

Judicial council rejects secrecy request from Hamilton judge

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Susan Clairmont

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Justice Andrew Goodman in a courtroom sketch from April 2025.

Alexandra Newbould

Susan Clairmont is a columnist and investigative reporter with the Hamilton Spectator. Reach her at sclairmont@thespec.com.

The council that disciplines Canada's judiciary made the right call by refusing a Hamilton judge's request to have his matter heard in private.

The request "did not comply with the test and requirements established by the Supreme Court of Canada," a panel of the Canadian Judicial Council wrote in its decision concerning Justice Andrew Goodman of the Superior Court of Justice.

Prominent media lawyer Iain MacKinnon agrees.

"It's important that openness and accountability is protected, especially in a situation like this where public confidence in the judiciary is essential to the proper operation of the courts and the judicial system generally."

In 2024, Goodman was [disciplined by the council](#) after [confessing](#) he accidentally sentenced a man convicted of manslaughter to a longer sentence than intended.

He had written multiple versions of his reasons for sentencing and brought the wrong one into the courtroom.

The bigger problem was that he kept the mistake a secret for 14 months.

Goodman was publicly reprimanded and ordered to write apologies to the offender, the defence and Crown.

He then asked for a review of the council's decision. He is the first judge in Canada to ever do so.

As the date of the review drew closer last month, Goodman's lawyer, Scott Hutchison, filed a motion requesting an in-camera hearing that would not be open to the public. In fact, the public would not even be told about it. He also asked for a sealing order on documents.

The council rejected the request. It said the media must be told of a request for an in-camera motion and be given enough information about the "essence and nature" of the confidential information Goodman wanted to share to decide if they wanted to oppose it.

Once Goodman learned the media would be alerted, he asked to abandon the review.

In a letter to the council, Hutchison said: "Respectfully, Justice Goodman believes the ... directives do not provide sufficient safeguards to protect highly confidential and sensitive information, and he is unwilling to move forward without those protections."

Neither Goodman nor Hutchison responded to The Spectator's requests for comment.

Goodman "seemed to be wanting some ironclad guarantee that no information would be publicly disclosed, including even the nature and essence of the information he wanted to be kept confidential," says MacKinnon.

But that is not how the legal principles of court openness work, MacKinnon says. And Goodman, who deals with media laws in his courtroom on a regular basis, ought to know that.

"The panel was correct to say you can't proceed that way," MacKinnon says. "Otherwise, you're getting into secret hearings."

The council granted Goodman's request to drop the review.

It is unknown what confidential information Goodman wanted to share with the council.

There are, however, some loose threads in the entire debacle.

In his original letter confessing his mistakes, Goodman wrote that when he realized his errors he consulted with "several experienced, judicial colleagues specializing in criminal law." They dissuaded him from alerting the Crown and defence, and said the sentence he handed down was within the scope of a proper sentence.

It raises the possibility that fellow judges tried to convince Goodman to keep his mistakes a secret. If that is the case, it raises questions about the integrity of those judges.

Goodman has a reputation for being knowledgeable about media law, as well as the basic principles of courtroom openness and transparency. He has presided over extremely complex cases in which the media played a significant role.

In the trial of serial killer Dellen Millard and his accomplice Mark Smich for the murder of Ancaster man [Tim Bosma](#), Goodman made rulings limiting the publication of information to protect two future murder trials with links to the same accused.

He also grappled with the deeply disturbing but critical [bodycam footage](#) showing Ontario Provincial Police constable Greg Pierzchala being murdered during a traffic stop — quite clearly showing his killers. Goodman allowed an edited version of the video to be shown in court.

And before [convicted rapist Jack Densmore](#) was to face a second trial (which never happened because the complainant chose not to proceed), Goodman rejected the defence lawyer's attempts to subpoena notes from a Hamilton Spectator journalist.

In [his decision](#), Goodman cited case law that says: "A healthy democracy requires an informed public. To inform the public, journalists depend on their ability to protect their sources' confidentiality and the journalistic material gathered through them."

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