



# JUSTICES OF THE PEACE REVIEW COUNCIL

ONTARIO

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**ANNUAL REPORT  
2025**



***The Honourable Sharon M. Nicklas***

**CHIEF JUSTICE  
ONTARIO COURT OF JUSTICE  
Chair, Justices of the Peace Review Council**

May 29, 2026

The Honourable Doug Downey  
Attorney General for the Province of Ontario  
720 Bay Street, 11<sup>th</sup> Floor  
Toronto, Ontario  
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Dear Minister:

It is my pleasure to submit the Annual Report of the Justices of the Peace Review Council concerning its operations in 2025, in accordance with s. 9(7) of the *Justices of the Peace Act*.

The period of time covered by this Annual Report is from January 1 to December 31, 2025.

Respectfully submitted,



Sharon M. Nicklas  
*Chief Justice*  
*Ontario Court of Justice*

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# 1. INTRODUCTION

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The Justices of the Peace Review Council is an independent body established by the Province of Ontario under the *Justices of the Peace Act*, R.S.O. 1990, c. J.4. The Review Council's mandate is to receive and investigate complaints about the conduct of justices of the peace and to fulfill other functions as described in this Report.

The *Justices of the Peace Act* provisions establishing and governing the Council are available on the government's e-laws website at:

- <https://www.ontario.ca/laws/statute/90j04>

The Act requires the Council to submit an Annual Report to the Attorney General on its affairs, including [case summaries](#) about complaints. Unless a public hearing has occurred, the Report must not include information that identifies a justice of the peace, a complainant or a witness.

This Annual Report provides information on the Council's membership, its functions and procedures, and its work during the 2025 reporting year. During the period covered by this report, the Review Council had jurisdiction over approximately 398 provincially appointed justices of the peace, including those working full-time, part-time and *per diem*.

Justices of the peace play an important role in the administration of justice in Ontario. They are appointed by the Province of Ontario and have their duties assigned by a Regional Senior Judge or a Regional Senior Justice of the Peace. Justices of the peace preside over provincial offences matters, including routinely conducting trials under the *Provincial Offences Act*. Justices of the peace also preside over bail hearings and perform other important judicial functions, such as issuing search warrants and presiding in criminal case management court and intake court.

The Ontario Court of Justice is the highest-volume trial court in Canada. In an average year, the Court deals with over 245,000 adult and youth criminal cases. Justices of the peace have jurisdiction with respect to bail hearings, search warrants, presiding in criminal set-date court, and hearing s. 810 *Criminal Code* applications. In addition, justices of the peace presided over the majority of the almost 50,000 *Provincial Offences Act* trials conducted in 2025.

The Court holds sittings at approximately 140 locations across Ontario, ranging from large courthouses in cities to fly-in locations in northern Ontario.

You may find out more about the Review Council by reading this Annual Report and by visiting its website at:

- <https://www.ontariocourts.ca/ocj/conduct/jprc/>

The website contains:

- ◆ the Council's current policies and procedures
- ◆ updates about any public hearings that are in progress
- ◆ decisions made in public hearings
- ◆ the *Principles of Judicial Office of Justices of the Peace of the Ontario Court of Justice*
- ◆ the Justice of the Peace Education Plan.

## 2. COMPOSITION AND TERMS OF APPOINTMENT

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The *Justices of the Peace Act* sets out the membership of the Justices of the Peace Review Council and terms of appointment:

- ◆ the Chief Justice of the Ontario Court of Justice, or another judge of the Ontario Court of Justice designated by the Chief Justice;
- ◆ the Associate Chief Justice Co-ordinator of Justices of the Peace;
- ◆ three justices of the peace appointed by the Chief Justice of the Ontario Court of Justice;
- ◆ two judges of the Ontario Court of Justice appointed by the Chief Justice of the Ontario Court of Justice;
- ◆ one regional senior justice of the peace appointed by the Chief Justice of the Ontario Court of Justice;
- ◆ a licensee within the meaning of the *Law Society Act* appointed by the Attorney General from a list of three names submitted to the Attorney General by the Law Society of Ontario; and,
- ◆ four community representatives appointed by the Lieutenant Governor in Council on the recommendation of the Attorney General.

In the appointment of community members, the importance of reflecting, in the composition of the Review Council as a whole, Ontario's linguistic duality, the diversity of its population and ensuring overall balance in gender identity, is recognized.

The Law Society licensee and community members who are appointed to the Council hold office for four-year terms and are eligible for reappointment. Judicial members on the Council are appointed by the Chief Justice of the Ontario Court of Justice.

### **3. MEMBERS**

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The membership of the Review Council in 2025 was as follows:

#### **Ontario Court of Justice Members:**

- ◆ The Honourable Sharon Nicklas, Chief Justice of the Ontario Court of Justice (Chair)
- ◆ The Honourable Jeanine LeRoy, Associate Chief Justice Co-ordinator of Justices of the Peace of Ontario Court of Justice

#### **Two judges appointed by the Chief Justice of the Ontario Court of Justice:**

- ◆ The Honourable Justice Enzo Rondinelli (Toronto)
- ◆ The Honourable Justice Marlyse Dumel (East)  
(Until June 20, 2025)
- ◆ The Honourable Regional Senior Justice Cecile Applegate (Central East)  
(Effective June 21, 2025)

#### **Regional Senior Justice of the Peace appointed by the Chief Justice of the Ontario Court of Justice:**

- ◆ Regional Senior Justice of the Peace Melanie Bremner (Toronto)  
(Until February 21, 2025)
- ◆ Regional Senior Justice of the Peace Samantha Burton (Central West)  
(Effective March 4, 2025)

#### **Three justices of the peace appointed by the Chief Justice of the Ontario Court of Justice:**

- ◆ Justice of the Peace Christine Smythe (Toronto)  
(Until February 21, 2025)
- ◆ Justice of the Peace Sarah Keesmaat (Northeast)
- ◆ Justice of the Peace Kathryn E. Kellough (West)
- ◆ Justice of the Peace Jean A. Carter (Toronto)  
(Effective May 27, 2025)

## **Members appointed by the Attorney General:**

### Law Society Member

- ◆ Bassam Azzi, Lawyer (Ottawa)

### Community Members

- ◆ Lauren Rakowski, Lawyer, Gardiner Roberts LLP (Toronto)
- ◆ Naomi Solomon, Lawyer, BMO Financial Group (Toronto)
- ◆ Bill Hogg, Bill Hogg & Associates (Retired) (Aurora)
- ◆ George Nikolov, Professional Engineer (Toronto)  
(Until September 25, 2025)

## **Temporary Members:**

Subsection 8(10) of the *Justices of the Peace Act* permits the Chief Justice of the Ontario Court of Justice to appoint a judge or a justice of the peace to be a temporary member of the Justices of the Peace Review Council to sit on a complaints committee or hearing panel when it is necessary in order to deal fully with a matter.

During the period covered by this report, the following members were appointed by the Chief Justice of the Ontario Court of Justice as temporary members for purposes of fully dealing with a complaint:

- ◆ The Honourable Justice Marlyse Dumel (East)
- ◆ The Honourable Justice Peter J. DeFreitas (Toronto)
- ◆ Justice of the Peace Kristine M. Diaz (West)
- ◆ Justice of the Peace Christine Smythe (Toronto)

## 4. COUNCIL ADMINISTRATION AND STAFF

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The Justices of the Peace Review Council and the Ontario Judicial Council share a six-member staff consisting of a Registrar, two Counsel/Deputy Registrars, two Assistant Registrars and an Administrative Assistant:

- Alison Warner – Registrar
- Shoshana Bentley-Jacobs – Counsel & Deputy Registrar
- Lauren Binhammer – Acting Counsel & Deputy Registrar
- Philip Trieu – Assistant Registrar
- Lily Miranda – Acting Assistant Registrar
- Astra Tantalo – Administrative Assistant

Council staff are responsible for service delivery in a number of areas including:

- responding to telephone and written inquiries from the public regarding the Council's mandate and procedures and providing requested assistance to members of the public who wish to make a complaint to the Council
- performing a preliminary review of new complaints received by the Council
- redirecting complainants who are not complaining about judicial conduct to the appropriate complaint body and/or to available legal resources
- supporting members of the Council in the investigation and review of complaints (e.g., ordering court records, retaining investigation counsel, preparing complaint-related correspondence, etc.)
- supporting meetings of the full Council, as well as numerous meetings of complaints committees of the Council held throughout the year
- supporting and attending hearings of the Council into complaints
- posting communications on the Council's website regarding public hearings and decisions
- facilitating the consideration of judicial requests for compensation of legal fees incurred in the complaints process

- retaining and instructing counsel in relation to judicial reviews and/or appeals of decisions of the Council
- onboarding new members of the Council and offboarding members of the Council after the expiry of their terms
- assisting with the preparation of the Annual Report of the Council

In addition to supporting the work of the Justices of the Peace Review Council, Council staff also support the work of the Ontario Judicial Council.

## 5. FUNCTIONS OF THE REVIEW COUNCIL

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The *Justices of the Peace Act* sets out the functions of the Review Council:

- ◆ to establish complaints committees from amongst its members to receive and investigate complaints about justices of the peace, and decide upon dispositions under s. 11(15);
- ◆ to hold hearings under s. 11.1 when hearings are ordered by complaints committees pursuant to s. 11(15);
- ◆ to review and approve standards of conduct;
- ◆ to consider applications under s. 5.2 for the accommodation of needs;
- ◆ to address continuing education plans; and,
- ◆ to decide whether a justice of the peace who applies for approval to engage in other remunerative work may do so.

More information about each of the functions performed by the Review Council may be found in this Report.

The main function of the Review Council is to consider complaints about judicial conduct on the part of justices of the peace who preside on the Ontario Court of Justice. The Review Council's jurisdiction in this regard is limited to considering complaints about alleged judicial misconduct. Examples of judicial misconduct include inappropriate courtroom conduct (e.g., exhibiting a lack of restraint or civility in the courtroom, making discriminatory comments or engaging in discriminatory conduct towards any persons in the courtroom), or improper off-the-bench conduct.

The Review Council is not to be confused with an appellate court. The Review Council does not have the power to interfere with a court case or to change a decision made by a justice of the peace. If a person believes that a justice of the peace made an error in assessing evidence or in making a decision on any legal issue, they may pursue available legal remedies through the courts, such as an appeal.

The Review Council cannot provide legal advice or assistance to individuals, or intervene in litigation on behalf of a party.

The legislation that governs the Review Council establishes a judicial complaints process that is generally private and confidential in the investigation stages. If a hearing is ordered, the process becomes public, unless a hearing panel orders that there are exceptional circumstances to warrant a private hearing. The confidential and private nature of the complaint process required by the *Justices of the Peace Act* is intended to achieve a balance between the accountability of justices of the peace for their conduct and the constitutionally protected value of judicial independence.

## 6. COMMUNICATIONS

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During the reporting year, the Justices of the Peace Review Council launched a new public website as part of its ongoing commitment to transparency, accessibility, and public confidence in the judicial oversight process. The new website provides a modernized platform through which members of the public, the judiciary, and other stakeholders can access clear and reliable information about the Review Council’s mandate, jurisdiction, processes, and activities.

The website was designed with a focus on usability, accessibility, and plain language communication. It incorporates a responsive design that allows content to be viewed effectively across a range of devices, including desktop computers, tablets, and mobile phones.

Key enhancements include clearer explanations of the complaint process through a “Frequently Asked Questions” section, improved navigation, and the introduction of a “Latest News and Publications” section to support access to public information about the Review Council’s work.

The launch of the website represents an important step in strengthening the Review Council’s public-facing communications and enhancing public understanding of its independent role. The JPRC will continue to review and improve the website over time to ensure that it remains responsive to user needs and reflects best practices in public-sector communications.

The website of the Justices of the Peace Review Council includes information about the Council, including the most current version of its policies and procedures, as well as information about hearings that are underway or that have been completed.

Information about any ongoing hearings is available under the link “Current Public Hearings” at:

- <https://www.ontariocourts.ca/ocj/conduct/jprc/hearings/current-public-hearings/>

Decisions made during hearings are posted under the link “Public Hearing Decisions” at:

- <https://www.ontariocourts.ca/ocj/conduct/jprc/hearings/public-hearing-decisions/>

Each Annual Report of the Council is also available on the Council's website no later than thirty days after it has been sent to the Attorney General at:

- <https://www.ontariocourts.ca/ocj/conduct/jprc/publications/annual-reports/>

## 7. EDUCATION PLAN

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The Associate Chief Justice Co-ordinator of Justices of the Peace of the Ontario Court of Justice is required by s. 14 of the *Justices of the Peace Act* to establish, implement and make public a plan for the continuing judicial education of justices of the peace. The education plan must be approved by the Review Council. In 2007, a continuing education plan was developed by the Associate Chief Justice Co-ordinator of Justices of the Peace in conjunction with the Advisory Committee on Education. The Committee included the Associate Chief Justice Co-ordinator of Justices of the Peace as Chair (*ex officio*) and justices of the peace nominated by the Associate Chief Justice Co-ordinator of Justices of the Peace and by the Association of Justices of the Peace of Ontario.

An Advisory Committee on Education of the Court reviews the education programs and may make recommendations to the Associate Chief Justice Co-ordinator of Justices of the Peace on changes and additions to existing programs, and on the content and format of new programs as they are being proposed and developed. Any proposed changes are submitted to the Review Council for review and approval.

A copy of the current Education Plan can be found on the Council's website under the link "Justice of the Peace Education Plan" at:

- <https://www.ontariocourts.ca/ocj/conduct/jprc/publications/education-plan/>

## 8. STANDARDS OF CONDUCT

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The Associate Chief Justice Co-ordinator of Justices of the Peace may, under s. 13(1) of the *Justices of the Peace Act*, establish standards of conduct for justices of the peace and a plan for bringing the standards into effect and must implement the standards and plan when they have been reviewed and approved by the Review Council.

Further to s. 13(1), the *Principles of Judicial Office for Justices of the Peace of the Ontario Court of Justice* were approved by the Justices of the Peace Review Council on December 7, 2007. The principles set out standards of excellence and integrity to which justices of the peace should subscribe. These principles are not exhaustive. Intended to assist justices of the peace in addressing ethical and professional dilemmas, they also

serve to assist the public in understanding the standards expected of justices of the peace in the performance of their judicial duties and in their conduct generally.

The principles are advisory in nature. A breach does not automatically lead to a conclusion that there has been misconduct. However, the principles set out a general framework of values and considerations that are relevant to evaluating allegations of improper conduct by a justice of the peace.

The *Principles of Judicial Office for Justices of the Peace of the Ontario Court of Justice* can be found on the Council's website under the link for "Standards of Conduct" at:

- <https://www.ontariocourts.ca/ocj/conduct/jprc/standards-of-conduct/>

In 2023, the Associate Chief Justice Co-ordinator of Justices of the Peace proposed to the Justices of the Peace Review Council that the Canadian Judicial Council's [Ethical Principles for Judges](#) (2021) form part of the ethical standards governing the conduct of justices of the peace. The Review Council agreed and they form part of the ethical standards governing the conduct of justices of the peace of the Ontario Court of Justice.

## 9. APPLICATIONS FOR ACCOMMODATION

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A justice of the peace who believes that they are unable, because of a disability, to perform the essential duties of the office unless their needs are accommodated may apply to the Council under s. 5.2 of the *Justices of the Peace Act* for an order that such needs be accommodated to enable them to perform their essential duties.

The Ministry of the Attorney General, with input from the Office of the Chief Justice, has a process that provides a consistent means for judicial officers to request accommodation of needs arising from disabilities. The Council recognizes that the Ministry has access to the expertise and resources to properly assess and address requests for accommodation of needs. For the Council to properly consider applications for accommodation, the applicant justice of the peace must first exhaust the accommodation of needs process that is available for judicial officers through the Ministry of the Attorney General. When that process has been completed, if the justice of the peace wishes to apply to the Council, they must provide a copy of all documentation from the Ministry's application process, including medical evidence and decisions.

Rule 20 of the Review Council's Procedures sets out the policy governing applications for an order of accommodation:

- <https://www.ontariocourts.ca/ocj/conduct/jprc/publications/procedures/>

No accommodation applications were considered by the Council in 2025.

## 10. OVERVIEW OF THE COMPLAINTS PROCESS

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### i. Who may file a complaint?

Any person may make a complaint to the Review Council about the conduct of a justice of the peace.

### ii. Does the Council have the legal authority to consider the complaint?

The Review Council has a legislative mandate to review complaints about the **conduct** of justices of the peace. The Council has no authority to review **decisions** of justices of the peace to determine whether there were any errors in how the issues were determined or how conclusions were drawn. If a party involved in a court case thinks that a justice of the peace reached the wrong decision in the case, they may have legal remedies through the courts, such as an appeal or application for judicial review. Only a court can change a decision or order of a justice of the peace.

All correspondence sent to the Review Council is reviewed to determine whether a complaint is within the jurisdiction of the Review Council. In cases where the complaint may be within the jurisdiction of the Review Council, a complaint file is opened and a letter of acknowledgement is sent to the complainant.

If a complainant expresses dissatisfaction with a decision that has been made by a justice of the peace, a letter is sent advising the complainant that the Council has no power to change a decision made by a justice of the peace. In such cases, the complainant is advised that they may wish to consult legal counsel to determine what, if any, remedies may be available through the courts.

If an individual is complaining about a lawyer or paralegal, a police officer, a Crown Attorney, member of court staff, or about another office, the complainant is generally given the contact information of the appropriate body that may address their concerns.

If the complaint raises allegations of conduct about a justice of the peace arising from a court proceeding that is still ongoing, the Review Council will not generally commence an investigation until that court proceeding and any appeal or other related legal proceedings have been completed. This is to ensure that any investigation by the Council does not interfere, and is not perceived to be interfering with, ongoing court matters.

### iii. What happens in the complaints process?

The *Justices of the Peace Act* and the procedures that have been established by the Council provide the framework for addressing complaints about justices of the peace. If a complaint is ordered to a public hearing, certain provisions of the *Statutory Powers Procedure Act* also apply. The complaints procedure is outlined below.

### **a) Preliminary Investigation and Review**

Once it is determined that the complaint does not raise allegations related to ongoing court proceedings, a complaints committee will be assigned to investigate the complaint. Each complaints committee is composed of a provincially appointed judge who acts as chair, a justice of the peace and either a community or Law Society member. Members of the Council serve on complaints committees on a rotating basis.

Complaints are not generally assigned to judicial members from the same region where the justice of the peace who is the subject of the complaint presides to avoid possible or perceived conflicts of interest.

Section 11(8) of the Act requires that investigations by the Review Council be conducted in private.

Where a complaint involves allegations about a justice of the peace's conduct in the courtroom, the complaints committee will review the relevant court transcripts, documents, and/or the audio recording of the proceeding.

In some cases, the committee may find that it is necessary to conduct further investigation in the form of witness interviews. Section 8(15) of the Act permits the Council to retain external lawyers or investigators to assist the committee by interviewing witnesses who may have information concerning the allegations.

The complaints committee may also decide to invite the subject justice of the peace to submit a written response to the complaint. In such cases, a copy of the relevant materials considered by the complaints committee will be provided to the justice of the peace, together with a letter from the complaints committee of the Review Council inviting a response. The justice of the peace may seek independent legal advice to provide assistance in responding to the complaint.

### **b) Interim Recommendations**

In the course of its investigation, the complaints committee may also consider whether the allegations warrant making an interim recommendation of non-assignment or reassignment of the justice of the peace pending the disposition of the complaint. Under s. 11(11) of the Act, the committee may make an interim recommendation to the Regional Senior Judge where the justice of the peace presides that the justice of the peace be non-assigned work or reassigned to another court location pending the final disposition of the complaint.

A Regional Senior Judge has discretion to accept or reject a complaints committee's interim recommendation. If the Regional Senior Judge decides not to assign work to the justice of the peace pending the final disposition of the complaint, pursuant to the legislation, the justice of the peace will continue to be paid. If the Regional Senior Judge decides to reassign the justice of the peace, the legislation requires that the justice of the peace must consent to the reassignment.

In deciding whether to make an interim recommendation, a complaints committee shall consider whether any of the following factors are present:

- ◆ the complaint arises out of a working relationship between the justice of the peace and the complainant and/or an affected third party who work at the same court location as the justice of the peace;
- ◆ allowing the justice of the peace to continue to preside would likely bring the administration of justice into disrepute;
- ◆ the complaint is of sufficient seriousness that there are reasonable grounds for investigation by law enforcement agencies;
- ◆ there are concerns about the competence and/or capacity of the justice of the peace to perform the essential duties of office.

Where a complaints committee is considering making an interim recommendation, it may (but is not required to) provide the justice of the peace with an opportunity to make written submissions before making its decision.

Particulars of the factors upon which the complaints committee's interim recommendation is based are provided to both the Regional Senior Judge receiving the interim recommendation and to the justice of the peace.

The Procedures of the Review Council recognize that an exception to the general requirement of confidentiality in the complaints process is warranted where an interim recommendation of non-assignment or reassignment has been made and the complaint has been referred to a public hearing. In such circumstances, once the Notice of Hearing has been served on the justice of the peace and the complaints process has become public, the Review Council's website informs the public that the justice of the peace has been unassigned from work or has been reassigned to a different location as a result of an interim recommendation.

Of the files under consideration in 2025, one justice of the peace was non-assigned work pending the final disposition of the complaint.

### **c) Dispositions by Complaints Committees**

Pursuant to s. 11(15) of the Act, a complaints committee may impose one of the following dispositions following the consideration of a complaint:

- ◆ dismiss the complaint if it is frivolous, an abuse of process or outside the jurisdiction of the complaints committee;
- ◆ invite the justice of the peace to attend before the complaints committee to receive advice concerning the issues raised in the complaint or send the justice of the peace a letter of advice concerning the issues raised in the complaint, or both;

- ◆ order that a formal hearing into the complaint be held by a hearing panel; or,
- ◆ refer the complaint to the Chief Justice of the Ontario Court of Justice.

The Review Council has developed criteria in its Procedures to assist complaints committees in determining the appropriate disposition of a complaint:

- ◆ **Dismissal:** A complaints committee will dismiss a complaint after reviewing the complaint if the complaints committee believes: (i) it is frivolous or an abuse of process; (ii) it falls outside the Review Council's jurisdiction because it is a complaint about the exercise of judicial discretion and does not include an allegation of judicial misconduct; (iii) if it does include an allegation of judicial misconduct, the allegation is unproven or unfounded, or the conduct does not rise to the level of misconduct that requires further action on the part of the Review Council.
- ◆ **Provide advice:** A complaints committee may provide advice to a justice of the peace, in person or by letter, or both, in circumstances where the misconduct complained of does not warrant another disposition, there is some merit to the complaint and the disposition is, in the opinion of the complaints committee, a suitable means of informing the justice of the peace that their course of conduct was not appropriate in the circumstances that led to the complaint.
- ◆ **Referral to the Chief Justice:** A complaints committee may refer a complaint to the Chief Justice of the Ontario Court of Justice in circumstances where the conduct complained of does not warrant another disposition, there is some merit to the complaint and the disposition is, in the opinion of the complaints committee, a suitable means of informing the justice of the peace that their course of conduct was not appropriate in the circumstances that led to the complaint. A complaints committee may impose conditions on the referral to the Chief Justice if, in its opinion, there is some course of action or remedial training of which the subject justice of the peace could take advantage.
- ◆ **Order a hearing:** A complaints committee may order a hearing into a complaint where there has been an allegation of judicial misconduct that the complaints committee believes has a basis in fact and which, if believed by the finder of fact, could result in a finding of judicial misconduct.

#### **d) Reporting the Disposition of Complaints**

After the complaints committee determines the appropriate disposition of a complaint, it communicates its decision to the complainant and, in most cases, to the justice of the peace. Justices of the peace may waive notice of complaints made about their conduct

in circumstances where the justice of the peace is not invited to respond to the complaint and the complaint is dismissed.

In accordance with the Procedures, if the complaints committee decides to dismiss a complaint, brief reasons will be provided in a disposition letter sent to the complainant (and the justice of the peace, if notice is not waived) and in a case summary that appears in the Annual Report.

Because of the role of the Review Council in balancing judicial independence and accountability for judicial conduct, the legislation provides that proceedings, other than public hearings, are generally private and confidential. Through the Annual Report, complaints committees report to the Review Council and the public about complaints received and disposed of during the reporting year. In accordance with the governing legislation and procedures, except where a public hearing is ordered, the Annual Report does not identify the complainant or the justice of the peace who is the subject of the complaint.

#### **e) Public Hearings**

When the complaints committee orders a public hearing, under s. 11.1(1) of the Act, the Chief Justice of the Ontario Court of Justice, who is also the Chair of the Review Council, establishes a three-member hearing panel from among the members of the Council composed of:

- ◆ a provincially-appointed judge who chairs the panel;
- ◆ a justice of the peace; and,
- ◆ a member of the Council who is a judge, a lawyer, or community member.

Complaints committee members who participated in the investigation of a complaint do not participate or form part of the hearing panel.

The legislation provides authority for the Chief Justice of the Ontario Court of Justice to appoint judicial members as “temporary members” of the Council where it is necessary to achieve quorum to meet the requirements of the Act. This also provides a means to ensure that none of the hearing panel members was involved in the investigation of the complaint.

With some exceptions, the *Statutory Powers Procedure Act* applies to hearings into complaints. Persons may be required by summons to give evidence under oath or affirmation at the hearing and to produce in evidence any documents or things which are relevant to the subject matter of the hearing and admissible at the hearing.

A hearing under s. 11.1 of the Act is public unless the Review Council determines, in accordance with criteria established under the JPRC Procedures Document, that it should proceed in private. These criteria include whether the hearing involves matters of public or personal security that may be disclosed, or where intimate financial, personal or other

matters may be disclosed of such a nature that the desirability of avoiding disclosure of such matters, in the interests of any person affected or in the public interest, outweighs the desirability of following the principle that the hearing be open to the public.

Where a complaint involves allegations of sexual misconduct or sexual harassment, the Review Council hearing panel has the power to prohibit publication of information that would disclose the identity of a complainant or a witness in accordance with s. 11.1(9) of the Act.

The Review Council engages legal counsel, called presenting counsel, for the purposes of preparing and presenting the case about the justice of the peace to the hearing panel. The legal counsel engaged by the Review Council operates independently of the Review Council. The duty of presenting counsel is not to seek a particular order against a justice of the peace, but to see that the complaint about the justice of the peace is evaluated fairly and dispassionately to the end of achieving a just result.

The justice of the peace may be represented by counsel or agent, or may act on their own behalf in any hearing before a hearing panel of the Review Council.

Under s. 11.1(10) of the Act, the hearing panel of the Review Council may dismiss the complaint, with or without a finding that it is unfounded or, if it upholds the complaint, it may impose one or more of the following sanctions:

- ◆ warn the justice of the peace;
- ◆ reprimand the justice of the peace;
- ◆ order the justice of the peace to apologize to the complainant or to any other person;
- ◆ order the justice of the peace to take specified measures such as receiving education or treatment, as a condition of continuing to sit as a justice of the peace;
- ◆ suspend the justice of the peace with pay, for any period; or,
- ◆ suspend the justice of the peace without pay, but with benefits, for a period up to 30 days.

Following the hearing, the hearing panel of the Review Council may make a recommendation to the Attorney General that the justice of the peace be removed from office. A recommendation to the Attorney General that the justice of the peace be removed from office cannot be combined with any other disposition.

A justice of the peace may be removed from office only if a hearing panel of the Review Council recommends to the Attorney General under s. 11.2 that the justice of the peace be removed on one or more the following grounds:

- ◆ they have become incapacitated or disabled from the execution of their office by reason of inability to perform the essential duties of the office because of a disability and, in the circumstances, accommodation of their needs would not remedy the inability, or could not be made because it would impose undue hardship to meet those needs;
- ◆ they have engaged in conduct that is incompatible with the execution of the office; or
- ◆ they have failed to perform the duties of their office.

Only the Lieutenant Governor in Council may act upon the recommendation of the hearing panel and remove the justice of the peace from office.

## 11. COMPENSATION FOR LEGAL COSTS

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When a complaints committee has dealt with a complaint, s. 11(16) of the *Justices of the Peace Act* permits the committee to consider an application by the subject justice of the peace for compensation for legal costs incurred in connection with the investigation. The complaints committee may recommend to the Attorney General that the justice of the peace be compensated for all or part of the costs of legal services incurred in connection with the investigation.

Where a hearing into a complaint is ordered, s. 11.1(17) allows a hearing panel to consider an application by the subject justice of the peace for compensation for legal costs incurred in connection with both the investigation and the hearing. Where a recommendation for removal from office is made in response to a complaint received on or after July 8, 2020, a hearing panel shall not recommend compensation: s. 11.1(17.2).

The amount of compensation recommended by a complaints committee or hearing panel is based on a rate for legal services that does not exceed the maximum rate normally paid by the Government of Ontario for similar services, in accordance with s. 11(17) and s. 11.1(18) of the Act. Compensation requests are submitted to the Council after the complaints process has concluded, along with a copy of the lawyer's statement of account(s).

During the period covered by this report, there were three recommendations for compensation for legal costs made to the Attorney General by complaints committees or hearing panels.

## 12. COUNCIL PROCEDURES

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Under s. 10(1) of the *Justices of the Peace Act*, the Review Council may establish rules of procedure for complaints committees and hearing panels, and the Review Council must make the rules available to the public. The Review Council has established procedures governing the complaints process which are posted on its website under the link, "Publications & Policies" at:

- <https://www.ontariocourts.ca/ocj/conduct/jprc/publications/procedures/>

In 2025, the Council continued to refine and develop its procedures and policies. The following amendments to the Review Council's Procedures Document were adopted by the Council:

- ◆ Rule 6.6 establishes the criteria for complaints committees to consider when making interim recommendations of non-assignment or re-assignment to another court location pending the final disposition of a complaint. The JPRC made two amendments to this rule.

First, the JPRC amended rule 6.6(a), which addresses complaints arising from working relationships between justices of the peace and others. The JPRC amended this rule to include the term, "affected third party", to clarify that individuals may complain to the JPRC on behalf of an affected third party.

Second, the JPRC amended rule 6.6(d) to reflect that an interim recommendation may be made where a complaints committee has concerns about the competence and/or capacity of a justice of the peace, regardless of whether the justice of the peace may be suffering from a disability.

The Council's current procedures that incorporate the amendments made in 2025 are posted on the Review Council's website at this link:

- <https://www.ontariocourts.ca/ocj/conduct/jprc/publications/procedures/>

## **13. OVERVIEW OF COMPLAINT CASELOAD IN 2025**

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The Justices of the Peace Review Council works hard to administer an efficient and timely process to review complaints against justices of the peace that fall within its jurisdiction.

In 2025, the Review Council received, reviewed and responded to over 60 letters of complaint. In addition, Council staff responded to several hundred phone calls from complainants and members of the public.

Many complaints received by the Review Council involve matters that are outside of its jurisdiction. For example, the Council receives a number of complaints that are about the decisions of justices of the peace rather than about their conduct. In addition, the Council receives complaints about federally appointed judges, police, lawyers or Crown Attorneys, and complaints concerning administrative law proceedings. Council staff provide written responses to complainants advising them of the appropriate body to which they may wish to direct their complaints. Depending on the nature of the complaint, Council staff provide information about legal resources that could assist.

When the Council receives a complaint raising allegations that may be within its jurisdiction to investigate, a complaint file is opened and the complaint is assigned to a three-member complaints committee of the Council for consideration.

During the reporting period, 23 new complaint files were opened and assigned to complaints committees of the Council. In addition, 6 complaint files were carried forward from 2024. There was a total of 29 open complaint files under consideration by the Council during 2025.

In 2025, the Review Council closed 17 complaint files. Of the 17 files that were closed, 5 complaint files were opened in 2024 and 12 complaint files were opened in 2025. Twelve of these complaints were dismissed by the Review Council under s. 11(15)(a) of the *Justices of the Peace Act* on the basis that the allegations in the complaint letter were outside the jurisdiction of the Council, or were unsubstantiated or unfounded, or the behaviour in question did not amount to judicial misconduct requiring further action by the Council. Four of the complaints were disposed of by way of written advice. One complaint was referred to the Chief Justice. No hearings were conducted in the reporting year.

**COMPLAINT OUTCOMES FOR FILES CLOSED IN 2025**

Disposition	Number of Cases
Dismissed – Frivolous or an abuse of process; outside jurisdiction; unsubstantiated or did not amount to judicial misconduct <sup>1</sup>	12
Advice Letter	4
Advice – In Person	0
Referred to Chief Justice	1
Loss of Jurisdiction	0
Hearing	0
<b>TOTAL</b>	<b>17</b>

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<sup>1</sup> In annual reports prior to 2022, the Review Council reported separately on the number of complaints that were dismissed as outside the Review Council’s jurisdiction and the number of complaints that were dismissed as frivolous, an abuse of process, unsubstantiated, or did not amount to judicial misconduct. Complaints dismissed by the Review Council often contain a combination of allegations, some of which are outside the Review Council’s jurisdiction and some of which are frivolous, an abuse of process, unsubstantiated, or do not amount to judicial misconduct. Accordingly, these two categories have been consolidated since 2023.

**TYPES OF COMPLAINT FILES CLOSED IN 2025**

Types of Cases Closed	Number of Cases	% of Caseload
Provincial Offences Court	7	41%
Intake Court	3	17%
Case Management Court	1	6%
Bail Court	1	6%
Peace bond application	5	30%
Pre-enquête	0	0
Outside of Court	0	0
<b>TOTAL</b>	<b>17</b>	<b>100%</b>

**COMPLAINT FILE CASELOAD**

	2020*	2021*	2022*	2023	2024	2025
Files opened during year	17	9	10	23	18	23
Files continued from previous year	29	16	11	10	15	6
Total open files during year	46	25	21	33	33	29
Files closed during year	30	14	11	18	27	17
Files remaining at year end	16	11	10	15	6	12

\*The lower number of new complaints received in 2020-2022 may in part be due to the impact of the COVID-19 pandemic on court proceedings including proceedings involving provincial offences. Court proceedings were adjourned due to health risks associated with the pandemic. Most complaints arise from proceedings in court.

## **FORMAL HEARINGS**

A public hearing may be ordered pursuant to s. 11(15)(c) where the complaints committee is of the opinion that there has been an allegation of judicial misconduct which the majority of the members of the committee believes has a basis in fact and which, if believed by the finder of fact, could result in a finding of judicial misconduct.

Hearing decisions are posted on the Review Council's website on the webpage "Public Hearing Decisions" at:

- <https://www.ontariocourts.ca/ocj/conduct/jprc/hearings/public-hearing-decisions/>

## **14. CASE SUMMARIES**

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Except where a public hearing was ordered, a summary of each complaint for which the complaints process was completed, with identifying information for the subject justice of the peace, the complainant and witnesses removed as required by the legislation, are provided below.

### ***JPRC-013-24***

A member of the public made a complaint to the Review Council about the language and demeanour that he observed in the courtroom on the part of the subject justice of the peace.

The complainant alleged that, based on observations of the justice of the peace's conduct in court on various dates, the justice of the peace made comments that were derogatory, condescending, sarcastic, "full of bias", undignified, discourteous, and impatient. The complainant asserted that these comments cast doubt on the justice of the peace's judgment and could undermine confidence in their decisions. The complainant further alleged that the justice of the peace subjects "court staff and accused persons to a toxic environment where there is a clear power imbalance". The letter of complaint provided examples of such conduct from three court dates, although the complainant stated that the conduct reflects a pattern of behaviour that the complainant had observed over a couple of years.

The complaint was assigned to a three-member complaints committee of the Review Council consisting of a judge, a justice of the peace, and a Law Society or community member, for consideration.

The complaints committee reviewed the letter of complaint as well as the transcript and audio recordings of proceedings from the three court dates referred to in the letter of complaint.

Based on its review, the committee was concerned that, in some instances, the justice of the peace's language and tone towards accused persons, counsel and court staff lacked

the appropriate level of respect, civility, patience, professionalism and/or dignity. In addition, the committee was concerned about comments that could be perceived as undermining the appearance of the justice of the peace's impartiality. The committee also questioned whether, in some instances, the justice of the peace fulfilled their obligation to assist self-represented persons in understanding the court process, including orders that could affect their rights.

The complaints committee invited the justice of the peace to respond to its concerns, and reviewed the response provided.

The committee observed from the response provided that the justice of the peace took the complaint seriously and had reflected on the comments identified by the committee. The justice of the peace assured the committee that there was no intention to offend or minimize anyone in the courtroom, whether they be accused persons, counsel, court staff, or members of the public. The justice of the peace expressed a willingness to apologize for some of the comments.

While the committee was impressed by these acknowledgments and expressions of insight, the committee had remaining concerns that the justice of the peace appeared to rationalize or justify certain of the comments, without fully appreciating why the comments in question could reasonably have been perceived as inappropriate or unprofessional.

In accordance with the remedial objective of the complaints process, the committee provided the justice of the peace with written advice, pursuant to s. 11(15)(b) of the *Justices of the Peace Act*. A complaints committee provides advice in circumstances where the conduct complained of does not warrant another disposition, there is some merit to the complaint, and advice is, in the opinion of the committee, a suitable means of informing the justice of the peace that the conduct was not appropriate: JPRC Procedures Document, Rule 6.23(b). The objective of written advice is to assist in a justice of the peace's continued learning and development, so that the justice of the peace will not engage in conduct of a similar nature in the future.

As part of its advice, the committee reminded the justice of the peace of the importance of being mindful of how parties and members of the public may perceive judicial comments and conduct in the courtroom. The committee further reminded the justice of the peace of the importance of maintaining a tone and manner that reflects the dignity of their judicial office. This includes being aware of how their choice of language and demeanour may be interpreted, especially when dealing with young or vulnerable individuals. While it is essential that a justice of the peace apply the law firmly and fairly, it is equally important to ensure that justice is administered and seen to be administered, with impartiality, respect, decorum, and professionalism.

After providing its advice to the justice of the peace, the committee was of the view that no further action was required, and the file was closed.

## ***JPRC-015-24***

The complainant was a self-represented litigant who appeared before the subject justice of the peace in intake court, seeking to commence a private prosecution against several individuals. The justice of the peace dismissed the private prosecution application.

In a letter to the Review Council, the complainant alleged that during this appearance, the justice of the peace displayed signs of cognitive impairment. It was alleged that these signs included confusion, short-term memory problems, and difficulties reviewing the application and supporting materials. For example, the complainant alleged that the justice of the peace repeatedly returned to the same concerns and arguments and struggled to understand some of the concepts raised by the complainant's matter.

The complaint was assigned to a three-member complaints committee of the Review Council consisting of a judge, a justice of the peace, and a Law Society or community member, for consideration.

The complaints committee reviewed the complaint letter. The committee also reviewed the transcript and audio recording of the proceedings before the justice of the peace, an excerpt of the complainant's private prosecution application materials, and the decision of another justice of the peace, who also dismissed the complainant's private prosecution application. In accordance with r. 6.22 of the Review Council's Procedures Document, the committee also reviewed the justice of the peace's disposition history with the Review Council.

Based on this review, the committee concluded that the record did not support the allegation that the justice of the peace had a cognitive impairment. The committee noted that it was evident from the justice of the peace's questions that the justice of the peace understood the complainant's submissions and sought appropriate clarification as required. The committee concluded that the allegation that the justice of the peace did not understand certain concepts was not supported by the record. The justice of the peace's comments and questions during the proceedings demonstrated that the justice of the peace understood the concepts.

The committee acknowledged the importance of clear and effective communication by a judicial officer in presiding over legal proceedings. A rambling or convoluted communication style could be perceived by litigants as confusing and/or frustrating. The committee noted that the justice of the peace's communication style may not have been a model of clarity or directness, and that at times, the justice of the peace appeared confused.

Nevertheless, the committee observed that the confusion exhibited by the justice of the peace was understandable in the context of the complexity of the complainant's private prosecution application. Moreover, the committee recognized the challenges inherent in presiding over a complex application involving multiple individuals and delivering contemporaneous oral reasons for decision. The committee concluded that it would be unfair to hold a judicial officer to a standard of perfection in this context.

The committee observed that the justice of the peace's communication style did not affect the fairness or impartiality of the proceedings. The justice of the peace was patient and polite toward the complainant and provided a full opportunity to present evidence and arguments. The committee further observed that the justice of the peace demonstrated a careful and thoughtful approach to the issues throughout the proceeding.

Having regard to the materials before it, the complaints committee concluded that there was no basis upon which a finding of incompetence or judicial misconduct could be made. Accordingly, the committee dismissed the complaint pursuant to s. 11(15)(a) of the *Justices of the Peace Act* and the file was closed.

### **JPRC-016-24**

The complainant spouses had an acrimonious relationship with their neighbours. The neighbours ultimately sought a peace bond against one of the complainants. A peace bond hearing was conducted before the subject justice of the peace. Both the applicant neighbours and the respondent spouse were self-represented at the hearing. At the conclusion of the hearing, the justice of the peace ordered the respondent spouse to enter into a 12-month recognizance to keep the peace and be of good behaviour. As a condition of the recognizance, the respondent spouse was prohibited from contacting or communicating, directly or indirectly, with the neighbours.

In their complaint to the Review Council, the complainants alleged that the justice of the peace was biased and did not conduct a fair hearing. They also alleged that the justice of the peace was unprofessional, rude and condescending throughout the proceedings. Their complaint letter cited numerous examples of alleged misconduct by the justice of the peace, including that the justice of the peace required the respondent spouse to stand for extended periods of time despite a back injury; allowed the neighbours to perjure themselves without consequence; and prevented the respondent spouse from fully presenting their case and defending the allegations against them.

The complaint was assigned to a three-member complaints committee of the Review Council consisting of a judge, a justice of the peace, and a Law Society or community member, for consideration. The complaints committee reviewed the complaint letter and a copy of the peace bond issued by the justice of the peace. In addition, the committee reviewed the transcript and audio recording of the peace bond hearing.

Based on its review of these materials, the committee determined that some of the complainants' allegations concerned matters of judicial decision-making and discretion outside the jurisdiction of the Review Council. For example, the allegation that the justice of the peace permitted the neighbours to perjure themselves raised a credibility issue rather than an issue of judicial conduct. In addition, the committee found that several allegations were either not substantiated by the court record or did not raise ethical issues warranting consideration by the Review Council.

The committee had concerns, however, that some of the justice of the peace's language and remarks may have contributed to the complainants' perception of judicial bias. In

addition, the committee had concerns about whether the justice of the peace provided adequate assistance to the self-represented parties regarding the evidentiary and procedural rules applicable to peace bond hearings. The committee was further concerned that the peace bond hearing was not conducted with the level of decorum, professionalism or competence expected of a judicial officer.

The complaints committee invited the justice of the peace to respond to its concerns in writing and reviewed the response provided. In the response submitted to the committee, the justice of the peace acknowledged that the peace bond hearing was not conducted in accordance with accepted procedures. The justice of the peace acknowledged having been suffering from several sources of stress in and outside the workplace that had adversely affected their well-being at the time of the hearing.

The committee appreciated the justice of the peace's candour and willingness to recognize the shortcomings in the conduct of the hearing. However, it remained concerned that the response did not reflect a clear understanding of the issues identified by the committee, including the ethical obligations of justices of the peace to preserve the solemnity of court proceedings, treat all parties fairly and respectfully, provide reasonable information and assistance to self-represented litigants, exhibit competence in the performance of their judicial duties, and maintain their physical and mental wellness.

The complaints committee determined that the appropriate disposition of the complaint was a referral to the Chief Justice of the Ontario Court of Justice, pursuant to s. 11(15)(d) of the *Justices of the Peace Act* and Rule 6.23 of the JPRC's Procedures Document. Rule 6.23(c) states that a committee may impose conditions on its referral to the Chief Justice if, in its opinion, there is some course of action or remedial training of which the justice of the peace could take advantage.

The committee required that the justice of the peace agree to the following course of action after an initial meeting with the Chief Justice: to participate in any remedial education, training or mentorship regarding the conduct of court proceedings as the Chief Justice may deem is warranted; to participate in any counselling and/or therapy as the Chief Justice may deem is warranted to support the justice of the peace's physical and mental wellness; and to attend a further meeting with the Chief Justice to discuss the impact of any such remedial education, training, mentorship, counselling and/or therapy.

The Chief Justice met with the justice of the peace to discuss the committee's concerns. Following this meeting, the justice of the peace engaged in a series of mentorship sessions with a senior judicial colleague assigned by the Chief Justice. In these sessions, the colleague reviewed with the justice of the peace the relevant ethical principles arising from the complaint as well as the process that should have been followed in conducting the peace bond hearing. Additionally, the justice of the peace engaged in a period of counselling to obtain practical strategies for handling stress in the judicial role. Following the conclusion of the mentoring and counselling sessions, the Chief Justice met with the justice of the peace a second time to discuss the impact of the mentorship and counselling.

The Chief Justice prepared a report for the complaints committee on the outcome of the referral process. The Chief Justice was satisfied that the justice of the peace clearly understood the process that should have been followed in conducting the peace bond hearing, and the ways in which their commentary, remarks and overall management of the hearing fell below the standard of conduct expected of a judicial officer. The Chief Justice further informed the committee that the counselling sessions had provided the justice of the peace with practical strategies for handling stress, and that the justice of the peace was now better equipped to identify triggers, accept help, and maintain their physical wellness.

After reviewing the Chief Justice's report, the committee was satisfied that the justice of the peace had engaged seriously with the complaints process and had gained valuable skills through the mentorship and counselling sessions ordered by the committee. The committee concluded that the remedial objectives of the complaints process had been met and that no further action was required. The complaint file was therefore closed.

#### ***JPRC-017-24***

The complainant was a licensed paralegal who was representing a client on a *Provincial Offences Act* matter before the subject justice of the peace.

In a letter to the Review Council, the complainant advised that he requested to have his client's matter withdrawn or stayed. He stated that the matter was decided as he "expected and desired", however, he missed something the justice of the peace had said, and thought the justice of the peace was rescheduling the matter. When he requested clarification from the court, the justice of the peace asked the complainant if he was a licensed paralegal. The complainant replied "yes", to which the justice of the peace allegedly responded, "did you get your license from a cracker jack box", or something to that effect. The complainant advised that this remark was derogatory and offensive. He stated that he felt harassed and humiliated by the justice of the peace in the presence of the public and his colleagues.

The complaint was assigned to a three-member complaints committee of the Review Council consisting of a judge, a justice of the peace, and a Law Society or community member, for consideration. The complaints committee reviewed the complaint letter and the transcript and audio recording of the proceedings before the justice of the peace. In addition, the committee reviewed the justice of the peace's prior disposition history with the Review Council, in accordance with rule 6.14 of the Review Council's Procedures Document.

The committee observed that the record of the proceeding supported the complainant's allegation about the justice of the peace's comment. In particular, the transcript reflected that, after the justice of the peace stayed the charges, the complainant did not appear to hear or understand this direction. The complainant asked about the date for the next appearance and the justice of the peace made the following remarks:

- “Okay. Are you – are you a licenced paralegal?”
- “Do you understand what stayed means? It’s not...”
- “That’s it, you can go. It’s over”.
- “[*Indiscernible*] he got his licence in a box of Cracker Jack?”

As part of its investigation, the committee invited the justice of the peace to respond to the complaint and reviewed the response provided.

In the letter inviting a response, the committee expressed concern that the justice of the peace’s remarks and the overall treatment of the complainant lacked the civility, respect, patience, and dignity required of a justice of the peace. The committee also expressed concern that the justice of the peace’s prior disposition history with the Review Council, which included complaints about tone and comments in the courtroom, could suggest that the justice of the peace lacks insight into how the justice of the peace’s remarks may be perceived by others.

The committee observed from the response to their concerns that the justice of the peace had taken their concerns very seriously and had reflected on the conduct in question. The justice of the peace acknowledged that the comment directed at the complainant was inappropriate, unwarranted, and unprofessional. The justice of the peace affirmed a commitment to treating everyone in the courtroom with the utmost courtesy and respect and conveyed an unreserved apology to the complainant and to the justice system.

The complaints process through the Review Council is remedial in nature and the dispositions set out in s. 11 of the *Justices of the Peace Act* may assist in improvements as to how situations are handled and how individuals are treated in the future.

Considering the justice of the peace’s acknowledgement of inappropriate conduct and expression of remorse, and also considering the justice of the peace’s prior disposition history with the Review Council, the committee decided that the appropriate disposition was to provide written advice under s. 11(15)(b) of the *Justices of the Peace Act*, in keeping with the remedial objective of the complaints process.

The advice provided by the committee included a reminder to the justice of the peace of the high standards of conduct expected of justices of the peace, and the impact on public confidence when those standards are not met. The committee further advised that members of the judiciary should strive to promote a respectful courtroom environment and seek to be courteous, patient, tolerant and respectful to all who appear before them. The conduct of judicial officers towards lawyers, paralegals, and articling students, especially in public and on the record, affects the judicial officer’s individual reputation and the reputation of the entire judiciary. In this regard, the committee directed the justice of the peace to the ethical guidance found in the Canadian Judicial Council’s *Ethical Principles for Judges* (2021) in the chapter “Integrity and Respect”.

Additionally, the committee emphasized the significance of the power imbalance between legal representatives and members of the judiciary. As a result of this power imbalance, members of the judiciary must ensure that their treatment of legal representatives is, and is seen to be, above reproach. This requires that judicial officers exercise restraint over their reactions and comments. Disrespectful and uncivil comments towards legal representatives tend to undermine public confidence in, and respect for, the judiciary and the administration of justice.

Also in the written advice provided, the committee recommended that the justice of the peace adopt wellness and/or courtroom management strategies to reduce or manage personal frustrations in the courtroom.

After providing this written advice, the committee was of the view that no further remedial action was required. Accordingly, the complaint was dismissed and the file was closed.

### **JPRC-018-24**

The complainant was charged with speeding 120 km/h in a posted 80 km/h zone on a 400-series highway, contrary to s. 128 of the *Highway Traffic Act*. The complainant appeared as a self-represented defendant before the subject justice of the peace in a *Provincial Offences Act* prosecution. An interpreter assisted the complainant throughout the proceedings. The justice of the peace found the complainant guilty, and the conviction was upheld on appeal.

In a letter to the Review Council, the complainant alleged the following:

- the justice of the peace was biased, elusive and disrespectful towards the complainant compared to other parties in the courtroom;
- the justice of the peace postponed the trial twice “to make things more complicated” for the complainant;
- the justice of the peace adjourned the trial on the first date for unclear reasons after the complainant assured the justice of the peace that he was ready for trial and that his employer might not allow him to take another day off;
- the justice of the peace appreciated the attending police officer’s time more than anyone else’s (including the complainant’s), when adjourning the trial date;
- on the next date, the complainant thought the start time was 9:30 a.m. and arrived at about 9:40 a.m. It was obvious that the justice of the peace recognized him. About a minute later, the complainant’s cell phone rang, and the justice of the peace expelled him from the courtroom with no instructions on when to return or where to wait;

- the justice of the peace kept the complainant waiting until all in-person and virtual matters had been completed, which was disrespectful and intended to punish the complainant;
- the justice of the peace refused to reschedule the complainant's trial to a date when the complainant was available, even though an alternative day was available;
- the justice of the peace insisted on conducting the complainant's trial because the justice of the peace was biased against the complainant;
- the justice of the peace found the complainant guilty even though the officer didn't attend the trial or submit any demonstrative evidence; this suggests that the decision was biased and unprofessional;
- the justice of the peace made technical mistakes in conducting the trial and used intimidation to cover biased and arbitrary decisions; the justice of the peace initially told the complainant that he did not need to submit any evidence and then faulted the complainant for not providing evidence; the justice of the peace also ignored portions of the officer's written evidence; and
- the justice of the peace unfairly accepted the "prosecutor inference question as proof against me about estimating the speed" and found the complainant guilty.

The complaint was assigned to a three-member complaints committee of the Review Council consisting of a judge, a justice of the peace, and a Law Society or community member, for consideration.

The complaints committee reviewed the complaint letter, the transcripts and audio recordings of the proceedings, as well as the Ontario Court of Justice decision dismissing the complainant's appeal from conviction.

Based on their review, the committee observed that some of the complainant's allegations were unsupported by the record. For example, the record did not support the allegation that the justice of the peace adjourned the matter to make things more complicated for the complainant, or that the justice of the peace refused to adjourn the trial to an alternate available date.

The committee also observed that the allegations that the justice of the peace made technical mistakes, unfairly accepted the prosecution's evidence and submissions, and erred in finding the complainant guilty, raise matters of judicial decision-making outside the jurisdiction of the Review Council. The committee noted that the complainant had raised these concerns as grounds of appeal.

The committee was concerned, however, that several comments made by the justice of the peace during the proceedings, and the tone in which they were uttered, may have appeared impatient, sarcastic, gratuitous, argumentative, and lacking the professionalism and impartiality expected of a judicial officer. The committee was also concerned that the justice of the peace may not have provided adequate assistance to the complainant as a self-represented litigant, particularly in helping him understand relevant evidentiary rules.

As part of its investigation, the committee invited the justice of the peace to respond to these concerns. In its invitation to respond, the committee emphasized that judicial officers, by virtue of their authority, are expected to uphold the principles of independence, integrity, and impartiality. The committee also noted that the *Principles of Judicial Office of Justices of the Peace of the Ontario Court of Justice* state:

1.3 Justices of the peace will endeavour to maintain order and decorum in court.

*Commentaries:*

Justices of the peace must strive to be patient, dignified and courteous in performing the duties of judicial office and shall carry out their role with integrity, appropriate firmness and honour.

...

2.2 Justices of the peace should conduct court business with due diligence and dispose of all matters before them promptly and efficiently having regard, at all times, to the interests of justice and the rights of the parties before the court.

While acknowledging the high volume of cases in Provincial Offences courts, the committee stressed the importance of judicial officers being mindful of how their comments and tone may be perceived by courtroom participants. Patience and civility are essential to maintaining public confidence in the judiciary.

### **Examples of Committee's Concerns**

The committee was concerned about some of the justice of the peace's interjections and comments during the complainant's pre-trial and trial appearances. For example, one exchange of concern to the committee occurred after the complainant objected to a proposed trial date, raising a conflict with his work schedule:

THE COURT: Sir, I don't know the purpose of you arguing with me. It's done. If I could go back into time, I'd guarantee you I wouldn't be here today. I'm a hundred percent sure about that. So we're not going back in time. Is November the 1st a good date for you to come back to have your trial?

COMPLAINANT: Can I check for a second....

THE COURT: Of course you can check, sir. Mr. Prosecutor, where would you be today if you could go back in time?

PROSECUTOR: I'd be on a beach.

THE COURT: Yes. You know what, I would be on a beach too.

PROSECUTOR: I don't know if I could afford being on a beach but....

THE COURT: You could 'cause you can go back in time.

PROSECUTOR: That's true, I can go back...

The committee was concerned that the comments about not wanting to be in court and preferring to be on a beach were not consistent with the professionalism expected of judicial officers.

Another example was a comment made during the complainant's evidence in chief when the complainant testified about not having seen any construction signs on the highway:

A. Well, I didn't see any signs of construction on the road where I, I was driving. If there was any, I didn't see construction or signs of construction. Signs say the word "construction", I didn't see any.

THE COURT: Well, I'm sure you didn't see any shooting stars, or celebrities, or snow. I don't understand the relevance of why you would tell the court. Unless you somehow know there was construction, and it's still not relevant, it's just making your story very confusing, and perhaps not even credible. So you're telling us — the only assumption I can make is there was some sort of construction, and you're telling the court that you didn't see any signs for construction or you didn't see any construction. Could you just explain the relevance because I don't have to hear it if it's not relevant.

The committee found the remark about not seeing “any shooting stars, or celebrities, or snow” was potentially sarcastic, gratuitous, and belittling towards the self-represented complainant.

The committee also raised concerns about an exchange during the complainant's cross-examination, when the justice of the peace interrupted the prosecutor's questioning with a personal comment. The context for the exchange was that the complainant had testified in chief about having flashed the car's high beams at a vehicle ahead that was driving slowly in the left lane, intending to signal a desire to pass. During cross-examination, the complainant testified about feeling nervous when the car he had passed then accelerated towards him. The following exchange occurred:

THE COURT: Well, sir, if you're scared of who might behind the wheel, I don't think high-beaming him three times is going to help you. It might

aggravate people. It aggravates me when people high-beam me. And sorry, I shouldn't have said anything there. I was just – go ahead.

PROSECUTOR: Thank you. Thank you, Your Worship. Your Worship, if I could ask the defendant questions he's answering. He's already given testimony...

THE COURT: Yeah....I think he's trying to respond to my comments.

PROSECUTOR: Okay, thank you.

THE COURT: That's why I shouldn't have made those comments. It was my fault, but if you want to respond to my comments, go ahead.

The committee observed that judicial officers have broad discretion to question witnesses, including self-represented defendants. This discretion includes clarifying misunderstandings or seeking additional information. However, such interventions must be made in a manner that preserves the appearance of neutrality, especially during cross-examination of a defendant.

In addition to concerns regarding the appropriateness and professionalism of certain comments made by the justice of the peace, the committee was also concerned that the justice of the peace may not have provided sufficient guidance to the complainant, who was self-represented, in understanding key evidentiary rules relevant to the proceeding. Specifically, the committee noted that the justice of the peace may not have adequately explained the evidentiary significance of a certificate of offence in a speeding prosecution, or clarified the concept of hearsay and the distinction between evidence and submissions.

### **Response to the Committee's Concerns**

In a written response, the justice of the peace acknowledged having been impatient at times, and having made some comments during the proceedings that were inappropriate, not courteous, and that could appear sarcastic. The justice of the peace expressed embarrassment and regret for these comments and sincerely apologized. The justice of the peace also acknowledged the need for greater patience and clearer explanations for self-represented litigants.

The justice of the peace advised the committee about having taken proactive steps to seek advice and guidance from several judicial colleagues and assured the committee that they were committed to conducting themselves in a manner that upholds the high standards expected of judicial officers.

## Disposition of the Complaint

The Review Council's complaints process is remedial in nature. It is designed to encourage judicial officers to reflect on their conduct and, where appropriate, make improvements in how they manage proceedings and interact with courtroom participants.

In light of the justice of the peace's response to the complaint, the committee was satisfied that the justice of the peace had demonstrated insight into the concerns raised and had accepted responsibility for the concerning conduct. The committee was also satisfied that the justice of the peace had learned from the complaints process and would refrain from engaging in conduct of a similar nature in the future.

Based on these considerations, the committee concluded that no further action was required. Accordingly, the complaint was dismissed pursuant to s. 11(15)(a) of the *Justices of the Peace Act*, and the file was closed.

### **JPRC-001-25**

The complainant appeared as a self-represented defendant before the subject justice of the peace at a peace bond hearing. The application was brought by two individuals who were seeking a peace bond against the complainant under s. 810 of the *Criminal Code*.

In a letter to the Review Council, the complainant alleged that the justice of the peace:

- accepted false and misleading evidence while disregarding overwhelming evidence that contradicted the applicants' version of events;
- exhibited clear personal bias against the complainant, including that the justice of the peace's demeanour and comments suggested that the justice of the peace judged the complainant unfavorably from the outset and sought to punish him;
- emphasized procedural formalities over substantive fairness;
- refused the complainant's reasonable request to alter the terms of the peace bond to allow him to possess certain weapons, purely to exert punitive control;
- made factually incorrect statements in the reasons for judgment, which distorted the timeline and facts in favor of the applicants; and
- exhibited a lack of impartiality and professionalism by being unwilling to engage with the evidence or address legitimate arguments.

The complaint was assigned to a three-member complaints committee of the Review Council, consisting of a judge, a justice of the peace, and a Law Society or community member, for consideration.

The complaints committee reviewed the complaint letter, transcript, and audio recording of the proceedings before the justice of the peace. The committee also reviewed the peace bond application materials filed by the applicants and the complainant.

Based on this review, the committee noted that the majority of the complainant's allegations related to how the justice of the peace conducted the hearing and decided the application. The complainant's concerns included the justice of the peace's credibility assessments, findings of fact, and the conditions imposed in the resulting peace bond. These matters fall within the scope of judicial decision-making and the exercise of judicial discretion. As such, they are subject to review by a higher court, but are not within the jurisdiction of the Review Council to consider.

Regarding the complainant's allegations of bias, lack of impartiality, and unprofessionalism on the part of the justice of the peace, the committee found that the review of the court record did not substantiate these allegations. On the contrary, the record reflected that the justice of the peace conducted the proceedings in a fair, even-handed, and professional manner.

The committee noted that, at the outset of the hearing, at which the parties were self-represented, the justice of the peace explained the hearing process and took care to ensure that the parties were informed of the court's expectations and the rules of evidence that applied. The committee further observed that the justice of the peace exercised their case management authority appropriately and in a balanced and even-handed manner to ensure the proceeding remained orderly and respectful.

The committee observed that on the occasions when the justice of the peace intervened to address the complainant's conduct, the interventions were consistent with the responsibility to maintain decorum. For example, the justice of the peace respectfully directed the complainant to stop vaping during the remote set-date appearance.

Regarding the complainant's allegation that the justice of the peace unreasonably refused his request to amend a condition of the peace bond to allow him to possess certain weapons, the committee observed that, while it would have been preferable had the justice of the peace allowed the complainant and the informants to make submissions on the terms of the peace bond prior to imposing the terms, the justice of the peace was careful to ensure that the complainant understood the conditions of the peace bond. Moreover, when the complainant raised concerns about the term of the peace bond prohibiting him from possessing weapons, the justice of the peace assisted the complainant by explaining that he could seek legal advice and apply for an amendment to the order. The committee was satisfied that the justice of the peace took reasonable steps to ensure that the complainant understood his rights and options, and that there was no conduct that would warrant further action by the Council.

For these reasons, the complaints committee concluded that the allegations in the complaint primarily reflected the complainant's dissatisfaction with the outcome of the application and the peace bond conditions imposed and did not raise an issue of judicial misconduct. Moreover, the complainant's allegation that the justice of the peace was biased and unprofessional were unsubstantiated by the record of the proceeding.

Accordingly, the committee dismissed the complaint pursuant to s. 11(15)(a) of the *Justices of the Peace Act* and the file was closed.

## JPRC-002-25

The complainant was a self-represented defendant in a *Provincial Offences Act* trial before the subject justice of the peace. At the trial, the prosecution proceeded by way of certified evidence and the complainant was convicted of failing to surrender an insurance card and speeding.

In a complaint to the Review Council, the complainant alleged that the justice of the peace failed to uphold the duty to ensure an impartial and fair trial. The complainant raised concerns about not being permitted to fully present a defence, being interrupted when attempting to ask questions, and not being given an opportunity to make submissions.

The complainant also raised evidentiary concerns, including the absence of radar evidence and potential radar interference according to the disclosure; lack of proper road testing by the officer according to the disclosure; and the complainant's use of cruise control at the time, which allegedly ensured that the vehicle did not exceed the speed limit.

The complaint was assigned to a three-member complaints committee of the Review Council, consisting of a judge, a justice of the peace, and a Law Society or community member, for consideration. The committee reviewed the complaint letter and the transcript and audio recording of the proceedings before the justice of the peace.

As part of its investigation, the committee also invited the justice of the peace to respond to the complaint and reviewed the response provided.

In considering the allegations raised by the complaint, the committee observed that its authority does not extend to reviewing the substance or correctness of legal decisions or evidentiary findings of judicial officers. To the extent that the complaint raised concerns about the justice of the peace's evidentiary findings and decisions, the committee noted that these concerns may be raised in an appeal, but they are not matters that the Review Council has jurisdiction to consider.

In addition, the committee took into consideration the high volume of matters typically heard in Provincial Offences courts and the significant demands placed on justices of the peace in managing these dockets. The committee recognized the challenges of conducting timely and efficient proceedings in this context. However, the committee noted that, regardless of how busy a court is, there is an obligation on the presiding judicial officer to take the requisite time to ensure that self-represented persons understand their rights and the procedural options available them, and that they are given a meaningful opportunity to present their defence and make submissions.

In the response provided to the complaints committee, the justice of the peace acknowledged having not provided adequate assistance to the complainant as a self-represented litigant. The justice of the peace expressed regret and apologized.

While the committee appreciated the justice of the peace's acknowledgement and expression of regret, it observed that the response did not demonstrate a clear

understanding of how the conduct negatively affected the complainant's perception of the fairness of the proceedings, nor did it demonstrate a commitment to taking a different approach in the future. The committee remained concerned that the justice of the peace may not have fully appreciated the importance of the duty to assist self-represented individuals, both in navigating the court process and in understanding the decisions made in their cases.

The complaints process administered by the Justices of the Peace Review Council is intended to be remedial in nature. In reflecting on the ethical concerns that are raised by complaints to the Review Council, justices of the peace may improve how they handle similar situations in the future.

The committee decided that the appropriate disposition of the complaint was to provide the justice of the peace with written advice, pursuant to s. 11(15)(b) of the *Justices of the Peace Act*.

A complaints committee will provide advice in circumstances where the conduct complained of does not warrant another disposition, there is some merit to the complaint, and, in the opinion of the committee, advice is a suitable means of informing the justice of the peace that their conduct was not appropriate: JPRC Procedures Document, Rule 6.23(b). The objective of written advice is to assist in a justice of the peace's continued learning and development, so that the justice of the peace will not repeat conduct of a similar nature in the future.

The committee issued a letter of advice reminding the justice of the peace of the importance of:

- Clearly informing self-represented individuals of the evidentiary framework applicable to prosecutions by way of certified evidence, including the burden of proof in cases involving certified evidence;
- Clearly informing self-represented individuals of their procedural rights, including the ability to request a summons for witnesses, where appropriate;
- Ensuring that self-represented individuals are given a reasonable opportunity to present their case, including asking questions and making submissions;
- Providing clear and reasoned explanations for evidentiary findings and conclusions, particularly where credibility or reliability of evidence is at issue; and,
- Remaining vigilant in upholding the principles of fairness, access to justice, and respect for all participants in the courtroom.

After providing its advice to the justice of the peace, the committee was of the view that no further remedial action was required, and the file was closed.

## ***JPRC-003-25 and JPRC-004-25***

The complainant submitted two complaints to the Review Council regarding two justices of the peace.

The first complaint related to the complainant's attempt to submit a peace bond application against his former spouse, while the second complaint related to an application by the complainant's former spouse seeking a peace bond against the complainant.

### **Summary of Allegations**

#### **JPRC-003-25** (subject justice of the peace #1)

The complainant alleged that the first justice of the peace unfairly rejected his application for a peace bond against his former spouse based on his gender.

#### **JPRC-004-25** (*subject justice of the peace #2*)

The complainant alleged that the second justice of the peace unfairly forced him to defend himself against his former spouse's peace bond application even though he was awaiting the results of a *Freedom of Information Act* request to obtain police records from the Ontario Provincial Police, which records were relevant to his defence.

### **Complaints Committee Findings**

Both complaints were assigned to the same three-member complaints committee of the Review Council, consisting of a judge, a justice of the peace, and a Law Society or community member, for consideration. The committee reviewed the complainant's correspondence to the Review Council and the court record of the proceedings, including the transcripts and audio recordings of the proceedings before both justices of the peace.

#### **JPRC-003-25** (*subject justice of the peace #1*)

Following its review of the transcript and audio recording of the appearance before the first justice of the peace, the committee observed that the justice of the peace treated the complainant in a patient, helpful and professional manner throughout the appearance. The justice of the peace explained to the complainant multiple times why the relief he was seeking in the form of a peace bond was not an effective means of addressing the complainant's concerns and suggested that the complainant obtain legal advice.

The committee observed that the complainant did not provide any details or examples to support his allegation of gender discrimination. The committee found no indication in the record that the justice of the bias demonstrated bias or engaged in discriminatory conduct.

### **JPRC-004-25** (*subject justice of the peace #2*)

The committee observed that the complainant's allegation that the second justice of the peace unfairly forced him to defend himself at a peace bond hearing without the benefit of the police records he had applied for under the *Freedom of Information Act* raised an issue of judicial decision-making rather than an issue of judicial conduct.

The committee observed that the complainant had requested and obtained multiple previous adjournments of the peace bond hearing. In refusing the latest adjournment request, the justice of the peace noted that the documents sought by the complainant related to a time frame much broader than the single incident that was at issue in the peace bond hearing. The committee observed that it has no jurisdiction to review the merits of the justice of the peace's decision.

Based on their review of the record, the committee found no inappropriate conduct by the justice of the peace. On the contrary, the committee observed that the peace bond hearing was conducted in a professional and balanced manner. The committee also noted that the justice of the peace took steps to ensure the fairness of the hearing, including cautioning the applicant (the complainant's former spouse) against publicizing the outcome of the hearing on social media.

### **Disposition**

Accordingly, the committee dismissed the complaints pursuant to s. 11(15)(a) of the *Justices of the Peace Act* on the basis that the allegations were unsubstantiated by the record and were otherwise outside the jurisdiction of the Review Council. The complaint files were then closed.

### **JPRC-005-25**

A complaint was made to the Justices of the Peace Review Council about a justice of the peace who granted a Form 2 application (Order for Examination under Section 16 of the *Mental Health Act*). The complainant was the subject of the Form 2. In correspondence to the Review Council, the complainant alleged that the justice of the peace issued the Form 2 based on false or forged evidence provided by the complainant's relatives. The complainant also alleged that the justice of the peace engaged in discrimination and unethical conduct in granting the application.

A three-member complaints committee of the Review Council, consisting of a judge, a justice of the peace, and a Law Society or community member, reviewed the complaint. The committee examined the complaint letters, as well as the transcript and audio recording of the Form 2 proceeding.

Based on this review, the committee found no indication of misconduct by the justice of the peace. The committee noted that the complainant's allegation that the justice of the peace relied on false or forged evidence raised an issue of the justice of the peace's assessment of the credibility and reliability of the evidence presented during the proceeding. The Review Council does not have the jurisdiction or authority to review the

merits of factual findings and decisions made by a justice of the peace. Concerns about judicial findings and decisions must be addressed through the appropriate appeal or review process within the court system.

The committee also found no information in the record that would support the allegations of discriminatory or unethical conduct. Allegations of discriminatory or unethical conduct must be supported by a factual basis to warrant intervention by the Review Council.

Having regard to these considerations, the complaints committee dismissed the complaint pursuant to s. 11(15)(a) of the *Justices of the Peace Act* on the basis that the allegations were outside the Review Council's jurisdiction and were otherwise unsubstantiated. The file was closed.

### **JPRC-008-25**

The complainant appeared before the subject justice of the peace in intake court to lay a private information under s. 504 of the *Criminal Code*. In correspondence to the Review Council, the complainant alleged that:

- During the proceeding, the justice of the peace was unprofessional and biased and did not provide the complainant with a fair hearing. The justice of the peace refused to look at the complainant's evidence and instead sided with the police officers who had determined not to lay charges.
- The justice of the peace refused to allow the complainant to obtain an audio recording of the proceeding.

The complaint was assigned to a three-member complaints committee of the Review Council, consisting of a judge, a justice of the peace, and a Law Society or community member, for consideration.

The complaints committee reviewed the complainant's correspondence and private prosecution application. The committee also reviewed the transcript and audio recording of the complainant's appearance before the justice of the peace.

The committee observed that the Review Council has no jurisdiction to consider the correctness of decisions made by justices of the peace. Dissatisfaction with a justice of the peace's rulings falls outside the Council's mandate. However, the committee considered whether the justice of the peace's conduct of the proceeding reflected the ethical principles that guide judicial officers in managing proceedings involving self-represented litigants. See, for example, the Canadian Judicial Council's [Ethical Principles for Judges](#) (2021), 2.D.2, and the Canadian Judicial Council's [Statement of Principles on Self-represented Litigants and Accused Persons](#) (September 2006).

On reviewing the record, the committee was concerned about whether the justice of the peace provided sufficient assistance to the complainant as a self-represented litigant in understanding the process and the basis for the justice of the peace's decision to dismiss the application. The committee noted that when a justice of the peace fails to provide

sufficient assistance, a self-represented litigant may be left with the impression that the justice of the peace did not decide the matter with an open mind.

As part of its investigation, the committee invited the justice of the peace to respond to the complaint. In doing so, the committee acknowledged the demands and heavy caseloads faced by justices of the peace. However, the committee noted that it is important for judicial officers to provide meaningful appearances, and to take care not to sacrifice the interests of justice and the rights of the parties for the sake of efficiency.

The justice of the peace provided a detailed and thoughtful response to the committee's concerns, acknowledging that the appearance could have been handled better. The response identified specific shortcomings in how the appearance was conducted and areas for improvement in how the proceeding ought to have been conducted. The justice of the peace acknowledged how the shortcomings may have adversely affected the complainant and offered a sincere apology to the complainant.

The complaints process is remedial in nature. By reviewing and reflecting on their conduct, justices of the peace may improve how they handle situations and treat individuals in the future. The committee found that the justice of the peace had meaningfully reflected on the concerns raised by the complaint and demonstrated a clear commitment to improving their approach in future proceedings.

As a result, the committee determined that no further remedial action was required in the circumstances, dismissed the complaint, and closed the complaint file.

### ***JPRC-010-25***

The Review Council received a complaint regarding the conduct of a justice of the peace at a peace bond hearing. According to the complainant, the justice of the peace acted unfairly and with a lack of sensitivity during the proceedings. The complainant's concerns included being asked to remove the complainant's hat, which the complainant alleged was necessary to manage a medical condition and that caused the complainant to experience difficulties in communicating during the hearing. The complainant also complained about delays during the hearing and about being denied an opportunity to present video evidence or speak during the hearing.

The complaint was assigned to a three-member complaints committee of the Review Council, consisting of a judge, a justice of the peace, and a Law Society or community member, for consideration.

The committee reviewed the complaint letter as well as the transcript and audio recording of both the initial intake appearance before the justice of the peace, when the complainant's peace bond applications were reviewed, and the ensuing peace bond hearing.

Based on this review, the committee found that the justice of the peace conducted the intake appearance and the hearing in a polite, professional, and fair manner. At the intake appearance, the justice of the peace explained the process clearly, invited the

complainant to ask questions, and asked whether the complainant required any equipment for the hearing to enable the complainant to present video evidence.

The committee further observed that, at the hearing, the justice of the peace requested the complainant to remove their hat prior to being placed under oath. However, the complainant did not express any objection to this request or indicate that wearing a hat was necessary due to a medical condition. Having regard to these considerations, the committee found that the justice of the peace acted within the scope of judicial authority to manage the courtroom and maintain appropriate decorum. The committee found that the request to remove the hat was made courteously and did not constitute misconduct.

Regarding the complainant's allegation that the justice of the peace dragged out the hearing, the committee noted that any delays during the hearing were primarily due to the complainant's own conduct, including in raising matters that were outside the scope of the peace bond application.

Regarding the allegation that the justice of the peace did not give the complainant a fair opportunity to present video evidence, the committee observed that the record of the hearing demonstrated that the complainant was given a full and fair opportunity to present any material the complainant considered relevant to the peace bond applications, including being able to show multiple videos of events involving the named defendants.

The committee also found no evidence to support the allegation that the justice of the peace did not allow the complainant to speak. To the contrary, the justice of the peace permitted the complainant to testify, cross-examine witnesses, and make closing submissions. While the justice of the peace intervened at times to keep the proceedings focused on the relevant issues, this was done respectfully and in accordance with the responsibilities of a judicial officer to manage the proceedings.

For these reasons, the committee concluded that the allegations were not substantiated by the evidentiary record and found no conduct that would constitute judicial misconduct. Accordingly, the complaint was dismissed pursuant to s. 11(15)(a) of the *Justices of the Peace Act*, and the file was closed.

### **JPRC-012-25**

The complainant and the complainant's teenaged child suffered serious injuries in a motor vehicle accident caused by the defendant, who was a young adult. As a result of the accident, the defendant was charged with the *Highway Traffic Act* offences of fail to surrender an insurance card, fail to yield on highway causing an immediate hazard, and careless driving causing bodily harm.

The defendant appeared in Provincial Offences court before the subject justice of the peace on a guilty plea. The defendant and prosecutor agreed that the defendant would plead guilty to the charges of fail to surrender an insurance card and fail to yield on the highway, while the count of careless driving would be withdrawn. The parties also put forth a joint position on sentence, proposing that the defendant receive the maximum fine on both counts.

At the hearing, the complainant read in victim impact statements on the complainant's own behalf, as well as on behalf of the complainant's two children and the complainant's spouse. During the complainant's reading of their own victim impact statement, the justice of the peace interrupted towards the end of the statement and objected that the complainant was getting into submissions on the appropriate sentence.

In the complaint letter, the complainant alleged that the subject justice of the peace acted inappropriately in the court room and said "countless inappropriate things", including the following comments related to the defendant:

- "Sometimes young people take their eyes off the road. It happens sometimes."
- "Not everyone can afford to pay insurance. Its only his fourth time being caught with no insurance."
- "We need to remember he is young."
- "He won't be able to deliver Uber Eats if they dig deep into his record because this will hit on his demerit points too."

The complainant further alleged that the justice of the peace:

- Requested the minor child to stand beside the justice of the peace as the complainant was reading in the victim impact statements;
- Effectively said that insurance is not necessary for young people and it is okay to take your eyes off road and almost kill two people, because the defendant is a young person;
- Failed to review the entire court file, including not knowing the direction of travel, the speed limit, the road signs, whether there were injuries; and
- Allowed the bodily harm charge to be withdrawn even though the defendant was guilty and at fault, which shows bias in favour of the defendant.

The complaint was assigned to a three-member complaints committee of the Review Council, consisting of a judge, a justice of the peace, and a Law Society or community member, for consideration.

The complaints committee reviewed the complaint letter and the transcript and audio recording of the proceedings before the justice of the peace. Based on this review, the committee found that several of the complainant's allegations related to the exercise of judicial decision-making and judicial discretion and were thus outside the Review Council's jurisdiction to consider. For example, the justice of the peace's decision to accept the guilty plea and joint submission on sentence did not raise an issue of judicial conduct within the Review Council's jurisdiction to consider.

With respect to the complainant's concern that the justice of the peace was unfamiliar with the factual details of the accident prior to the hearing, the committee noted that this situation would not be unusual in guilty plea proceedings in Provincial Offences court. In these matters, judicial officers often rely on the information presented during the hearing, including the prosecutor's summary of the facts and any submissions from the defendant or their representative.

However, the committee was concerned that some of the justice of the peace's comments directed towards the complainant's teenaged child could reasonably have been perceived as inappropriate and insensitive. For example, the justice of the peace asked the complainant's teenaged child if the accident had given them insight into the healthcare system, and told them to be "proud" of their scars from the accident. The justice of the peace also told them to "be a survivor and not a victim".

The committee noted that the comments were made in the context of a formal sentencing proceeding involving significant, life-altering harm to the complainant's child. The committee was concerned that, even if well-intentioned, judicial comments that appear to reframe traumatic and permanent injuries in a positive light may be deeply upsetting to a victim, particularly when made by a judicial officer who is responsible for sentencing the individual whose conduct is alleged to have caused the injuries.

The committee was also concerned that some of the justice of the peace's comments, which were directed to the complainant's child, about why the defendant's conduct was not unusual or uncommon, may have been interpreted by the complainant as making excuses for the defendant or showing bias. The comments included that it is not uncommon for the court to see young adults driving without insurance and that young drivers don't have "the same degree of knowing what the potential risks might be".

Finally, the committee was concerned that in accepting the guilty plea and joint submission on sentence, the justice of the peace did not offer any explanation on the record for accepting the agreement to withdraw the careless driving charge, such as the *Jordan*-related delay issues referred to by the prosecutor (*R. v. Jordan*, 2016 SCC 27, [2016] 1 S.C.R. 631).

The complaints committee invited the justice of the peace to respond to its concerns and reviewed the response provided. In the response submitted to the committee, the justice of the peace demonstrated that they had taken considerable time to reflect on the complaint, and taken a number of steps to educate themselves on the issues raised by the complaint. The committee was particularly impressed by the approach that the justice of the peace adopted in a similar Provincial Offences court matter involving a victim impact statement and a proposed joint resolution.

However, the committee remained concerned that the response did not directly address specific concerns the committee identified in its letter, particularly with respect to remarks by the justice of the peace such as asking the complainant's child whether the accident had provided insight into the healthcare system, advising the child to be "proud" of their scars caused by the accident, and encouraging them to "be a survivor and not a victim."

While the response advised that these comments were intended to be kind and empowering, the committee observed that this response did not reflect insight into how the comments may have been experienced by the complainant and the complainant's child. The response did not demonstrate an understanding that, despite the justice of the peace's good intentions, the remarks could reasonably have been perceived as minimizing the child's suffering and trivializing their permanent injuries.

The committee also noted that the response did not address the concern that the justice of the peace offered no explanation on the record for the withdrawal of the careless driving charge. The committee further observed that the response attributed the complainant's frustrations to shortcomings of other justice system participants, such as the absence of victim services and the Crown's failure to adequately prepare the complainant. While accepting the relevance of these factors, the committee was concerned that the response failed to also recognize the important role of judicial officers in managing courtroom communication and ensuring participants understand the process.

In accordance with the remedial objective of the complaints process, the committee provided the justice of the peace with written advice, pursuant to s. 11(15)(b) of the *Justices of the Peace Act*. A complaints committee provides advice in circumstances where the conduct complained of does not warrant another disposition, there is some merit to the complaint, and advice is, in the opinion of the committee, a suitable means of informing the justice of the peace that the conduct was not appropriate: JPRC Procedures Document, Rule 6.23(b). The objective of written advice is to assist in a justice of the peace's continued learning and development, so that the justice of the peace will not engage in conduct of a similar nature in the future.

As part of the written advice, the committee observed that remarks directed by a judicial officer to victims or their family members, particularly those who have suffered serious injuries as a result of a defendant's actions, must be carefully framed to avoid any perception of minimizing harm. Remarks that impose a positive framing on a victim's experience may be perceived as patronizing or judgmental, especially where the victim is still processing pain, grief, or anger.

The committee also noted that interrupting a victim during the reading of their victim impact statement risks undermining their sense of being heard by the court. It may therefore be preferable for a justice of the peace to give clear instructions prior to a victim impact statement being read in court about permissible content, or wait until the statement is finished and then disregard any improper portions, if the victim is otherwise being respectful of the process.

Further, the committee provided advice on best practices for maintaining confidence in a judicial officer's impartiality. Such best practices include offering a brief explanation on the record when accepting a plea agreement – such as acknowledging the principle of judicial deference to joint submissions and, where relevant, referencing evidentiary challenges or concerns about undue delay that may have influenced the parties in reaching the agreement.

After providing its advice to the justice of the peace, the committee was of the view that no further action was required, and the file was closed.

### ***JPRC-013-25 & JPRC-014-25***

The complainant was charged with various driving offences under the *Highway Traffic Act* and *Cannabis Control Act*. Following a trial, the complainant was found guilty on two of the three charges. The complainant filed complaints with the Justices of the Peace Review Council about two justices of the peace who presided over the proceedings.

### **Summary of Allegations**

#### ***JPRC-013-25 (subject justice of the peace #1)***

In various letters to the Review Council, the complainant alleged that the presiding justice of the peace demonstrated bias and inappropriate conduct. Among other things, the complainant claimed that the justice of the peace:

- interrupted and did not listen to the complainant;
- did not care about the complainant's entitlement to full disclosure;
- showed favoritism toward the police and prosecutor;
- reacted angrily to the complainant's accusations of dishonesty against the prosecution and the police;
- reprimanded the complainant for having recorded a prior conversation with the prosecutor;
- scolded the complainant for allegedly recording the hearing (which he denied) and unfairly threatened the complainant with incarceration; and
- compelled the complainant to attend a subsequent court date in person despite health concerns and the availability of remote options.

#### ***JPRC-014-25 (subject justice of the peace #2)***

The complainant raised additional allegations about the conduct and decisions of the justice of the peace who presided over the trial, including that the justice of the peace:

- ignored the complainant's motion to dismiss the case, even though the complainant had not received full disclosure;
- proceeded with the trial in violation of the complainant's constitutional rights;

- ignored the complainant’s motion to adjourn the trial without any reason or explanation;
- yelled and screamed at the complainant at the start of the trial, as an act of intimidation;
- had “an agenda to suppress anything [the complainant] had to say” and showed nothing but disdain for the complainant during the trial;
- ignored the complainant’s rights by ignoring the evidence and the complainant’s submissions, and incorrectly found the complainant guilty; and
- did not allow the complainant to speak while reading the reasons for judgment at the next appearance, and muted him whenever the complainant objected.

In a follow-up letter to the Review Council, the complainant asserted that being required to attend the trial in person had compromised his health.

### **Complaints Committee’s Findings**

Both complaints were assigned to the same three-member complaints committee of the Review Council, consisting of a judge, a justice of the peace, and a Law Society or community member, for consideration. The committee reviewed the complainant’s correspondence to the Review Council and the court record including the transcripts and audio recordings of the proceedings before both justices of the peace.

#### ***JPRC-013-25 (subject justice of the peace #1)***

Following its review of the transcript and audio recording of the appearance before the subject justice of the peace, the committee concluded that the allegations concerning the justice of the peace’s conduct were not substantiated.

Regarding the assertion that the justice of the peace did not care about the complainant’s entitlement to disclosure, for example, the committee noted that the justice of the peace spent most of the appearance attempting to clarify and resolve the disclosure concerns raised by the complainant. The justice of the peace ultimately adjourned the trial to give the complainant an opportunity to file an application for further disclosure.

Additionally, the committee found no support for the allegation that the justice of the peace failed to listen to and interrupted the complainant. On the contrary, the record reflected that the complainant frequently interrupted both the court and the provincial prosecutor and made disrespectful comments about the prosecutor and the police. The justice of the peace permitted the complainant to make submissions while appropriately ensuring the matter proceeded in an orderly fashion despite the complainant’s disruptive behaviour.

The committee noted that justices of the peace are responsible for ensuring that courtroom proceedings remain respectful and orderly for all participants.

Finally, the committee observed that the direction requiring the complainant to attend the trial in person involved a matter of judicial discretion outside the Review Council's jurisdiction to review. The authority to determine the mode of appearance falls within a judicial officer's case management and adjudicative responsibilities. In any event, the committee observed from the transcript that the complainant did not advise the court that he was unable to participate in person due to a medical condition.

***JPRC-014-25 (subject justice of the peace #2)***

The committee observed that many of the complainant's allegations concerning the justice of the peace who conducted the trial and the subsequent sentencing involved matters of judicial discretion and decision-making outside the jurisdiction of the Review Council. For example, the complainant's concerns regarding the justice of the peace's assessment of the evidence and findings of guilt were matters appropriate for appellate review, not for consideration by the Council. While the complainant was clearly dissatisfied with the outcome of the motions and trial, it did not follow that the justice of the peace was biased or that the complainant's legal rights had been undermined, as alleged.

The committee determined that the remaining allegations were unsubstantiated or did not raise any ethical concerns having regard to the court record. For example, contrary to the allegation that the justice of the peace ignored the complainant's motions, the record established that the justice of the peace considered the complainant's motion to dismiss the charges and denied the motion after considering the evidence and submissions of the parties. The complainant subsequently confirmed an intention to proceed with the trial that day and abandoned the motion for an adjournment.

Similarly, the committee found no support for the allegations that the justice of the peace yelled at the complainant or undermined his ability to participate in the trial. Nor did the record support the claims of threatening or intimidating conduct by the justice of the peace or expressions of disdain towards the complainant. On the contrary, the justice of the peace remained exceptionally patient, polite, and respectful throughout the proceedings. The committee noted that, at a subsequent virtual appearance to deliver judgment and pass sentence, the complainant became angry and interruptive, accusing the justice of the peace of bias and challenging the findings of guilt. In response to this conduct, the justice of the peace asked the court clerk to mute the complainant's audio and proceeded to impose the set fine for both offences. The complainant was subsequently unmuted to make submissions regarding time to pay. When the complainant continued to express displeasure with the decision, the justice of the peace again directed that the complainant be muted. The committee concluded that the decision to mute the complainant on these two occasions was a reasonable exercise of judicial discretion to maintain order, minimize disruption, and ensure the orderly and efficient conduct of the proceedings.

## Disposition

The committee dismissed the complaints pursuant to s. 11(15)(a) of the *Justices of the Peace Act* on the basis that the allegations were either outside the jurisdiction of the Review Council, unsubstantiated by the record, and/or did not raise ethical concerns warranting intervention. The complaint files were then closed.

### **JPRC-015-25**

A complaint was submitted to the Justices of the Peace Review Council regarding the conduct of a justice of the peace during a bail hearing. The complainant appeared before the justice of the peace in relation to three *Criminal Code* charges arising from an alleged domestic incident. At the time the complaint was submitted, the criminal proceedings were ongoing. A complaint file was opened following the withdrawal of the charges by the Crown.

In the complaint letter, the complainant alleged that he was unable to obtain a recording or transcript of the bail hearing. The complainant further alleged that the release order was “cold and calculated by the Police, Crown and the JOP,” and that the justice of the peace engaged in a “rant” during the hearing that amounted to judicial misconduct.

The complaint was assigned to a three-member complaints committee of the Review Council, composed of a judge, a justice of the peace, and a community or Law Society member. The committee reviewed the complaint letter, supplementary correspondence from the complainant, and obtained the transcript and audio recording of the bail hearing.

Regarding the complainant’s dissatisfaction with the terms of the release order, the committee noted that the Review Council’s mandate does not include evaluating the legal correctness or substantive merits of judicial decisions, including those related to interim release. The committee also observed that duty counsel was present at the hearing and had agreed to the terms of the release order.

Regarding the complainant’s allegation that the justice of the peace engaged in a “rant” during the hearing, the committee observed from the record that the justice of the peace expressed surprise that a surety was not required as a term of release, given the nature of the charges. The justice of the peace then made the following comments:

I will not jump the joint submission for this, although I could, and quite frankly, ..., if you come back before this court with any breaches of any sort on this matter, you will be hard pressed to be released without a very onerous set of conditions being placed, including potentially a residential surety. So you need to understand that.... This is basically your lucky day and,...., your one chance at not messing up.

The justice of the peace then explained the conditions of the release order and cautioned that if any of the conditions were breached: “Not only will you come back in custody quickly, but you will also have to pay that \$2,000 quickly.”

The committee found that the justice of the peace delivered these comments in a firm but calm manner. The committee noted that the comments were made in the context of explaining to the complainant the terms of the release order and the serious consequences of failing to abide by the terms. The committee concluded that the comments did not raise ethical concerns warranting a remedial disposition by the Council.

For these reasons, the committee concluded that the complaint raised allegations that were either outside the jurisdiction of the Review Council, or that did not raise an issue of judicial conduct requiring the imposition of a remedial disposition by the Council. The complaint was therefore dismissed pursuant to s. 11(15)(a) of the *Justices of the Peace Act*, and the file was closed.

### **JPRC-016-25**

The complainant appeared as a self-represented defendant in *Provincial Offences Act* court before the subject justice of the peace on a speeding charge under the *Highway Traffic Act*. The complainant pled guilty to the charge. The justice of the peace entered a conviction and imposed the set fine amount plus costs.

In a complaint to the Review Council, the complainant alleged that the justice of the peace prevented the complainant, and the other defendants who were in the courtroom, from presenting a defence. The complainant further alleged that, at the start of the proceedings, the justice of the peace informed all participants that photo evidence would not be considered and stated, "if you chose to plead guilty and have a trial, fine amounts will increase."

In the complaint letter, the complainant claimed that there were various issues with the posted signage in the location where he received a ticket, including that a library sign was hiding the speed limit sign. In a follow-up letter to the Review Council, the complainant forwarded an email he received from a city councillor's office advising that the library sign had since been removed. The complainant asserted that this information supported the complainant's defence that the posted signs were a problem. Given this new information, the complainant requested that the case be dismissed with the fine removed or refunded.

The complaint was assigned to a complaints committee of the Review Council, consisting of a judge, a justice of the peace, and a Law Society or community member, for consideration. The committee reviewed the complainant's correspondence and the transcript and audio recording of the afternoon portion of the proceedings on the day of the complainant's appearance.

Based on its review of the record, the committee found no support for the allegation that the justice of the peace advised courtroom participants that photo evidence would not be considered by the court. As the complainant alleged, at the outset of the proceedings, the justice of the peace informed participants that if a defendant were convicted of speeding at trial, the fine would be higher than the amount listed on their ticket. However, the committee noted that in making this statement, the justice of the peace was referring to s. 128(14) of the *Highway Traffic Act*, which mandates higher fine amounts where a

person is found guilty of an offence following a trial. The committee observed that the justice of the peace appropriately explained the effect of this statutory provision, in keeping with the responsibility to assist self-represented defendants in understanding the potential risks of electing a trial.

The committee further observed that the justice of the peace did not prevent the complainant or other defendants from presenting a defence. The justice of the peace was careful to conduct voluntariness inquiries of every defendant before accepting any guilty plea. When the complainant's matter was called, the complainant requested to plead guilty with an explanation. After pleading guilty and being convicted, the complainant advised the court of the concerns with the location of the posted signage. The justice of the peace explained that those concerns would need to be raised with the city and indicated that the complainant could speak with the local city councillor. The committee observed that the justice of the peace acted appropriately in explaining to the complainant that the court had no jurisdiction over signage and advising of the steps needed to address those concerns.

Finally, the committee noted that the Review Council does not have jurisdiction or authority to alter, overturn, or otherwise change a judicial decision, including a conviction or fine imposed by a justice of the peace.

Having found no indication in the record that the justice of the peace acted unfairly or inappropriately in the way the proceedings were conducted, the committee dismissed the complaint pursuant to s. 11(15)(a) of the *Justices of the Peace Act* and the file was closed.

## 15. EXTRA-REMUNERATIVE WORK APPLICATIONS

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Under s. 19 of the *Justices of the Peace Act*, all justices of the peace are required to seek the written approval of the Review Council before accepting or engaging in any extra-remunerative work.

Applications received from justices of the peace to engage in extra-remunerative work are considered in accordance with the Council's Policy on Extra-Remunerative Work, which is found on the Review Council's website at:

- <https://www.ontariocourts.ca/ocj/conduct/jprc/publications/policy-on-extra-remunerative-work/>

The policy sets out criteria that are used in assessing applications, including:

- ◆ whether there is an actual or perceived conflict of interest between the judicial duties as assigned and the extra-remunerative activity for which approval is sought;
- ◆ whether the nature of the activity for which the justice of the peace seeks approval will present an intrusive demand on the time, availability or energy of the justice of the peace and their ability to properly perform the

judicial duties assigned; and,

- ◆ whether the activity for which the justice of the peace seeks approval is a fitting or appropriate activity in which a judicial officer should engage, having regard to public perceptions of judicial demeanour, independence and impartiality.

The Council considers two factors in determining whether non-judicial work is “remunerative”. First, the Council considers whether the work gives rise to any remuneration to the applicant justice of the peace directly. Second, the Council considers whether a justice of the peace is a party to someone else’s remunerative work. The Review Council has determined that there are circumstances, such as where a justice of the peace’s spouse is receiving remuneration, where a justice of the peace may be engaged in extra-remunerative work even though they are not receiving remuneration directly. If the Council determines that the justice of the peace is engaged in extra-remunerative work, the policy and criteria set out by the Council for considering applications is considered.

One criterion to be considered by the Council in considering applications is whether the activity for which the justice of the peace seeks approval is a seemly or appropriate activity in which a judicial officer should engage, having regard to public perceptions of judicial demeanour, independence and impartiality (paragraph 6(c) of the Policy Re Extra-Remunerative Work). The Council has determined that this criterion must be understood in the context of the public policy encapsulated in the legislative framework set out in the *Justices of the Peace Act* and, in particular, in view of the amendments that resulted from the *Access to Justice Act*, 2006, S.O. 2006, c. 21. The legislative amendments brought about a comprehensive reform intended to strengthen public confidence in a professional bench and in the justice system.

Having carefully considered the public policy underlying the current legislative framework, the objectives of the amendments underlying the *Access to Justice Act*, 2006, and the *Principles of Judicial Office of Justices of the Peace of the Ontario Court of Justice*, the Review Council determined that, generally, it would be unseemly for full-time presiding justices of the peace to be engaged in commercial extra-remunerative work. The Policy Re Extra-Remunerative Work was amended to reflect the Council’s decision.

The Review Council has approved some applications by full-time justices of the peace to engage in extra-remunerative work on an exceptional basis where the activity was primarily non-commercial and had other intrinsic value from an educational, patriotic, religious or creative standpoint. In accordance with the Council’s policy and procedure, an applicant who seeks approval to engage in commercial activity must address the issue of why the application for extra-remunerative work should be approved as an exception to the general policy that full-time presiding justices of the peace should not engage in extra-remunerative work that is commercial in nature.

The application form for justices of the peace to complete when applying for approval to engage in extra-remunerative work is found on the Review Council’s website at:

- <https://www.ontariocourts.ca/ocj/conduct/files/JPRC-Application-Form-re-Approval-to-Engage-in-Extra-Remunerative-Work.docx>

In this reporting year, the Council considered and decided two applications from justices of the peace for approval to engage in extra-remunerative work. In addition, the Council directed that an application received in 2024 be administratively closed.

The following are summaries of the extra-remunerative work applications that were dealt with in 2025.

#### ***ER-003-24***

In 2024, a justice of the peace submitted an application for approval to engage in extra-remunerative work to act as an advisor to a criminal law firm and to engage in remunerative activities related to two books that he authored.

The Review Council requested the applicant to provide additional information regarding the details of the proposed work and remuneration. After no response was received, the Review Council directed that the file be treated as abandoned and administratively closed.

#### ***ER-001-25***

A justice of the peace informed the Review Council of changed circumstances in relation to a previously approved application to lead jiu jitsu classes at a martial arts school on an occasional basis (ER-002-23). The changed circumstances involved the possibility of leading additional classes at another martial arts school, and if the justice of the peace were to lead more classes, then their martial arts school membership fee would be waived.

The Review Council determined that the new information provided by the justice of the peace constituted a change in circumstances warranting its consideration. In response to the Review Council's inquiry, the justice of the peace confirmed that the two martial arts studios were not owned or operated by a justice system participant.

The updated application was approved, subject to the same conditions that the justice of the peace accepted in 2023, with condition #4 amended to reflect the possible waiver of the membership fee:

- 1) The Council's continued approval of the request must present no ethical difficulties in fulfilling His Worship's judicial assignments or other judicial duties.
- 2) His Worship's availability to lead jiu jitsu classes must not impact upon his availability to fulfill his primary responsibilities as a justice of the peace during assigned hours. His Worship has indicated that leading jiu jitsu classes would occur outside of working hours.

3) His Worship must maintain appropriate distance in leading jiu jitsu classes from his role and responsibilities as a judicial officer, including in any promotional and other materials for the martial arts school.

4) His Worship may accept remuneration for leading jiu jitsu classes in the form of an honorarium, or in the form of a waiver of membership fees. Any remuneration or reduction in membership fees must be without regard to his position as a justice of the peace.

5) His Worship must refrain from using the Court's email network, computer or other resources for any purpose related to leading jiu jitsu classes, as those resources are provided for purposes associated with his official responsibilities.

6) The Review Council reserves the right to revisit His Worship's request and its decision should any relevant circumstances change.

#### **ER-002-25**

The Review Council approved an application to engage in extra-remunerative work as a Commissioned Officer with the Canadian Armed Forces ("CAF") in the Cadet Instructors Cadre, which is a sub-component of the Primary Reserve force. The approval was granted subject to the following conditions:

- 1) Any remuneration paid to the justice of the peace is the same as that paid to other officers in the Cadet Instructors Cadre of the same rank and position, without regard to the position as a justice of the peace.
- 2) His Worship must ensure that his work in the Canadian Armed Forces (CAF) as an Officer in the Cadet Instructors Cadre (CIC) does not interfere with or delay the completion of his judicial duties. In particular:
  - a. His Worship's duties with the CAF must not interfere with or take priority over the completion of his daily court docket; and
  - b. His Worship's duties with the CAF must not impact or delay any judgments, especially interim release decisions.
- 3) His Worship must maintain distance as an Officer in the CAF from his role and responsibilities as a judicial officer, including avoiding any reference to his judicial position.
- 4) His Worship will not take part in, or associate himself with, any fundraising activities undertaken by the cadets or members of

the CAF reserve.

- 5) His Worship will not use the Court's email network, computer or other resources for any purpose related to his CAF activities, as those resources are provided for purposes associated with his official judicial responsibilities.
- 6) Should the nature of his role and responsibilities with the CAF change, he must advise the Review Council in writing immediately.
- 7) The Review Council reserves the right to revisit His Worship's request and its decision should any relevant circumstances change.