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# 'Meaningless patronage': Ford government quietly brings back special title for lawyers and gives it to a lot of Tory loyalists

Jacques Gallant

**T**he Ford government is once again facing accusations of patronage for quietly bringing back a special designation for lawyers and awarding it to numerous Tory politicians, staffers and loyalists.

In a press release issued late Friday afternoon before the long weekend, the provincial government said it was re-instituting the honorary title of “King’s Counsel” to mark King Charles’s coronation in May.

The designation — which carries no special privilege aside from allowing lawyers to put the initials “K.C.” next to their name — is “given to lawyers who have demonstrated a commitment to the pursuit of legal excellence in service to the Crown, the public and their communities,” according to the release.

The Ontario government famously stopped handing them out under former Liberal premier David Peterson in the 1980s — when the titles were known as Queen’s Counsel during the reign of Queen Elizabeth II — because they had

become a patronage tool.

Peterson told the Star Saturday he was “shocked by the effrontery” of the Tories’ decision, saying his government had scrapped the designation because it had become “corrupted.”

“It lost all meaning, and so any principled approach would have been to stop them,” said Peterson, a K.C. himself, who now serves as chair of Torstar, the Toronto Star’s parent company.

“I just think it’s unbelievable that they would reinstitute this.”

Among the 91 appointees announced Friday include the lawyers in cabinet, such as Attorney General Doug Downey and his predecessor Caroline Mulroney — who is not licensed to practise law in Ontario and now serves as transportation minister.

Also on the list are long-time Ford family lawyer Gavin Tighe, former Progressive Conservative party president Blair McCreadie, and Walied Soliman, who has chaired Conservative campaigns.

Among the 91 appointees announced Friday who will receive the King’s Counsel title are the lawyers in Doug Ford’s cabinet, including Attorney General Doug Downey.

Downey’s chief of staff Joseph Hillier and former policy director Amanda Iarusso are now also K.C.’s., as well as former attorney general chief of staff and current federal Conservative Party lawyer Michael Wilson.

Tory MPPs who are lawyers also made the cut, as well as ex-deputy premier and health minister Christine Elliott and former federal Conservative ministers Peter Van Loan and Rob Nicholson.

Senior bureaucrats in the Ministry of the Attorney General also got a nod, including Deputy Attorney General David Corbett.

The list also includes prominent names unaffiliated with the Tories, such as criminal defence lawyer Marie Henein, Ontario Human Rights Commission chief commissioner Patricia DeGuire, and her predecessor Ena Chadha.

The designation could imply to a member of the public that the lawyer “knows something other people don’t, which is not true,” Peterson said.

“A K.C., or a Q.C. in those days, theoretically designated competence at the bar — in other words the best litigators — but the principle had been so corrupted over the years, and it was just handed out on the basis of political patronage to lots of people who never went near a courtroom,” Peterson said of his government’s decision to stop handing out the designation.

People who understand the system “will know that it’s meaningless patronage,” he said, “but people who don’t know could ascribe value to it because they don’t know how the system works.”

It’s unclear if the government consulted with any legal groups. The chair of the Federation of Ontario Law Associations said he learned of the news at the same time as everyone else. The president of the Advocates’ Society said they had not engaged with the government on this issue and has not called for a return of the K.C. designation.

A senior Conservative official, speaking confidentially in order to discuss internal deliberations, conceded the timing could be problematic.

The source said “burying the announcement” without a widely shared press release is a signal the government was concerned about the optics. “You don’t roll it out this way if you’re proud of it,” the Tory said.

When the Star asked Downey’s office whether there had been a public call for nominations, what criteria had been followed and who made the appointment

decisions, spokesperson Andrew Kennedy responded with a statement taken almost word for word from the press release.

“In celebration of the coronation of His Majesty King Charles III, the government is pleased to announce Ontario’s return to the tradition of recognizing Ontario lawyers with the honorary title of King’s Counsel,” he said.

“The distinction of King’s Counsel is conferred on lawyers who have demonstrated a commitment to the pursuit of legal excellence in service to the Crown, the public, and their community.”

The Ford government has faced patronage scandals in the past and Ontario NDP Leader Marit Stiles blasted the Tories’ announcement in a statement Saturday.

“At the end of the day on Friday, while most Ontarians were wrapping up another busy work week before the long weekend, Ford’s ministers were busy giving themselves fancy new honours,” she said.

“With all the challenges that the people of Ontario are facing right now, we need a government that is focused on helping people, not themselves. Instead we have one hellbent on returning to an elite old boys club with a cash-for-access culture, and focused on rewarding friends and insiders.”

Bonnie Crombie, the front-runner in the Dec. 2 Ontario Liberal leadership contest, also expressed outrage and called out the lack of transparency.

“Without any public consultation or warning, Doug Ford is handing out patronage appointments to fellow cabinet

ministers and Tory insiders on a Friday afternoon of a long weekend,” Crombie, the mayor of Mississauga, said Saturday.

Human rights lawyer Paul Champ described the designation as a “cheap and easy patronage tool.” He said while some top people in his field were given a nod Friday, what the human rights system in Ontario really needs is for the government to restore resources that have been cut over the years.

“The fact this comes out at the end of the day Friday before a long weekend sort of tells you what the government themselves think of it, they know it’s kind of an embarrassment,” he said. “It demeans the profession, in my opinion.”

Toronto lawyer Gillian Hnatiw, who specializes in sexual violence cases, said the government chose to “revive patronage” rather than address the many systemic problems in the court system.

“The profession will treat it as a mark of partisanship rather than a badge of merit,” she said. “Personally, I’ll be a bit suspicious of anyone using it, in the same way I’m a bit suspicious of anyone who pays for a blue check mark on Twitter.”

King’s Counsel designations originated in the United Kingdom, where they’ve been handed out for centuries. In that country, K.C. lawyers get to wear silk robes in court and are generally seen as being able to handle very complex cases.

While Ontario scrapped them in the 1980s, some other provinces continued to hand them out. The Alberta government lists specific criteria online for obtaining a K.C., related to competence,

contributions and professional qualities. It also outlines the membership of a screening committee that reviews applicants for the justice minister's consideration.

No such information was included in Friday's announcement in Ontario.

"The apparent absence of public, detailed criteria for granting these new King's Counsel designations — along with the conspicuous inclusion on Friday's new K.C. list of several individuals closely connected to the provincial Conservatives — suggests that these historical concerns (of patronage) have not been overcome," said University of Ottawa law professor Amy Salczyn, who specializes in legal ethics.

"It is difficult to see how these designations are in the public interest."

With files from Robert Benzie

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<https://www.thestar.com/news/gta/2023/07/01/meaningless-patronage-ford-government-quietly-brings-back-special-title-for-lawyers-and-gives-it-to-a-lot-of-tory-loyalists.html>