



November 10, 2020

Ontario Premier's Office
Legislative Building,
Queen's Park,
Toronto ON M7A 1A1

Dear Premier Ford:

While I understand that your recent attention has been focused on the pandemic and addressing the safety of Ontario citizens, I write this letter to remind you of the very real and pressing concerns surrounding the New Toronto Courthouse (NTC). The experience of COVID-19 in Ontario has re-affirmed my view that moving all Ontario Court of Justice systems into one courthouse in downtown Toronto is an extremely misguided proposition.

I ask you to consider the following realities of this proposed move:

- Given the current layout of the NTC (designed before we were hit with the life changing realities of COVID-19), there will be no ability to socially distance. Only four elevators are available for everyone (except judges) to use to access 17 floors and sixty-three courtrooms in the building. The areas designated for staff are confined and do not permit appropriate separation between people working in close proximity to each other. Many of the courtrooms are not large and will not permit social distancing to occur between the witnesses, counsel, judges, staff and members of the public during proceedings. This puts everyone at risk should COVID-19 return or we face an outbreak of a similar virus in the future.
- If an outbreak of COVID (or a similar virus) were to occur in the NTC there would be no alternative sites to continue the criminal justice process in Toronto and all staff would be potentially exposed instead of just those who were working in a particular building. This could cause the criminal justice system to grind to a halt for the entire City of Toronto as opposed to just moving matters, for the short term, to another location.



- Amalgamation means that the Toronto criminal justice system is at risk any time there is an incident in or a defect with the building. As an example, there was recently a fire at the relatively new Thunder Bay Courthouse. Due to water destroying the electrical system there is no estimate on when (or if) that building can return to business. Such an occurrence in the NTC would shutter the entire criminal justice system in Toronto and require a significant outlay of funds to find an immediate and suitable alternative option. If “borough courthouses” (Etobicoke, North York, Scarborough) were left in place and such an incident occurred, it would only directly impact a portion of the system. Further, the affected borough courthouse could share space with one of the other locations, while the problem was rectified. This would cause significantly less expense and upheaval – particularly as it relates to health and safety and security - than a full system shutdown.
- Networks of supportive businesses (both small and large) have built up around each local courthouse site. Those businesses in Etobicoke, North York and Scarborough have already been hit extremely hard by the attempts to control the spread of COVID-19. To shut down their mainstay of business, (the local courthouses) immediately following the pandemic would be to run those businesses into certain ruin.
- Responsive community-based justice is a critical component of the criminal justice system and incidentally has been a pillar of progressive conservative philosophy. As you know Toronto is a large and diverse city and different communities within this city have different criminal justice needs. By moving to one mega courthouse, we will lose the management of those needs which comes with having a courthouse physically in the particular community, staffed with Judges, Crowns and duty counsel who are well versed in the needs of that community.
- Justice participants (including victims, witnesses and those who are accused) will be required to travel lengthy distances to attend the NTC in the downtown core. This will cause a situation where vulnerable victims or witnesses can be harassed, and unwell individuals may be harmed or lost in their effort to find their way to the NTC in an unfamiliar location outside of their community or to find their way home after being released from said location. Further, apathy and failure to attend court is already a significant problem in our system. Attendance will be affected in a much greater way if the distance to attend court increases and the method of getting there is complicated (for instance having to take up to three forms of public transportation to get downtown).
- The majority of those who work and live in Toronto will need to travel a significant distance to attend the NTC and all but a very small percentage will have to travel



outside of their community to access that courthouse. This means that business owners, who have already been impacted by crime, will lose a full day of work and have to pay for parking (if it is available as parking was not built into the NTC) in order to attend court to testify as witnesses instead of being able to be on stand-by and attend the nearby courthouse for a few hours, if needed. Students who are charged with offences or witnesses will have to miss full days of school, instead of attending court and potentially being back in school for the afternoon. Police budgets will be stretched further by the necessary use of “critical call backs” as officers involved in a court case will have to be scheduled for a day of court instead of being able to be on duty and standing by to testify in their local communities as they work.

I strongly believe that the responsible solution is to utilize the NTC to amalgamate the downtown courthouses while maintaining the Etobicoke, North York and Scarborough courthouses. This will not only solve the issues that arise from the creation of one mega courthouse but the “additional” space that would have been used by the borough courts and Crown’s offices may be used for many other purposes which would result in substantial cost savings for the Province, something I am certain the taxpayers of Ontario will appreciate during this fiscally difficult time. Most importantly it will also support the local communities, and put less pressure on individuals, judicial participants and business owners and will safeguard the health and safety, security and access to justice to the communities of this enormous and diverse city.

I would greatly appreciate the opportunity to discuss these issues with you directly.

A handwritten signature in blue ink that reads "Tony Loparco".

Tony Loparco
President