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From the office of the President

February 26, 2024

VIA EMAIL: premier@ontario.ca
The Honourable Doug Ford, M.P.P.
Premier of Ontario
Legislative Building, Queen's Park
Toronto, Ontario, M7A 1A1

The Criminal Lawyers' Association represents more than 1800 criminal lawyers in the province of Ontario. Our membership regularly appears in the Ontario Court of Justice where the bulk of criminal law cases are heard in this province.

The Judicial Appointments Advisory Committee (JAAC) had long been lauded as the gold standard in judicial appointments. The JAAC created significant independence in the appointment process of judges in our province. This committee historically focused on appointing judges for merit and not political allegiance.

Your recent comments in the media confirmed your Government's intentions to politicize the process. The Government's interference with the judicial appointment process poses a substantial threat to the independence of Ontario's judges. The loss of independence erodes public confidence in the judiciary. Your ill-conceived public comments about appointing "like-minded" judges will have the unintended effect of tarnishing the integrity of your future appointments.

Judicial independence is a cornerstone of our constitutional democracy. We echo the concerns of other Ontario legal organizations and urge your Government to appoint qualified, principled, impartial judges of the highest caliber regardless of political affiliation. Judges must be free to make fair and impartial decisions – often difficult decisions – without concern for whether or not their rulings align with the Government of the day.

Yours very truly,

A handwritten signature in cursive script that reads "Boris Bytensky".

Boris Bytensky
President, Criminal Lawyers' Association

CC: The Honourable Doug Downey, K.C., M.P.P., Attorney General of Ontario