



The Law Society of
Upper Canada | Barreau
du Haut-Canada

Task Force on Courthouse Facilities Survey Report

DISTRICT OF THUNDER BAY

Group 4

Strategic Communications Inc.

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County or District: Thunder Bay

**Superior Court of Justice
277 Camelot Street,
Thunder Bay, Ontario**

Reported on by: Justice T.A. Platana

**Collaborating Parties: Claudette Chicoine
Debbie Baxter**

**Ontario Court of Justice
1805 Arthur Street East,
Thunder Bay, Ontario**

Reported on by: Chris Hacio

Collaborating Parties: Dan Filipovic

County or District: Thunder Bay

Summary:

Two completed survey questionnaires were received from Thunder Bay, providing details on one Superior courthouse (Thunder Bay) and one Ontario courthouse (Thunder Bay).

Thunder Bay is approximately 600 square kilometres. The sites of the courthouses are described as “poorly” suited to the needs of the local population. “A consolidated courthouse – one location for all services” is recommended.

“Encroachment on the use of the facility for the administration of justice by other government or private users” is not perceived as a problem in either the Superior Court or the Ontario Court.

Superior Court (Thunder Bay)

This facility is generally inadequate to meet existing needs. There are security issues relating to the holding facilities and the overall level of security in the courthouse is poor. There are no lawyer-client meeting rooms in the courthouse. Gowning facilities are inadequate to meet existing needs. Disabled access in the courthouse is poor. Offices for the Crown attorneys, court reporters and court administration are inadequate to meet current needs. There are no duty counsel facilities in the courthouse. Public seating is insufficient and the washroom facilities are poor. There are health and safety issues in this facility with respect to air quality.

Ontario Court (Thunder Bay)

This courthouse building is in declining repair and is not adequately maintained. Disabled access in the courthouse is poor. The Crown’s offices, court reporters’ offices, court administration offices and the Victim/Witness Assistance Program office are inadequate to meet existing needs. Security in the courthouse is poor and the holding facilities are inadequate. The library does not meet existing needs.

With respect to future needs, “a new, consolidated courthouse with all facilities at one location” is necessary to adequately service the District of Thunder Bay.

County or District: Thunder Bay
Level of Court Superior Court of Justice
Courthouse Address: 277 Camelot Street, Thunder Bay

Summary:

The courthouse is in declining general repair. Interior facilities are in poor repair and are poorly maintained.

With respect to offices and facilities, there are no lawyer-client meeting rooms in the courthouse. Public seating is insufficient and the washroom facilities are poor. Offices for the Crown attorneys, court reporters and court administration are inadequate to meet current needs. There are no duty counsel facilities in the courthouse.

Disabled access in the courthouse is poor. There are health and safety issues in this facility with respect to air quality.

Another specific problem with respect to the facility relates to the holding facilities. There are no separate facilities for men and women, no segregated cells and no segregated holding facilities for youth in custody. "Cells are present for females, but are currently used to store court files." There are security issues with respect the holding cells. Persons in custody are required to pass through public areas to access courtrooms. The overall level of security for is generally described as "poor to very poor."

Report:

1. Use of this Courthouse

The courthouse is used for criminal, civil matters and family law matters. There are no available user statistics.

2. External Features and Repairs

The courthouse is not a historical/heritage building and is in declining repair. Internal aspects of the building used by the public (excluding courtrooms and washroom facilities) are in poor repair and housekeeping is likewise poor.

3. Ownership and Control

The building is publicly owned and operated by the Ontario Realty Corporation. The facility is not subject to a lease. There have been no renovations in the last 10 years and there are no renovations underway or planned for the next two years. There is no user committee in place for the facility. Relations between the Ontario Realty Corporation and the lawyer users of the facility are described as “reasonable.”

There are no issues involving encroachment on the use of the facility for the administration of justice.

The top three issues related to the facility were described as follows:

- Judicial security/movement;
- Maintenance/cleanliness;
- Continuous space available.

There is no expectation that any of these issues will be resolved in the next three years.

4. Courtrooms

There are four Superior Courtrooms available in the facility. None of the courtrooms are used by both levels of courts. The facilities are insufficient to accommodate reasonable growth and demand.

Superior Courtroom Number One is described as generally adequate, except for poor acoustics and disabled access. “Non-existent” amenities include a private exit for the judge, private exit for the accused in custody, electronic security alarm for the judge, phones for the clerks, video-conferencing facilities and air-conditioning.

Superior Courtroom Number Two is described as adequate only with respect to the clerk/reporter facilities, public seating capacity, cleanliness and acoustics. The bench, counsel table, witness box, prisoner box, and general appearance and state of repair are described as poor. “Non-existent” amenities include a private exit for the judge, retiring room for the judge, private exit for the accused in custody, electronic security alarm for

the judge, phones for the clerks, video-conferencing facilities, disabled access and air-conditioning.

Superior Courtroom Number Three is described as adequate only with respect to the retiring room for the judge, public seating capacity, acoustics and access for the disabled. The bench, counsel table, clerk/reporter facilities, witness box, prisoner box, general appearance and state of repair and cleanliness are described as poor. Aspects of the facility that are described as “non-existent” include a jury box, private exit for the judge, private exit for the accused in custody, electronic security alarm for the judge, phones for the clerks, video-conferencing facilities and air-conditioning.

Superior Courtroom Number Four is described as adequate only with respect to the bench, public seating capacity, general appearance and state of repair, cleanliness and acoustics. The counsel table, clerk/reporter facilities, witness box, prisoner box and access for the disabled are described as poor. Aspects of the facility that are described as “non-existent” include a jury box, private exit for the judge, retiring room for the judge, private exit for the accused in custody, phones for the clerks, video-conferencing facilities and air-conditioning.

5. Lawyer-Client Meeting Rooms

There are no lawyer-client meeting rooms in the courthouse. This is a deficiency.

6. Jury Facilities

There is a jury room for each court equipped for jury trials. They are of adequate size and have a private entrance to the courtroom. The rooms are adequately furnished and have washroom facilities. The jury does not use facilities in common with other users in the courthouse.

7. Public/Witness Accommodation

Seating for the public and witnesses outside the courtrooms is insufficient. Persons in custody are required to pass through a public area to access courtrooms. There are refreshment facilities, consisting of vending machines, in the courthouse. Men’s and women’s washroom facilities are poor. Maintenance and cleanliness of the washrooms is poor.

There are public access problems associated with this facility. “Direct access is available to the judges’ chambers.” The courthouse is accessible by public transit. Adequate paid parking is available within a reasonable distance. The lack of free parking doesn’t present any problems.

There are health and safety issues associated with this facility with respect to the air quality.

8. Accessibility for Disabled Persons

Disabled access is described poor, with the exception of the courthouse entry and elevators. The courthouse is a multiple level facility with a functioning elevator.

9. Holding Cells

There are three holding cells, in a poor state of repair. There are no separate facilities for men and women. “Cells are present for females but are currently used to store court files.” There are no segregated cells and no segregated facilities for holding youth in custody. Information on washroom facilities was not reported.

There are security issues with respect to these holding facilities. “Prisoner movement is from an open parking lot into the building. Access is secure to only one courtroom from the holding cells.” There is no direct, private access from the holding cells to the courtrooms. There are no conference facilities for private, secure solicitor-client meetings.

10. Lawyers’ Facilities

There is no lounge or similar space for the exclusive use of lawyers. There are private phone facilities for lawyers.

Separate gowning facilities are available for men and women. The men’s and women’s facilities have lockers but no washrooms. The men’s facility is described as “generally adequate,” in an inadequate state of general maintenance. The women’s facility is described as “generally inadequate,” in an adequate state of general maintenance.

11. Judges’ Chambers/Facilities

The courthouse has six judges’ chambers, none of which are shared. This is adequate for the needs of Superior Court judges. The number of judges’ chambers is sufficient to accommodate reasonably foreseeable growth. The chambers are inadequately furnished for Superior Court judges. All of the judges’ chambers do not provide for secure access to and egress from each court.

12. Crown Attorney Offices

There are offices for the Crown attorneys in the building, which are inadequate. There are no plans to be implemented within the next three years to accommodate existing needs. There is no separate security system for the Crown’s office.

13a. Other Administrative Space/Use: Court Administration

The courthouse contains administration offices, which are inadequate to meet existing needs. “Expansion of space” is needed.

13b. Other Administrative Space/Use: Court Reporters’ Offices

There are court reporter offices in the building, which are inadequate to meet existing needs. “Adequate space for the contract reporters with computer access” is needed.

13c. Other Administrative Space/Use: Duty Counsel

There are no duty counsel facilities in the building. Information on what is required was not reported. Information on Family Law Information Centre was not reported.

13d. Other Administrative Space/Use: Legal Aid

There is no Legal Aid office at this facility.

13e. Other Administrative Space/Use: Victim/Witness Assistance Program

There is no Victim/Witness Assistance Program (VWAP) office, witness rooms or integrated justice facilities.

13f. Other Administrative Space/Use: Media

There is no media room in the building. Information on what is required was not reported.

14. Libraries

The courthouse has a library facility, which is needed and is used by members of the Bar, Crown attorneys and the Bench. There are computer facilities available and a librarian on-site. Overall, the library is inadequate in size and does not meet existing needs. There are current issues with respect to the space utilized by the library. “Require more space, better access and night-time access.”

The County and District Law Association and the Law Society of Upper Canada jointly administer the library.

15. Other Security Matters

The overall level of security is described as “very poor” for courthouse staff, Crown attorneys and judges. It is “poor” for lawyers and “adequate” for persons under custody and the general public. There appears to be an “issue” as to the sufficiency of court security for the Bar, Crown attorneys, the judiciary, the police, court staff and the public.

There is no metal detector. There are no police officers regularly posted at the building. The building has a functioning burglar alarm system and security officers do not service the courthouse 24-hours a day. There are sufficient court security officers on duty. Security systems and resources have not diminished during the past three years and no ineffectively handled “security- related incidents” have occurred during the past three years.

16. Prospects and Future Needs

With respect to the future needs of this courthouse, “plans are currently being made to amalgamate the two existing court facilities into one by moving both into a new building.”

District or County: Thunder Bay
Level of Court: Ontario Court of Justice
Courthouse Address: 1805 Arthur Street East, Thunder Bay

Summary:

The courthouse building is in a declining state of repair and interior facilities are poor, although adequately maintained.

There are no lawyer-client meeting facilities in the courthouse. This is a deficiency. Access for the disabled in the building is poor. This is a multiple level facility and there is no functioning elevator in the building. The holding cells are in poor repair and there are no separate facilities for men and women. The Crown attorneys' offices, court administration offices and the court reporters' offices do not meet existing needs. The Victim/Witness Assistance Program office and the library are inadequate.

With respect to future needs, a new consolidated facility is required. "A new facility is probably less costly than to renovate two courthouses."

Report:

1. Use of this Courthouse

The courthouse is used for all criminal cases and proceedings, provincial offences trials and appeals, and family law matters. There are no available user statistics.

2. External Features and Repairs

The courthouse is not a historical/heritage building and is in declining repair. Internal aspects of the building used by the public (excluding courtrooms and washroom facilities) are in poor repair and housekeeping is “virtually non-existent.”

3. Ownership and Control

The building is publicly owned by the Ministry of the Attorney General and operated by the Ontario Realty Corporation. The facility is not subject to a lease. There have been no renovations in the last 10 years and there are no renovations underway or planned for the next two years. Relations between the Ontario Realty Corporation and the lawyer users of the facility are described as “reasonable.” There is user committee in place for the facility. It has been “somewhat effective” in addressing needs associated with this facility.

There are no issues involving encroachment on the use of the facility for the administration of justice.

The top three issues related to the facility were described as follows:

- Need more courtrooms and space;
- More room for lawyers and consulting with clients;
- Lack of technology;

There is an expectation that all of these issues will be resolved in the next three years, “if we get a new courthouse.”

4. Courtrooms

There are seven Ontario Courtrooms available in the facility. None of the courtrooms are used by both levels of courts. The facilities are insufficient to accommodate reasonable growth and demand. “Three of the courtrooms are so insecure as to make them unsuitable for criminal cases.” Out of the four on the second level, only one is considered “more or less” secure. “In all of the other courtrooms judicial officers and staff and witnesses are vulnerable to attacks from prisoners.” There are no electronic alarm systems or phones in any of the courtrooms.

Ontario Courtroom Number One, Two, Three and Four are described as adequate only with respect to cleanliness and acoustics. The bench, counsel table, clerk/reporter facilities, witness box, prisoner box, private exit for the judge, retiring room for the

judge, private exit for the accused in custody, public seating capacity and general appearance and state of repair are described as poor. “Non-existent” amenities include an electronic security alarm for the judge, phones for the clerks, video-conferencing facilities, access for the disabled and air-conditioning.

5. Lawyer-Client Meeting Rooms

There are no lawyer-client meeting rooms in the courthouse. This is a deficiency. “More than ten are required.”

6. Jury Facilities

There are no jury rooms in this courthouse.

7. Public/Witness Accommodation

Seating for the public and witnesses outside the courtrooms is insufficient. “Witnesses and accused must sit in the same general area.” Persons in custody are required to pass through a public area to access three of the courtrooms. There are no refreshment facilities in the courthouse, which is inadequate for the public’s needs. “Some restaurants services and places for people, lawyers and clients to eat” are required. Men’s and women’s washroom facilities are poor. Maintenance and cleanliness of the washrooms is adequate.

There are public access problems associated with this facility. “Disabled accessibility is a problem.” The courthouse is accessible by public transit. Adequate paid parking is available within a reasonable distance. The lack of free parking doesn’t present any problems.

In regard to health and safety issues, the heating and air conditioning systems do not operate properly. Temperatures vary from 15-30 degrees Celsius. The ventilation system also does not work, making this a “sick” building.

8. Accessibility for Disabled Persons

Disabled access is described poor in this building. The courthouse is a multiple level facility and has a functioning elevator.

9. Holding Cells

There are holding cells in this courthouse, in a poor state of repair. There are no separate facilities for men and women. There are segregated cells, segregated facilities for holding youth in custody and washroom facilities. There are “serious” security issues with respect to these holding facilities. There is not direct, private access from the holding cells to all of the courtrooms. “Of the seven courtrooms only one is “more or less” secure from attacks of prisoners.” There are no conference facilities for private, secure solicitor-client meetings.

10. Lawyers' Facilities

There is a lounge or similar space for the exclusive use of lawyers. There are private phone facilities for lawyers. However, "the space set aside for the lawyers' lounge is totally unsuitable."

11. Judges' Chambers/Facilities

The courthouse has six judges' chambers. This is inadequate for the needs of Ontario Court judges and other judicial officers. The number of judges' chambers is insufficient to accommodate reasonably foreseeable growth. The chambers are inadequately furnished for Ontario Court judges and other judicial officers. All of the judges' chambers do not provide for secure access to and egress from each court.

12. Crown Attorney Offices

There are offices for Crown attorneys in the building, which are inadequate. "More space and offices" are needed. There are no plans to be implemented within the next three years to accommodate existing needs. There is no separate security system for the Crown's office.

13a. Other Administrative Space/Use: Court Administration

The courthouse contains administration offices, which are inadequate to meet existing needs. "More space" is required.

13b. Other Administrative Space/Use: Court Reporters' Offices

There are court reporter offices in the building, which are inadequate to meet existing needs. "More space" is needed.

13c. Other Administrative Space/Use: Duty Counsel

There are duty counsel facilities in the building, which are adequate for existing needs. The presence or need for a Family Law Information Centre was not reported.

13d. Other Administrative Space/Use: Legal Aid

There is no Legal Aid office in the building and one is required.

13e. Other Administrative Space/Use: Victim/Witness Assistance Program

There is a Victim/Witness Assistance Program (VWAP) office in the courthouse, which is inadequate for existing needs. There is no witness room and the courthouse cannot currently accommodate integrated justices facilities requirements.

13f. Other Administrative Space/Use: Media

There is no media room in the building.

14. Libraries

There is a very small library for the exclusive use of the judiciary. There are no computer facilities in the library, nor is there a librarian. The local Law Association does not administer the library.

15. Other Security Matters

The overall level of security is described as “poor” for courthouse staff, Crown attorneys and judges. It is “poor” for lawyers and “adequate” for persons under custody and the general public. There appears to be sufficient court security for the Bar, Crown attorneys, the judiciary, the police, court staff and the public.

There is no metal detector. There are only sometimes police officers posted at the building and the building does not have a functioning burglar alarm system. Security officers do not service the courthouse 24-hours a day. There are insufficient court security officers on duty. “There is virtually no security most of the time.” “The only armed police officers in the building most of the time are witnesses. Once they have given their evidence they are gone although the courts continue on sitting.” It is unknown if security systems and resources have diminished during the past three years. Ineffectively handled “security- related incidents” have occurred during the past three years. Recently, a prisoner demolished the prisoners’ dock in courtroom one while the court was in session.

16. Prospects and Future Needs

In order to meet existing needs in this facility, “better access to courtrooms from judges and Crowns’ offices” is required. The likelihood of this requirement being met within the next five years is “impossible without a new courthouse.”

With respect to future needs, “renovations to them cannot correct the deficiencies which presently exist.” Therefore, “a new, consolidated courthouse with all facilities at one location” is necessary to adequately service the District of Thunder Bay.