

Legislative  
Assembly  
of Ontario



Assemblée  
législative  
de l'Ontario

2ND SESSION, 41ST LEGISLATURE, ONTARIO  
66 ELIZABETH II, 2017

# Bill 120

## **An Act to amend the Courts of Justice Act and the Justices of the Peace Act**

**Ms L. Scott**

**Private Member's Bill**

1st Reading      April 5, 2017

2nd Reading

3rd Reading

Royal Assent



#### EXPLANATORY NOTE

Currently, under section 43 of the *Courts of Justice Act*, the Judicial Appointments Advisory Committee makes recommendations to the Attorney General for the appointment of provincial judges. New subsection 43 (10.1) provides that the Committee cannot consider a candidate unless he or she has completed comprehensive sexual assault law education.

Section 51.10 of the Act is amended to require the plan for the continuing education of judges to require judges to complete education in respect of matters related to sexual assault law.

Similar amendments are made to the *Justices of the Peace Act* with respect to justices of the peace.

**An Act to amend the Courts of Justice Act and the Justices of the Peace Act**

Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**COURTS OF JUSTICE ACT**

**1 (1) Section 43 of the *Courts of Justice Act* is amended by adding the following subsection:**

**Additional qualification – sexual assault law education**

(10.1) In addition to the qualifications set out in subsection (10), a candidate shall not be considered by the Committee unless he or she has, to the satisfaction of the Committee, completed recent and comprehensive education in sexual assault law that includes instruction in evidentiary prohibitions, principles of consent and the conduct of sexual assault proceedings, as well as education regarding myths and stereotypes associated with sexual assault complainants.

**(2) Section 51.10 of the Act is amended by adding the following subsection:**

**Sexual assault law education**

(4) The plan for continuing education of judges must require judges to complete education in respect of matters related to sexual assault law that includes instruction in evidentiary prohibitions, principles of consent and the conduct of sexual assault proceedings, as well as education regarding myths and stereotypes associated with sexual assault complainants.

**JUSTICES OF THE PEACE ACT**

**2 (1) Section 2.1 of the *Justices of the Peace Act* is amended by adding the following subsection:**

**Additional qualification – sexual assault law education**

(15.1) In addition to the qualifications set out in subsection (15), a candidate shall not be considered by the Advisory Committee unless he or she has, to the satisfaction of the Advisory Committee, completed recent and comprehensive education in sexual assault law that includes instruction in evidentiary prohibitions, principles of consent and the conduct of sexual assault proceedings, as well as education regarding myths and stereotypes associated with sexual assault complainants.

**(2) Section 14 of the Act is amended by adding the following subsection:**

**Sexual assault law education**

(4) The plan for continuing education of justices of the peace must require justices of the peace to complete education in respect of matters related to sexual assault law that includes instruction in evidentiary prohibitions, principles of consent and the conduct of sexual assault proceedings, as well as education regarding myths and stereotypes associated with sexual assault complainants.

**COMMENCEMENT AND SHORT TITLE****Commencement**

**3 (1) Subject to subsection (2), this Act comes into force on the day that it receives Royal Assent.**

**Same**

**(2) Subsections 1 (2) and 2 (2) come into force six months after the day this Act receives Royal Assent.**

**Short title**

**4 The short title of this Act is the *Mandatory Sexual Assault Law Training for Judicial Officers Act, 2017*.**