

OFFICE OF THE CHIEF JUSTICE
ONTARIO COURT OF JUSTICE



CABINET DU JUGE EN CHEF
COUR DE JUSTICE DE L'ONTARIO

ONE QUEEN STREET EAST
SUITE 2300, P.O. BOX 91
TORONTO, ONTARIO M5C 2W5

1, RUE QUEEN EST
PIÈCE 2300, C.P. 91
TORONTO (ONTARIO) M5C 2W5
TELEPHONE/TÉLÉPHONE (416) 327-5660
FAX/TÉLÉCOPIEUR (416) 327-6220/(416) 326-4787

FAX TRANSMISSION

This facsimile may contain PRIVILEGED and/or CONFIDENTIAL INFORMATION only for use of the Addressee(s) named below. If you are not the intended recipient of this facsimile or the employee or agent responsible for delivering it to the intended recipient, you are hereby notified that any dissemination or copying of this facsimile is strictly prohibited. If you have received this facsimile in error, please immediately notify us by telephone to arrange for the return or destruction of this document. Thank you.

Le présent document télécopié peut contenir des RENSEIGNEMENTS PRIVILÉGIÉS et CONFIDENTIELS destinés exclusivement aux personnes dont le nom est mentionné ci-dessous. Si vous n'êtes pas le destinataire de ce document ni l'employé ou l'agent responsable de le délivrer à son destinataire, vous êtes par la présente avisé qu'il est strictement interdit de distribuer ou copier ce document. Si celui-ci vous est parvenu par erreur, veuillez nous en aviser immédiatement par téléphone ou prendre des mesures pour nous retourner le document ou le détruire. Merci.

DATE SENT: August 12, 2010 TIME SENT: _____

SENT TO: Nathalie Des Rosiers & Anthony Navaneela

ADDRESS/LOCATION: _____

FAX #: 416-861-1291

No. of Pages (including cover sheet): 3

Priority: Standard Urgent

FROM: Chief Justice Pontalo

TELEPHONE #: _____

Sent by Operator: Reimonda Stirling

Telephone #: (416) 327-0612

Note: If pages are missing or unclear, please call the operator at one of the above telephone numbers to arrange retransmissions.

COMMENTS:

Original letter will be in the mail.

THE HONOURABLE ANNEMARIE E. BONKALO
CHIEF JUSTICE
ONTARIO COURT OF JUSTICE
1 QUEEN STREET EAST
SUITE 2300, BOX 91
TORONTO, ONTARIO M5C 2W5



L'HONORABLE ANNEMARIE E. BONKALO
JUGE EN CHEF
COUR DE JUSTICE DE L'ONTARIO
1, RUE QUEEN EST
BUREAU 2300, CASE 91
TORONTO (ONTARIO) M5C 2W5
TÉLÉPHONE/TÉLÉPHONE (416) 327-0612
FAX/TÉLÉCOPIEUR (416) 326-4787

August 12, 2010

Nathalie Des Rosiers
General Counsel
Canadian Civil Liberties Association
360 Bloor Street West, Suite 506
Toronto ON M5S 1X1

Anthony Navaneelan
Acting Project Director
Fundamental Freedoms Project
Canadian Civil Liberties Association
360 Bloor Street West, Suite 506
Toronto ON M5S 1X1

Dear Ms Des Rosiers and Mr. Anthony Navaneelan:

Re: Access to G-20 related judicial proceedings in the Ontario Court of Justice

Thank you for your letter dated August 4, 2010 highlighting concerns regarding the G-20 related proceedings taking place before the Ontario Court of Justice at the courthouse located at 2201 Finch Avenue, Toronto. The Canadian Civil Liberties Association ("the CCLA") takes the view that the public's access to these proceedings, as well as an order made during one of the proceedings regarding note taking by members of the public, are inconsistent with the open court principles that guide all Canadian courts. The CCLA requests that the G-20 related proceedings, which are next scheduled for August 23, 2010, be held in courtrooms that can accommodate the expected attendance and that the public be informed that they are entitled to take notes during these proceedings.

The public and the media have had complete access to the G-20 related criminal proceedings by television monitor located in a courtroom that is connected by permanent closed circuit television to the courtroom where the proceedings are being conducted. There has been no public or media exclusion from any of these proceedings. Rather, the use of closed circuit television in these cases ensures that the G-20 related proceedings are fully transparent and open to public scrutiny, and conforms to the principles of an open court.

I have noted your comments regarding complaints about the quality of the audio and video transmission. I will ensure that these concerns are brought to the attention of the Ministry of the Attorney General's Court Services Division. Furthermore, I am advised that matters returnable

on August 23rd arising from the G-20 are scheduled to be heard in courtrooms 201, 205 and 206 at 2201 Finch Avenue West, Etobicoke ON.

With respect to the note taking issue, s. 136(2)(a) of the *Courts of Justice Act* permits unobtrusive note taking. His Worship Conacher clarified on the record on July 16 that his earlier order was meant to ensure that the public not make notes in a way that might distract others. The court transcript indicates that he stated: "It is, of course, permitted that members of the public, in addition to media, take notes but it must be done in an unobtrusive manner, and not in a way that creates the potential for a distraction to others in the court, particularly the presiding judicial officer or any witnesses."

I appreciate you bringing the CCLA's concerns to my attention.

Yours truly,



ANNEMARIE E. BONKALO
Chief Justice

cc: Associate Chief Justice John Payne-Coordinator of Justices of the Peace