



Lucille Collard, MPP / Députée

Ottawa–Vanier

February 23, 2024

Hon. Doug Downey MPP
Ministry of the Attorney General
McMurtry-Scott Building, 11th Floor
720 Bay Street, Toronto, Ontario
(Sent via email: Doug.Downey@ontario.ca.)

Dear Attorney General:

Your recent appointment of two former Conservative political staffers to the nonpartisan, neutral Judicial Appointments Advisory Committee is an alarming affront to legal and democratic norms and must be reversed.

As University of Waterloo Professor Dr. Emmett MacFarlane recently stated, “I’m not sure I’ve ever seen such blatant examples of patronage recently.”¹

Earlier today, Premier Doug Ford revealed that these appointments were a deliberate attempt at politicizing judicial appointments, saying, “We got elected to appoint like-minded people...I’m not going to appoint some NDP or Liberal. I’ve made it very clear where I stand on judges...You voted a party in...I’m putting like-minded people that believe in what we believe in...I’m gonna continue doing it.”²

Minister, as alarming as it is for this Premier to be ignorant of basic legal and democratic norms, you are a member of the Law Society of Ontario and have a responsibility as a lawyer to conduct yourself in a manner consistent with *The Rules of Professional Conduct*. These rules include ensuring there can be no reasonable perception of bias, and appointing partisan actors to the Judicial Appointment Advisory Committee for inherently partisan political reasons, as stated by the Premier, is unacceptable.³

¹ Gallant, Jacques. “In a move called ‘blatant’ patronage, ex-Doug Ford staffers appointed to committee that selects Ontario judges.” *The Toronto Star*, 22 February 2024.

² Smith Cross, Jessica. Tweet: <https://x.com/jessiecathe/status/1761044857362042897?s=61&t=2kJTnCpXTbTumqnY9UyPsA>, 23 Feb 24.

³ As Commentary in *The Rules of Professional Conduct* subsection 2.1.1 states, “Integrity is the fundamental quality...If a client has any doubt about their lawyer’s trustworthiness, the essential element



Lucille Collard, MPP / Députée

Ottawa–Vanier

There is no public desire to see Ontario's courts become politicized, as exists in the United States.

Once again, I urge you to correct this serious error in judgment and revoke these appointments.

Sincerely yours,

A handwritten signature in cursive script that reads "Collard".

Lucille Collard
Justice Critic, Ontario Liberal Party
MPP, Ottawa—Vanier

in the true lawyer-client relationship will be missing. If integrity is lacking, the lawyer's usefulness to the client and reputation within the profession will be destroyed, regardless of how competent the lawyer may be. Public confidence in the administration of justice and in the legal profession may be eroded by a lawyer's irresponsible conduct. Accordingly, a lawyer's conduct should reflect favourably on the legal profession, inspire the confidence, respect and trust of clients and of the community, and *avoid even the appearance of impropriety*" (emphasis added).