



January 31, 2023

Standing Committee on Justice Policy
Legislative Assembly of Ontario
Room 1405, Whitney Block
99 Wellesley Street West
Toronto, ON M7A 1A2

Attention: Thushitha Kobikrishna, Committee Clerk

Via Online Portal and Via Email (scjp@ola.org)

Dear Committee Members:

Re: Study on the Reform of Canada's Bail System

We write in respect of the Standing Committee on Justice Policy's review of the bail system.

The Federation of Ontario Law Associations represents the associations and members of the 46 county and district law associations across Ontario. Most of these lawyers are in private practice in small and medium-size firms across the province. They are on the front lines of the justice system. Many of these lawyers work closely in the criminal justice system and deal with bail courts and procedures every day.

We remind your committee that an effective bail system is one which respects the presumption of innocence and the *Charter* right to reasonable bail. Courts at all levels have repeatedly made decisions which underscore these requirements. Ontario's courts are subject to binding appellate jurisprudence on the considerations made during a bail hearing. As you know, these processes are outlined by the *Criminal Code*, which is federal legislation.

FOLA has had an opportunity to review the submissions made to your committee by the Criminal Lawyers' Association (CLA) on these and other issues. We want to convey our agreement with the CLA's comments. We trust that, as a representative body with members across Ontario, our position will meaningfully factor into your deliberations.

Please contact us if you have any questions. Thank you for this opportunity to provide input.

Sincerely,

Douglas W. Judson
Chair

C. FOLA Board, Via Email (various)

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Practising Lawyer
in Ontario"*

731 9th Street West,
Owen Sound, ON
N4K 3P5

(519) 270-4001

www.fola.ca