

May 26, 2026

The Honourable Doug Downey
Attorney General of Ontario
McMurtry-Scott Building
720 Bay Street, 11th Floor
Toronto, Ontario M7A 2S9
attorneygeneral@ontario.ca
mag-media@ontario.ca
julia.facca@ontario.ca

cc:
President, Canadian Bar Association
president@cba.org; media@cba.org

Treasurer, Law Society of Ontario
pwardle@lso.ca

Office of the Chief Justice of the Superior Court of Justice
jennifer.mahase@ontario.ca (for information only)

Dear Attorney General Downey:

Re Statements by the Premier concerning the judge in *The Regional Municipality of Waterloo v. Named Respondents and Persons Unknown*, 2026 ONSC 2971

As counsel representing parties, interveners and amicus in the above case, we write in our personal capacities as members of the Ontario bar and officers of the court, to express our grave concern regarding statements attributed to Premier Ford in reporting published by CBC News, concerning the recent encampment decision in *The Regional Municipality of Waterloo v. Named Respondents and Persons Unknown*, 2026 ONSC 2971.

According to the report, the Premier stated:

“I wish I could get that guy's address. I'll send 15 encampments in his backyard and see how he likes it. The craziest decision I've ever heard. But there are a lot of crazy decisions coming from our courts lately.”

If accurately reported, these comments represent a serious attack on the constitutional principle of judicial independence and raise profound concerns regarding judicial security and the administration of justice in Ontario.

Université d'Ottawa
Faculté de droit
Section de common law

University of Ottawa
Faculty of Law
Common Law Section

☎ 613-562-5794

📠 613-562-5124

📍 57 Louis-Pasteur
Ottawa ON K1N 6N5
Canada

🖱 uOttawa.ca



uOttawa

In a constitutional democracy governed by the rule of law, judges must be free to decide cases without fear of intimidation, retaliation, or personal targeting by members of the executive branch. While elected officials are entitled to criticize judicial decisions, threats or suggestions involving disclosure or use of a judge's personal residential information cross an important constitutional boundary. Such comments risk undermining public confidence in the independence and impartiality of the judiciary and may place both the judge and the judge's family at risk.

The Attorney General occupies a unique constitutional role distinct from that of other members of Cabinet. As chief law officer of the Crown and guardian of the administration of justice, the Attorney General bears a special responsibility to safeguard the independence of the courts and maintain public confidence in the rule of law. In our respectful view, the seriousness of the reported comments requires a prompt and clear institutional response. We therefore request that you:

1. Publicly reaffirm the constitutional principle of judicial independence and the obligation of all members of the executive branch to refrain from conduct that may reasonably be perceived as threatening or intimidating judges;
2. Publicly repudiate any suggestion that judges should be subjected to personal targeting or exposure of private residential information because of decisions they render;
3. Confirm that appropriate steps are being taken to ensure the safety and security of the judge concerned and of members of the judiciary generally; and
4. Advise whether any additional protocols, guidance, or measures will be adopted to prevent conduct that may undermine public confidence in the administration of justice.

We would appreciate your prompt response.

Yours sincerely,



Professor emerita Martha Jackman,
Faculty of Law, University of Ottawa
mjackman@uottawa.ca

and the following:

Kristen Allen <kallen@upfhlaw.ca>

Jen Danch <jdanch@swadron.com>

Shannon Down <shannonkdown@gmail.com>

Riley Hanson <RileyH@falconers.ca>

Emily Hill (ALS) <emily.hill@als.clcj.ca>

Asha James <ashaj@falconers.ca>

Erin McMurray <ErinM@falconers.ca>

Joanna Mullen <joanna.mullen@wrcls.clcj.ca>

Ashley Schuitema (WRCLS) <ashley.schuitema@wrcls.clcj.ca>

Karen Steward <karenannesteward@yahoo.ca>

Simone Truemner-Caron <struemnercaron@upfhlaw.ca>