

Court document fees slashed

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Attorney General Michael Bryant has drastically reduced fees the public must pay for viewing and photocopying court documents.

Bryant made the move Thursday, moments before accepting a brass padlock from the Canadian Association of Journalists for presiding over the country's most secretive government body.

The group named Bryant recipient of its "Code of Silence" award in 2006, saying the fees - \$32 to see a file and \$2 a page for photocopying - created barriers for people wanting to find out how Ontario's justice system works.

Before picking up the award at an investigative journalism conference, Bryant cut the viewing fee to \$10 and photocopying charges to \$1 a page.

"We've given you the key to unlock the Code of Silence," he said.

Bryant said he also hopes a pilot project to televise court hearings, announced earlier this year, will give people a greater opportunity to see the justice system in action. Starting this summer, hearings from a courtroom at the Ontario Court of Appeal will be streamed live on the court's website, he said yesterday.

But problems persist with the public's right to access court exhibits.

Bryant's ministry will not release documents filed during a trial without a judge's order. Bryant blamed the Supreme Court of Canada, saying the policy stems from a 6-3 decision by the court in 1991 to deny a journalist access to a taped murder confession, which police obtained in violation of the accused person's rights.

That ruling invested courts with the power to decide whether documents and other trial exhibits can be released, he said.

"I cannot control - because the Supreme Court says I cannot control - the release of exhibits."

But during a "town hall" session at the conference yesterday, Daniel Henry, a lawyer representing the Canadian Broadcasting Corporation, told Bryant the 1991 decision has since been overtaken by a series of Supreme Court rulings that strongly affirm the public's right of access to court proceedings and require those wanting to restrict access to offer justification.

As for fees, Bryant rejected suggestions that charges for viewing and copying court documents were arbitrary.

While hard-pressed to explain the details, he said the fees were based on a formula, tied to the cost of employing ministry file clerks.

Fees are not charged for inspecting files in criminal or family cases, he said. However, the Toronto Star has been charged many times, including recently at the Court of Appeal, when a reporter had to pay \$32 to look at a family law file.