

# Judge complaint details should be made public



Toronto criminal lawyer [Jacob Stilman](#) is among those defence counsel taking issue with the way the Ontario Judicial Council hasn't made public more details about a complaint against a judge, says [Law Times](#).

The complaint was made in 2012 by the Criminal Lawyers' Association (CLA) against Ontario Court Justice John Ritchie. It resulted in an investigation by a subcommittee of the council, and then proceeded to the chief justice of the Ontario Court of Justice for review on the condition that the judge was willing to take part in educational courses, says the legal trade publication.

In 2014, the *Toronto Star*, after learning about the matter, joined CLA's request for full disclosure of the details of the matter.

In a decision released Oct. 14, the Ontario Judicial Council found the confidentiality order binding but said it would release a brief complaint letter that states that "the ground for the complaint is that Justice Ritchie fails to conduct proceedings in a judicial manner as is required of a judge of the Ontario Court," says the article.

Many lawyers, including Stilman, say it's not enough. The council's decision regarding the disclosure of details around the complaint against the judge has left some concerned about the continued secrecy of the case.

In addition to the CLA complaint, the judge's rulings have also been taken to task by some other appeal judges, including Superior Court Justice Anne Molloy, who in 2003 made the finding that Ritchie had provided identical, "boilerplate" comments instead of providing his own reasons for finding some witnesses not believable, says the article.

Stilman says he has appeared before Ritchie as counsel in some impaired driving matters and received "word-for-word" rulings where only the names of the accused or witnesses changed.

While some lawyers have a perception of bias against the defence by the judge, Stilman's main concern relates to the fact that the CLA complaint against Ritchie is kept from public scrutiny.

"My own view is that these things should be public record. It's unfortunate the judicial council process was conducted away from public scrutiny," he says.