

## **Motion Regarding Ontario's Judicial Capacity and Disclosure Timelines**

Moved by: Mayor Patrick Brown Seconded by: Mayor Mat Siscoe

**WHEREAS** many judicial cases in Ontario are dismissed due to structural gaps in the justice system; and

**WHEREAS** the majority of criminal cases in the province have ended with charges being withdrawn, stayed, dismissed, or discharged before a decision at trial since 2020\*; and

**WHEREAS** In 2022-23, the latest fiscal year of data available, 56 percent of criminal cases ended with charges being withdrawn, stayed, dismissed, or discharged, a 14 percent increase since 2013-2014, when guilty decisions still made up most outcomes\*; and

**WHEREAS** without action to address judicial capacity and disclosure timelines from the Ontario government and the Ministry of the Attorney General, cases will continue to be dismissed; and

**WHEREAS** the combination of the [R v. Jordan](#) precedent and increasingly complex investigations has put police forces and courts under immense pressure, leading to case dismissals due to delays; and

**WHEREAS** the lead time imposed by the Ministry of the Attorney General has added additional pressure on existing resources, further increasing delays; and

**WHEREAS** the biggest challenge remains initial disclosure, where incomplete materials force additional requests from Crown and Defence, triggering further bottlenecks and delays throughout the process; and

**WHEREAS** Peel Regional Police is taking steps to address this issue by utilizing new computing and AI tools to help expedite cases; and

**WHEREAS** Peel Regional Police has taken further steps to hire nine constables to manage initial disclosure, addressing the backlog issue at its most critical stage; and

**WHEREAS** even with these additional steps being taken, the pressure from the Ministry of Attorney General's additional requirements is putting police forces in a strenuous position, in which the systemic pressure to address the backlog issues remains an utmost concern.

Therefore, be it resolved that Ontario Big City Mayors:

1. Relay the need for more judges and court resources to the Ontario government. Ontario must expand judicial capacity, including Crown attorneys and court staff, to prevent case backlogs.
2. That the Ministry of the Attorney General be requested to review disclosure timelines. Balancing the R. v. Jordan's principles with the realities of complex cases is essential to avoid unnecessary stays.

3. That the Ontario government be requested to explore technology-driven solutions to help resolve the issue of judicial capacity and disclosure timelines. Provincial investment in digital evidence and case management systems can streamline disclosure and reduce inefficiencies.

Sources:

[CBC: Most criminal cases in Ontario now ending before charges are tested at trial](#)

[Supreme Court of Canada: R v Jordan](#)