



News Release

For Immediate Release

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COURT BACKLOGS GETTING WORSE: AUDITOR GENERAL

(TORONTO) Despite major funding increases over the last five years aimed at reducing the backlog in Ontario courts, backlogs have continued to grow and now stand at their highest level in 15 years, Ontario's Auditor General Jim McCarter says in his *2008 Annual Report*, released today.

"These backlogs can have serious ramifications," McCarter said. "Defendants can take advantage of delays to argue their cases should be dismissed; witnesses' memories can fade; and long delays are unfair to accused persons, who deserve to have criminal charges resolved in a reasonable period of time."

The increased backlog was identified in a value-for-money audit of the Court Services Division of the Ministry of the Attorney General, which spent \$400 million in the 2007/08 fiscal year. The Auditor General had warned in his reports of 1997 and 2003 that court backlogs were growing, particularly for criminal cases. In response, the Ministry took a variety of measures to address the problem and increased spending by \$100 million over the past five years to reduce the backlogs. But the backlogs have continued to grow.

The Report noted that:

- Over the last five years, the court system has had to cope with a growing number of criminal charges. In the Ontario Court of Justice, the number of charges grew by 17% to more than 275,000.
- In 1992, the Supreme Court of Canada provided a guideline of eight to 10 months as a reasonable period within which a case should go to trial—some cases awaiting trial for a longer period risk being dismissed. Compared to five years ago, there are 16% more such cases where criminal charges were laid eight or more months ago and are still before the courts.
- The backlog is caused in large part because the average number of court appearances to dispose of a case has increased to 9.2 from 7.3 in 2002 and 5.9 in 1997.
- To be on par with other provinces, Ontario would have to hire a significant number of new judges and justices of the peace and provide more support staff.

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