

EQUAL PARENTAGE BILL PASSES UNANIMOUSLY AFTER TORIES, LIBERALS SPARK A BRIEF 'DIVISIVE MOMENT'



Equal parentage bill passes unanimously after Tories, Liberals spark a brief ‘divisive moment’

29.11.2016 Sabrina Nanji

Decades after her crusade to get all families, including same-sex and LGBT clans, legally recognized in Ontario began, NDP MPP **Cheri DiNovo** on Tuesday toasted the passage of Bill 28, the All Families Are Equal Act, with a glass of champagne for those parents, and orange juice for their little ones, at Queen’s Park.

She called it a “historic” and “thrilling moment,” albeit one that was briefly marred by the politicking Tories and Grits.

After third reading in the house that morning, MPPs moved to close the debate and vote on the bill after question period. That’s when Liberal backbencher **Arthur Potts** sought unanimous consent to delay the vote so that [newly-elected-and-yet-to-be-sworn-in-PC-MPP Sam Oosterhoff](#) (Niagara West-Glanbrook) could take his seat and the “voices of

those citizens can be reflected.” The motion was promptly denied by a chorus of “Nays” from the Tories. The bill ended up passing unanimously, 79-0, and is now off to the Lieutenant Governor for royal assent. DiNovo called Potts’ point of order “very sad” and a “divisive moment.”

“Here, every party – Conservatives, Liberals, New Democrats – all voted for this bill. Let it be – this is a moment to celebrate, it’s not a moment for division,” DiNovo said to reporters after the vote.

But that morning it appeared that perhaps not all MPPs were kumbaya over the legislation.

For one, Oosterhoff’s delayed swearing-in spawned questions about whether he was being shielded from voting on the bill. Oosterhoff was at Queen’s Park Tuesday and told *QP Briefing* he was, in principle, against Bill 28, but it will forever remain a mystery as to how he would have voted on it. (Swearings-in are up to the discretion of MPPs-to-be, though Oosterhoff and new Liberal MPP for Ottawa-Vanier **Nathalie Des Rosiers** were named in the Ontario Gazette on Nov. 26, which is when they started getting paid and can begin setting up their offices. Des Rosiers was sworn in Monday and Oosterhoff will be sworn in Wednesday.)

Several other Tory MPPs were not in the chamber for the vote, raising questions about whether they were opposed to the bill, as many social conservatives are. Brown was spotted talking to backbenchers **Raymond Cho**, **Bob Bailey** and **Rick Nicholls** during question period, who left the chamber before the vote was called. Brown then walked over to DiNovo’s desk for a quick chat. PC MPP **Monte McNaughton**, [erstwhile so-con saviour](#), was not seen in the house at all. Bill 28 amends several statutes to ensure that same-sex couples are automatically legally recognized as parents, whether or not their children are biologically related to them or not, and whether they were conceived with or without reproductive assistance.

Brown denied the suggestion that internally his caucus appeared to be divided along so-con lines over the legislation.

“I don’t think some of the members who weren’t here are the more socially conservative ones. That’s your assessment, and I disagree with that assessment. Some members invariably have issues. One member had a medical appointment, that doesn’t mean he’s socially conservative,” he said in response to a reporter’s questions.

PC MPP **Lisa MacLeod**, who walked in the Pride Parade with Patrick Brown and supports LGBT rights, was also absent.

As for Oosterhoff, Brown said he fully expects 19-year-old MPP-elect Oosterhoff will support the direction he’s taking his party, as Brown recalibrates toward the centre.

Brown reiterated that the "vast majority" of the Tories was there supporting Bill 28. He then flipped the script on to the empty seats across the aisle.

"We had 17 members attend. The Liberals had 10 missing," Brown said. "I was there supporting the bill because I thought it was the right balance. I was the only leader of any party to show up and support Bill 28. The real question should be where's **Kathleen [Wynne]**, where's **Andrea [Horwath]** today."

Deputy premier **Deb Matthews** countered it was shaping up to be a "rough week" for Brown because of how the morning's vote went down. (And because the Leader had to answer some [tough questions about a Toronto Star story that his office reportedly misled reporters about the circumstances of his Simcoe North predecessor Garfield Dunlop's departure.](#))

"His newly elected MPP wouldn't show up for a really important bill; in fact, almost half his caucus wouldn't vote on that bill. So that tells you something ... It's clearly a divided caucus. I think you can read into that, that they were opposed to the bill," Matthews told reporters after question period.

PC MPP **Todd Smith**, who voted in favour of Bill 28, later denied any internal party strife and told *QP Briefing* his fellow MPPs were upset that their amendments did not make it through the committee process. In particular, one PC amendment would have given people the option to choose how they wish to be identified on legal forms, as "mother," "father," or "parent." Bill 28 eliminates those identifiers and opts for the gender neutral "parent" instead.

As for Potts' defeated motion, Smith chalked it up to nothing more than a petty political jab. "Arthur Potts has done some crazy things in the legislature, and said some crazy things to local media, so I really don't put a whole lot of stock in what Arthur Potts is doing," Smith said.

Social conservatives opposed to Bill 28, including anti-sex-ed crusader **Queenie Yu** and **Tanya Granic Allen**, head of Parents As First Educators, a group opposed to the sex-ed curriculum, were at Queen's Park to watch the vote. Both said they were disappointed at the outcome, but shifted the blame on to Brown, and accused him of not letting MPPs vote as they pleased on the bill. Brown's PCs and the so-cons have had somewhat of a falling out of late as the Tory leader aims to shift the party toward the centre.

"There were a lot of empty seats," Allen said. "I think those numbers have to be accountable to their constituents, more so than the leader of their party."

Yu, who ran in Niagara West-Glanbrook but urged voters to cast ballots for Oosterhoff, said she thought the MPP-to-be would have voted against the bill, had Brown let him. Yu has not spoken to Oosterhoff since an all-candidates' debate earlier this month.

"I think Patrick Brown had a lot to do with Sam not being here today," Yu said.

Earlier that morning, DiNovo delivered what is expected to be the final, impassioned speech in the house on the law that she has been working to change for decades.

"It is a question of faith in equal rights," DiNovo began. "It's a question of faith that families come in all shapes and forms and always have. It's a question of faith that if we allow parents who love their children to love their children, those children will be okay insofar as we can protect them. It is a question of faith in that we're acting on children's behalf, and not out of prejudice. And not only when those babies are born, but throughout their lives, so that they know as teenagers, that they know as young people, that they're going to grow up into a world where they can marry who they love and who they choose, and they can have children and those children will be equal. It's a matter of faith in that. It's a matter of faith in a world that believes in those bedrock principles of equality, of family, of all types of family and of our children's right to exist safely and with love ... So here's to parent equality, here's to our children, here's to a truly faithful future, a truly equal future for everyone."

With files from Jessica Smith Cross and Geoff Zochodne.

To contact the reporter on this story:

snanji@qpbriefing.com

416-212-5789