundamental respect for the rule of law.

That means that basic rules of accountability and accounting which govern how you are supposed to spend money aren't disregarded the moment they become an inconvenience or an impediment to the governing party's political designs.

Governments do not exist beyond the law. Any government that holds itself above the rules it enforces – can never and will never be the reliable partner that you are right to expect – and that citizens, investors, risk takers and job creators rightly deserve.

Ladies and gentlemen – No one is below the Law. No one is above the law. No one is beyond the law. The common theme here is simple *there must be one – and only one – law for all.*

Nobody can be forgotten. Nobody gets to opt-out. Nobody gets to live beyond the laws reach. Justice. Prosperity. Social Progress. All of this is possible only if, first and foremost, the rules of the game are consistent, stable, equitable and fair.

By insisting on one law for all – I believe we could see real progress in the issues I outlined above. More importantly, in doing so, we would create a fairer, safer, and more equitable society for all of us.

Thank you very much.