

News Release

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## Privacy Commissioner launches immediate investigation into secret background checks on jurors

TORONTO – Ontario's Information and Privacy Commissioner, Dr. Ann Cavoukian, launched an investigation today into whether the privacy rights of prospective jurors were breached when police used confidential databases to selectively probe the background of potential jurors, on behalf of certain Crown Attorneys.

“We have been closely monitoring developments since the first media reports about such potential abuses of personal information,” said the Commissioner. “Initially, the Attorney General advised that this practice was restricted to one courthouse in Simcoe County. Since then, we have learned that the practice extends to at least one other courthouse, and possibly others. As a result, we will be conducting our own investigation into this matter. The focus of our investigation will be whether this was a proper use of police databases and whether the privacy rights of potential jurors have been compromised. What type of personal information was collected, why was it collected, under what authority was it collected, to whom was it disclosed, what security provisions were extended to any subsequent uses or disclosures, and how widespread is this practice throughout the justice system? We will determine whether any provisions of Ontario's three privacy laws, the [Freedom of Information and Protection of Privacy Act](#), the [Municipal Freedom of Information and Protection of Privacy Act](#), and the [Personal Health Information Protection Act](#), were breached.”

The Commissioner's office has had brief discussions with the Ministry of the Attorney General since the first media reports appeared. The IPC privacy investigation will not only include the Ministry of the Attorney General, but will also extend to the Ministry of Community Safety and Correctional Services, which is responsible for the Ontario Provincial Police.

The Information and Privacy Commissioner is appointed by and reports to the Ontario Legislative Assembly, and is independent of the government of the day. The Commissioner's mandate includes overseeing the access and privacy provisions of the *Freedom of Information and Protection of Privacy Act* and the *Municipal Freedom of Information and Protection of Privacy Act*, as well as the *Personal Health Information Protection Act*, and helping to educate the public about access and privacy issues.

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