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February 28, 2025

The Honourable Doug Downey
Attorney General of Ontario
McMurtry-Scott Building
720 Bay Street, 11th Floor
Toronto, ON M7A 2S9

Dear Minister Downey:

Re: Annual Report to the Attorney General

Pursuant to section 14(7) of the *Justices of the Peace Act*, I am pleased to provide my annual report respecting the educational programs at the Ontario Court of Justice for the 2024 calendar year.

The Ontario Court of Justice strives to develop and maintain professional competence and social awareness, and encourage personal growth, through its Education Plan for all justices of the peace. Our Continuing Education Plan can be viewed at [Education Plan - Justices of the Peace](#).

Justices of the peace attend annual programs created by the Ontario Court of Justice. In addition to comprehensive education with respect to procedural and substantive law, our programs continue to include sessions that educate justices of the peace on cultural competence, awareness of unconscious bias, intimate partner violence, coercive control, anti-Black and Indigenous discrimination and racism and the experience of vulnerable populations that are overrepresented in the criminal justice system.

In 2024, the Ontario Court of Justice delivered extensive initial education to all newly appointed justices of the peace through a combination of intensive in-person programs, virtual sessions and significant self-study. In 2024, ten courses were designated for newly appointed justices of the peace, pursuant to section 14(6) of the *Justices of the Peace Act*: Intake I, Intake II, Search Warrants, Criminal Case Management Court, Bail I, Bail II, Good Judgment and Introduction to the *Provincial Offences Act* and *Provincial Offences Act I*, *Provincial Offences Act II* and *Provincial Offences Act III*. These programs, together with other educational programs such as an Indigenous seminar for

Indigenous justices of the peace and a French language seminar for bilingual justices of the peace, are detailed in the attached appendix.

To complement this judicial education, together with our Equity, Diversity and Inclusion Committee, we produced a videotaped, candid conversation between our Associate Chief Justice and a prominent professor of sociology about the origins of Black History Month, its enduring importance, Black achievement and the path forward. We also created a video of two of our judges using a real case scenario to apply the principles articulated by the Ontario Court of Appeal in *R. v. Morris*.

For National Day for Truth and Reconciliation, together with our Indigenous Initiatives Advisory Committee, we gathered numerous resources to permit a wide variety of self-directed learning opportunities on a diverse number of topics. We also created experiential learning opportunities by curating a list of regional community events honouring September 30, 2024, to deepen our understanding of the residential school legacy and the ways in which it continues to affect Indigenous Peoples in Canada.

Additionally, in December 2024, we invited over 40 provincial agencies to attend a Community and Social Services Agency Forum, to solicit and receive their input on our judicial education and our court practices. Through this forum we gathered thoughtful and valuable insight from those who work closely with the vulnerable populations in Ontario.

I am very proud of our efforts to provide our justices of the peace with access to robust initial and continuing education this past year, and I look forward to another successful year in 2025.

Yours truly,



JEANINE E. LeROY

Associate Chief Justice - Coordinator of Justices of the Peace
Juge en chef adjointe et coordinatrice des juges de paix
Ontario Court of Justice / Cour de justice de l'Ontario

APPENDIX

2024 CALENDAR OF EDUCATIONAL PROGRAMS

DATE	PROGRAM NAME	APPROXIMATE NO. OF ATTENDEES
<p>January 15 - 19, 2024</p> <p>and half day session January 24, 2024 via Zoom</p>	<p>Initial Education: <i>Provincial Offences Act (POA) Trials II</i> ** (*For those justices of the peace appointed in 2022)</p> <p>This program is designed to build on earlier courses and to prepare justices of the peace to hear and manage POA trials, with a focus on evidence tendered at trial and <i>Charter</i> issues.</p> <p>Sessions included:</p> <ul style="list-style-type: none"> • <i>An Introduction to Evidence</i> • <i>Admissibility of Evidence</i> • <i>Oral Evidence: Examination of Witness Rules</i> • <i>Evidence Procedure – the Voir Dire</i> • <i>Judicial Notice and Agreed Statement of Fact</i> • <i>Hearsay: What is it and What are the Exceptions to Admitting It?</i> • <i>Expert Opinion Evidence</i> • <i>Charter Litigation: Procedural issues</i> • <i>Confessions Rule</i> • <i>Self-Represented and Under-Represented Defendants in POA Court</i> • <i>11(b) Charter Delay Applications – the Right to a Trial within a Reasonable Time</i> • <i>Documentary Evidence</i> • <i>Managing Presentation of Exhibits</i> • <i>Functus Officio</i> 	<p>28</p>
<p>January 29 – February 2, 2024</p> <p>and half day March 6, 2024 via Zoom</p>	<p>Initial Education: <i>Intake I</i> ** (*For those justices of the peace appointed in 2024)</p> <p>This program introduces new justices of the peace to the workings of Intake Court as it pertains to <i>Criminal Code, Provincial Offences Act, Child, Youth and Family Services Act, and Mental Health Act</i> matters.</p> <p>Sessions included:</p> <ul style="list-style-type: none"> • <i>What it means to be a Judicial Officer in the Ontario Court of Justice (OCJ)</i> • <i>Structure of the OCJ and Duties of the Judiciary within that structure</i> • <i>Initial Education and Mentoring Program: What to expect</i> 	<p>44</p>

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DATE	PROGRAM NAME	APPROXIMATE NO. OF ATTENDEES
	<ul style="list-style-type: none"> • <i>Overview of the Criminal Process and the Justice of the Peace Role within it</i> • <i>Transitioning to the Bench: Judicial Ethics and Ethical Decision-Making</i> • <i>Intake Court: What It Is and Best Practices</i> • <i>Electronic Documents and eSignatures – The Law</i> • <i>Mental Health Orders</i> • <i>Subpoenas</i> • <i>Receiving an Information: Role of the Justice of the Peace</i> • <i>Compelling Attendance: Considering Process</i> • <i>Judicial Interim Release: The Intake Court Dimension and Intake Functions</i> • <i>Peace Bonds: Receiving an Information & Issuing Process</i> • <i>Weapons Warrants – the Intake Function</i> • <i>Child, Youth and Family Services Act, with a primary focus on warrants to apprehend a child in need of protection. Specific considerations to Indigenous children are also discussed</i> • <i>Reports to Justice, Detention Orders and Seized Property Management Orders</i> • <i>Arrests in a Dwelling House: Feeney Warrants</i> • <i>Receiving an Information from a Private Informant</i> 	
<p>February 26, 2024 – March 1, 2024</p>	<p>POA Trials III ** (*For those justices of the peace appointed in 2022)</p> <p>This final program of justice of the peace initial education for the 2022 judicial appointments focuses on pulling all of the previous programs together, as well as developing and refining the skills of managing the courtroom and delivering an oral judgment.</p> <p>Sessions included:</p> <ul style="list-style-type: none"> • <i>Putting the Issue into Issue-Driven Structures</i> • <i>Planning Ahead and Making Good Use of the Hearing Itself to Prepare for Oral Judgment</i> • <i>Objections 101: Common Objections – What They Are and How to Handle Them Procedurally</i> • <i>Introduction: HTA Quick Reference Guides</i> • <i>“Writing” Your Oral Judgment: Considering Structure and Organization</i> • <i>“Writing” Your Oral Judgment II: Blending Content with Communication</i> 	<p>28</p>

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DATE	PROGRAM NAME	APPROXIMATE NO. OF ATTENDEES
	<ul style="list-style-type: none"> • <i>Communication in the Courtroom</i> • <i>Communication Exercises – Managing the Courtroom</i> • <i>Preparing and Delivering an Oral Judgment</i> • <i>Mock POA Trials</i> • <i>Oral Judgment Feedback Sessions</i> • <i>Statutory Compulsion</i> • <i>You Are Presiding: Putting it All Together</i> • <i>Communication Exercises</i> 	
<p>March 6 – 10, 2024</p>	<p>Initial Education: Intake II ** (*For those justices of the peace appointed in 2024)</p> <p>This program focuses on principles of judicial independence and judicial discretion, as well as on Intake Court functions for POA offences.</p> <p>Sessions included:</p> <ul style="list-style-type: none"> • <i>Judicial Independence – what it is and what it isn't</i> • <i>Introduction to Judicial Independence</i> • <i>How to find Information when you need it – Creating Bench Books</i> • <i>Introduction to POA: Evolution and Overview</i> • <i>Release of Vehicles Detained Under the HTA</i> • <i>Calculation of Time under the POA</i> • <i>Commencement of Proceedings Under Part I</i> • <i>Commencement of Proceedings Under Part III</i> • <i>Deemed not to Dispute Under Part I: Is the Certificate Complete and Regular/Free from Defects?</i> • <i>Extension of Time to Pay – The Justice of the Peace Role</i> • <i>Re-openings, section 11 – The Justice of the Peace role</i> • <i>Guilty Pleas and Joint Submissions: The Basics</i> • <i>Speeding Fines</i> • <i>Early Resolution Regimes Under Part I</i> • <i>Witness Summonses and Warrants</i> • <i>Private Prosecutions Under the POA</i> • <i>Proceedings Under Part IX – Dog Offenders Liability Act (DOLA) – Intake Court Process and the Hearing of a Trial</i> • <i>Proceedings Under Part IX – DOLA – Intake Court Process and the Hearing or Trial</i> • <i>How to Read a Case</i> • <i>Contraventions Act</i> • <i>Young Persons Under the POA</i> 	<p>44</p>

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DATE	PROGRAM NAME	APPROXIMATE NO. OF ATTENDEES
<p>April 10 – 12, 2024</p> <p align="center">&</p> <p>& April 30 – May 3, 2024</p>	<p>Spring Conference I & II</p> <p>Sessions included:</p> <ul style="list-style-type: none"> • <i>Pronouns in Court. This session discussed the importance of using a person’s preferred pronouns and/or prefix in the courtroom</i> • <i>Thunder Bay Restorative Justice Court: A Case Management Streaming Pilot Project</i> • <i>Legal Issues – Statements by the Defendant</i> • <i>Beyond the Jargon: A Practical Guide to Understanding Unconscious Bias. This session used every day examples to highlight ways in which biases emerge in the most minor decisions. It also examined gender and racial bias and how it affects evidence and assessments of credibility</i> • <i>Hot Topic: POA Probation Orders</i> • <i>Recent Developments – Part I – POA Focus</i> • <i>Recent Developments – Part II – Criminal Focus</i> • <i>Hot Topic: Can an Accused Person Waive a Bail Court Appearance?</i> 	<p>168</p> <p>167</p>
<p>April 15 – 19, 2024</p>	<p>Initial Education: Search Warrants ** (*For those justices of the peace appointed in 2024)</p> <p>This program introduces the basics of procedural and substantive law in relation to search warrants, production orders and other investigative warrants.</p> <p>Sessions included:</p> <ul style="list-style-type: none"> • <i>General Overview of Search Warrants</i> • <i>Section 487 Criminal Code Search Warrant Exercises</i> • <i>The Information to Obtain (the ITO)</i> • <i>Digital Technologies and Search Warrants</i> • <i>Confidential Informants</i> • <i>Sealing Orders</i> • <i>Telewarrants</i> • <i>Drafting Reasons for Refusal and Applications After Warrant Refused</i> • <i>Production Orders, Tracking Warrants, Preservation Orders and Transmission Data Recorder Warrants</i> • <i>Search Warrants Under Provincial Legislation</i> • <i>Warrants Under the Controlled Drug and Substances Act</i> • <i>Law offices, Media, Psychiatric Records</i> 	<p>44</p>

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DATE	PROGRAM NAME	APPROXIMATE NO. OF ATTENDEES
May 13 - 17, 2024	<p>Initial Education: Criminal Case Management Court** (*For those justices of the peace appointed in 2024)</p> <p>This program introduces basic principles of case management to justices of the peace, including the role of the justice of the peace in ensuring parties have matters proceed fairly and expeditiously through the Court.</p> <p>Sessions included:</p> <ul style="list-style-type: none"> • <i>Introduction to Case Management: What is Effective Case Management?</i> • <i>Case Management: 11(b) Waivers, Retaining Counsel and Disclosure</i> • <i>The Inclusive Courtroom – Vulnerable Individuals – Mental Illness & Cognitive Challenges. This afternoon session was led by the CEO of the Canadian Mental Health Association</i> • <i>Virtual Case Management Court – Best Practices</i> • <i>Case Management: The Nuts and Bolts</i> • <i>Mental Health Fitness Assessments</i> • <i>Managing the Courtroom, Your Stress & Dealing with Challenging People</i> • <i>Open Court Principle & Publication Bans</i> • <i>The Pre-Enquête Hearing</i> • <i>The Peace Bond Hearing</i> • <i>Weapons Warrants – the Disposition Hearing</i> 	44
May 28 – May 30, 2024	<p>Indigenous Justice of the Peace Seminar (*For Indigenous Justices of the Peace)</p> <p>Sessions included:</p> <ul style="list-style-type: none"> • <i>Teaching and Welcome</i> • <i>Cultural Activity</i> • <i>Understanding Feathers and their Importance</i> • <i>Visit and Tour of the Kenora Justice Centre</i> • <i>Visit and Tour of the Kenora District Jail</i> • <i>Sharing Circle</i> 	31
June 12 – 14, 2024	<p>Justice of the Peace French Language Seminar Colloque des juges de paix d'expression française</p> <p>Sessions included:</p> <ul style="list-style-type: none"> • <i>Procédures et questions sur la Charte dans le cadre des procès en vertu de la Loi sur les infractions provinciales</i> 	38

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	<ul style="list-style-type: none"> • <i>L'héritage et l'influence de l'arrêt R. c. Jordan sur l'alinéa 11 b) de la Charte canadienne des droits et libertés</i> • <i>La preuve lors des audiences de mise en liberté et lors de procès: La divulgation et la preuve documentaire lors des audiences sous caution ; Le oui-dire dans le cadre des procès en vertu des infractions provinciales; Les interruptions lors des comparutions virtuelles</i> • <i>Le voir-dire – un retour sur le processus et les meilleurs pratiques</i> • <i>La règle des confessions et l'admissibilité des aveux dans un voir dire</i> • <i>La Loi sur le système de justice pénale pour les adolescents et les audiences de mise en liberté – un retour, une revue et un rappel</i> • <i>La Loi sur le système de justice pénale pour les adolescents et les audiences de mise en liberté dans les milieux éducatifs</i> • <i>Une mise à jour sur la jurisprudence française</i> 	
<p>June 24 – June 28, 2024</p>	<p>Initial Education: Bail I ** (*For those justices of the peace appointed in 2024)</p> <p>This program introduces the general principles of bail, including the standards and onuses of proof and legislative and common law principles.</p> <p>Sessions included:</p> <ul style="list-style-type: none"> • <i>Bail: Standard and Onus of Proof</i> • <i>Bringing the Accused to Court</i> • <i>Remands</i> • <i>Grounds for Detention</i> • <i>Types of Release Orders – the Ladder Principle</i> • <i>Sureties and Bail</i> • <i>Surety Revocations and Substitutions</i> • <i>Conditions of Release</i> • <i>Revocation of Bail</i> • <i>Evidence at Bail Hearings</i> • <i>Managing the Bail Hearing</i> • <i>Managing the Bail Hearing with a Self-Represented Accused</i> • <i>Bail Variations</i> • <i>Interpreters, Accreditation and French Language Rights</i> • <i>Certificate of Default</i> 	<p align="center">44</p>

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	<ul style="list-style-type: none"> • <i>Managing a Consent Release: A Group Mentoring Exercise</i> 	
July 22 – 26, 2024	<p>Initial Education: Bail II ** (*For those justices of the peace appointed in 2024)</p> <p>This program expands upon the general principles and focuses on specific issues that arise in bail court.</p> <p>Sessions included:</p> <ul style="list-style-type: none"> • <i>The Advocacy you will see at Bail Hearings</i> • <i>Weekend and Statutory Holiday Court – Best Practices</i> • <i>Bail Programs</i> • <i>Section 493.2(b) – Vulnerable, over-represented accused in bail court</i> • <i>The Application of Gladue Principles in Bail Court</i> • <i>Guns, Gangs and Drugs</i> • <i>Intimate Partner Violence Bail Hearings</i> • <i>Judicial Interim Release under the Provincial Offences Act</i> • <i>Breach of a Conditional Sentence</i> • <i>Delivering Oral Judgments and Using Decision Templates</i> • <i>Identifying Factors Relevant to Coming to a Decision</i> • <i>Using Decision Templates/Check Lists</i> • <i>Time to Prepare your Oral Bail Decision</i> • <i>Practice Delivering Your Oral Decision Releasing or Detaining the Accused</i> • <i>Youth Criminal Justice Act and Bail</i> 	44
September 9 – 13, 2024	<p>Initial Education: Good Judgment and introduction to Provincial Offences Act ** (*For those justices of the peace appointed in 2024)</p> <p>This program builds on judicial ethics, cultural competence and introduces the <i>Provincial Offences Act</i>.</p> <p>Sessions included:</p> <ul style="list-style-type: none"> • <i>Judicial Conduct and the Role of the Justices of the Peace Review Council</i> • <i>Allegations of Bias and Applications for Recusal</i> • <i>French Language Rights and Interpreters</i> • <i>Becoming a Culturally Competent Justice of the Peace: Minimizing Cultural Bias and Achieving Fairness This interactive session, presented by a prominent sociology</i> 	44

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	<p><i>professor, explores how unconscious bias manifests in every day life and trickles into the courtroom.</i></p> <ul style="list-style-type: none"> • <i>Writing Reasons</i> • <i>Who Decides What in the Courtroom?</i> • <i>Stages of a Trial: The Start of the Trial; The Presentation of the Crown’s Case; Presentation of the Case for the Defence; Reply Evidence and Submissions</i> • <i>Adjournments</i> • <i>Functus Officio</i> • <i>Disclosure – Foundational Principles</i> • <i>Introduction to POA Motions</i> • <i>Establishing Retaining and Regaining Jurisdiction</i> 	
<p>October 30 – November 1, 2024</p> <p>& November 20 – 22, 2024</p>	<p>Fall Conference I</p> <p>Sessions included:</p> <ul style="list-style-type: none"> • <i>Recent Developments – Part I (Criminal Focus)</i> • <i>Addressing Anti-Black Racism in Our Societies and Legal Systems. This session explored the pervasive influence of anti-Black racism in Canadian Courts, particularly highlighting its impact on decision-making by Justices of the Peace, including the role of unconscious bias in bail decisions and Provincial Offences matters.</i> • <i>Well-Being for Justices of the Peace; Resilience Skills on the Bench</i> • <i>Centre for Judicial Research and Education – Recent Developments – Part II (Provincial Offences Act Focus)</i> • <i>Reimagining Justice for Indigenous Peoples. This session explored issues related to Indigenous peoples and the justice system, including the role of judicial officials, cultural competency and truth and reconciliation obligations.</i> • <i>Manitoba Bail Courts</i> • <i>Bail Court: Efficiency and Culture</i> • <i>Technology-Facilitated Gender-Based Violence and Intimate Partner Violence. This session explored the use social media, surveillance devices and social media websites in gender-based violence and intimate partner violence.</i> • <i>GPS Monitoring</i> 	<p>170</p> <p>177</p>

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DATE	PROGRAM NAME	APPROXIMATE NO. OF ATTENDEES
December 9 – 13,	<p>Initial Education: <i>Provincial Offences Act I</i> ** (*For those justices of the peace appointed in 2024)</p> <p>This program examines procedural and substantive legal issues that arise in <i>POA</i> trials.</p> <p>Sessions included:</p> <ul style="list-style-type: none">• <i>Reflecting on your Observations in Provincial Offences Act Court</i>• <i>Credibility, Reasonable Doubt and R. v. W.D.</i>• <i>Presiding in Provincial Offences Act Case Management Court & Judicial Pre-Trials</i>• <i>Defendant or Prosecutor Fail to Appeal</i>• <i>Essential Elements of an Offence</i>• <i>Motion for Non-Suit or Directed Verdict</i>• <i>Included Offences</i>• <i>Classification of Offences</i>• <i>Defences to Regulatory Offences</i>• <i>Sentencing: Principles, Procedures & Statutory Framework</i>• <i>Sentencing: Jail Sentences and applying Gladue</i>• <i>Amendments</i>• <i>Motions to Quash</i>	44

** Courses for newly appointed justices of the peace as designated pursuant to recent amendments to the *Justices of the Peace Act*