



Halton County Law Association

491 Steeles Avenue East
Milton, Ontario L9T 1Y7

May 11, 2020

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

Dear Sir:

Re: Cancellation of Halton Region Consolidated Courthouse Project

As President of the Halton County Law Association, I am writing to you on behalf of our membership and the broader community that our members represent.

Last Friday afternoon, we were shocked to learn that you had decided to cancel the Halton Region Consolidated Courthouse Project. Words cannot express our disappointment.

We were assured by you as recently as February 20th that the announcement of a successful proponent for the construction of the new courthouse could be expected this spring. Instead, after countless years of lobbying, negotiation and planning by our Association and our partners in the justice sector in Halton Region to replace the wholly inadequate Milton and Burlington courthouses, we find ourselves blindsided by your decision. We were given no prior notice of your public announcement, and no opportunity to engage with you or your staff to canvass alternatives to a full cancellation of the project.

While the COVID-19 pandemic has exposed many of the structural flaws in our justice system, this is not a valid reason for cancelling this project outright. Halton is in dire need of modern infrastructure through which the citizens of Halton can obtain meaningful access to justice. Halton is one of the fastest growing regions in the province and our courts have been hard pressed to keep up with that growth.

As you know, the existing Milton and Burlington courthouses are chronically dysfunctional:

- There is an inadequate number of courtrooms in the Region to address demand;
- None of our courtrooms can accommodate complex multiple party proceedings;
- Only two courtrooms in Milton can accommodate jury trials;

- A history of mould and the use of asbestos in the walls and ceilings in the Milton Courthouse has physically prevented attempts to provide access to new technologies that could allow for remote hearings;
- There is no dedicated jury room in Milton;
- There are significant concerns regarding court security:
 - Holding cells in the both facilities are wholly inadequate and potentially dangerous.
 - Transport, housing and movement of in-custody defendants is of particular concern.
 - Judicial access to some courtrooms is through public hallways and stairwells.
 - Access between the third floor courtrooms in Milton can only be achieved through the basement.
- Growth in Halton Region has rendered both criminal and family first appearance courts inadequate to accommodate demand;
- There is limited capability to host Indigenous healing circles or *Gladue* proceedings;
- There is inadequate meeting space in either courthouse
 - Very little privacy for lawyers and justice agencies to meet with their clients
 - No meetings rooms in the Burlington Courthouse for defence counsel to meet with clients
- Space for Court Services is cramped and inadequate for the volume of filings and other business that is conducted at the counters;
- Traversing criminal matters between the two courthouses is virtually impossible, leading to delays;
- No direct public transit between the Milton and Burlington courthouses; and
- Inadequate public parking at both courthouses.

Given the age and physical condition of the buildings and the limited footprint of the properties that they sit on, no plan to renovate or expand these two facilities will address these issues. Having been privy to prior technical studies to “fix” the Halton courthouses, we suggest to you that any attempt to transform either site into an efficient hub of justice is sheer folly.

We fully appreciate the strain that the COVID-19 pandemic has placed on the province’s treasury. We also understand that funding our health care sector and the economic recovery of our province is rightly your government’s current priority. We also agree with you that that there is an urgent need to invest in innovative technology to modernize our justice system. However, we suggest that a failure to ensure that the justice system in Halton is nimble enough to support not just transformation but also the ongoing needs of our residents until that transformation is complete will surely result in a collapse of that system - a collapse that is foreseeable to those who practice law in Halton.

We therefore ask that you re-consider your decision. We suggest that the Halton courthouse project be revived to allow us and our other justice sector partners in Halton to work with you to revise the project design to better accommodate current and future demand for services and emerging technologies, and to help you address any possible financial restrictions that may delay the project going forward.

Our membership looks forward to working with you.

Yours truly,



Ken Kelertas

President, Halton County Law Association
905-825-4823

cc The Honourable George R. Strathy, Chief Justice of Ontario
The Honourable Geoffrey B. Morawetz, Chief Justice of the Superior Court of Justice
The Honourable Lise Maisonneuve, Chief Justice of the Ontario Court of Justice
The Honourable Leonard Ricchetti, Regional Senior Judge for the Central West Region, Superior Court of Justice
The Honourable Paul R. Currie, Regional Senior Justice for the Central West Region, Ontario Court of Justice
The Honourable Kendra D. Coats, Local Administrative Justice, Superior Court of Justice, Milton
The Honourable Doug Ford, Premier
Ted Arnott, Speaker of the Legislature and MPP, Wellington-Halton Hills
Effie Triantafilopoulos, MPP Oakville North-Burlington; Vice Chair, Standing Committee on Justice Policy
Stephen Crawford, MPP Oakville
Parm Gill, MPP Milton
Jane McKenna, MPP Burlington
Lindsey Park, MPP Durham; Parliamentary Assistant to the Attorney General
Roman Baber, MPP York Centre; Chair, Standing Committee on Justice Policy
Andrea Horwath, Leader of the Opposition
Gurratan Singh - Member, Standing Committee on Justice Policy
Gary Carr, Chair, Halton Region
Rob Burton, Mayor, Town of Oakville
Marianne Meed Ward, Mayor, City of Burlington
Gord Krantz, Mayor, Town of Milton
Rick Bonnette, Mayor, Town of Halton Hills
Stephen J. Tanner, Chief of Police, Halton Regional Police Service
Mike Winward, Chair, Federation of Ontario Law Associations
Malcolm M. Mercer, Treasurer, Law Society of Ontario