

## **ONTARIO JUDICIAL COUNCIL**

**IN THE MATTER OF A HEARING UNDER SECTION 51.6 of the  
*COURTS OF JUSTICE ACT*, R.S.O. 1990, c. C. 43, as amended**

**Concerning a Complaint about the Conduct of  
the Honourable Justice Donald McLeod**

**Before:** Justice Janet Simmons, Chair  
Court of Appeal for Ontario

Justice Michael J. Epstein  
Ontario Court of Justice

Mr. Malcolm M. Mercer  
Lawyer Member

Mr. Victor Royce  
Community Member

**Hearing Panel of the Ontario Judicial Council**

### **DIRECTION CONCERNING ACCESS TO EXHIBITS**

#### **Presenting Counsel:**

Borden Ladner Gervais LLP: Guy J. Pratte, Nadia Effendi, Christine Muir,  
Veronica Sjolín

#### **Counsel for Justice McLeod:**

Addario Law Group LLP: Frank Addario; Torys LLP: Sheila R. Block, Irfan Kara,  
Craig Gilchrist; Faisal Mirza; Gates Criminal Law: Kelly Gates

Copies of Exhibits 1 and 2 in this matter are available on the Ontario Judicial Council Website.

The Panel has given the following directions concerning access to the remaining exhibits:

1. A copy of the exhibit list as updated from time to time and copies of the indexes to Exhibits 3 (being the Agreed Statement of Facts) and 4 (being the Joint Document Brief) shall be posted on the Council Website.
2. The Registrar may distribute an electronic copy of volume 1 of Exhibit 3 upon receipt of a written request.
3. Requests for a copy of any other exhibit ("Other Exhibit") or any portion of any Other Exhibit shall be made in writing to the Registrar and shall include the following:
  - a) A statement of the use to be made of each exhibit requested; and
  - b) An undertaking not to use any exhibit provided for any purpose other than the proposed use described in the statement referred to in para. a).
4. The Council shall provide notice of a request for a copy of any Other Exhibit or portion of any Other Exhibit to counsel and the Exhibit Source (being the witness from which the document was sourced, as applicable), by way of email, and instruct counsel and the Exhibit Source to submit any objection within 7 days.
5. In the event of an objection, the Registrar may require written submissions concerning access to any Other Exhibit and the issue of access will be determined by the panel.
6. Access to Other Exhibits will, in any event, be subject to redactions for personal information and as may be directed by the Panel.
7. Counsel or any Exhibit Source may stipulate at any time that they do not require notice of further requests for access to a particular Other Exhibit or to a particular portion of any Other Exhibit.

Released: March 11, 2021

"Justice Janet Simmons", Chair

"Justice Michael J. Epstein"

"Mr. Malcolm M. Mercer"

"Mr. Victor Royce"