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Official Report of Debates (Hansard)

JP-38

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JP-38

**Standing Committee on
Justice Policy**

**Comité permanent
de la justice**

Estimates

Budget des dépenses

Ministry of the Attorney General

Ministère du Procureur général

1st Session
43rd Parliament

1^{re} session
43^e législature

Wednesday 12 June 2024

Mercredi 12 juin 2024

Chair: Goldie Ghamari
Clerk: Thushitha Kobikrishna

Présidente : Goldie Ghamari
Greffière : Thushitha Kobikrishna

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CONTENTS

Wednesday 12 June 2024

Estimates	JP-699
Ministry of the Attorney General	JP-699
Hon. Doug Downey	
Mr. David Corbett	

LEGISLATIVE ASSEMBLY OF ONTARIO

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

STANDING COMMITTEE ON JUSTICE POLICY

Wednesday 12 June 2024

COMITÉ PERMANENT DE LA JUSTICE

Mercredi 12 juin 2024

The committee met at 1300 in committee room 2.

ESTIMATES

MINISTRY OF THE ATTORNEY GENERAL

The Chair (Ms. Goldie Ghamari): Good afternoon, everyone. The Standing Committee on Justice Policy will now come to order. The committee is about to begin consideration of the 2024-25 estimates of the Ministry of the Attorney General for a total of two hours.

As this is the first ministry before the committee, I would like to take this opportunity to remind everyone that the purpose of the estimates committee is for members of the Legislature to determine if the government is spending money appropriately, wisely and effectively in the delivery of the services intended. As Chair, I will allow members to ask a wide range of questions pertaining to the estimates before the committee to ensure they are confident the ministry will spend those dollars appropriately. In the past, members have asked questions about the delivery of similar programs in previous fiscal years, about the policy framework that supports a ministry approach to a problem or service delivery, or about the competence of a ministry to spend the money wisely and efficiently. However, it must be noted that the onus is on the members asking the questions to make the questioning relevant to the estimates under consideration.

The ministry is required to monitor the proceedings for any questions or issues that the ministry undertakes to address. I trust that the deputy minister has made arrangements to have the hearings closely monitored with respect to questions raised, so that the ministry can respond accordingly. If you wish, you may, at the end of your appearance, verify the questions and issues being tracked by the research officer.

Are there any questions from members before we start?

I'm now required to call vote 301, which sets the review process in motion. We will begin with a statement of not more than 20 minutes from the Attorney General.

Minister, the floor is yours. Please begin.

Hon. Doug Downey: Thank you very much, Chair. It's a pleasure to be here again at estimates. As you mentioned, there will be a wide range of questions. It's a very wide-reaching ministry, and we cover a lot of ground and provide assistance to every other ministry in government, which is a bit of a uniqueness, and something that I'm quite proud of and that we take very seriously. This is very

much about the spending of money; it's also about the kinds of services that we provide in the spending of that money. And so I look forward to vigorous discussion.

With me today is my Deputy Attorney General, David Corbett. My management team is here in the room, and my director of communications is here, along with a couple of interns, Jack Cowan and Max, getting a chance to see this in person in real time, which is what internships are all about.

I'll just start off by saying that our government has made significant progress since the Ministry of the Attorney General appeared at estimates last year, and I'm eager to share some exciting updates. We'll put some in context with historical facts, but also some of the progress we've made over the last year.

I'll start by talking about six years ago in 2018, when my ministry began a tremendous push to strengthen Ontario's justice system. It has been an ongoing commitment of continuous modernization of the justice system. It has been a driving force for me both professionally and personally throughout my career, from the early days as a court clerk to my current role as Attorney General. My dedication to making change and improvements has only deepened over the years.

But before I continue, I'd like to recognize some of the crucial partners without whom we would not have achieved the success that we did: the Court of Appeal, the Chief Justice and his other judges, the Superior Court of Justice and the Ontario Court of Justice, to name only a few. We've been steadfast allies in the tremendous modernization we're working on and have implemented across the justice system.

I'd also like to highlight that the practising bar has been instrumental in providing contacts for providing feedback, making sure that things that we unroll are working the way we intended them to. Just last night, I was in a meeting with the Toronto Lawyers Association, which covers a broad range of litigators. I believe the secretary is a corporate lawyer, so it's a broad range of interests that each of the associations bring.

One of my key focuses has been addressing the very long-standing criminal case backlog that was exacerbated by the pandemic. The criminal case backlog didn't start in the pandemic, but it certainly made it much, much more challenging. In October 2021, my ministry launched the criminal court backlog reduction strategy. We continue to work closely with our justice sector partners, including the

courts, the police services, government agencies and others, to ensure justice is delivered while keeping communities safe.

Two weeks ago, we announced that our government is delivering over 29 million additional dollars to appoint at least 25 new judges to the Ontario Court of Justice and hire as many as 190 more crown prosecutors, additional victim support services, court staff and others to support the capacity in our courts. I'm sure we'll loop back to that in our questions.

This was a historic investment, and it's the largest one-time appointment of judges in recorded memory and likely ever. This new investment is in addition to the \$72 million we provided from 2021 to 2023 for the strategy. At this time, I'm also proud to report that most of those resources are now permanent and this ongoing investment has become an integral part of the ministry's annual funding. These investments are specifically designed to support the courts with the capacity they need to hear cases faster in a timely and sustainable matter.

We're also taking action to address the backlog in the civil and family side, as well. We're working to reduce the time it takes for courts to reach a decision in civil and family matters and to make the justice system more accessible, efficient and responsive to the needs of people across the province. All of this is an ongoing effort to help strengthen the courts and ensure a fair, accessible and innovative system to deliver impartial and timely access to all kinds of justice.

We're also taking action to ensure the courts are properly staffed across the province. The court staff play an essential role in the administration of justice. The ministry is committed to attracting, developing and retaining diverse and professional workforces. This year alone, we've significantly increased the number of full-time permanent court staff across the province through nearly \$6 million in additional annual funding. This includes providing full-time employment opportunities to existing on-call staff and recruiting new permanent full-time and on-call court staff in the Toronto region.

It makes me think back to when I was a court clerk—this was back in Rae days. When I showed up at work, if court collapsed in two hours or three hours, I was sent home. I was paid those two or three hours, and that was it. It wasn't until our government, very recently, and the investments that I'm talking about that we've changed course to say that we want permanent, full-time, fully trained on-call staff in different parts of Ontario where they are needed. I think that's a tremendous change. It provides stability for people who want this kind of work, who want to be able to count on the job and on the money and the benefits that go along with it. So I'm quite proud that we've made that seismic change for the first time in absolute decades, and we're continuing to recruit court staff across Ontario in every region of the province.

Additionally, we're investing \$1.9 million to increase the number of new associate judges and court staff to the Superior Court of Justice. Just to put that into context, although the Ministry of the Attorney General runs the

administration for the courts for both the Ontario Court of Justice, the Superior Court of Justice and the Court of Appeal, we appoint the Ontario Court of Justice judges, the federal government appoints the Superior Court of Justice judges and the Court of Appeal, but the associate judges operate in the Superior Court, although we are responsible for appointing them. So it's our way of not having to rely strictly on the federal government and their speed, or lack of speed, in creating resources at the judicial level for the Superior Court. This is our way of investing to make sure that capacity is there, and we're doing exactly that.

We're listening to the diverse voices across the justice sector, and we're confident that these improvements will boost trial capacity as we work to bring the number of pending cases across the system down to a more sustainable level. So, again, where I was saying before—the criminal backlog, the other backlogs, whether it be family or civil or otherwise, existed prior to the pandemic. The pandemic really shone a light on where the challenges were and made it much more challenging. We are investing dollars for now and into the future so that we have a sustainable system that is better than we inherited when we came to government in 2018.

Now, while we continue to take these critical steps to ensure the courts are opening and functioning, our government is taking action to ensure Ontario's justice system and the laws meet the demands of the 21st century, because we know that community safety is top of mind for so many.

I'll speak for a moment about an issue that I'm hearing about and that is resonating with far too many people in this province. I'm referring to the significant increase in auto theft in Ontario and what our government is doing to address this alarming issue. So far this year, in Toronto alone, there has been an increase of over 100% in auto thefts compared to this time in 2023, an 100% increase over last year. And it was a problem last year.

In response, the OPP are expanding vehicle theft investigations, leading to more cases for prosecutors to review and pursue and more hours in court. I've said this before, and I continue to say it: Only a strong and coordinated approach across the justice sector will stop the rise in auto thefts.

Now, we're working closely with other levels of government. We're calling on the federal government to do their part. This is estimates of the provincial Ministry of the Attorney General, so I won't spend a lot of time on the role that they need to play—a bigger role and a better role, with investments of their own. I won't dwell on that, but I don't want it to go unsaid that this is entirely solvable by us. The one piece is the scanners at the borders. The borders are where a large part of the challenge can be tackled, but I'll restrain and not get too far down that road.

1310

We do have to work with municipalities, and we have to work with the federal government. Our government is doing its part to ensure that the court system has the capacity to hear and prosecute the influx of cases related

to auto theft. That's why, over the last year, we've invested in new measures to help police identify and dismantle organized crime networks that put offenders behind bars. This is no small task. This is not one-off individuals stealing cars. These are complex, coordinated efforts. It's big business, as it were, and it's organized crime.

We've invested nearly \$14 million over three years to create the Major Auto Theft Prosecution Response Team, including an additional \$6 million this year alone. This team works directly with the OPP's unit to help prevent violent vehicle theft and identify, disrupt and dismantle organized crime and the criminal networks that are involved. This new auto theft prosecution team consists of 24 crowns across the province and is supported by 12 additional court staff.

This team provides permanent, dedicated prosecutors at priority-based court houses in areas facing the highest rate of auto theft, such as Toronto, of course, Hamilton, Ottawa, London and beyond. We are structuring the team so prosecutors can provide support in other areas, if their expertise is required. We're also adding more court staff and have already appointed an additional judge to the Ontario Court of Justice specifically to address the anticipated increase in cases.

Another issue that we're helping to improve as new technology continues to transform the way we provide justice services in the province is that we are expecting an influx of evidence from body-worn and police cameras in the coming months. That's why we are coordinating and investing \$7.5 million to help ensure prosecution teams have the resources they need to review evidence from these cameras in criminal cases. The investment will ensure the prosecution has the resources to provide timely disclosure, leading to fewer cases being dismissed because of delay. The new funding will also support a responsive justice system that protects victims and witnesses who cooperate with critical police investigations.

I want to turn now to facilities, or at least one facility in particular, and this is the Brampton courthouse. It's keeping families safe and communities safe. It's a top priority for our government, as you know. When it comes to keeping these communities safe, we are also working to improving confidence in our aging institutions, including courthouses.

We're modernizing our infrastructure and making our courthouses more safe, secure and efficient, and better equipped to serve our growing communities. The new Brampton courthouse expansion, completed just a few months ago, now has more space and accessible features to better serve the people in Peel region. The \$117-million expansion includes enhanced technology to support virtual hearings and six additional floors with 18 additional hearing rooms: 13 courtrooms, three settlement spaces and two pre-trial rooms.

The upgraded courthouse also features enhanced security features and improved accessibility spaces. It ensures the busiest courthouse in our province is modern and accessible, and builds on previous investments our government has made in the region to address its historic

growth, including highways, public transportation and education.

And not to be overly political, but note that this space was shelved. The shell was built by a previous government with no money allocated to finish it. There is another example of this government getting things done, investing the money needed where it's needed and creating state-of-the-art modern facilities. I'm very, very proud of that facility.

As you can see, enhancing access to justice spans from the digital justice sector to the bricks and mortar of courthouses. A responsive and robust justice system is one that works to keep everyone safe, especially our most vulnerable. Earlier this year, our government delivered over \$1.4 million to help support young victims, witnesses and survivors of gun and gang violence and human trafficking, as part of the \$121-million investment by the federal government to coordinate and help prevent gun and gang violence in Ontario.

We're also investing more than \$2 million per year over the next three years to help to sustain and expand the Child Victim/Witness Program, which aims to reduce the trauma of testifying in court for children and youth victims and witnesses. Right now, this program is being delivered by seven community-based organizations in eight areas across the province. It's new funding and it will allow my ministry to explore ways to expand this important service into more communities.

The additional investment also includes funding to support improvements in Ontario's independent legal advice program for victims of sexual assault. Demand for this program has increased tremendously since it was first introduced as a pilot in 2016.

Let me tell you how it works: Victims of sexual assault receive up to four hours of free, independent and confidential legal advice to victims of sexual assault no matter how much time has passed. The ILA program is delivered by a roster of independent lawyers, as well as the Barbra Schlifer Commemorative Clinic here in Toronto, an organization dedicated to supporting victims of violence. They're among the many heroes in our justice system who work tirelessly to support victims of crime and advocate to make our communities safer for everyone.

Now, you've heard me talk about some of the bold advances we've made just in this past year and to ensure a strong, responsive and sustainable justice system for years to come. But the justice system is just that: It is a system. And it must ensure that each piece works as efficiently as possible with each other. Modernizing our justice system to be one that is accessible for everyone is and will continue to be my driving motivation and primary goal.

In 2021, we launched the justice accelerated strategy to break down long-standing barriers in the system, move more services online and closer to Ontarians no matter where they live. This includes rural, northern and First Nations communities.

Since then, we've extended electronic filing to more than 800 types of civil, family, bankruptcy, Divisional Court and Small Claims Court documents through Justice

Services Online. We've expanded our online court case search tool so the public can access select court information in civil and active criminal cases without having to line up at a courthouse. We've enabled Ontario to dispute traffic tickets and other provincial offences virtually where available, which saves them an extra trip to their local courthouse.

These kinds of innovations are just examples of some of the things that we've done. We've coordinated with the Solicitor General's office to allow for the filing of e-warrants and to allow for other electronic measures to save time, create speed, quite frankly, when it's needed the most, save resources and—certainly, I'm going to try to stay in my lane, but you've heard the Solicitor General talk about just the added cost the carbon tax on gas for policing. To have a police officer drive from one community in the north to another simply to have a piece of paper signed is not the way of the future for this province, and it's something that we've dealt with.

We'll continue to look at ways to mitigate external costs, pieces that we can maximize service and redirect the limited resources that a government has—not just our government; every government has limited resources—to make sure that they're being used most efficiently and in the interest of Ontarians. One really good example of how we're making change and significant change is, in addition to those ongoing measures, we will continue to develop a major new digital justice solution to deliver even more services online.

We announced last summer the Courts Digital Transformation Initiative. We call it CDT. It's a \$166-million investment that will usher in a landmark new era for justice in Ontario. And I can tell you, all eyes are on Ontario, throughout North America and overseas. The CDT initiative will support access to both the Superior Court of Justice and the Ontario Court of Justice. It will allow court users to file documents, pay fees, improve access for hearings and so much more, all online and through a single platform. That's the magic to this. Work is under way, and the first phase is scheduled to launch in 2025 for the Superior Court of Justice and family, civil, small claims, enforcement and divisional courts in the Ontario Court of Justice family.

Now, when we talk about transformational change in the courts, this is it. This is an example, a very good example, of how change is going to happen, how it is happening, and it's not just theoretical. As I mentioned, it will start to come online next year. We need to seize these opportunities and harness all the tools at our disposal to improve and expand services across the justice sector.

I want to turn for a moment to Tribunals Ontario. This also applies to those adjudicative tribunal systems and the hundreds of clients, the thousands of clients, who use this system every day. Many of these individuals experience barriers to accessing justice due to travel time, needing time off work or managing child care. Tribunals Ontario is now using hearings by video conference, telephone and in writing to increase access to justice at the tribunals. It's why our government is acting to support this work with a

\$2.1-million investment: so tribunals can establish a dedicated hearings unit to create a more efficient and effective dispute resolution process to better serve clients and reduce case backlogs.

The hearings unit is just one component of our government's plan to support renters and rental housing providers and address the accumulation of cases, particularly at the Landlord and Tenant Board, which I expect I'll get a chance to expand on during questioning.

1320

My ministry, Tribunals Ontario and the Landlord and Tenant Board have taken the Ombudsman's report very seriously and have made real progress in a very short period of time, implementing a number of his recommendations. In 2023-24, we invested \$6.5 million to appoint an additional 40 adjudicators, more than doubling the number of full-time adjudicators and hiring additional staff to improve service standards and reduce active applications and decision time frames. The funding was in addition to the \$12 million over three years announced in the 2023 budget.

The Chair (Ms. Goldie Ghamari): One minute.

Hon. Doug Downey: With our government's latest investments in the LTB and the improvements that are well under way, we're confident Tribunals Ontario will make significant inroads.

We can talk about liquor licence expansion in the questions if you wish, but in closing, as Ontario continues to grow and move forward, we will not stop in our work to build a more accessible justice system for everyone. It's a shared agenda. We cannot achieve our goals without the dedication and commitment of our justice partners.

I'm optimistic for the future and look forward to discussing those opportunities with this committee. Thank you for the opportunity to speak today. But just one more thing before I close, I wanted to offer a friendly reminder: I can't directly address any matters that are before the courts. Thank you. Merci. Meegwetch.

The Chair (Ms. Goldie Ghamari): We will now begin questions and answers in rotations of 20 minutes for the official opposition members of the committee, 10 minutes for the independent member of the committee and 20 minutes for the government members of the committee for the remainder of the allotted time.

As always, please wait to be recognized by myself before speaking. All questions and comments will need to go through the Chair.

For the deputy ministers, assistant deputy ministers and staff: When you are called on to speak, if you would give your name and your title each time so that we can accurately record in Hansard who we have speaking.

I will start with the official opposition. MPP Wong-Tam, you may begin.

MPP Kristyn Wong-Tam: Thank you very much, Chair. I really appreciate the opportunity.

Thank you to the minister and to the assistant deputy minister. I appreciate your time and presentation today.

I will try to keep my questions as short as possible, but I'm also going to ask that you keep your answers just as

succinct. Some of my questions will be directed specifically to you, Minister. I'm hoping that you can provide us with yes or no replies. Obviously, because we are in estimates, I'm going to be looking for some numbers. I think that you'll be ready to respond.

Ontarians as well as legal observers have told us that the justice system seems to be at its breaking point. This is information that's oftentimes corroborated based on professional comments that have come from everyone who touches the justice sector, whether it's those who've been harmed who are seeking their day in court as well as those who actually are on the delivering-of-justice side.

I'm going to start my questions with the tribunals, because this has been an issue that has, number one, plagued a number of individuals—both landlords and tenants; they're all stuck in the queue. Everyone wants to find a way to get to the tribunal and have their day at tribunals very quickly, but they seem to be saddled with some lengthy, lengthy delays.

As of March 2023, the LTB backlog is sitting with approximately 53,000 cases, and this is impacting literally millions of Ontarians. What we would like to see is more investments from MAG to make sure that we can see the number of adjudicators rise, but also to see the actual backlog cases decline, because throwing money at it without actually seeing better results is really just not effective.

And one particular note that I want to identify for the minister is in-person hearings. I think that we have all heard from legal observers, those who actually administer the justice system that, the more in-person hearings that we see, we can see the expediency of the cases being moved through more quickly. In the past fiscal year, there have only been 11 in-person hearings, Minister, compared to the 36,699 electronic hearings. So, the question to you, Minister, is do you believe—yes-or-no answer—having more in-person hearings will actually allow the system to move more quickly, and what type of funding can we expect to see more in-person hearings come to fruition?

Hon. Doug Downey: Okay, so there was a lot in that. It's a little bit for me—

MPP Kristyn Wong-Tam: It was one question.

Hon. Doug Downey: Well, no, there was a lot of commentary, and so I think I need to put it in context. You're asking questions based on numbers from a year ago, and so let's put in context where we are, because there has been improvement. We have doubled the number of full-time adjudicators. We're around 80. We were at 40 back in 2023, when you cite those data.

The landlord-tenant tribunal, we're talking about primarily—we're not talking about the 13 that have come to full balance and are hitting their metrics. We're talking about the landlord-tenant tribunal—

MPP Kristyn Wong-Tam: Sorry, Minister, if I can ask—

Hon. Doug Downey: Sorry, am I answering the question?

MPP Kristyn Wong-Tam: I just want to clarify—

Hon. Doug Downey: No, no. You'll have a chance to clarify when I'm done answering the question.

The Chair (Ms. Goldie Ghamari): Let's not speak over each other, because it's difficult for Hansard to record. I'd allow the minister to finish his answer and then you can respond. Thank you.

Hon. Doug Downey: In the past—you mentioned about 30,000 hearings in person. In fact, in 2023 there were 70,000 hearings. It was a 40% increase over the previous year. The number of hearings has gone up significantly and the number of cases closed, with a 40% increase over the previous year.

So the demand has grown, but the performance has outperformed the previous years as well. I can tell you, 50% of the applications are now scheduled within four to five months. LIs, non-payment of rents, are running around 14, 15 weeks compared to eight to 10 months the year before.

To suggest that the investments that we've been making aren't having any effect is not to give full context. April 1, 2022: \$4.5 million over three years. In November, another \$1.4 million for staffing, for resources—

MPP Kristyn Wong-Tam: Madam Chair—

Hon. Doug Downey: In the 2023 budget, we invested \$12 million over three years—

MPP Kristyn Wong-Tam: Madam Chair, I'm going to ask to take back—

Hon. Doug Downey: —and only one party supported that.

MPP Kristyn Wong-Tam: Sorry, Madam Chair. I'm going to ask to take back my time from the minister.

My question was specifically around in-person hearings. My question is, does the minister believe that having more in-person hearings will allow for a quicker, expedient way for the hearings to move forward? And what would it take for you to deliver more money in the estimates so we can have more in-person hearings? Because right now, we've only had 11 over the past calendar year.

Hon. Doug Downey: There is a process to request in-person hearings. It is evaluated, so there are times where in person is most appropriate, and the tribunal assesses that. There's a process for people who don't have the resources, whether it be the right technology, that they can request assistance with the technology. We have a program within the tribunals where, if somebody has a cellphone with limited minutes, they can access supports for that.

We are trying to rightsize—and we are rightsizing—the resources for the online hearings, with the ability to have in-person in several different cities, whether it be Toronto, London, Ottawa—I believe Hamilton—at the request. But the tribunal has to assess that.

MPP Kristyn Wong-Tam: Minister, my question to you is, do you believe having more opportunities for in-person hearings will expedite the hearings faster to therefore address the backlog? I believe it's a yes-or-no answer. Either you believe in-person hearings will move things along faster—

Hon. Doug Downey: What I can tell you is we did 40% more hearings last year than the year before, so that would suggest that there's an efficiency to doing online hearings as we are now. And the application, from filing to hearing, is coming down significantly.

MPP Kristyn Wong-Tam: What was that number? What is the current backlog at the LTB?

Hon. Doug Downey: It's dropped about 10% in the last couple of months, so we're below the 50,000 mark. As we're onboarding the adjudicators, as the adjudicators are getting fully trained—a number of them became fully trained in April and are now scheduling—you will see the backlog start to decline fairly rapidly, with the understanding that there has always been a case count. We're not going to zero. There's always a case count. In the past, it's been about 30,000. We're sitting below 50,000, so we're on track for success.

MPP Kristyn Wong-Tam: Minister, in my opening comments, I said that the backlog was sitting around 53,000. You said that now it's just below 50,000, so the significant drop that you're talking about has not materialized. I want to make sure that we're talking about the same thing, because I think we want to ensure that, number one, the cases can go through very quickly, that everyone can have access to hearings, but also to make sure that those who are stuck in the queue will have their day in court.

Because what we are seeing is that tenants are living with mouldy apartments. They've got landlords who are not necessarily keeping up their end of the contract—

Hon. Doug Downey: Is there a question in this?

MPP Kristyn Wong-Tam: Yes. I'm just getting to it.

I want you to not minimize the pain and suffering that Ontarians are feeling when they're stuck in the queue by saying that there has been a dramatic decrease in the case backlog, because between 53,000 to 50,000—just about—is not a dramatic backlog drop at all.

1330

I wanted to move on just because I want to respect time—

Hon. Doug Downey: I want to address that because you're saying 53,000 to 50,000 is not really a reduction. Well, that's 6% over a short period of time, and I'm telling you it's down 10% in a short period of time. So it is actually significant.

MPP Kristyn Wong-Tam: You've used language that you're making a dramatic reduction, and dramatic reduction would be much more than 6%.

Hon. Doug Downey: We don't have to argue English; the numbers are the numbers.

MPP Kristyn Wong-Tam: The math doesn't lie.

Minister, coming back to the question around in-person hearings, because I really wanted to get you to respond to that; I'm sorry I couldn't extract a reply. In-person hearings: All legal observers tell us that it actually helps moves things forward. There is less delay with more in-person hearings. So what would it take in terms of funding in order for your ministry to address the requests of individuals who are asking for in-person hearings? Because

I doubt very much that it's only 11 people in Ontario who have asked for in-person hearings.

Hon. Doug Downey: I think your premise is incorrect. Even as late as last night, I had a conversation with some judges who actually believe that in-person hearings are more efficient, along with practitioners. Not all hearings are appropriate for in-person or a hybrid or for virtual, but I think it's not correct to say that all legal practitioners think X. That isn't the case.

There will continue to be a debate for some time about what should be in person and what should not. I think the important thing is that those decisions made by an independent tribunal are empowered to be made by that tribunal as opposed to being a political decision based on whoever we talked to last that may have an input on their experience with the system. So I think it depends on what it is that's happening, and we need the independent tribunal to make that assessment.

MPP Kristyn Wong-Tam: Because the tribunal is under your ministry, and the buck stops with you, Minister, we want to make sure that the backlogs on all cases are cleared as quickly as possible. I do believe that we can get to as close to zero as opposed to making minor reductions year over year because sometimes we see things fluctuate, as we've seen in the Human Rights Tribunal. Cases are falling in terms of applicants coming down, but somehow the backlog has increased.

Minister, I'm going to move on just a little bit because I'd like you to give us a number with respect to the amount necessary in order for us to clear that backlog by doing so with investments in duty counsel, dispute resolution officers and mediators at the LTB. Can you describe to us, Minister, what type of trade-offs are being made in order for us to have that come forward? What would it take?

Hon. Doug Downey: Are we talking about landlord and tenant in particular, or the entire—

MPP Kristyn Wong-Tam: Yes, I'm still on LTB.

Hon. Doug Downey: Okay. So investments like the \$4.5 million we made in April of 2022 that was not supported by the NDP to increase adjudicators and staffing and resources; investments like the \$1.4 million made in November of 2022 that was not supported by the NDP or the Liberals; investments like the \$12 million over three years in the 2023 budget that was not supported by the NDP or the Liberals; or the \$6.5 million in April of 2023 that was not supported by either the NDP or the Liberals. Those kinds of investments and that kind of money are what we need to do.

But we're not done because in April, we invested money in the Land Tribunal. We've invested in the other tribunals. We've invested in technology: \$28.5 million into a back office because the Liberals left the place in shambles to the point where they had to actually hand bomb materials when it failed.

Those are the kinds of investments that need to happen. Those are the numbers. I don't know why we would speculate about more money that we would put forward that your party won't support. So—

MPP Kristyn Wong-Tam: Let me bring forward another question, Minister, because I think if a party does not support the government of the day because they're making an inadequate investment, a substandard investment, that doesn't mean that we're not ready to solve the problem.

My question about the backlog at the LTB and the backlogs with respect to the court system is, what is your government's plan to get to zero? Like, what is the strategy here? Is it a 6% drip every year, which will of course take a decade and longer? People don't have that time to wait in the queue. So what is your strategy, Minister, to clear the backlog?

Hon. Doug Downey: The strategy is threefold. One is technology, and I just addressed that, where we spent significant money to put in place a system that was failing. It was left to fail with no investments over the previous several years, more than 15 years. The technology, the backbone, needs to be working, so we've invested heavily in that.

We need to invest in the individuals, the adjudicators, the system operators, the hearing units, and that's where we've been investing the \$12 million, the \$5 million, the \$6.5 million. We need that, and we have been aggressively recruiting adjudicators. We've doubled the number of adjudicators since this time last year. That alone creates a capacity, because we've seen a 40% increase in hearings—

MPP Kristyn Wong-Tam: Let me clarify for you, Minister. How long will it take for you to clear the backlog? Is it two years? Is it three years? Is it four years? When can we get to 10,000 cases of backlog? Right now, we're sitting at 50,000.

Hon. Doug Downey: Recognizing that we had 40% more hearings, but we had 40% more cases moving—if you can tell me how many people are going to apply to the Landlord and Tenant Board over the next six months, I'll tell you when we're going to clear it.

MPP Kristyn Wong-Tam: Minister, I suspect your ministry must have a strategy. You must have a blueprint somewhere that you're working with.

Hon. Doug Downey: We do have a strategy, yes.

MPP Kristyn Wong-Tam: The strategy cannot just be “We're going to invest in more technology” or “We're going to hire more adjudicators.” In terms of the numbers, how many years will it take for you to get to zero in terms of clearing the backlog, so therefore you can meet the timelines that are prescribed in the Residential Tenancies Act, that are prescribed on when someone can actually get to a tribunal hearing? How long have landlords got to wait with respect to tenants who are not meeting their obligation? How long do tenants have to wait to get adequate heating in the winter? What is it going to take?

Hon. Doug Downey: I know you don't like my answer. You don't like my answer—

MPP Kristyn Wong-Tam: No, I'm asking for a specific answer.

Hon. Doug Downey: I'm giving you a specific answer. Specifically, the wait times from filing to hearing are now half what they were last year.

MPP Kristyn Wong-Tam: How long will it take, Minister, to get to zero? Please, Minister—

Hon. Doug Downey: If you would let me answer the question, please.

MPP Kristyn Wong-Tam: I want you to answer the question.

Hon. Doug Downey: Orders are going out 90% of the time within 30 days, and the 10% that aren't are often tied to a personal circumstance of an adjudicator or something like that. The five to six weeks on average to hear the urgent matters, compared to eight weeks or more last year—all of these times are coming down.

I've told you that we've had a 10% reduction in the last several months. As we bring on the adjudicators, scheduling is happening more aggressively. You will see more come through the fall, and resolutions will happen. So we do have some targets, but it all hinges on how many people are going to be filing with the board. If nobody files with the board from here on, which is not realistic, then that's one outcome. So we have different models—

MPP Kristyn Wong-Tam: What is that outcome if nobody else files another hearing?

Hon. Doug Downey: No, I'm not—this is a money discussion—

The Chair (Ms. Goldie Ghamari): Sorry. I've given a lot of leeway here, but there is far too much interruption going on. I can't even get a straight answer out of the minister, so let's just allow him to speak. But there are far too many interruptions going on. I'm going to have to put a stop to it if it continues.

MPP Kristyn Wong-Tam: That's okay, Chair, because the minister has not been able to answer my question on what it would take for him to clear the backlog. This doesn't give me a lot of confidence that the government actually has a plan to address the horrific high backlog at the Landlord and Tenant Board.

I'm going to try to ask some questions now that affect intimate partner violence. I'm really grateful to be working with MPP Dixon on the IPV subcommittee. As the minister knows, there was a particular bill, a private members' bill that was before the House before the House recessed. We were having discussions about Lydia's Law. Prescribed specifically in Lydia's Law were a couple of recommendations. One of them was specifically about making sure that survivors had access to independent legal advice when they needed it.

So, Minister, what is in the estimates that would ensure that every person who has been harmed in an intimate partner violence case can have access to independent legal advice as they need it to manage and move through the courts expediently?

1340

Hon. Doug Downey: Really, this is a very important area. It's one that I've spent a lot of time working in. I'll address the independent legal advice first, and then there's the children victim witness component to this as well.

I'll give you some numbers: Client demand has increased from 487 in 2021 to 1,414 in 2022-23, so a significant increase in demand for the independent legal advice. The programs issued on average 400 vouchers annually, and in 2022-23—

The Chair (Ms. Goldie Ghamari): One minute left.

Hon. Doug Downey:—there was a client survey indicating that 86% of the clients indicated that the program met or exceeded their expectations. We've put a quarter-million dollars this year into the ILA for survivors of sexual assault, and it's a program that's open regardless of time frame of when you had that experience.

It sounds like we're going to run out of time, but we can come back to this in the next part, if you want.

MPP Kristyn Wong-Tam: Actually, I'll give you a quick follow-up—and this one is easy for you, Minister: Considering that the program is now oversubscribed, what's in the estimates in order for us to close that gap so therefore no one is denied ILA when they ask for it?

Hon. Doug Downey: Nobody is being denied ILA. If it's oversubscribed, then we'll manage that. We'll manage it from within. But it's an important program that will continue to be available regardless.

The Chair (Ms. Goldie Ghamari): We'll now turn to the government. MPP Saunderson, you may begin.

Mr. Brian Saunderson: I want to thank the Attorney General and Deputy Minister Corbett for the presentation this morning. This is a very important topic, and I do serve as the PA to the Attorney General and have served in that role since 2022.

I appreciated your comments, Attorney General, about the 2018 push to modernize our justice system, and then the 2020-21 justice accelerated program that is working. There was a backlog, as I understand it, when we came into office, and that backlog was obviously impacted by the pandemic. You've outlined some of your important work in terms of digitizing and making electronic filings and hearings available.

What I take from your comments, Minister, is that, really, there are three components to the justice system: One is the bricks and mortar, one is the human resources and the justices, and then the third is really the platforms and the digital transformation that you've talked about.

So I'd like to start off with the bricks and mortar. Since I've been in government, we've opened three new courts: the very, very big Ontario Court of Justice here in downtown Toronto, which I think cost about a billion dollars; the expansion in Brampton; and the courthouse up in Kenora that specializes in Indigenous law and has a Gladue court and wraparound services. I'm wondering if you can tell us how these investments are part of your ministry's plan to accelerate justice and make access more accessible to the residents of Ontario?

Hon. Doug Downey: There's a lot there, because it crosses boundaries in terms of different initiatives, but I'll start: I mentioned in my speech the Brampton courthouse, the busiest courthouse in Ontario, if not Canada—I expect it is Canada—and growing, as you know. It was critical that we create the physical capacity, and each of those

courtrooms is fully designed and wired for virtual or hybrid or in-person. What that means is those 13 extra courtrooms are sufficiently outfitted with not just technology but the personnel, which is why we've added and we are adding more crowd attorneys and support staff, victim support staff and otherwise, and judges. As we outfit those court rooms with the HR and the tech, it will be able to function as a resource for the rest of the province, quite frankly—and we'll come to the Toronto courthouse in a second.

We're going to be able to have those judges in Brampton. If by any chance a case collapses and they have capacity, to be able to use the technology to dial into another area and help relieve stress in other parts of the province—this is part of a vision that I have, that many of us share, about making justice seamless and using the resources across the province in a consistent way to make sure that we're making progress.

Outfitting the Brampton courthouse: As I mentioned, before the 2018 election, the Liberal government announced that they were expanding the courthouse and then allocated no money for it. It was like so many things that they did: bus services in our area, the Linx bus in Simcoe county and others—announce these things; had no money. So it's taken us a few years to straighten out some of that stuff and to get the investments right, but we got it done. It's a \$117-million expansion. It is absolutely fantastic, to serve the people of Peel and, as I mentioned, beyond.

Now, not all court facilities are the same. The one in Toronto, the Toronto courthouse, which is state-of-the-art for accessibility, for resources in the building, we had some early bumps. Like when you move into a new house, there's always a couple of things that aren't quite the way that you thought they might be, but we moved very quickly to iron those out. We haven't had any staffing delay issues for probably close to a year. We really got things straightened out, and the place is functioning: 73 different courtrooms and hearing rooms, Gladue courts.

I know you've been in it, but for those who haven't, you really should. Actually, I think, MPP Wong-Tam, you did get a tour of it at some point. You can just see the magnificent facility, the way-finding. It's more like a modern experience, like you would expect when you go into an airport. You've got the way-finding boards. If you look on the floor, for people with visual impairments, there are guides. You see the large yellow towers where the elevators are; that's to help way-find on any floor.

And beyond the function of that place and the amazing number of people working in that building, it's an architectural gem. Renzo Piano, the architect—he did the Shard; he did some others—he's really made it a landmark in Toronto. People are coming from out of Toronto just to see that courthouse. So I'm proud of it on that level as well.

But this is about the public and the public getting in there. That's why we're building subways. We're building access. You're seeing a subway been built around the corner by the Osgoode station. That will create more accessibility for people coming and going out of that space.

But then, as you mentioned, we move to Kenora and, in Kenora, the justice centre—maybe we'll get into justice centres generally, but the justice centre in Kenora is very unique within Canada. I've had a chance to speak with my counterpart in British Columbia, Attorney General Sharma, and she's amazed at the work that we're doing in Ontario in that space.

Now, this justice centre, if you can imagine—and the way justice centres work: If you could take all of the social service resources, all of the community resources and have them housed in the courthouse to be able to be accessible for the prosecutor, for the defence, for the judge, for the court workers or the victims workers and have them just down the hall—what a wonderful way to connect people with services. That, of course, is impossible; we don't have that space in the courthouses. So, as you know, we take the mechanics of the courthouse itself and put it into another space where they are.

In a deal with the chiefs in the area, with NAN and Treaty 3, they provided a physical space, the old newspaper building. We outfitted it. We've invested further for life skills, building out a kitchen to help build life skills for participants. When you come in there, it's a table, as you would imagine, like a Gladue-type table—like this but big and round. There's an elder in attendance to help people in the space that they are.

And they work. The recidivism rate is very low. People are getting connected with services. I do have some specific numbers if I look for them. It really is a remarkable advancement in how we deliver justice and how justice intersects with people in their everyday lives. We are changing lives with justice centres and the Kenora one in particular. It's a model that will be looked at by other jurisdictions throughout North America, and when we describe it, they're always, always interested in how we're doing and what we're doing.

And I have to say, to give credit where credit is due, some of the funding for that is coming from the federal government through the Guns and Gangs. So it's a co-operative approach to doing things differently. I'm really proud of it. I guess I'll stop there, because I'm rambling a little bit about some of the amazing capital facilities that we've done, but we are the second-largest land manager in government, so it is quite a challenge. The average age of our buildings is, I'm going to say—

Mr. David Corbett: Seventy.

Hon. Doug Downey: Seventy-some years old, which I made the mistake of saying to my counterpart in Ireland, who said, "You're sitting in a 200-year-old building; I have no sympathy for you."

1350

But we do have capital challenges. We do, but we're going to keep at it. We have to make sure that we're providing the resources where they need to be. I'll stop there.

Mr. Brian Saunderson: Thank you for that, Minister. That brings me really, then, to the second arm of the three, and that is the human resources. You've talked about the significant investment this government recently made,

providing funding for 25 new provincial court judges as well as their support staff, which I understand is around the neighbourhood of 120 individuals. So I'm wondering if you can talk to us about how that investment is going to make our justice system more accessible and faster.

Hon. Doug Downey: Yes. We have to, as I mentioned, treat this as a system, so we can't just put resources in one spot and expect things to make a difference. That's not a systems approach. Our team takes a systems approach that if we put a resource here, then we need a resource there, and not just within our ministry but in coordination with the Solicitor General's office. When they add resources on the front line, that creates resource pressures for us. As they go after criminal entities, that of course creates pressures for us.

We've spent a lot of time in this government over the last six years making sure that we're aligning. I mentioned the body-worn cameras; that's going to create a disclosure challenge, so we're scaling up. We're going to be ready for that.

Traditionally, what governments have done in the past is they would do something like the body-worn cameras over here and then, three years later, get around to talking about how we scale up to deal with it after the problem has become a crisis. So we're working in tandem with our other departments to make sure that we're doing everything at the same time to make sure that we have scale.

Since 2019, we've added net new HR resources in excess of a thousand individual FTEs, and that's across the system. Not just the historic number of new judges that will be appointed, but we've also added new judges before that. We've added associate judges. We've added victim services individuals. We've added court clerks. We've made the court clerks full-time, as I mentioned. We're offering that to those who want it. They can choose their lifestyle that way.

Putting the HR in the capital but sometimes in virtual, because the nature of the court clerks and the nature of the—I had almost forgotten this. Back in, I'm going to guess, 2021, we doubled the number of digital recording devices, which was no small investment, but that allowed the system to catch up with the volume that was going to happen online.

My team who are here moved so quickly, pivoted so quickly in a systems way to say, "If we're going to go online, we need these digital recording devices. If we do this, we've got to do that. If we do this, we do that"—the communication across the system to pivot in a way that kept the system moving.

There's an old proverb. I don't know who to credit it to, but it's said a fish knows nothing about water; it's because they're immersed in it. We really don't necessarily have an appreciation in Ontario of how well this team did through COVID and pivoting and moving the justice system forward literally 20 years in two years. Every justice participant that I talk to, and it doesn't matter their political stripe, their anxiety with the system or what kind of law they practise, knows that we seismically changed how law is done.

This reverberates right up—I sit on a justice modernization committee chaired by Chief Justice Wagner of the Supreme Court of Canada along with Chief Justice Morawetz and then others from across the country. They see what we sometimes don't see, which is just how far we've come compared to others who may not have set the same priorities that we did.

HR is a huge part of that, and not just any HR but the right HR, getting it in the right spots so that we're not just doing more of the same. As MPP Wong-Tam said, it's not just about putting money in and expecting something to happen; it's about putting it in the right spot and making those investments create an ROI.

Mr. Brian Saunderson: Thank you for that, Minister. I think you've provided a good segue into the next branch, which is really the digitization and the service delivery in our court system. As you've talked about, in the years since the pandemic, we've really had to pivot—a word that was much overused during the pandemic but I think accurately describes what happened in our justice system and our new investment of over \$160 million into digitization.

As an old litigator, I viewed a lot of that with some skepticism during the pandemic, because we all thought how critical it is for the judge to be able to watch the witnesses testify—their demeanour, their manner in their responses. But the feedback I'm hearing from the bar association in my riding of Simcoe—Grey—and, really, in my meetings with the Advocates' Society and the Ontario Bar Association—is that the format, whether it be hybrid or completely digital, is really delivering justice faster, and the judges feel quite comfortable, as do the lawyers representing their clients, that it is an absolutely fair and unbiased process.

I'm wondering if you can talk about how the digitization platform fits into the accelerating justice—again, it's a big investment—to make sure that Ontarians have access to a justice system that is responsive and unbiased.

Hon. Doug Downey: Again, it has changed the way the court system works, the way people access the court, the way they file. It's going to change how they schedule—it is changing in some parts.

It is a fundamental change, but again, we have to remember that we're not just building the court system for lawyers who were in the system; we're building the system for the lawyers coming into the system. So when we design systems and we talk about technology—and I know you called yourself an old lawyer, but “you've been a lawyer for a long time” is a kinder way to say it—the way that things were done when you entered is drastically different than even when we started this adventure in 2018. And it will continue to evolve.

I remember, when I was a court registrar, my job was to train new judges on how to do the paperwork. I was sent to Peterborough with Justice Eberhard, who had just been appointed; she's now retired, so I'm feeling old myself. She sat up in the dais in a family law trial with a laptop, and people were like, “What is she doing? She's got a laptop.” She was up there and they did the trial. I'm the

clerk, so I don't know what she's doing up there; that's not my part. A day after the trial, she issued her judgment, printed it off, and people thought that was remarkable.

Well, to have a laptop on a dais now is not that different. So when we talk about justice and how you build it and how people are going to access it—again, I can rent a condo on my phone, like actually sign the lease on my phone, so why in the world wouldn't we have a justice system that's accessible in so many different ways? The lawyers coming into the system have never known a world without a phone or have never known a world without certain technology. So it would be derelict of us not to embrace that technology to advance things, to make them more accessible.

The one example that I give: During COVID, we had the kiosks in the courthouse—some of you have used these—where, if you're closing a corporate deal or doing something, you go in to see if there's litigation ongoing with one of the parties that you're about to close the deal on. You used to have to actually go in the courthouse, go up the elevator or escalator and look in the box and check the stuff—a computer box—and see. Then you write down what time you checked it, you go back to your office and then they close the deal. It was done that way just because it was always done that way. But when we hit COVID and the courthouses had to physically close, no longer could you check that. So our team moved very quickly to put that data online. That doesn't sound like a big deal, but for a government ministry that's done something the same way for decades, that is a big deal, and they moved very quickly.

And the spinoff benefit—which I didn't anticipate; maybe somebody else did—is that the media and the public now had access to that in real time. That's transparency. We talk about the open-court principle. We talk about transparency and being accountable. Now that happens as a matter of course. You can actually go online; you can check, as a member of the public, for matters. It's subject to things that need to be redacted—child protection and the appropriate pieces.

1400

That kind of stuff has changed, and it's changed for the good. It's not the kind of thing we would have designed without the pandemic, but it's there, and it's here to stay. And some of these advances are really phenomenal. But it takes money, and I am fortunate that the Treasury Board and Minister of Finance and others have seen the wisdom in moving to harness technology and move things forward so that we can make the investments that we have. We've doubled the number of the DRDs, as I mentioned. We added conference lines, of course more laptops and technology across, and we've broadened the filing services so that people can file for everything from small claims to family to civil to all sorts. There are 400 different kinds of forms so people can now access things on their own time, in their own time, off-hours. It's that kind of thing that people really appreciate, and it makes the system more accessible to the average person—

The Chair (Ms. Goldie Ghamari): One minute left.

Hon. Doug Downey:—instead of just simply having to drive to the local courthouse. I would hazard a guess that a high-nineties percentage never step foot in a courthouse, and yet it's a public institution that has such a huge impact on the community and those around them.

A huge opportunity for us—I think we've taken the opportunity. I'm very proud of some of the things we've been able to deliver.

Mr. Brian Saunderson: Thank you very much. Those are my questions.

The Chair (Ms. Goldie Ghamari): We'll now turn to the official opposition. MPP Wong-Tam, you may begin.

MPP Kristyn Wong-Tam: Coming back to Lydia's Law: The Attorney General said that everyone has access to independent legal advice. The reason why the language was embedded in Lydia's Law was specifically to develop an independent legal advice program to be delivered through the Ontario Victim Services. Currently, what happens now is that, oftentimes, survivors will provide a testament and the testimony and reports to the police, and oftentimes their statements are then recorded, but they haven't received independent legal advice. That doesn't happen until much later, oftentimes when they interface with the legal clinics for the very first time. So that's what that was specifically about: It's about making sure that survivors have access to ILA as soon as possible.

Since I'm still on the topic of Lydia's Law, which I think is important: The province's budget in 2024 stated that the government would be investing about \$4.5 million over five years in additional funding for the Victim Quick Response Program+. Lydia's Law specifically asked for a review of that. The estimates briefing book includes some language talking about an increase to the program, but that is only documenting \$125,500 of increase. Can the Attorney General clarify where I could find the increased funding to the Victim Quick Response Program+ that was promised in the 2024 budget?

Hon. Doug Downey: I absolutely can. It will be in the Ministry of Children, Community and Social Services. It was transferred there in 2022 after we established and expanded it. So I can speak to it, because I know it well, but in terms of the actual numbers—I stand to be corrected, perhaps, in the number that you quoted in and where that comes in. But the program itself was moved.

I won't go on a tangent, but what's in the budget that affects us is the child victim witness stuff.

MPP Kristyn Wong-Tam: And is it the full quantum, \$4.5 million over three years as promised?

Hon. Doug Downey: I'm going to have to phone a friend on that.

MPP Kristyn Wong-Tam: While you sort that out, maybe I'll just, in the interest of time, move on to the next one, if you can come back to me.

Minister, your government also eliminated the Criminal Injuries Compensation Board, which originally awarded \$30,000, including a maximum of \$5,000 for pain and suffering, to survivors, to those who have been harmed. Your ministry and the government replaced this with the Victim Quick Response Program+ as a program of last

resort. This gives the majority of victims a maximum of \$1,000 only for counselling. Will there be any increase of funding so, therefore, that quantum goes up by more than \$1,000? Does the minister believe that survivors are only worth \$1,000 worth of counselling?

Hon. Doug Downey: What I do know—and again, the VQR+ is now housed in MCCSS, where other victims' services are. So it's not a one-off-program approach to victims' services; it spans several departments.

The victims' services that I am primarily involved in and my ministry is primarily involved in relate to court proceedings and to court matters. The VQR+ is a first-instance program administered, again, by a different department but really administered by the front line. When I was down in St. Catharines at their sexual assault support unit—I forget the full name, but that's what they do—they have the ability to disburse funds and then claim back from the fund. So that's operating in a different space that I can't give you insight into.

MPP Kristyn Wong-Tam: Minister, have you heard from the stakeholders as well as advocates for survivors and victims of crime that \$1,000 limited for counselling as a cap is not sufficient? You must have heard the same thing we've been hearing.

Hon. Doug Downey: What I have heard is that we're doing a lot. We're doing a lot more than what's happening before we got here, but there's more to be done and that's part of what I'm excited to see—what the committee, when it does its consultations—so that we're not doing one little thing and thinking that's solving the problem, because it's not going to.

We need to have a robust approach to victim services. Again, this is an area that I pay a lot of attention to. If you're interested, I'm happy to talk about the Child Victim/Witness Program that has been recently enhanced as well.

MPP Kristyn Wong-Tam: Minister, hang onto that thought; I'm going to get back to that.

According to the 2024-25 estimates briefing book, victim witness assistance services has only seen an increase in funding by 2.1%. This is found on page 104. Can the Attorney General confirm that his ministry has funded these vital services below the rate of inflation? Is that what's happening here?

Hon. Doug Downey: Sorry, can you repeat that? You're reading a percentage—

MPP Kristyn Wong-Tam: Yes, so according to the estimates briefing book, victim witness assistance service funding has increased by 2.1%. I'm asking you: As Attorney General, can you confirm that your ministry is funding this service below the rate of inflation?

Hon. Doug Downey: I actually don't know exactly what the rate of inflation is for that period, but I can tell you that we're making further investments—\$6.5 million over three years in the 2024 budget, that was not supported by the NDP or the Liberals, to help children victim witnesses. Whether it's the rate of inflation or anything else, we got zero support from the other parties.

MPP Kristyn Wong-Tam: The rate of inflation is higher than 2.1%, so if the funding is only indexed to 2.1%, it's actually missed its mark.

According to the same briefing book that's before us, the funding for vulnerable persons support is now down by \$11 million, and that's before any type of adjustments for inflation. Can the minister confirm this cut?

Hon. Doug Downey: There have not been cuts in this regard. As I mentioned, we've been moving programs to consolidate and have victims be able to access programs in one spot. So when we talk about the VQRP+ and VCAO, both of those were transferred—I know; there's too many acronyms—to MCCSS. What you're seeing, I expect, are adjustments as transitions happened, but we have not been cutting. In fact, we've invested another \$6.5 million.

MPP Kristyn Wong-Tam: Can the minister give this committee assurance that the aggregate of moving those quantum amounts around has not been cut and that we're actually seeing it indexed to the rate of inflation or greater? Can you confirm that, Minister?

Hon. Doug Downey: Well, you're going to have to ask the Minister of Community Social Services about what's happened since they were transferred, but when they were transferred, as they were transferred, they were not cut.

MPP Kristyn Wong-Tam: So by your ministry, they were not cut, but in another ministry, they may have been cut. But under this government, if it's cut by the other ministry, it's still a cut.

Hon. Doug Downey: I'm simply saying I don't have line of sight. I don't know.

MPP Kristyn Wong-Tam: Minister, I'm just going to move on to our favourite topic, court delays and collapsed cases. We've seen more and more court delays that are significant, but obviously, we're not just talking about numbers; we're talking about people's lives hanging in the balance, wanting their day in the court and not getting their day in court, wanting access to justice and being denied access to justice.

Several high-profile criminal cases—we've discussed this—have been dismissed for unconstitutional delays. Civil matters are now taking up to sometimes five years, creating the longest backlog and the longest wait times here in the province of Ontario.

We have the legal community raising their concerns, very loud and very clear complaints. We've had justices commenting from the bench around the very difficult conditions that they have to work in in order for them to allow for the cases to be heard in a timely fashion. And we now have civil litigators, trial lawyers losing confidence that contracts can't be properly, meaningfully enforced in Ontario.

1410

In the current estimates briefing book, we also see Legal Aid Ontario's improvements to compensation for private bar lawyers who do legal aid work falling short. The briefing book states that Legal Aid Ontario's current strong financial position that enabled LA to fund these tariff changes is now being cut by a half a million dollars.

Oftentimes, this is because of higher interest rates that have led to an increase in funding, but if the interest rates do not maintain at a particular level, we will see that funding fall short.

Minister, I am interested in knowing whether or not you will commit to ensuring that the Legal Aid Ontario program receives stable funding even if interest rates decline.

Hon. Doug Downey: Well, I think what you'll find is, historically, that is what happened. When I came into this office five years ago, I was told that we're at historic lows for funding. Being a data nerd, I went and put the numbers together and found out that they were actually running about an average. And I'm happy to—they're in the annual report, so they're accessible.

Since I came into this office in 2019, as you mentioned, the certificate lawyers, the private lawyers who are taking certificates to represent the people, have not only seen an increase of 5% each year over five years and a reorganization of what is funded so that there's more efficiency in that continuum and in that process—great improvements in that space. I can tell you that the numbers that I'm seeing, when I look at the annual reports, again, and others, is that the clinics themselves have received increases of over 19% over those five years. So now the third branch is duty counsel—

MPP Kristyn Wong-Tam: Sorry, Minister. My question, just to clarify—because you haven't answered my question. My question to you is will you ensure that Legal Aid Ontario receives stable funding even as interest rates decline?

Hon. Doug Downey: I guess I was trying to answer that by saying that future behaviour is best predicted by past behaviour, and they have received the funding. They've received increases at 15% and 19% in five years, as interest rates were climbing. And we filled the holes when the interest rates were lower.

MPP Kristyn Wong-Tam: Minister, I don't think you're—you're not answering my question. As interest rates decline—not increase, but decline—will you commit to ensuring stable funding for Legal Aid Ontario so we don't see a destabilization of the legal aid program?

Hon. Doug Downey: We have, in the past, made them stable, so I fully expect we will continue to keep them stable. We're not doing—when they get these increases, these 19% and 15% increases, they're not on a one-time basis. This is over time. It's creating a stability. It's creating growth. It's creating an ability to serve the public. If you're asking me what I'll do five years from now, I would ask you if I'm going to be here five years from now.

MPP Kristyn Wong-Tam: I'm asking you: What are you going to do today? In terms of your commitment to the legal aid program, your commitment to making sure that poor, vulnerable Ontarians who cannot afford a high-power lawyer—your commitment to making sure they have access to the legal representation that they deserve if they have to interact with the justice system. I'm asking you, Minister, for your commitment to ensuring that stable

funding is going to be in place with your government, with your ministry, if interest rates decline.

Hon. Doug Downey: I have been and I will continue to be committed to making sure that legal aid is sustainable and available to those who need it.

MPP Kristyn Wong-Tam: Fantastic. That wasn't so difficult, was it?

Now, Minister, I'm also very interested in knowing whether or not you see access to legal aid representation—legal aid and legal representation—as a way of addressing the backlog, so therefore the trials will move through more expediently. Do you agree?

Hon. Doug Downey: I agree. Investing in legal aid helps the system from top to bottom in terms of backlog and in terms of people being represented and getting good legal advice. I also think that all three branches of legal aid play a role in that, whether it be duty counsel, private certificate or the clinics.

MPP Kristyn Wong-Tam: Thank you, Minister, for that reply. That was very direct. I really appreciate it when that happens.

So then I'm just going to do a quick follow-up: How much annual spending will the ministry commit to Legal Aid Ontario?

Hon. Doug Downey: Well, it's in the estimates, what we've been spending. The clinics alone recently received a 2% increase, for a year-over-year permanent increase, as they have in previous years. That contributes to the 19-plus per cent they've received over the last five years.

We'll continue to monitor and invest as needed. The numbers have gone up every year over the last five years, and we'll continue to make sure the investments make legal aid sustainable.

MPP Kristyn Wong-Tam: That is good to hear, Minister, but I think what would be important is that it's not just increased but actually meets the actual demand that's out there. An increase of 2% a year maybe sounds good here, but when you have people who are waiting in the queue, it's not going to be enough. But I appreciate where you're going.

The estimates briefing book also includes a 7.1% increase in funding for court salaries and wages. My understanding is that 6.5% of that increase is related to the court itself overturning Bill 124, which was the government's unconstitutional wage-capping legislation. Does the Attorney General agree that paying court service workers a fair wage since 2019 would have helped the courts function better over the last five years?

Hon. Doug Downey: I actually think the professionals in the court system didn't work to rule. I think that they did tremendous work and that they went above and beyond in so many ways. We saw court workers in courtrooms—the registrars, the clerks, the others, the bailiffs—staying long hours, to the point where they were sacrificing being able to pick up their kids from dance or hockey. They were so committed. So I don't think that I would agree or suggest that the wage discussion had an impact on their professionalism.

MPP Kristyn Wong-Tam: Sorry, Minister. I'm not asking whether or not the provincial staff worked hard. I

think that they do work hard. I think that they deserve a living wage. I'm asking you whether or not you think they deserve a living wage, considering your government capped their wages in 2019.

Hon. Doug Downey: I think that there are pressures: there are inflationary pressures and there are competitive pressures. We're constantly watching the competitive pressures so that we're not only attracting, training but retaining excellent staff. We'll continue to do that to make sure that we're rightsizing the components of the job.

I think we continued to attract individuals all through that period that you're referencing. I think it's a good place to work. It's rewarding work and it's meaningful work. I think we'll continue to have people look for an opportunity to work in our system.

MPP Kristyn Wong-Tam: Minister, I'm going to take that reply as a no, because I didn't hear you confirm that they deserve a living wage.

I'm going to move on to bail. This committee studied bail reforms earlier in the term. I know that I've been hearing, and I suspect many other members have been hearing, from small business owners, especially on the main streets, the challenges that they're experiencing with individuals and populations that may be interfacing again and again with the criminal justice system. I'm not a big fan of the word "revolving door" when it comes to the justice system, but I know that crown attorneys have talked about that and used that term. I've heard police officers use that term. I've heard community members who work in safety and health and well-being use that term, that the justice system seems to have a bit of a revolving door.

Oftentimes, they cite that individuals, especially those who are street-involved, who don't have access to housing, who don't have a pathway to rehabilitation, oftentimes are out on the street again or in communities committing harm. In our neighbourhood in the downtown core, we've seen a chronic number of individuals who are constantly smashing windows. These are very minor, petty crimes, but they have been identified by the police for myself on numerous occasions—that they are out on bail without supervision, they have been threatening businesses and staff. Some of these individuals who are released on bail have been kept in pre-detention for a significant amount of time, and that's before they get to trial—80% of individuals who are in pre-detention are waiting for trial. That's a large, significant number that we can't ignore. These are individuals who have not been found guilty. They're just simply sitting and languishing.

1420

I've also heard from police officers as well as those who work in the law enforcement sector that they're put in harm's way and that resources that they have with them are minimal, are not getting—

The Chair (Ms. Goldie Ghamari): One minute.

MPP Kristyn Wong-Tam: —are not well used. So, Minister, I am very interested in knowing, do you have any plans to ensure that those who are sitting in pre-detention can move through the system as quickly as possible? Because right now the bail system is failing.

Hon. Doug Downey: I know we're time-constrained. One of the ways that we're making sure that bail remand is happening faster is by doing them online, and that's been a tremendous success, so that people aren't dislocated from the location that they are or that their bail or remand hearings aren't delayed. That's one piece of the puzzle. I do want to come back to that and talk about justice centres and how they interact with that to provide supports that otherwise are not there and the significant investments that we've made in bail. But we'll have some time for that.

MPP Kristyn Wong-Tam: Minister, with respect to bail compliance and bail enforcement, I don't think we are seeing enough investment, which is what the problem has been.

Hon. Doug Downey: I'll talk about the \$26 million over three years that was not supported by any party except for ours.

MPP Kristyn Wong-Tam: Yes, which was inadequate.

The Chair (Ms. Goldie Ghamari): Thank you. That's all the time that we have.

We'll now turn to the government. MPP Coe, you may begin.

Mr. Lorne Coe: Chair, through you, to the Attorney General and his Deputy Minister and the staff that are supporting him today, thank you for the work you're doing in protecting the safety and security of residents here in the province of Ontario.

That particular aspect is an issue I hear regularly in the region of Durham, Attorney General, and in particular in my riding of Whitby. I know that we've done a lot of work in the area of bail reform, but the federal government is lagging far behind. The previous government, supported by the NDP, did very little in this area, if anything, to effect safety and security of hard-working families in Ontario.

What I'd like to hear from you, Attorney General, is—because you and the Premier and other members of our government have done significant work in this area, I'd like you to share for the record and those who might be watching and listening what we've undertaken as a government, and you in particular with your leadership and that of your deputy minister.

Hon. Doug Downey: Thank you, and it's helpful that that picks up from where the previous question left off so I can talk a little bit about the bail reform work that we have done, but I do have to start, as you alluded to—that the federal government plays a critical role in this, because they hold the pen on the Criminal Code. It wasn't that long ago—it was last January, a year and half ago—that the Premier marshalled the rest of the Premiers and territorial leaders and said there are certain things that are not acceptable and we need reverse bail. The onus should shift to the accused to show why they should be let out if it's a serious and violent repeat offender—so, not that they can't be let out, to be clear, but that they have to show why they should be. At first glance, there were some who said, "Oh, that's not the way things should be, but we have such a challenge, such a problem, with these serious and violent reoffenders in all of our communities."

The Premier marshalled the first leaders of Confederation and put together a letter and sent it to the Prime Minister and the Attorney General. Very quickly thereafter, to their credit, I received a phone call from my counterpart federally, who said, "Are you free for an FPT, for a federal, provincial, territorial meeting? Are you free for a meeting?" And I said, "You name the time, and you name the place."

So, in Ottawa, March 10, I think—they moved this fast, into March; I may have the date wrong—they convened a meeting of all the Attorneys General and ministers of justice from across the country. We had a discussion about reverse bail and went around the room, different people saying what they thought should happen. My deputy and head of the criminal law division, Randy Schwartz, developed what we thought would be effective. When it came to my turn—I happened to be last; it was a table like this—I said what I thought. They said, "Okay, we're going to have to capture that." So I handed them a piece of paper with the bail sections that we wanted put in.

Again, to their credit, because they have the same constituents we do—even though the federal government may or may not align with us on a lot of things, they aligned with us on this, and they brought legislation for reverse bail. It was supported by all parties federally, as far as I remember. It was definitely supported by the Conservatives. I actually don't remember if the NDP supported it or not. It doesn't matter; it passed. So that was one small step toward bail reform.

But it's not enough for us as a government to say that somebody else should do something. We have a responsibility to use all the levers that we have to try and mitigate the challenge. That's why we invested over \$26 million over three years to expand the work of bail support teams.

Again, I talked earlier about a systems-wide approach. It's not enough just to have the Solicitor General's resources deployed and the police do their thing; we have to match that with resources. So we brought together teams of expertise, and we prepared enhanced bail packages for bail hearings for the serious and violent, including firearms offences and serious repeat offenders.

Across the province, we now have a total of 36 assistant crown attorneys and 18 business professionals making up these newly expanded bail teams. There are dedicated team members in each of the six regions across the province, and they are a great resource for the court and for the prosecutor to have to share best practices to make sure that we're putting our best foot forward. So, when it's a serious and violent repeat offender or somebody with a firearm in an alleged crime, that we put our best foot forward and that we make sure that these individuals don't get bail if they shouldn't.

Ultimately, it's still up to the justices of the peace or the judge, whatever the circumstance. But we've put our best foot forward, and we've resourced it, again, with \$26 million over three years.

But more than that, we've got corresponding additional court staff. We have four judges and three JPs appointed to the Ontario Court of Justice as a result of these investments. And it's not just bail; it's auto theft, which some-

times goes hand in hand. The assignment of judicial resources and the scheduling of court sittings at the discretion of the Chief Justice all come together to deal with what is a serious issue all across Ontario, not just in Toronto. I'm sure all of you are hearing about it in Durham, Brampton and all around.

We've really put, as they say, our money where our mouth is. We're pulling all the levers that we can. There are directives to the prosecutors to prioritize and again put our best foot forward, gather the best evidence and make sure that new crowns get the support that they need if they're in a position where they're managing a file of this sort.

I think we've done a lot. There is more to do. There is more the federal government needs to do. I've sent a letter, again, on some of the things I would like to see them change. We're going to keep the pressure on. There are people who don't think the job is done, and I don't either.

Mr. Lorne Coe: Thank you, Attorney General, for prioritizing public safety here in Ontario.

Through you, Chair, to MPP Kanapathi, please.

The Chair (Ms. Goldie Ghamari): MPP Kanapathi, go ahead.

Mr. Logan Kanapathi: Thank you, Minister, for the lengthy presentation. You covered a lot. Thank you for your leadership not only in modernizing the whole system but the renaissance happening in the justice system. Thank you for that.

I am going to stick with one question: auto theft. I was door-knocking in Markham-Thornhill yesterday. The number-one issue I heard about: crime and auto theft. Auto theft is becoming a serious public safety issue, not only in Markham-Thornhill; it is a provincial issue. I am grateful for the stance of our government to be tough on crime and do what it takes to keep the public safe. The auto theft prosecution response team launched by this government is an incredible commitment to public safety and justice. While the federal government needs to review the Criminal Code and make the changes to protect the public from offenders, it is encouraging that government has stepped in to support the OPP and justice system.

Minister, please tell us more about the auto theft prosecution response team and what our government is doing to combat auto theft in the province of Ontario.

Hon. Doug Downey: You're absolutely right: Not just in your area, but auto theft has really become a problem. It's organized crime, as I said earlier. It's funding other nefarious activity. It's funding illegal guns. It's causing havoc. It's causing insecurity. There are so many people now with cameras facing their driveway because they're so worried—legitimately worried—in their own homes. And you've heard the Premier talk about this, perhaps in more colourful language than I'll use today, but it's real. It's real fear.

1430

It's something that I think the federal government was not aware of to the extent that they should have been. It took them a little while to respond. But again, I'm going to talk about what we have done, and then we'll touch on what the federal government can do.

We started, of course, as I do with everything—we started with, “What ministries have tools, and what can we do about it?” So we engaged with the Solicitor General, we engaged with police associations, with OACP, the association of chiefs of police, really, people on the front lines, and then we worked backwards towards what will happen if we start to make changes. So we made investments through Solicitor General, significant ones, to deal with front-line resources. I actually don't have the number; it's not in my estimates, but the announcement was somewhere in the \$50-million range. It's significant. It will help police identify stolen vehicles, monitor—police vehicles have been outfitted with automatic plate readers. You see them sometimes parked beside the highway. What they're doing is actually reading—it could be a lost child; it could be any number of things, but they're reading plates at a faster speed than the human eye can. So the plate readers are an important piece. Again, that's not my department, but it ties into what comes downstream for us.

Some of the things that we have to do are preventative, and as I say, rather than fishing people out of the stream, we need to be upstream, figuring out why they're in that position. So we developed a staffing strategy. We deployed resources to roll out. We did a jurisdictional assessment of the pending auto theft related cases. We looked at what we have already and what that looks like. We then invested a \$14 million over three years in a Major Auto Theft Prosecution Response Team and its dedicated legal and prosecution supports to the OPP with corresponding court support and judicial resourcing. There are 24 crown and business professionals in the unit, and they'll provide permanent, dedicated prosecutors in these courthouses. Toronto, Ottawa, London: That's where the highest auto theft rates are, and if the thefts shift, then we'll shift with them. And of course, Brampton is part of that discussion. Peel obviously has the same challenges.

The unit is going to be structured so the prosecutors can be mobilized and deployed to support wherever they need to be. So if it's in Brampton, then it's not like, “It's not our job; we're in Toronto.” The resources will be fluid, and they'll go where the need is and, again, make sure that we have our best foot forward, make sure that we're gathering the best evidence and that we're being a resource for the police, because it's really important. There's an intertwining of the way police operate and how the prosecutors then have to deal with the file.

We're pushing. In my department, I'm pushing that we do things where there's consultation beforehand so we're talking the same language, so we're not wasting any resources, so what the police are doing is effective when it lands in the prosecution hands, and that's a simplified way of saying we just need to be coordinated or else we're wasting resources and time, and this is so important, we can't do that. We just have to stay on top of it. That cuts across other areas, but in this area in particular. And when we coordinate and we have designated assistant crown attorneys or any crown attorneys and we have the judicial resources there and we have the knowledge the OPP gathers, and other forces, then we're at our best and then we can tackle this.

But again, the federal government has a role to play, and the borders are critical. Quite frankly, CBSA, they didn't go on strike; thank goodness. But these scanners that aren't at the ports, they only check 1% of all the containers. We know that's where most of the cars are going, but there's jurisdictional issues, and I don't know why; it makes no sense at all. You saw a big recovery a couple of months ago. The police force went in there. They knew what they were looking for, but they were given special permission to be on the port, to be in the property. They were allowed to check X number of containers, and they still found hundreds. You can imagine if we were allowed to do that all the time to follow that full chain.

So we need a coordination, not just between us and the police; we need the federal government to be part of that coordination. For the life of me, I cannot figure out why. I hope that changes. We are continuing to push for that. Quite frankly, to break the back of this auto theft scourge, we need that coordination, and so we're going to continue to push for that.

Mr. Logan Kanapathi: Thank you, Minister. Thank you for your answer. Thank you to the deputy minister and all your team for all the hard work you do.

I'll transfer it over to my colleague MPP Graham.

The Chair (Ms. Goldie Ghamari): MPP McGregor?

Mr. Graham McGregor: Thanks, Minister, and to your whole team for being here. I really appreciate the commitment and transparency here. I've heard you mention many times in the House and out and about the overall importance of improving access to justice for average Ontarians and making it accessible. Part of that is obviously building and expanding courthouses, and I was very happy and I thank you for your commitment to the A. Grenville and William Davis Courthouse in Brampton. It was well received.

I always say, with the massive growth that we see in Brampton, that we've seen over the years and that we're continuing to see, it's a great place for the government to invest in infrastructure. There's not a train or a road or a building that you can put in Brampton that we're not going to fill up. We're lacking in infrastructure; we're not lacking in people. Another area the government invested in was more GO train service on the Kitchener line. As somebody who took it this morning to get down here to Queen's Park, I can assure you those trains are full. That's a very happy announcement.

We've got the medical school coming next year. We suspect that will be full as well; you can bet your bottom dollar. Those are happy investments. Obviously, there are other investments we need to make where we wish they weren't full, but they are, and I point to the second hospital coming to Brampton as an example of that. I wish it wouldn't be full. I suspect when we build it, they'll be busy over there, and I know that's the same case in the courthouse.

All those investments were voted against by the NDP and by the Liberals, and that's one of the major points of contention I have with my colleagues on the other side of the aisle. But could you walk us through a little bit: Why the decision to put such a landmark investment into Brampton?

What was the thought and what is the business case for taxpayers? Where was the value for taxpayers in putting such a landmark, massive investment in the upgraded courthouse for Brampton?

Hon. Doug Downey: As I think all of us here know, it's easier to get money for things like hospitals and happy things and things that provide service. It's harder to get them for the core services that go along with growth. That's why I was so pleased that our government invested the \$117 million to expand and the extra six floors.

I'm going to give you some numbers on the capacity growth. In the Brampton area, as we know, it's significant growth. Actually, it just popped in my head—not only all those things, but you've been doing parks on top of it. We're building communities, and part of those communities are things like courthouses, for good or bad.

In 2022-23, the Brampton Courthouse handled about 15,000 incoming criminal cases—I'll just give you a sense of scale—4,100 incoming family cases, about 4,000 civil cases and 5,000 small claims. That's a lot. And if you take those numbers, even if—the courthouse expansion is going to increase the hearing room capacity by 35%. But just in terms of the number of lives that touches, when I say 15,000 incoming criminal cases, that's at least an individual who has been charged criminally, let alone the family affected, the neighbours affected. So the courthouse operating properly affects tens of thousands of people in a year, and that multiplies, so we have to have the right space.

But it's not enough just to build boxes and have people moving through. They're part of the community. They're a public space. So they have to have the technology, they have to have the way-finding. Well, I guess they don't have to, but I think they have to. So in 2020, the first part of the project, the first phase that was built was designated with LEED silver, which is pretty commendable in terms of an energy-efficiency standard, for those who know the LEED standards.

1440

But this new courthouse, again, is going to provide a 35% increase. We know the population growth. We all know what's happening with immigration and then where people go to settle. So, it's not all downtown Toronto and it's certainly not all three hours from here. So, we go to the 905s and we have to build capacity for all of that.

The Chair (Ms. Goldie Ghamari): One minute left.

Hon. Doug Downey: So, I'm just really thrilled that we not only, as a government, saw the wisdom in building the capacity but we actually started it, we finished it and it's now operational. It really is a tremendous jewel in Brampton and it's one of the capital projects that I'm really quite proud of.

Mr. Graham McGregor: If I may, Minister, some of the rise in crime that we've seen—auto theft is a major issue in our community in Brampton. Violent crimes—we've seen those—and extortion have been a massive issue in our community.

Now, while the NDP and the Liberals voted against the upgrades to the courthouse, can you confirm here—yes or no, please—whether the investment in the expanded court-

house in Brampton will help victims of these crimes in Brampton access justice faster and more accountably?

Hon. Doug Downey: Absolutely. Brampton was the home of the Askov decision when there were backlogs, decades ago. It's still the busiest courthouse in the country and we have to make sure it's built properly.

Mr. Graham McGregor: Thank you, Minister.

The Chair (Ms. Goldie Ghamari): We'll now turn to the official opposition. MPP Wong-Tam.

MPP Kristyn Wong-Tam: Minister, coming back to bail reform: As you know, we are experiencing, in urban centres and, I think, also in various communities, the lack of proper supervision and enforcement when someone is out on bail. And so, what we're also seeing is that front-line officers and the general public are put into harm's way. I think of the tragic murder of OPP constable Greg Pierzchala.

I know that the minister will do everything he can to try to ensure that those who are dangerous are going to be kept off our streets, but we need to see solutions in the bail system that include proper supervision, proper enforcement, and we're not seeing that. This is told to me repeatedly by small business owners and community members that I've had the chance to speak to, and police officers, as I've mentioned before—is that they're very frustrated with a broken system around bail.

The communities don't feel safe when someone who has committed a crime and should be behind bars are behind bars, and at the same time, those who need to have their day in court are stuck behind bars in greater and greater numbers. So, when you have 83% of people awaiting trial who are in pre-detention and your government has been in power for six years, you've had quite a bit of time to study the issue and then to prescribe a solution to ensure public safety.

My question to you, Minister, is your target. Your target this year with this budget—what would it take, in terms of quantum, actual number of investments, of dollars to ensure that you can see a reduction of the people who are in provincial custody come down by making sure that they go through bail court faster and so that you can see that number significantly go down, and at the same time, getting access to trial faster?

Hon. Doug Downey: So, I'm just trying to get my head around the world as you would see it. You're troubled by the percentage of people in custody awaiting a trial—

MPP Kristyn Wong-Tam: You should also be troubled, Minister.

Hon. Doug Downey: No, no, I'm just trying to—

MPP Kristyn Wong-Tam: Right now, 83% of the people sitting in pre-detention are waiting for trial. You should be troubled. We should all be troubled. And at the same time, we have a different problem—is that you have people out on bail who are not being properly supervised and there is no enforcement, which is leading to further chronic crimes. So, they're two separate things, but they're all within your ministry and I want you to explain to us in this committee, what's in the estimates? What can we expect in the budget in order for us to decrease the number of people who are

waiting for trial, but at the same time, increase the funding so you have more supervision and more enforcement when someone is out on bail?

Hon. Doug Downey: So, again, I'm trying to understand. I think what you're telling me is I have the wrong people in custody, because there are people out on bail that are troubling to you, but the people that are in custody are troubling to you because they're in custody.

So, let me talk about the life cycle—

MPP Kristyn Wong-Tam: That is not correct.

Hon. Doug Downey: Well, the life cycle of—if somebody is in custody awaiting a trial, the length of time they're in custody is of concern and is something that we watch. The whole strategy around the court backlog is built around moving people through a fair hearing faster so that they spend a minimal amount of time in custody. I can talk to those investments if you wish—about how we're trying to deal with the court backlog and the investments we're making, including the \$26 million I announced two weeks ago. So there's that piece of the puzzle.

But let me turn to the people out on bail because that's part of your concern—

MPP Kristyn Wong-Tam: I'll simplify the question for you, Minister. Are you proud of the fact that 83% of individuals who are in pre-detention in provincial custody are awaiting trial? Are you proud of that statistic?

Hon. Doug Downey: I don't understand why anybody would be proud of a high number of people awaiting trial. But at the same time, you can't wring your hands about there being no ability to deal with people who are out on bail. We're talking about one population of society.

Let me talk about what happens—

MPP Kristyn Wong-Tam: No, Minister, they're two separate things. One is making sure they get through bail court quickly so that you don't have 83% of the people who are waiting for trial in provincial custody, sitting in pre-detention, in provincial custody. At the same time, concurrently on a different line item, making sure that there are adequate investments so that those who are out on bail with conditions meet those conditions, that is squarely within the responsibility of your ministry.

That's what we're hearing from police officers on the front line, including crowns who have spoken to me and, I'm sure, to you as well: They are feeling very frustrated with a system that is not properly funded. When the minister talks about how the NDP has not supported the budget, why would we support budgets that are underfunding the justice system?

I want to know, Minister, what are you going to do about making sure that those who are out on bail are properly supervised and that bail enforcement is there so that we can keep the community safe?

Hon. Doug Downey: So I think the challenge is you're conflating the two. You're talking about both at the same time. You want me to talk about the people out on bail or the people in remand?

MPP Kristyn Wong-Tam: Minister, you're a very intelligent man—

Hon. Doug Downey: I'll start with one, and then—

MPP Kristyn Wong-Tam: I'm going to challenge you, Minister: When someone is out on bail and they're out on bail with conditions, is it not your responsibility to make sure that they are properly supervised and that the bail conditions are enforced? That's your job, correct?

Hon. Doug Downey: No. The Solicitor General.

MPP Kristyn Wong-Tam: So within your government, sorry. Within the government, the two of them together—today, you referred to the Solicitor General's portfolio several times over. When it comes to making sure that the public is safe, I understand that that's the top priority for the Solicitor General. But with respect to the justice system, if that doesn't work under your leadership, then how are we going to get law enforcement to work as well? These two work closely together.

Hon. Doug Downey: I think I have a better sense of what you're asking me, which is really about the court backlog. If somebody is in for a bail hearing from the public, and they're released on conditions—we can talk about the ladder principle and how that got enshrined in a court decision and the ramifications of that. That's a whole discussion and gets into the Solicitor General's space and the ROPE Squad and the tens of millions of dollars that he has invested to make sure that there's follow-up by police, checking people who are out on bail; making sure that they're complying; making sure that if they have ankle bracelets, they're actually wearing them. There's a whole thing that, again, is over at the Solicitor General that does affect me. It does affect me because—

MPP Kristyn Wong-Tam: Bail verification, bail supervision is a line item right in the estimates book, and so that's yours.

Hon. Doug Downey: If somebody is out on bail, and they're not wearing their ankle bracelet, or they're not where they're supposed to be, and the police come knock on the door, those individuals can be re-charged; then, they're part of my system. Again, I'm just trying to be clear where the line is.

But let me talk about—if you want, I can talk about the people in custody.

MPP Kristyn Wong-Tam: What I'm interested in knowing, Attorney General, is around the bail supervision piece, because this is where we're seeing communities subject to harm if those who are out on bail with conditions breach their bail conditions. You're telling me that it's not your responsibility, and yet it's specifically a line item in your ministry: verification of bail, supervision of bail. So that's you, or the ministry.

1450

Hon. Doug Downey: It's both. The people in the field are the police officers and the ROPE squads and the ones doing the follow-up. If there is a breach or if there is to be a bail hearing, the bail support teams of crown attorneys and business professionals—those are mine, and that's the \$26-million investment over three years that I referenced earlier. We're investing heavily to make sure that they're in all areas of the province. Again, 36 assistant crowns: This is what they do; they're specialized bail teams. We're dealing not just with intensive, serious violent repeat offenders; we're dealing with people who are breaching the terms. In

that sense, we're there, but my team are not the ones knocking on the door. Those are the police.

MPP Kristyn Wong-Tam: In the estimates book, under the Ministry of the Attorney General, it specifically says that the provincial bail supervision has been increased; that's this ministry. It also says that that increase has been \$7,000 over the year. It went from \$13.46 million to \$13.47 million.

When this committee held bail hearings at the very beginning of our new term, the new mandate under this government, there was quite a bit of discussion on how bail enforcement, bail supervision was inadequate. That came out with witnesses that came before us and said that more needs to be done in order for those who are out on bail to ensure that they're complying with their conditions. And yet we know that if the increase on bail supervision has only been increased by \$7,000 over the previous year, far below the current rate of inflation, how is the minister going to convince the public and everyone else that there are enough resources deployed to ensure that those bail conditions are met?

Hon. Doug Downey: Again, I think we're talking past each other a little bit, because the bail support teams made up of prosecutors are separate from the bail support teams made up of police officers. Although in coordination, they operate in different ministries.

What the public needs to know is that the police officers—and again, I refer to ROPE squads; I forget what the acronym is about, but it's police enforcement—who are doing follow-up on bail supervision and making sure bail is being complied with, when they find a breach, when they find a problem, not only is my team there as a resource to help them identify whether the individual has crossed a line and should be charged, but they're there to then help prosecute that individual for the breach. So we're operating together but separately.

MPP Kristyn Wong-Tam: Minister, do you have confidence that the bail system will be improved with less money or money that falls short of the rate of inflation, which effectively is a cut?

Hon. Doug Downey: This constant narrative of the NDP, who talk about inflation as a cut, is just not a premise that I buy—

MPP Kristyn Wong-Tam: The economists out there will disagree.

Hon. Doug Downey: I'm answering, thank you very much.

We are resourcing \$26 million more over three years, with no support from the NDP. So to talk about some inflationary gap is disingenuous to me. I think if you want to support increased bail supervision—whether it be through Sol Gen or through AG—the least that can be done is to support the \$26 million. But that didn't happen.

This happens over and over, where we bring forward things and the opposition response is, "We would have done more," or, "It's not enough," but without supporting the base amount.

I think we are doing tremendous work across ministries to give the public confidence that we understand the problem, that we are tackling the problem and that we're working

with the federal government to try and push them to do their part.

MPP Kristyn Wong-Tam: Minister, I appreciate that you are suggesting that the NDP doesn't support increasing and adequately funding the justice system. The reason why we cannot support your budgets, the reason why we cannot support half measures, is because it doesn't address the problem. We all know that before us, a budget is a confidence bill. So can we support a budget that doesn't rise to meet the problem and the crisis of the day in the courts or with public safety or around housing? Absolutely we cannot. It would be disingenuous to suggest that we can.

I'm going to move on because I think it's important for us to spend our time—and I know that the public cares about this issue, and I know you do too, Attorney General. It's regarding the dysfunctions that we're seeing in the courts. We're hearing people describe the crisis that's unfolding in our courts in very vivid ways. Ontario now has the longest wait times in the country, which I think everyone will agree is absolutely unacceptable. We're seeing victims of crime being denied justice in a timely fashion.

I know that we have all heard the testimonies of survivors of intimate partner, gender-based violence, which has been heartbreaking. We've heard from those survivors about the preventable court delays that have now rendered them unable to heal because they never got their day in court. We've now heard, and the media has reported, that reported rapists are now back on our streets because the trials were stayed and the case has just simply collapsed.

Court funding certainly will go a way, a distance, in supporting this to make sure that everyone has their day in court. We need to make sure that the money is going to be used where you can get key performance indicators that will tell us that the number of cases with respect to collapsed cases will drop, so we will not see any more intimate partner violence cases being tossed out; we will not see human traffickers who have been reported and charged being free to walk; we will not see those who have been impaired driving free to walk; we will not see those who have actually committed very violent and serious crimes walking. All of that requires a strategy to address the historic, high backlog in the court system.

We've also heard from the court workers themselves about how they, through their union, wrote to the Premier and the Attorney General back in 2021 and specifically warned them about the health and safety risks related to the new courthouses. We've also seen that the ministry has ordered Infrastructure Ontario as well as EllisDon, the major contractor, to go off and review the entire building, which is the new billion-dollar courthouse. Of course, we want money—very limited tax dollars—to be well-managed, but at the same time, it seems to be creating additional problems in the system because it's not well-managed, which is why you have to ask for these reviews after the courthouse has been delivered and is now in the hands of the ministry to operate.

So I think that, overall, it paints a scenario in the justice system of one that is troubled, because we have individ-

uals who are working in this system who are not getting their day in court. We have staff who are demoralized. We have a capital backlog that continues to grow. And we don't seem to have a strategy coming from this government that is going to instill confidence that they are going to reach a pathway that allows them to get to zero case backlog. That's at the heart of the justice system. We need to get to zero: zero backlog in tribunals; zero case backlogs, or a reasonable number, in civil, in family, in criminal courts.

Mr. Brian Saunderson: Madam Chair?

The Chair (Ms. Goldie Ghamari): Yes?

Mr. Brian Saunderson: Is this a soliloquy or a question?

The Chair (Ms. Goldie Ghamari): The member can choose. If she doesn't want to ask the minister questions and wants to go on, that's her choice.

MPP Kristyn Wong-Tam: It is my time.

So, Minister, this is such a serious issue for so many Ontarians who really need to see the justice system work. When the government has been in power for six years and things have gotten worse and not gotten better despite some budgetary increases after some erosion of funding, despite legislation that has then capped funding to 2019 levels—and you had a very difficult time committing that workers deserved a living wage—it is very difficult for the average Ontarian to have confidence that this government will be able to address the crisis in the court and justice system.

1500

According to the briefing book—

The Chair (Ms. Goldie Ghamari): One minute.

MPP Kristyn Wong-Tam: —for estimates, you're spending money on new capital projects, which, I think, we all agree is important, as long as you're doing it in consultation with the workers who are going to be in those buildings themselves. But there's also a very sizable backlog in the courts that is rendering the courthouses oftentimes unsafe.

What is the ministry's strategy in addressing the backlog for maintenance and operation, and how are you planning to address that moving forward so we don't have dark and closed courtrooms and a wasting of everyone's time?

Hon. Doug Downey: There's a lot in there and I have about half a minute, so let me start with where you started. The backlog is down 30% from the COVID backlog, a reduction of about 10,000 cases. The resolution rate is up to 92% from 88% historically. The clearance rate is 101%, and I can go on.

The public can rest assured that we are on it and we are getting it done.

The Chair (Ms. Goldie Ghamari): Thank you very much.

This concludes the committee's consideration of the estimates of the Ministry of the Attorney General. Standing order 69 requires that the Chair put, without further amendment or debate, every question necessary to dispose of the estimates. Are the members ready to vote? Okay.

MPP Kristyn Wong-Tam: Recorded vote.

The Chair (Ms. Goldie Ghamari): A recorded vote has been requested.

Shall vote 301, ministry administration program, carry?

Ayes

Bouma, Coe, Dixon, Kanapathi, McGregor, Saunderson.

Nays

Wong-Tam.

The Chair (Ms. Goldie Ghamari): I declare vote 301 carried.

Shall vote 302, prosecuting crime program, carry? All those in favour?

The Clerk of the Committee (Ms. Thushitha Kobikrishna): MPP Coe, MPP Bouma, MPP Dixon, MPP McGregor, MPP Kanapathi, MPP Saunderson.

The Chair (Ms. Goldie Ghamari): All those opposed?

Mr. Will Bouma: Just a point: I didn't hear a call for a recorded vote.

MPP Kristyn Wong-Tam: It's true, I didn't.

The Chair (Ms. Goldie Ghamari): Would you like a recorded vote for all of them or no?

MPP Kristyn Wong-Tam: Yes.

The Chair (Ms. Goldie Ghamari): Okay.

MPP Kristyn Wong-Tam: Sorry, Chair, just to clarify the number of votes that we have?

The Chair (Ms. Goldie Ghamari): We have 10.

MPP Kristyn Wong-Tam: I'll forgo it.

The Chair (Ms. Goldie Ghamari): Okay. We're forgoing the recorded votes, then. All right.

Shall vote 302, prosecuting crime program, carry? All those in favour? All those opposed? I declare vote 302 carried.

Shall vote 303, policy, justice programs and agency program, carry? All those in favour? All those opposed? I declare vote 303 carried.

Shall vote 304, legal services program, carry? All those in favour? All those opposed? I declare vote 304 carried.

Shall vote 305, court services program, carry? All those in favour? All those opposed? I declare vote 305 carried.

Shall vote 306, victims and vulnerable persons program, carry? All those in favour? All those opposed? I declare vote 306 carried.

Shall vote 307, political contribution tax credit, carry? All those in favour? All those opposed? I declare vote 307 carried.

Shall vote 308, Alcohol and Gaming Commission of Ontario program, carry? All those in favour? All those opposed? I declare vote 308 carried.

Shall the 2024-25 estimates of the Ministry of the Attorney General carry? All those in favour? All those opposed? I declare the estimates carried.

Shall the Chair report the 2024-25 estimates of the Ministry of the Attorney General to the House? All those in favour? All those opposed? I declare the vote carried.

Thank you. Seeing as there is no additional business, the committee is now adjourned. Thank you, everyone.

The committee adjourned at 1505.

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