



March 13, 2019

Sheila Bristo
Assistant Deputy Attorney
General Court Services Division
Ministry of the Attorney General

Via email: PMB.admin@ontario.ca

Dear Ms. Bristo,

RE: PROPOSED AMENDMENT TO THE *JURIES ACT* - JUROR ADDRESSES ON JURY PANEL LISTS

With thanks, we confirm receipt of your correspondence, dated February 27, 2019, requesting the Toronto Lawyers Association's input concerning a potential amendment to the *Juries Act*.

The TLA supports the proposed amendment to the *Juries Act* removing the requirement that juror street addresses be included on jury panel lists for the purpose of heightening juror privacy / security.

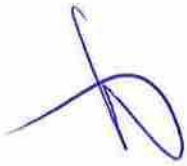
The TLA's reasons for supporting the proposed amendment include the fact that any material benefit based upon including a juror's residential address is outweighed by the heightened risk of jurors being contacted or scrutinized inappropriately when this information is provided. This downside risk arising from publication of a juror's residential address has increased in recent times as the result of social media and internet based search engines that may allow for the accumulation of considerably greater juror information, based upon even limited personal information, including a residential address. Also, and importantly, inclusion of addresses may result in the unintended result of the parties applying unconscious (or conscious) biases in the jury selection process, based upon the part of the municipality in which the juror resides.

The TLA would support the inclusion of a Juror's municipality on juror panel lists. The juror's municipality may be highly relevant for the purpose of the parties identifying the suitability of a potential juror depending upon the nature of the claim and the parties

.../2

involved. The TLA also agrees that the option of a party seeking access to juror street information may be appropriate in limited circumstances to ensure a fair trial, for example, when the subject matter of the litigation involves a property dispute, or an incident that has become a political touchstone in a particular location. In such special circumstances, the parties ought to have the ability to obtain additional information regarding the address of the potential jurors, to ensure a fair trial outcome.

Yours very truly,

A handwritten signature in blue ink, appearing to read 'D. Derstine', with a stylized flourish.

Dirk M. Derstine
President
Toronto Lawyers Association