

REPORT TO THE CANADIAN JUDICIAL COUNCIL

ON JURY SELECTION IN ONTARIO

June 2018

NOTA: The views expressed in this Report are not necessarily endorsed by the Council and are presented here for discussion purposes only.

STUDY LEAVE REPORT

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September 2017 to May 2018

STUDY LEAVE REPORT

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1. Executive Summary

Over the last 15 years as a Superior Court trial judge, I have presided over numerous jury trials and observed what I perceived as a lack of representativeness in the composition of the *petit jury*. The desire to subject these purely anecdotal observations with respect to civil and criminal juries to more rigorous analysis motivated me to pursue a judicial Study Leave on the topic. My eight-month judicial Study Leave starting in September 2017 involved three interrelated components:

- 1. teaching a course and overseeing a Directed Research Project on Jury Selection and *Charter* values at the University of Ottawa, Faculty of Law;
- 2. empirical analysis on civil jury data trends in Ontario, and two Geocoding Studies examining the characteristics of jurors on jury panel lists for 2016 for two judicial centres in the East Region: Ottawa and Belleville; and
- 3. development of judicial education programming at the National Judicial Institute.

The purpose of this document is to provide a brief report to the Canadian Judicial Council with respect to my Study Leave, and a summary of my activities.

In the nine months prior to the start of my Study Leave, I had regular communication with various stakeholders in the administration of justice in order to collect the necessary data and information for my research. The data I relied upon and the studies themselves can be found in the following appendices:

- Appendix C Civil Jury Data Trends in Ontario
- Appendix D Ottawa Geocoding Study
- Appendix E Belleville Geocoding Study

2. Background

I have had an uninterrupted career of 33 years in the legal profession. My first 18 years were served in the practice of law developing expertise in the personal injury and medical malpractice areas of civil litigation. The last 15 years were served as a trial judge in the East Region of the Superior Court of Justice for Ontario. This included working on both civil and criminal jury matters.

Over the course of years of jury trial experience, I formed the impression that the modern jury did not always appear to represent the "conscience of the community". My anecdotal experience was that the jury selection process, possibly compounded by the exercise of judicial discretion, habitually excluded from service racial and linguistic minorities, low-income earners, students, and caregivers.

The release in February 2013 of the <u>Report of the Independent Review</u> conducted by the Honourable Frank Iacobucci, <u>First Nations Representation on Ontario Juries</u> and the Supreme Court's decision in <u>R. v. Kokopenace</u>, 2015 SCC 28, confirmed my beliefs that jury representativeness was an area deserving of closer study.

3. Detailed Summary of Study Leave Objectives and Activities

The primary objectives of my Study Leave were as follows:

- 1. Carry out both a qualitative and empirical analysis of the jury selection process in Ontario to determine the extent to which our juries represent certain socio-cultural, racial, and economic groups.
- 2. In the case of our criminal juries, examine whether the process for selecting a jury observes *Charter* values, particularly those enshrined in s. 11(d), s. 11(f) and s. 15 of the *Charter*. These provisions are meant to foster impartial and representative juries and ensure that jury selection processes do not discriminate on the basis of any listed or analogous group characteristics.

From September 2017 to May 2018, in furtherance of these objectives, I devoted myself to the following activities:

- teaching a course and overseeing a Directed Research Project with second and thirdyear law students on Jury Selection and *Charter* values at the University of Ottawa, Faculty of Law;
- conducting an analysis of civil jury trends in Ontario;

- with the assistance of a social geographer, conducting an analysis of the composition of jury panel lists for Ottawa and Belleville by way of two Geocoding Studies; and
- prepared two teaching programs for judicial education at the National Judicial Institute which utilized the results of my research in the first part of my Study Leave, as well as the data analysis.

A. University of Ottawa, Faculty of Law

(i) New Course & Directed Research Project

I pursued the qualitative analysis of the jury selection process in collaboration with Professor Rosemary Cairns Way as a judge-in-residence at the Faculty of Law Common-Law Section at the University of Ottawa. Together, we prepared a course curriculum, a reading list and suggested research topics with the ultimate goal of choosing 10 second and third-year students among a pool of approximately 40 applicants to participate in CML 3351, the Directed Research Project on Jury Selection and *Charter* Values.

This was a course offered for the first time at the law school. As part of the course, Professor Cairns Way and I prepared and delivered four lectures on jury selection issues and related *Charter* values which we taught once weekly over September and October, 2017. After the lectures were concluded, we assisted and supervised research conducted by students on a weekly basis. Attached as Appendix A is the Course Curriculum for CML 3351, Directed Research Project.

At the end of the Directed Research Project and by December 21, 2017, students were required to deliver a major research paper between 20-25 pages (two students collaborated and produced a single paper of over 35 pages in length). Professor Cairns Way and I individually assessed each paper and on January 10, 2018 met to discuss their evaluation.

Each paper contains a qualitative analysis of jury selection issues. One student also submitted a painting which reflects a Métis critique of the jury selection process in Canada. **Attached as Appendix B to this report are copies of the papers and painting.** To assist members of the Canadian Judicial Council to assess this product of my Study Leave, I provide the following condensed summaries of each paper.

(ii) Summaries of Student Papers

The Conscience of a Community Other Than Our Own: A Métis Critique on the Jury Selection Process in Canada

This paper tackles the issue of juror representation from the unique perspective of the Métis peoples' experience and the example of Louis Riel, a Métis man who met his death by hanging after convicted in the 19th century by an all-white jury. Critiquing the Supreme Court of Canada's majority decision in *R. v. Kokopenace,* the author argues that reconciliation ought to be pursued even in the jury selection process, requiring those on the jury roll to racially self-identify. The author observes that the Americans have set a precedent for this approach in many jurisdictions and have accepted it as an important part of ensuring representativeness.

Whose Peers Are They Anyway? Examining Juror Ineligibility in Canada

The paper examines how jury legislation from each province and territory across Canada systematically excludes certain classes of people from jury service based upon the assumptions that their presence could undermine confidence in the justice system. People charged with or convicted of criminal offences often form a part of those excluded. Yet, the scope of their exclusion varies widely across Canada. The patchwork of ineligibility suggests that distinguishing between people with criminal records is a highly arbitrary exercise. Indigenous Canadians who are overrepresented in the criminal justice system bear the brunt of this exclusion more than other societal groups. Drawing on the Supreme Court of Canada jurisprudence since *Sauvé v. Canada*, 2002 SCC 68, which challenged a law excluding certain convicts from the right to vote, the author suggests that provisions in the *Criminal Code* and provincial statutes which exclude certain convicts from the jury roll are subject to *Charter* challenge.

Addressing Indigenous Underrepresentation on Juries: Challenging the Ontario *Juries Act*

This paper suggests that the distinction between the off-reserve and on-reserve jury recruitment of potential jurors in s. 6(2) and s. 6(8) of the *Juries Act*, RSO 1990, c J.3 runs afoul of the representativeness guaranteed by s. 11(d) and s. 11(f) of the *Charter*. The author proposes a unified method of recruiting potential jurors by relying on the provincial health insurance database.

Collaboration and Conflict: Reconciliation in the Context of Criminal Juries

The author observes that, in spite of the fact that juries are to serve as the conscience of the community, Canada's Indigenous people are not significantly represented in this aspect of the criminal justice system. Conversely, numerous studies have documented their over-incarceration, compared to that of the general population. It is possible that this disconnect

stems from the fractured relationship between the Crown and Indigenous people. While governments and Indigenous people have made strides towards reconciliation for past wrongs, the Supreme Court of Canada in *R. v. Kokopenace*, has pronounced that the issue of representativeness on juries is not a means by which to achieve reconciliation. The author critiques judicial deference towards the incremental efforts made by the Ministry of the Attorney General to increase First Nations' participation on Ontario juries. The author observes that the courts appear reluctant to fashion constitutional remedies that might enhance representativeness.

Racial Bias and Jury Secrecy: What Canada can learn from the United States

The secrecy of the jury's deliberative process is an inviolable principle of Canada's legal system protected by the *Criminal Code of Canada*. Jurors chosen to sit on the *petit jury* are also largely shielded from probing examinations of their thoughts and beliefs, potentially letting prejudice shape judicial outcomes in impermissible ways. The author contrasts Canada's approach to juror secrecy with the American experience where juror secrecy is not as sacrosanct. More recently, the United States Supreme Court in *Peña-Rodriguez v. Colorada*, 137 S.Ct. 855 at p. 13 (2017) has held that that where evidence of racial bias is present, an exception may be made to jury secrecy rules that prevent evidence from jury deliberations from being used to overturn a jury verdict. The author suggests that in Canada, current safeguards against racially biased deliberations, such as the challenge for cause process and jury instructions, are likely insufficient to protect *Charter* guarantees to a fair trial and equality.

The Peremptory Challenge: Unpoliced and Legally-Sanctioned Discrimination

The use of peremptory challenges to eliminate prospective jurors from jury service, whose reasoning is assumed to be based on stereotypes suffused with racial bias, has come under increasing scrutiny in recent years. The author of this paper criticizes this part of the jury selection process as a form of state-sanctioned discrimination because the use of peremptory challenges is arbitrary, forcing counsel to make assumptions about prospective jurors, for example, based on information that is related to race. The author posits that the process creates situations of abuse of process, and undermines existing *Charter* guarantees of representativeness.

The Right to a Representative Jury and the Role of the Court: R. v. Kokopenace

This paper tackles the issue of Indigenous underrepresentation on juries, and suggests that the Court utilize its powers granted by the *Charter* to fashion remedies to address the situation. The Supreme Court of Canada in *R v. Kokopenace* found that *Charter*-compliant standards of representativeness are met when the government makes reasonable efforts to:

- compile the jury roll using random selection from lists that draw from a broad crosssection of society, and
- 2. deliver jury notices to those who have been randomly selected, thereby providing a fair opportunity for a broad cross-section of society to participate in the process.

The author of this paper argues that the courts should oversee the government's efforts to compile the jury roll to ensure that the rights of Indigenous Canadians are not easily infringed. The author contemplates that this role would be similar to how the Supreme Court of Canada enumerated sentencing principles in *R v. Gladue*, [1999] 1 S.C.R. 688 geared towards correcting the over-incarceration of Indigenous people. In addition to directing how the government compiles the jury roll, the author suggests a case-management role for judges in ensuring that the court's direction is followed.

Saving Civil Juries in Ontario: An Integrative and Modern Approach

The utility of civil juries has been increasingly questioned in modern times. Although the right to trial by jury in civil cases is not *Charter*-protected, but is a substantive legal right, some have criticized the use of civil juries for being too costly and time-consuming. Irrespective of these views, there are substantial benefits to be had. This paper canvasses ways to modify Ontario's use of civil juries while maintaining the advantages for users. Some suggestions include limiting the right to trial by jury to claims for \$200,000 or more, increasing judicial discretion to strike juries, imposing a user fee, and properly compensating jurors for their time.

Juror Aids and the Civil Jury

Jurors have been lauded for their fact-finding abilities and function as the conscience of the community. Yet, research has demonstrated that jurors generally have low comprehension of the matters they are tasked with deciding. This paper explores several studies aimed at boosting the level of juror comprehension. Overall findings indicate that jurors are most responsive to plain language, written instructions, jury trees, and preliminary instructions. Modifying the way the jurors are instructed can increase juror comprehension and reduce the need to strike juries due to case complexity.

(iii) Value of the Directed Research Project

The value of the Directed Research Project is multifaceted. The research was undertaken in the hopes that increased attention to the subject in an academic setting, as afforded by the University of Ottawa, Faculty of Common Law, would produce a generation of lawyers familiar with the inherent problems in jury selection. The students' unbridled curiosity about reforms in other jurisdictions also suggested methods for exercising the court's existing powers to fashion remedies that address the lack of impartial and representative juries.

The Directed Research Project also provided me with an enriched understanding of this area of the law, and the tools needed to develop educational programming for judges while at the National Judicial Institute in the second part of my Study Leave, which I address in further detail below.

The importance and timeliness of this research and corresponding educational programming cannot be understated, given the recent and widespread attention to the issue of jury representativeness heightened by press coverage of the Colten Boushie and Tina Fontaine cases. Indeed, in responding to media attention to the issues, the Minister of Justice and the Attorney General of Canada specifically referred to the need to carefully study the issues as a motivating factor behind her decision to grant this Study Leave. See Douglas Quan, "<u>Is 'Deck Stacked' against Indigenous victims?</u>", *National Post* (February 7, 2018).

As a sitting justice of the Superior Court of Justice for Ontario, I have not and will not play a part in advancing any political agenda incorporating policy changes and legislative reforms directed at enhancing jury representativeness. Professor Cairns Way and the students in the Directed Research Project, however, were under no similar restraints. The Department of Justice invited the students to share with its staff a number of the research papers produced by the Directed Research Project prior to the first reading of Bill C-75, *An Act to amend the Criminal Code, the Youth Criminal Justice Act and other Acts and to make consequential amendments to other Acts.* Bill C-75 proposes to abolish peremptory challenges and change how a potential juror can be challenged for cause.

B. The Data Analysis

Beginning in January 2017, well before my Study Leave began, I had regular contact with individuals in the Office of the Assistant Deputy Attorney General, Court Services Division, the Office of the Indigenous Justice Division of the Ministry of the Attorney General, the Provincial Jury Centre, the Ottawa and Belleville courthouses, the Office of the Chief Justice, and the Anti-Racism Directorate of Ontario. Regular communication with these stakeholders was essential in order to collect data and information needed to support and facilitate the qualitative study at the University of Ottawa as well as the empirical analysis of civil jury trends and prospective juror demographics in two judicial centres in the East Region: Ottawa and Belleville. The results of the data analysis are found in the following three documents:

- Appendix C Civil Jury Data Trends in Ontario
- Appendix D Ottawa Geocoding Study
- Appendix E Belleville Geocoding Study

(i) The Civil Jury Data Trends in Ontario

Attached as **Appendix C** to this report is a document entitled **Civil Jury Data Trends in Ontario**. The data from this first portion of the empirical analysis sheds light on the use of civil jury trials in the Ontario Superior Court of Justice between 2012 and 2016 (although some comparative data pertaining to criminal jury trials is also provided). For the most part, the information was categorized according to the eight judicial regions in Ontario representing over 50 court centres. Specific data pertaining to Ottawa, as part of the East Region, was also included.

At page 4 is a summary of the trends distilled from the data received from the Ministry of the Attorney General, the Provincial Jury Centre and the Chief Justice's Office. The data suggests the following:

• Trial Length (pages 5-9):

- For the most part, the data on this topic includes both jury and non-jury trials.
- Over 80 per cent of civil trials are concluded within one day. Most criminal trials conclude within 1-5 days.
- We have some data for 2016 indicating the number of jury trials that exceeded 10 days.
- Jury Notices (pages 10-14):
 - Although there has been a noticeable dip in the number of civil jury notices filed province-wide between 2012 and 2016, certain judicial centres have been notable exceptions, such as the East and Central West Regions.
 - While just over 21,000 jury notices were filed provincially in 2016, approximately 1700 cases were disposed of.
- First Nations Response Rate (pages 15-16):
 - Response rates to First Nations jury questionnaires delivered in 2015 and 2016 remain low. Of over 6,000 questionnaires sent, only 10% were returned and over half of respondents were ineligible.
- Ineligibility Statistics (Ottawa) (pages 17-18):
 - In Ottawa, disability and occupation as determined by section 3(1) of the *Jury Act* (e.g., lawyer, MP, etc), account for the largest factors in determining ineligibility.
- Language (Ottawa) (pages 19):

• The Ottawa Jury Roll is predominantly Anglophone. However, the number of bilingual jurors is steadily increasing.

The trends identified in the Civil Jury Trends report were considered in the Directed Research Project (specifically the research paper at Tab 8 of **Appendix B**) and in the judicial education programming developed for the National Judicial Institute.

It is also noteworthy that in Brampton, a judicial centre in the Central West Region, there was a court challenge by the plaintiff to the jury array in *Kapoor v. Kuzmanovski,* CV-09-4318. The challenge was supported by social science evidence to the effect that members of the Brampton array, who pay the highest motor vehicle insurance premiums in Ontario, could not be expected to be impartial if a significant award of damages to the plaintiff could contribute to increased insurance premiums. Cases such as this one are being referenced in the current debate over whether jury notices are being filed by the defence bar in motor vehicle accident cases in order to benefit from the trend toward unfavourable jury verdicts against plaintiffs. In a climate of jury awards favourable to the defence bar, any amendments to the rules of process limiting the availability of jury trials might well be perceived as an access to justice issue by both sides of the debate.

(ii) The Geocoding Studies for Ottawa and Belleville

The second portion of my empirical analysis was undertaken by way of Geocoding Studies of jury panels assembled for the two judicial centres in the East Region, notably Ottawa and Belleville. Attached to this report, as **Appendices D and E**, are two **Geocoding Studies** which examine the extent to which the data pertaining to approximately one year of jury panels for Ottawa and Belleville reflect a random selection of prospective jurors from a broad cross-section of the community.

Methodology & Qualifications

I engaged a social geographer to assist in the preparation of the Geocoding Studies. We obtained and analyzed data on the jury panels from the Ontario Jury Roll, which consists of information on potential jurors received by the Ministry of the Attorney General. Our approach was to match the addresses of prospective jurors on each panel list to geographic information profiling the characteristics of residents within their respective Census tracts based on the most current Census conducted in 2016. While the studies do not reveal personal characteristics of persons on the jury panels eligible for "in court" selection, they provide a likely profile of panel members based on trends identified in their respective Census tracts.

We were able to match addresses to near 100% accuracy to their respective Census Tracts or Subdivisions. In real numbers, this meant that we were able to match over 5,500 juror

addresses to geographic profiles of a particular area. The geographic profiles highlight demographic trends in jury representativeness over several categories such as income, language, racial identity, property ownership, gender and aboriginal identity.

Due to the limits of time and resources, the studies were confined to the judicial centres of Ottawa and Belleville. The studies offer findings from which only preliminary inferences about the representativeness of juries may be drawn. To improve reliability of the results, the breadth of this study could be expanded in the future to consider the data across Ontario, especially in regions with higher concentrations of First Nations, Inuit, and Métis people, as a means by which to address the representativeness of the Ontario jury roll as a whole.

Previous Investigation by the *Toronto Star* & Absence of Good Evidence of Lack of Representativeness

The methodology in the Ottawa and Belleville Studies is in contrast to that used in the *Toronto Star* & Ryerson School of Journalism investigation documenting the racial makeup of 632 jurors in 52 criminal trials since 2016 in Toronto and Brampton. (See "<u>How a Broken Jury List Makes</u> <u>Ontario Justice Whiter, Richer and less like your Community</u>".)

The *Toronto Star* investigation concluded that the province's jury selection process, based on property assessment rolls, leaves many Ontarians, particularly racialized accused, facing overwhelmingly white juries. However, the investigation does not consider the actual data pertaining to the jury panels taken from the jury rolls for Toronto and Brampton, as compared to the 2016 Census tracts. Instead, the data was drawn from observations about sitting juries <u>after</u> the "in court" selection process, including peremptory challenges.

Beginning in February 2016, investigative reporters attended trials and took a visual survey to gauge the racial makeup of jurors. They categorized the jurors' race based on physical appearance using the same classifications as police: white, black, indigenous, and brown (including South Asians) as well as additional categories for Asians and "others" (including Latin American, Middle Eastern or mixed-race jurors).

The method employed by the *Toronto Star* allows for a larger margin of error as it relies on speculation as to race, based on the reporters' visual observations. It also fails to consider that the legal test for representativeness, as expressed by the Supreme Court in *Kokopenace*, does not require that selected juries proportionately represent the actual demographics of a broad cross-section of the community. *Kokopenace* held that representativeness, as guaranteed by the right to a fair trial in s. 11(d) and s. 11(f) of the *Charter*, is a function of the process used to assemble the jury roll coupled with the process used to select the *petit jury*, and not its ultimate composition. Where no group is deliberately excluded and reasonable efforts are made by the Ministry of the Attorney General to be inclusive and afford members of the community the

opportunity to be selected for jury service, s. 11 is not engaged. (See *R. v. Kokopenace*, 2015 SCC 28 at paras. 2, 40, 50, 66.)

To the extent that the *Toronto Star* investigation fails to consider the characteristics of the pool of prospective jurors from which the juries were actually selected, the methodology used is arguably flawed and of less assistance as evidence of a lack of representativeness of juries.

That being said, there is presently an absence of good evidence of lack of representativeness, given that the Ministry of the Attorney General for Ontario does not keep statistics with respect to the characteristics of prospective jurors, or other information taken from juror questionnaires, such as the age, gender, language, race, citizenship and occupation of prospective jurors. The Ministry only keeps limited statistics on juror ineligibility which it uploads onto the Juror Selection System from which jury rolls are randomly assembled by computer algorithm. This is in contrast to the widespread practice in the United States of maintaining statistics on juror profiles, including race, which helps to support anti-racism strategies.

(iii) Results of Geocoding Studies

<u>Ottawa</u>

The **Ottawa Geocoding Study** in **Appendix D** pertaining to the Ottawa juror panels for the period from June 2016 to July 2017 suggests that Ottawa juries were predominately populated by white, higher income earners, property owners, reporting English as their mother tongue. (See pages 9-10 in relation to the profile of the most and least represented census tracts.)

The data supports the need to provide adequate compensation to jurors in order to allow lower income earners, renters, and visible minorities a reasonable opportunity to serve on juries. This was a recommendation made in 2012 by the Provincial Jury Implementation Committee, and reiterated in 2013 in the Iacobucci Report.

<u>Belleville</u>

The **Belleville Geocoding Study** in **Appendix E** was undertaken to examine the representativeness of the jury roll as it relates to a court centre incorporating a First Nations' community within the East Region.

The data suggests that Hastings County, which includes Belleville, and the First Nations reserve in the Tyendinaga Mohawk Territory, did not reflect the stark divides and contrasts in juror demographics seen in a larger urban centre, like Ottawa. However, the Census Subdivision statistics suggest that not a single juror among prospective jurors on any panel list was drawn from the First Nations reserve. Like in the Ottawa Study, findings also generally revealed that the most represented Census tracts in the juror panels tended to have a lower percentage of visible minorities, a lower percentage of Indigenous people, higher incomes and higher levels of home ownership. (See pages 2-3, 9-10, 39-42)

(iv) Value of Geocoding Studies

The results of the Geocoding Studies offer an alternative and arguably more objective profiling of juries. This may assist judges and litigants in determining:

- 1. whether juries meet constitutional standards, and
- whether government delay in addressing procedural and systemic reasons for lack of engagement in the jury system can be construed as approaching a level of lack of representativeness, such as to amount to a deliberate exclusion. (See *R. v. Kokopenace*, 2015 SCC 28 at paras. 50, 66.)

C. Development of Judicial Education Programming at the National Judicial Institute

During the second half of my Study Leave, sponsored by the National Judicial Institute, I developed education programming for the benefit of Superior Court judges undertaking criminal or civil jury trials, where the issue of jury representativeness may arise. Attached to this report as **Appendices F and G** are a **draft Criminal Law Program** and a **draft Civil Litigation Program**. Both were presented to Jillian Boyd, Director of Education Programs at the National Judicial Institute for consideration. She determined they would provide important and timely social context education to judges.

Ms. Boyd has offered both programs for initial consideration by our Court's Education Planning Committee, before they are offered to other programs or courses offered annually, such as the *Charter of Rights* Program, the Jury Instruction Seminars, and programming offered by the Canadian Chapter of the International Association of Women Judges. As of the date of the filing of this report, interest had been expressed for both future criminal law programming, and future civil litigation programming by some members of our Court's Education Planning Committee.

4. Conclusion

In closing, I express my gratitude for having been selected among a privileged few to pursue a Study Leave involving both qualitative and empirical analysis of the composition of juries. I am hopeful that the course on Jury Selection and *Charter* Values, designed and co-taught with Professor Cairns Way at the University of Ottawa, coupled with results of the Geocoding Studies and the education programming I developed for judges, will lead to further work in this area.

Civil Jury Data Trends in Ontario

Justice Giovanna Toscano Roccamo, with Assistance from Valerie Akujobi



Note that the data in this document has not been compiled by the author but rather derived from information obtained from third parties at the Office of the Ministry of the Attorney General, the Provincial Jury Centre, and the Chief Justice's Office. **Unauthorized reproduction or dissemination is strictly prohibited.**

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Executive Summary

The following data provides an overview on the use of mostly civil jury trials in the Ontario Superior Court of Justice, between 2012 and 2016, although some comparative data pertaining to criminal juries is also referenced. Additional information on the average length of trials, inclusion of Aboriginal people on the Jury Roll, ineligibility statistics, and language has been provided.

For the most part, information has been categorized according to the eight judicial regions in Ontario, representing over 50 court centres. Where possible, data specific to Ottawa, which is a part of the East Region, has also been included.



Trends

- Trial Length:
 - For the most part, the data on this topic includes both jury and non-jury trials. However, we have some data for 2016 indicating the number of jury trials that exceeded 10 days.
 - Over 80 per cent of civil trials are concluded within one day. Most criminal trials conclude within 1-5 days.
- Jury Notices:
 - Although there has been a noticeable dip in the number of civil jury notices filed province-wide between 2012 and 2016, certain judicial centres have been notable exceptions, such as the East and Central West Regions.
 - While just over 21,000 jury notices were filed provincially in 2016, approximately 1700 cases were disposed of.¹
- First Nations Response Rate:
 - Response rates to First Nations jury questionnaires delivered in 2015 and 2016 remain low. Of over 6,000 questionnaires sent, only 10% were returned and over half of respondents were ineligible.
- Ineligibility Statistics (Ottawa):
 - In Ottawa, disability and occupation as determined by section 3(1) of the *Jury Act* (e.g., lawyer, MP, etc), account for the largest factors in determining ineligibility.
- Language (Ottawa):
 - o The Ottawa Jury Roll is predominantly Anglophone. However, the number of bilingual jurors is steadily increasing.

¹ The rate of disposal does not necessarily correlate with filed notices as a case may progress within the system for years before eventual resolution. Disposal of jury cases may be attributed to a variety of factors including trial, settlement, or election to proceed by judge alone.

1. Breakdown of Civil and Criminal Trial Lengths (2012-2016)

- The figures below represent the average length of time taken to conduct civil and criminal trials in the various judicial regions.² They only account for cases in the Superior Court of Justice.
- A comparison of the civil and criminal charts reveal that there are considerably more civil than criminal actions in the Superior Court. These records do not reflect data from criminal proceedings in the Ontario Court of Justice.

<u>2012</u>

Table 1.1

	Criminal Trial Length (2013)													
	1 day or less	2-5 days	6-10 days	11-15 days	16-20 days	21-25 days	26+ days	1 day or less	2-5 days	6-10 days	11-15 days	16-20 days	21-25 days	26+ days
Central East	795	193	17	6	4	1	1	50	67	37	11	9	2	4
Central South	785	122	16	3	2	1	0	58	45	19	10	2	0	6
Central West	246	51	8	1	0	0	0	101	117	66	25	4	3	5
East	178	12	3	0	0	0	0	104	78	38	6	3	2	3
Ottawa	100	8	0	0	0	0	0	28	32	17	3	1	1	2
Northeast	145	22	3	1	0	0	0	59	30	4	4	0	0	1
Northwest	19	3	4	0	0	0	0	12	10	5	1	1	0	0
Southwest	425	53	13	3	2	1	0	128	108	32	4	3	0	2
Toronto	906	125	28	4	3	1	4	252	219	117	36	11	9	9

²Data only available for 2016 on the number of jury trials that went 11 days or longer.

<u>2013</u>

Table 1.2

	Civil	Trial Le	ngth (20	13)	Criminal Trial Length (2013)									
	1 day or less	2-5 days	6-10 days	11-15 days	16-20 days	21-25 days	26+ days	1 day or less	2-5 days	6-10 days	11-15 days	16-20 days	21-25 days	26+ days
Central East	761	128	19	6	3	0	0	40	55	40	15	3	3	3
Central South	696	112	16	6	0	0	0	65	47	20	11	6	2	1
Central West	218	52	11	4	0	0	1	117	106	60	18	7	6	11
East	184	23	10	1	3	0	0	105	69	31	8	3	4	6
Ottawa	90	9	6	1	2	0	0	32	19	13	4	2	3	6
Northeast	138	15	0	2	1	0	0	63	43	7	0	0	1	0
Northwest	17	6	2	1	1	0	0	20	15	6	0	0	0	1
Southwest	437	52	10	5	3	1	1	141	129	37	3	2	3	3
Toronto	992	149	24	3	4	1	2	232	187	123	31	14	8	12

<u>2014</u>

Table 2.3

Civil Trial Length (2014)								Criminal Trial Length (2014)							
	1 day or less	2-5 days	6-10 days	11-15 days	16-20 days	21-25 days	26+ days	1 day or less	2-5 days	6-10 days	11-15 days	16-20 days	21-25 days	26+ days	
Central East	746	124	20	7	4	1	2	49	42	28	11	3	3	2	
Central South	783	85	17	9	0	1	0	45	44	15	11	5	1	2	
Central West	289	50	13	3	1	1	0	103	57	63	17	7	2	7	
East	195	24	4	5	0	0	1	94	86	38	7	10	1	2	
Ottawa	94	18	1	4	0	0	1	29	30	21	6	9	1	2	
Northeast	142	13	3	2	0	0	0	51	48	8	3	1	1	1	
Northwest	15	6	4	2	0	0	1	18	25	0	3	0	0	0	
Southwest	445	69	11	3	3	1	1	124	129	35	8	3	2	1	
Toronto	1143	138	21	8	2	0	2	320	238	115	27	8	9	14	

<u>2015</u>

Table 3.4

	Criminal Trial Length (2015)													
	1 day or less	2-5 days	6-10 days	11-15 days	16-20 days	21-25 days	26+ days	1 day or less	2-5 days	6-10 days	11-15 days	16-20 days	21-25 days	26+ days
Central East	696	109	19	11	0	2	1	53	34	25	17	6	1	9
Central South	779	69	9	7	1	1	0	56	37	29	11	3	1	3
Central West	257	47	5	2	1	0	0	113	97	53	23	7	4	3
East	257	32	5	3	1	2	2	96	57	34	11	5	0	5
Ottawa	114	12	4	2	1	0	0	26	17	12	0	1	0	5
Northeast	132	20	4	2	1	0	0	55	33	7	3	0	0	0
Northwest	26	6	2	0	0	0	0	14	15	2	0	0	0	1
Southwest	481	74	7	2	1	0	1	98	99	23	4	2	1	3
Toronto	1237	138	27	5	3	0	1	240	194	100	29	10	5	6

<u>2016</u>

Table 1.5

Civil Trial Length (2016)									Criminal Trial Length (2016)									
	1 day or less	2-5 days	6-10 days	11- 15 days	16- 20 days	21-25 days	26+ days	Jury Trials over 10 days	1 day or less	2-5 days	6-10 days	11- 15 days	16-20 days	21-25 days	26+ days	Jury Trials over 10 days		
Central East	718	149	10	6	3	0	0	7 Jury	41	44	35	14	4	3	6	16 Jury		
Central South	640	65	7	8	0	1	2	3 Jury	59	42	21	8	6	1	3	13 jury		
Central West	313	39	6	4	1	2	1	2 jury	110	88	50	17	8	4	5	30 jury		
East	275	34	12	5	0	2	1	3 jury	96	89	29	8	5	2	4	11 jury		
Ottawa	182	23	9	4	0	2	1	3 Jury	32	26	18	5	4	2	4	10 jury		
Northeast	163	15	6	3	0	0	1	0 jury	56	37	8	2	1	1	1	4 jury		
Northwest	17	6	2	1	1	0	0	0 jury	12	17	4	2	1	0	0	3 jury		
Southwest	425	82	12	4	2	1	1	2 jury	88	104	36	6	4	0	0	4 jury		
Toronto	1202	124	14	7	1	1	1	3 jury	231	157	88	37	10	3	11	34 jury		

2. Jury Notices Filed and Jury Proceedings Disposed of (2012-2016)

While there may be an overall decline in the number of jury notices filed, they are predominantly used in Motor Vehicle Accident (MVA) actions and increasingly filed for personal injury actions. It is unclear from the data if all centres are distinguishing between these two categories of cases. Some other centres further refine their categories to include medical malpractice. The Central West and East regions are experiencing an increase in the number of notices filed (for example, see Ottawa).

There is a significant discrepancy between the number of jury notices filed in a given year versus the number of cases with jury notices that are actually disposed of. Several years may transpire between when a jury notice is filed and when cases are removed from the jury list via trial, settlement, or a conversion to a judge alone trial.

<u>2012</u>

	Motor Vehicle Accident	Personal Injury	Other
Province-Wide	19388	3708	2253
Central East	2535	584	214
Central South	2170	486	190
Central West	2686	442	144
East	646	244	134
Ottawa	392	142	87
Northeast	396	130	73
Northwest	59	17	17
Southwest	1137	374	158
Toronto	9759	1431	1323

Table 2.1 Proceedings with jury notices filed

	Motor Vehicle Accident	Personal Injury	Other
Province-Wide	1037	208	148
Central East	344	72	43
Central South	324	50	26
Central West	22	11	8
East	18	4	5
Ottawa	11	3	1
Northeast	18	10	6
Northwest	1	1	2
Southwest	108	15	19
Toronto	202	45	41

Table 2.2 Proceedings with jury cases disposed of

<u>2013</u>

Table 2.3 Proceedings with jury notices filed

	Motor Vehicle Accident	Personal Injury	Other
Province-Wide	18380	3851	2339
Central East	2355	611	199
Central South	1994	506	188
Central West	2674	422	141
East	758	296	129
Ottawa	531	181	77
Northeast	407	172	108
Northwest	20	79	8
Southwest	1162	419	160
Toronto	8951	1405	1406

Table 2.4 Proceedings with jury cases disposed of

	Motor Vehicle Accident	Personal Injury	Other
Province-Wide	1039	243	154
Central East	332	84	42
Central South	283	47	23
Central West	38	9	5
East	25	5	6
Ottawa	14	3	5
Northeast	13	7	8
Northwest	1	1	0
Southwest	122	29	15
Toronto	225	61	55

<u>2014</u>

 Table 2.5 Proceedings with jury notices filed

	Motor Vehicle Accident	Personal Injury	Other
Province-Wide	17031	4006	1939
Central East	2288	674	195
Central South	1835	489	158
Central West	2726	560	129
East	753	265	150
Ottawa	508	172	78
Northeast	448	183	88
Northwest	61	17	13
Southwest	1111	320	137
Toronto	7809	1498	1069

Table 2.6	Proceedings with	iurv cases	disposed of

	Motor Vehicle Accident	Personal Injury	Other
Province-Wide	1111	265	114
Central East	284	72	20
Central South	326	66	17
Central West	27	9	5
East	23	6	9
Ottawa	14	3	9
Northeast	24	15	6
Northwest	5	1	0
Southwest	136	24	9
Toronto	286	72	48

Table 2.7 Proceedings with jury notices filed

	Motor Vehicle Accident	Personal Injury	Other
Province-Wide	16225	4420	1768
Central East	2172	701	158
Central South	1719	521	113
Central West	3014	639	157
East	774	238	214
Ottawa	544	151	99
Northeast	448	212	58
Northwest	75	22	10
Southwest	1072	413	107
Toronto	6951	1674	1015

	Motor Vehicle Accident	Personal Injury	Other
Province-Wide	1225	260	138
Central East	271	78	25
Central South	289	48	18
Central West	59	7	6
East	44	15	5
Ottawa	28	6	3
Northeast	32	12	5
Northwest	6	1	0
Southwest	165	33	11
Toronto	359	66	68

Table 2.8 Proceedings with jury cases disposed of

	Motor Vehicle Accident	Personal Injury	Other
Province-Wide	15507	4221	1454
Central East	2242	730	175
Central South	1701	531	101
Central West	2600	615	165
East	843	269	114
Ottawa	607	194	77
Northeast	212	146	194
Northwest	96	30	9
Southwest	1177	362	98
Toronto	6495	1538	739

Table 2.9 Proceedings with jury notices filed

Table 2.10 Proceedings with jury cases disposed of

	Motor Vehicle Accident	Personal Injury	Other
Province-Wide	1298	280	152
Central East	319	84	32
Central South	288	41	17
Central West	41	13	7
East	62	17	9
Ottawa	49	9	7
Northeast	46	17	8
Northwest	1	1	0
Southwest	171	30	14
Toronto	370	77	65

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3. Response Rate for First Nations Jury Questionnaire (2015-2016)

According to the 2016 Census, 1,673,780 individuals in Canada identified themselves as Aboriginal. The term "Aboriginal" encompasses First Nations, Inuit and Métis People. Over 374,000 Aboriginal people live in Ontario. In spite of their sizeable presence, their engagement with the justice system has been minimal and fraught with many challenges. Multiple stakeholders including the justice ministries have taken steps in consultation with First Nations and other Aboriginal peoples to improve engagement, particularly after the Iacobucci Report was released and after the Supreme Court of Canada's decision in *R v. Kokopenace*, 2015 SCC 28.

The Ontario Government commissioned the Hounourable Mr. Justice Iacobucci to examine the underrepresentation of First Nations people on Ontario juries. This mandate was prompted by a perceived lack of representation of Ontario First Nations people on the jury roll, notably at coroner's inquests and criminal trials. Justice Iacobucci's undertaking was dual pronged. First it considered representational issues with the view to making recommendations. Then it also probed systemic imbalances that result in the low participation of First Nations people on jury panels. His work involved extensive consultations with stakeholders such as the Ministry of the Attorney General, First Nations groups and service providers, as well as members of the judiciary who frequently engage with members of First Nations.

The Iacobucci report extensively documented reasons for First Nations reticence in joining the jury, including unfamiliarity with the process and negative interactions with the justice system. Following a thorough examination of the issues, the Iacobucci Report called for an Implementation Committee to administer its recommendations. This call resulted in the establishment of the Debwewin First Nation Jury Review Implementation Committee which is expected to soon deliver a plan of action. Some of the Committee's interim success includes re-vamping the Jury Questionnaire to remove threats of punishment for not responding, as some First Nations people had raised concerns about this. There have also been a series of pilot projects in First Nations communities in order to add more Indigenous People to the Jury Roll.

What is representativeness?

In *R. v. Kokopenace*, 2015 SCC 28, the Supreme Court of Canada reiterated its position that representativeness of a jury is a function of the process used to select the jury and not the eventual composition. More may be gleaned from Justice Moldaver's reasons beginning at paragraph 39.

The Court has held that representativeness is connected with *Charter* protected rights to a fair hearing as guaranteed by s.11 (d), and the right to a jury trial enshrined in s. 11(f). In the absence of a reasonable apprehension of bias, the right to a fair hearing by an impartial arbiter is uninfringed (*Kokopenace* at para. 49). Where no group is deliberately excluded and diligent efforts are made to be inclusive, then s. 11(d) is not engaged.

Representativeness infuses the s.11(f) right to a jury with greater meaning because it evokes the jury's ability to act as a community's conscience (*Kokopenace* at paras. 55-56). Although *Kokopenace* is a criminal case, the notion of representativeness arises in civil proceedings where the right to a representative civil jury is a substantive right not protected by the Charter, but which has more recently been the subject of a challenge for cause (see: *Kapoor v Kuzmanovski*, 2017 ONSC 1709).

Test

At para. 61 of Kokopenace, Moldaver J., set out the test for representativeness as follows:

To determine if the state has met its representativeness obligation, <u>the question is whether the state</u> <u>provided a fair opportunity for a broad cross-section of society to participate in the jury process</u>. <u>A fair opportunity will have been provided when the state makes reasonable efforts to: (1)</u> <u>compile the jury roll using random selection from lists that draw from a broad cross-section of society, and (2) deliver jury notices to those who have been randomly selected</u>. In other words, it is the act of casting a wide net that ensures representativeness. Representativeness is not about targeting particular groups for inclusion on the jury roll.

The following data provides a snapshot of response rates to the Jury Questionnaires by those from First Nations communities in Ontario. While the numbers remain low, they follow increased efforts to contact members of the community and include them on the Roll. Justice ministries are mandated by *Kokopenace* to ensure that based on the information known at the time the Jury Roll is prepared, they make reasonable efforts to return a jury through a random process drawing from a broad cross-section of the community.

First Nation Questionnaire Response Rates

Table 3.1: Questionnaires sent in 2015 for 2016 Jury Roll

	2016 Jury Roll
FN Questionnaires Sent Out	6023
FN Total Responses	650
Eligible Responses	294
Ineligible Responses	356

Table 3.2: Questionnaires sent in 2016 for 2017 Jury Roll

	2017 Jury Roll
FN Questionnaires Sent Out	6131
FN Total Responses	553
Eligible Responses	259
Ineligible Responses	294

4. Juror Ineligibility Statistics (Ottawa)

The following data is specific to the Ottawa region. Disability is an important factor accounting for ineligibility while occupation is the second most cited reason. Section 3(1) of the *Jury Act*, R.S.O. 1990, c. J.3, lists the following occupations as ineligible:

- 1. Every member of the Privy Council of Canada or the Executive Council of Ontario.
- 2. Every member of the Senate, the House of Commons of Canada or the Assembly.
- 3. Every judge and every justice of the peace.
- 4. Every barrister and solicitor and every student-at-law.
- 5. Every legally qualified medical practitioner and veterinary surgeon who is actively engaged in practice and every coroner.

6. Every person engaged in the enforcement of law including, without restricting the generality of the foregoing, sheriffs, wardens of any penitentiary, superintendents, jailers or keepers of prisons, correctional institutions or lockups, sheriff's officers, police officers, firefighters who are regularly employed by a fire department for the purposes of subsection 41 (1) of the Fire Protection and Prevention Act, 1997, and officers of a court of justice.

A sizable number of jurors are excluded for "other reasons" which refer to any number of circumstances, including where recipients have moved or blank forms are returned.

<u>2014</u>

Table 4.1: Reasons for Ineligibility

	Number of People
Criminal Record	250
Deceased	90
Disability	1362
Language	337
Nursing Home	22
Non-citizen	41
Occupation	758
Previous Service	216
Under 18	5
Other	603

<u>2015</u>

Table 4.2: Reasons for Ineligibility

	Number of People		
Criminal Record	157		
Deceased	64		
Disability	1474		
Language	228		
Nursing Home	17		
Non-citizen	33		
Occupation	974		
Previous Service	152		
Under 18	4		
Other	684		

Table 4.3: Reasons for Ineligibility

<u>2016</u>

	Number of People	
Criminal Record	177	
Deceased	113	
Disability	1528	
Language	230	
Nursing Home	0	
Non-citizen	26	
Occupation	1085	
Previous Service	161	
Under 18	5	
Other	558	

5. Juror Eligibility by Language in Ottawa (2014-2016)

The vast majority of people on Ottawa's jury roll are English speaking. However, the number of bilingual jurors may be increasing while the dominance of English-only speaking jurors may be on the decline. The data likely needs to be monitored over a longer period of time to establish a trend.

Table 5.1: Language distribution of Ottawa jury roll

	2014	2015	2016
English	8335	8107	7149
French	146	154	146
Bilingual	2470	2485	2641
Geocoding the Ottawa Jury Panels (June 2016 – July 2017)

Justice Giovanna Toscano Roccamo

With special thanks to Lazar Ilic, PhD candidate in Geography, from the Department of Geography, Environment and Geomatics, Carleton University.

Data on the Jury Panels from the Ottawa Jury Roll which consists of information on potential jurors received by the Ministry of the Attorney General was analyzed by Lazar Ilic. Justice Giovanna Toscano Roccamo did not create or analyze the data.

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Introduction

Objective

This geocoding project examines the extent to which Ottawa jury panels for the period between June 2016 and July 2017 represent a random selection of a broad cross section of the community. It highlights trends in demographic representation over several categories such as income, language, racial identity, property ownership, gender and Aboriginal identity.

Method

Geocoding is the process of matching geographical information to addresses. Addresses of over 4600 jurors in Ottawa were obtained from the Ministry of the Attorney General and matched to geographical profiles of their respective Census Tracts (CTs), based on the 2016 Census. The addresses used in the study were matched to 100% accuracy with ESRI's ArcMAP GIS software, after several refinements to improve on or eliminate incomplete addresses. A statistically insignificant number of addresses were ultimately excluded. Much of the socioeconomic data used in the subject maps comes from the long form census which is given to about 20% of the population. Census figures are often rounded to the closest number ending in 0 or 5. Statistics Canada suppressed data in certain tracts to protect privacy, such as tract 140.01 which had a total of only five inhabitants.

While the study cannot reveal personal characteristics of people on the jury panels, it provides a likely portrait of panel members based on trends identified in their respective census tracts.

Study area

Statistics Canada divides geographic regions into census tracts and assigns each tract a specific number. These tracts do not necessarily correspond with neighbourhoods as inhabitants know them. The reader should be aware that an individual tract could represent a portion of a neighbourhood or a combination of several.

Detailed census tracts and neighbourhood boundaries may be accessed online at the Ottawa Neighbourhood Study to understand the correlation between the CTs discussed in this report and specific neighbourhoods in Ottawa:

http://www12.statcan.gc.ca/census-recensement/2016/geo/map-carte/ref/ct/files-fichiers/2016-92146-505-01.pdf http://www12.statcan.gc.ca/census-recensement/2016/geo/map-carte/ref/ct/files-fichiers/2016-92146-505-02.pdf https://www.neighbourhoodstudy.ca/

Overview

Overall findings from the Geocoding project indicate that Ottawa's jury panels from June 2016-July 2017 were predominantly white and higher income earners. This is partially due to the over representation of certain neighbourhoods on jury panels when compared to the city's average. For ease of reference, the most represented and least represented census tracts have been linked to corresponding neighbourhoods

Most Represented Census Tracts

Census Tract	Neighbourhood(s) overlapping with C.T.	Jurors per Population	Jurors	Population
0170.05	Orleans Queenswood Heights	1.055334	37	3506
0125.05	Orleans Queenswood Heights; Orleans Village - Chateauneuf	1.032702	54	5229
0002.04	Hunt Club Woods - Quintarra - Revelstoke	1.013758	14	1381
0124.04	Orleans North West	1.006167	31	3081
0110.00	Rockcliffe - Manor Park	0.983437	19	1932
0140.03	New Barrhaven - New Development - Stonebridge	0.956755	25	2613
0140.04	Barrhaven	0.927716	48	5174
0125.09	Orleans Village - Chateauneuf	0.918453	33	3593
0191.02	Osgoode	0.891746	43	4822
0160.05	Katimavik - Hazeldean	0.81864	26	3176

Least Represented Census Tracts

Census Tract	Neighbourhood(s) overlapping with C.T.	Jurors per Population	Jurors	Population
0140.01	Entirely within Greenbelt	0	0	5
0007.02	Ledbury - Heron Gate - Ridgemont - Elmwood	0.106815	5	4681
0029.00	Britannia Village; Whitehaven - Queensway Terrace North	0.121655	6	4932
0027.00	Qualicum - Redwood Park	0.155602	6	3856
0014.00	Sandy Hill - Ottawa East	0.160256	3	1872
0057.00	Lindenlea - New Edinburgh	0.165107	3	1817
0138.00	Bayshore	0.173518	13	7492
0127.00	Hunt Club - Ottawa Airport; Hunt Club East - Western Community	0.175953	6	3410
0022.00	Carlington	0.179791	10	5562
0122.02	East Industrial	0.185672	12	6463
0103.00	Vanier North	0.199159	9	4519

Map 1: Ottawa Residents on Jury Panels

This map shows the locations of the geocoded addresses.



Map 2: Distribution of Jurors per Square Kilometre

This map shows the concentration of jurors in Ottawa. Rural areas have fewer jurors and urban areas have more. This map gives no indication as to whether there is overrepresentation or underrepresentation in the areas of concentration.

Jurors per Square Kilometer, in Ottawa, per Census Tract



Map 3: Comparing Representation of Jurors in Each Census Tract to the Average Representation of Jurors in the City

The total number of jurors on the panels was divided by the total population in Ottawa to determine a baseline of overall representation (i.e., how many jurors there are per population members). The map below compares the degree to which the percentage of jurors in a census tract is either on par with the city's representative average or deviates from it. The red areas are less represented, the blue areas are more represented and the yellow areas are about average.

Percentage of Jurors in Ottawa in Relation to the City's Average, per Census Tract



Map 4: Most and Least Represented Census Tracts

This map illustrates the most and least represented tracts in Ottawa and forms the basis by which to analyze certain individual characteristics of Ottawa residents who may be overrepresented or underrepresented on the jury panels.



Most and Least Represented Census Tracts

Map 5: Most Represented Census Tracts

This map identifies the 10 most represented census tracts on the jury panels.

Most Represented Census Tracts



Census Tract	Neighbourhood(s) overlapping with C.T.	Jurors per Population	Jurors	Population
0170.05	Orleans Queenswood Heights	1.055334	37	3506
0125.05	Orleans Queenswood Heights; Orleans Village - Chateauneuf	1.032702	54	5229
0002.04	Hunt Club Woods - Quintarra - Revelstoke	1.013758	14	1381
0124.04	Orleans North West	1.006167	31	3081
0110.00	Rockcliffe - Manor Park	0.983437	19	1932
0140.03	New Barrhaven - New Development - Stonebridge	0.956755	25	2613
0140.04	Barrhaven	0.927716	48	5174
0125.09	Orleans Village - Chateauneuf	0.918453	33	3593
0191.02	Osgoode	0.891746	43	4822
0160.05	Katimavik - Hazeldean	0.81864	26	3176

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Map 6: Least Represented Census Tracts

This map identifies the 11 least represented census tracts on the jury panels.

Least Represented Census Tracts



Census Tract	Neighbourhood(s) overlapping with C.T.	Jurors per Population	Jurors	Population
0140.01	Entirely within Greenbelt	0	0	5
0007.02	Ledbury - Heron Gate - Ridgemont - Elmwood	0.106815	5	4681
0029.00	Britannia Village; Whitehaven - Queensway Terrace North	0.121655	6	4932
0027.00	Qualicum - Redwood Park	0.155602	6	3856
0014.00	0014.00 Sandy Hill - Ottawa East		3	1872
0057.00	Lindenlea - New Edinburgh	0.165107	3	1817
0138.00	Bayshore	0.173518	13	7492
0127.00	Hunt Club - Ottawa Airport; Hunt Club East - Western Community	0.175953	6	3410
0022.00	Carlington	0.179791	10	5562
0122.02	East Industrial	0.185672	12	6463
0103.00	Vanier North	0.199159	9	4519

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Profile of the Most Represented Census Tracts

Explanatory Notes

Column 1 shows the number of the census tracts

Column 2 shows the average individual income

Column 3 shows the percentage of individuals who have Aboriginal identity (ie., First Nations, Métis, or Inuk).

Column 4 shows the percentage of individuals who have English as their mother tongue (English M.T)

Column 5 shows the percentage of individuals who have French as their mother tongue (French M.T)

Column 6 shows the percentage of individuals who know neither English nor French (No EN-FR)

Column 7 shows the percentage of individuals who are age 65 and older

Column 8 shows the percentage of households which own their property

Column 9 shows the percentage of households which rent their property

Column 10 shows the percentage of individuals who are male

Column 11 shows the percentage of individuals who are female

Column 12 shows the percentage of individuals who are visible minorities (VisMin, primarily consisting of South Asian, Chinese, Black, Filipino, Latin American, Arab, Southeast Asian, West Asian, Korean and Japanese.)

Column1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7	Column 8	Column 9	Column 10	Column 11	Column 12	Column 13
C.T.	Income	Aboriginal	English M.T.	French M.T.	No En-FR	>= 65	Owners	Renters	Male	Female	VisMin	NonVisMin
0170.05	56280	3.429	60.229	33.190	0.137	14.693	92.963	7.037	48.074	51.926	13.032	86.968
0125.05	56069	2.820	49.904	40.421	0.504	18.929	90.934	9.066	47.897	52.103	16.532	83.468
0002.04	99666	0.000	61.011	12.635	1.071	37.184	91.270	8.730	45.652	54.348	25.357	74.643
0124.04	73821	1.964	65.478	26.299	0.655	17.695	86.222	13.778	49.268	50.732	17.377	82.623
0110.00	183295	1.247	74.419	10.594	0.250	22.997	87.943	12.057	47.804	52.196	12.219	87.781
0140.03	52469	2.788	76.864	7.839	0.929	18.582	90.547	9.453	49.713	50.287	15.056	84.944
0140.04	59980	2.351	83.849	5.990	0.196	8.502	96.542	3.458	50.097	49.903	16.765	83.235
0125.09	50051	1.644	52.507	28.731	0.749	12.953	75.746	24.254	46.936	53.064	24.401	75.599
0191.02	58106	3.262	88.912	6.846	0.000	13.174	93.927	6.073	50.622	49.378	2.243	97.757
0160.05	57421	2.786	77.795	7.559	1.548	16.063	81.569	18.431	50.236	49.764	15.039	84.961
Average	65025	2.475	69.590	19.066	0.524	16.070	88.753	11.247	48.906	51.094	14.846	85.154

Column 13 shows the percentage of individuals who are non visible minorities (Non VisMin).

Profile of the Least Represented Census Tracts

Explanatory Notes

Column 1 shows the number of the census tracts

Column 2 shows the average individual income

Column 3 shows the percentage of individuals who have Aboriginal identity (ie., First Nations, Métis, or Inuk).

Column 4 shows the percentage of individuals who have English as their mother tongue (English M.T)

Column 5 shows the percentage of individuals who have French as their mother tongue (French M.T)

Column 6 shows the percentage of individuals who know neither English nor French (No EN-FR)

Column 7 shows the percentage of individuals who are age 65 and older

Column 8 shows the percentage of households which own their property

Column 9 shows the percentage of households which rent their property

Column 10 shows the percentage of individuals who are male

Column 11 shows the percentage of individuals who are female

Column 12 shows the percentage of individuals who are visible minorities (VisMin, primarily consisting of South Asian, Chinese, Black, Filipino, Latin American, Arab, Southeast Asian, West Asian, Korean and Japanese.)

Column1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7	Column 8	Column 9	Column 10	Column 11	Column 12	Column 13
C.T.	Income	Aboriginal	English M.T.	French M.T.	No En-FR	>= 65	Owners	Renters	Male	Female	VisMin	NonVisMin
0007.02	24265	1.932	39.892	11.027	9.762	5.128	6.984	93.016	48.663	51.337	69.921	30.079
0029.00	33824	3.480	59.350	13.021	1.126	15.213	25.221	74.779	48.174	51.826	39.304	60.696
0027.00	37783	2.770	74.060	8.679	0.555	14.527	34.302	65.698	46.632	53.368	26.214	73.786
0014.00	25213	2.660	47.200	19.467	1.862	9.893	6.918	93.082	41.979	58.021	54.813	45.187
0057.00	64779	2.899	70.520	20.520	0.000	28.099	52.672	47.328	44.628	55.372	16.667	83.333
0138.00	34272	1.402	44.793	7.610	4.075	11.816	17.399	82.601	48.665	51.335	60.881	39.119
0127.00	48887	5.556	64.464	13.490	0.773	7.760	44.048	55.952	50.220	49.780	32.716	67.284
0022.00	30074	5.757	61.651	13.303	1.486	11.590	22.868	77.132	47.846	52.154	37.140	62.860
0122.02	42147	2.866	51.858	28.538	0.851	13.158	67.769	32.231	49.497	50.503	23.333	76.667
0103.00	41850	10.611	49.667	38.222	0.692	16.372	38.549	61.451	48.505	51.495	15.686	84.314
Average	36966	3.913	54.660	16.979	2.393	12.623	31.668	68.332	48.111	51.889	40.948	59.052

Column 13 shows the percentage of individuals who are non visible minorities (Non VisMin).

Map 7: Range of Average Income Earnings of Individuals (2015)

The map on page 12 shows the income ranges in Ottawa. One tract is labelled in grey as the data for this tract is suppressed. Darker green areas are the richer areas, while darker red areas are the poorer areas. The average individual income of the Ottawa-Gatineau Census Metropolitan Area in 2015 was \$52,455. Data from the census reflects 2015 earnings of individuals as 2016 data was unavailable at the time of the census. Many inner city areas and old suburban areas appear to have lower ranges of income while certain suburban areas have high income ranges. Some inner city areas such as the Glebe or Westboro have high income ranges. However, places such as Vanier, South Keys, and Bayshore have particularly low income.



Range of Average Income Earnings of Individuals in 2015

Most Represented C.T. s			
С.Т.	Income		
0170.05	\$56,280		
0125.05	\$56,069		
0002.04	\$99,666		
0124.04	\$73,821		
0110.00	\$183,295		
0140.03	\$52,469		
0140.04	\$59,980		
0125.09	\$50,051		
0191.02	\$58,106		
0160.05	\$57,421		

egend
24,000 - 35,000
35,000 - 50,000
50,000 - 65,000
65,000 - 90,000
90,000 - 185,000
No Data

Least Represented C.T. s		
С.Т.	Income	
0007.02	\$24,265	
0029.00	\$33,824	
0027.00	\$37,783	
0014.00	\$25,213	
0057.00	\$64,779	
0138.00	\$34,272	
0127.00	\$48,887	
0022.00	\$30,074	
0122.02	\$42,147	
0103.00	\$41.850	

Maps 8 to 10: Language

The census collects information on knowledge of language and classifies data according to whether an individual has knowledge of it or claims it as a Mother Tongue. For example, far more people identify having "some knowledge" of French than those whose Mother Tongue is French.

Two maps on pages 14 and 15 illustrate individuals that identify English or French as their Mother Tongue. The census allows for one to give multiple responses.

Data on "knowledge of" was interesting as it provided information on groups that neither know English nor French. This is a much smaller population but in certain areas is significant. Census data reveals the total population that knows French and English. Subtracting one from the other gives the numbers for those who do not know the official languages. This data can be found in the map on page 16.

French speakers are more concentrated in the Northeastern census tracts of the city.



Distribution of People whose Mother Tongue is English

Most Represented C.T. s			
С.Т.	% English M.T.		
0170.05	60.229		
0125.05	49.904		
0002.04	61.011		
0124.04	65.478		
0110.00	74.419		
0140.03	76.864		
0140.04	83.849		
0125.09	52.507		
0191.02	88.912		
0160.05	77.795		

Least Repr	Least Represented C.T. s				
С.Т.	% English M.T.				
0007.02	39.892				
0029.00	59.350				
0027.00	74.060				
0014.00	47.200				
0057.00	70.520				
0138.00	44.793				
0127.00	64.464				
0022.00	61.651				
0122.02	51.858				
0103.00	49.667				



Most Represented C.T. s % French M.T. C.T. 0170.05 33.190 0125.05 40.421 0002.04 12.635 0124.04 26.299 0110.00 10.594 0140.03 7.839 0140.04 5.990 0125.09 28.731 0191.02 6.846 0160.05 7.559

Least Represented C.T. s	
С.Т.	% French M.T.
0007.02	11.027
0029.00	13.021
0027.00	8.679
0014.00	19.467
0057.00	20.520
0138.00	7.610
0127.00	13,490
0022.00	13.303
0122.02	28.538
0103.00	38.222



Most Represented C.T. s %No En-FR C.T. 0170.05 0.137 0125.05 0.504 0002.04 1.071 0124.04 0.655 0110.00 0.250 0140.03 0.929 0140.04 0.196 0125.09 0.749 0191.02 0.000 1.548 0160.05

Least Repr	Least Represented C.T. s	
С.Т.	%No En-FR	
0007.02	9.762	
0029.00	1.126	
0027.00	0.555	
0014.00	1.862	
0057.00	0.000	
0138.00	4.075	
0127.00	0.773	
0022.00	1.486	
0122.02	0.851	
0103.00	0.692	

Distribution of People who do Not Know English nor French

Map 11: Aboriginal Identity

The Census collects data on the basis of different descriptions of Aboriginal identity:

1) Aboriginal single identity (First Nations e.g., North American Indians, Métis, and Inuk, i.e, Inuit);

2) Aboriginal multiple identities (e.g., First Nations and Métis), and

3) Aboriginal identities not included elsewhere (likely not specifically referenced by Statistics Canada).

This study examines the representation of Aboriginal people as a whole and is illustrated in the map on page 18. Aboriginal identities were not considered uniquely as they overall represent a small subset of the Ottawa population.



Most Represented C.T. s C.T. % Aboriginal 0170.05 3.429 0125.05 2.820 0002.04 0.000 0124.04 1.964 0110.00 1.247 0140.03 2.788 0140.04 2.351 0125.09 1.644 0191.02 3.262 0160.05 2.786

Least Represented C.T. s	
С.Т.	% Aboriginal
0007.02	1.932
0029.00	3.480
0027.00	2.770
0014.00	2.660
0057.00	2.899
0138.00	1.402
0127.00	5.556
0022.00	5.757
0122.02	2.866
0103.00	10.611

Map 12: Age

The map on page 20 shows the percentage of people aged 65 and older.



Most Represented C.T. s C.T. % 65 and up 0170.05 14.693 0125.05 18.929 0002.04 37.184 0124.04 17.695 0110.00 22.997 0140.03 18.582 0140.04 8.502 0125.09 12.953 0191.02 13.174 0160.05 16.063

Least Represented C.T. s	
С.Т.	% 65 and up
0007.02	5.128
0029.00	15.213
0027.00	14.527
0014.00	9.893
0057.00	28.099
0138.00	11.816
0127.00	7.760
0022.00	11.590
0122.02	13.158
0103.00	16.372

Maps 13 to 14: Homeowners vs. Renters

The census collects data on households, not just individuals. Information on housing was examined on a household level.

Most rural and suburban areas beyond the Greenbelt have very high levels of home ownership and low levels of renters.

A greater number of renters may be found in the downtown area. However, this data reflects the starkest contrast in terms of people represented on the jury panels. The most represented census tracts had high numbers of households that owned their dwellings, whereas the less represented census tracts had more renters. See maps on pages 22 and 23.



Distribution of Households that Own their Place of Residence

Most Represented C.T. s	
С.Т.	%Owners
0170.05	92.963
0125.05	90.934
0002.04	91.270
0124.04	86.222
0110.00	87.943
0140.03	90.547
0140.04	96.542
0125.09	75.746
0191.02	93.927
0160.05	81.569

Least Represented C.T. s	
С.Т.	%Owners
0007.02	6.984
0029.00	25.221
0027.00	34.302
0014.00	6.918
0057.00	52.672
0138.00	17.399
0127.00	44.048
0022.00	22.868
0122.02	67.769
0103.00	38.549



Distribution of Households that are Renters in their Place of Residence

Most Represented C.T. s	
С.Т.	%Renters
0170.05	7.037
0125.05	9.066
0002.04	8.730
0124.04	13.778
0110.00	12.057
0140.03	9.453
0140.04	3.458
0125.09	24.254
0191.02	6.073
0160.05	18.431

Least Represented C.T. s	
С.Т.	%Renters
0007.02	93.016
0029.00	74.779
0027.00	65.698
0014.00	93.082
0057.00	47.328
0138.00	82.601
0127.00	55.952
0022.00	77.132
0122.02	32.231
0103.00	61.451

Maps 15 to 16: Males vs. Females

There are slightly more females than males in Ottawa as a whole. High concentrations of males were seen only close to the downtown core, whereas high concentrations of females can be seen in a few pockets such as census tracts close to Bayshore and the census tracts close to Rockliffe Park. See maps on pages 25 and 26.

Distribution of Males



Most Represented C.T. s	
С.Т.	%male
0170.05	48.074
0125.05	47.897
0002.04	45.652
0124.04	49.268
0110.00	47.804
0140.03	49.713
0140.04	50.097
0125.09	46.936
0191.02	50.622
0160.05	50.236

Least Represented C.T. s	
С.Т.	%male
0007.02	48.663
0029.00	48.174
0027.00	46.632
0014.00	41.979
0057.00	44.628
0138.00	48.665
0127.00	50.220
0022.00	47.846
0122.02	49,497
0103.00	48.505



Most Represented C.T. s	
С.Т.	%female
0170.05	51.926
0125.05	52.103
0002.04	54.348
0124.04	50.732
0110.00	52.196
0140.03	50.287
0140.04	49.903
0125.09	53.064
0191.02	49.378
0160.05	49.764

Least Repr	Least Represented C.T. s	
С.Т.	%female	
0007.02	51.337	
0029.00	51.826	
0027.00	53.368	
0014.00	58.021	
0057.00	55.372	
0138.00	51.335	
0127.00	49.780	
0022.00	52.154	
0122.02	50.503	
0103.00	51.495	

Maps 17 to 18: Visible Minorities

In North America, most census data which deals with race is from the United States and organized in categories such as: White, Black, Hispanic, Asian and Pacific Islander. Data released by Statistics Canada classifies groups as "Visible Minority" and "Non Visible Minority". Per Statistics Canada's definitions, visible minorities primarily consist of the following groups: South Asian, Chinese, Black, Filipino, Latin American, Arab, Southeast Asian, West Asian, Korean and Japanese. While this data is available for individual groups the study at hand examines only totals for visible minorities and non visible minorities.

Visible minorities are seen to be concentrated in areas around Bayshore, South Keys, just east of the St. Laurent shopping mall, as well as in parts of Barrhaven. Rural areas had few visible minorities. See the maps on pages 28 and 29.



Most Represented C.T. s C.T. %VisMin 0170.05 13.032 0125.05 16.532 0002.04 25.357 0124.04 17.377 0110.00 12.219 0140.03 15.056 0140.04 16.765 0125.09 24.401 0191.02 2.243 0160.05 15.039

Least Repr	esented C.T. s
С.Т.	%∨isMin
0007.02	69.921
0029.00	39.304
0027.00	26.214
0014.00	54.813
0057.00	16.667
0138.00	60.881
0127.00	32.716
0022.00	37.140
0122.02	23.333
0103.00	15.686

Distribution of People Classified as Visible Minorities



Most Represented C.T. s %NonVisMin C.T. 0170.05 86.968 0125.05 83.468 0002.04 74.643 0124.04 82.623 0110.00 87.781 0140.03 84.944 0140.04 83.235 0125.09 75.599 0191.02 97.757 0160.05 84.961

Least Repr	resented C.T. s
С.Т.	%NonVisMin
0007.02	30.079
0029.00	60.696
0027.00	73.786
0014.00	45.187
0057.00	83.333
0138.00	39.119
0127.00	67.284
0022.00	62.860
0122.02	76.667
0103.00	84.314

Distribution of People who are Classified as Non Visible Minority

Endnotes

Due to the limits of time and resources, this study was confined to the judicial centre of Ottawa and offers findings from which inferences about the representativeness of juries may be drawn.

The breadth of this study could be expanded in future to consider the data across Ontario, especially in regions with higher concentrations of First Nations, Inuit, and Métis people as a means by which to address the representativeness of the Ontario jury roll as a whole.

Geocoding the Belleville Jury Panels (January 2016 – December 2016)

Justice Giovanna Toscano Roccamo

***With special thanks to Lazar Ilic, PhD candidate in Geography, from the Department of Geography, Environment and Geomatics, Carleton University.

Data on the Jury Panels from the Ontario Jury Roll which consists of information on potential jurors received by the Ministry of the Attorney General was analyzed by Lazar Ilic.

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Ottawa, 2018

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Introduction

Juries are a cornerstone of Canada's judicial system and indeed democracy. Said to represent the community's conscience, their role is validated by the extent to which the men and women who serve in this role are reflective of their community.

This geocoding project offers a likely snap shot of Belleville's jury panel during 2016, with a view to determining if they truly represented a random selection of a broad cross section of the community. Belleville was of particular interest given the high concentration of Indigenous inhabitants within its judicial boundary, which includes all of Hastings County.

Maps have been drawn to reveal patterns associated with income, age, language, household ownership and the presence of visible minorities. For further comparison, the geographer has analyzed trends on two levels: the census subdivisions covering the entire County of Hastings, and the census tracts only covering areas with a population of at least 50,000.

Study Area

The study area is Hastings County, which is located just west of Kingston. The most populated place in the county is Belleville, which forms its own Census Metropolitan Area (CMA). The Belleville CMA covers only part of the county.

Statistics Canada issues data on various levels of geography. Areas that cover the entire country are for example: Dissemination Areas, Census Subdivisions, and Provinces. In an earlier study pertaining to Ottawa, Census Tracts were analyzed. However, census tracts are not present in all of Canada. They are only in urban areas which have a population of at least 50,000.

As a result, this study has a two pronged approach – to look at both Census Tracts and Census Subdivisions. The part of the study which covers Census Subdivisions covers the entire county, whereas the part which covers Census Tracts is only in the Belleville CMA.

Method

In order to geocode one needs to match addresses with locations.

There were 1097 jurors in all of Hastings County examined in this study, and four jurors who had addresses outside of the county. The list of jurors were derived from panels, composed of people who were randomly selected for the Jury Roll after returning questionnaires.

Addresses located outside of the study area were not included in the study. Of the jurors in Hastings County, most (857) were in the Census Metropolitan Area. It is not always possible to match addresses due to spelling errors and use of PO Boxes. In the latter instance, the geographer replaces the PO Box with an address situated in the area.

Note:

- A number of census tracts in the Belleville CMA had very small numbers of people. Some census tracts had no people. Statistics Canada does not release data on such small areas. This data is repressed in order to respect the privacy of individuals.
- 2. The geocoding project did not indicate the inclusion of any address from the Tyendinaga Mohawk Territory, located within the Boundary of the County of Hastings. This finding, however, does not evaluate the efforts of the Ministry of the Attorney General to ensure that members of this community were given a reasonable opportunity to participate on juries. At the time of publishing, the researchers did not receive access to data such as the number of mailed juror questionnaires or the response rates for this reserve during this period of time. However, the researchers obtained global statistics for Ontario's 2015 First Nation Questionnaire Response Rate. Questionnaires from this time period were used as the basis for compiling the 2016 roll.

2
	2016 Jury Roll
FN Questionnaires Sent Out	6023
FN Total Responses	650
Eligible Responses	294
Ineligible Responses	356

Questionnaires sent to Ontario First Nations in 2015 for 2016 Jury Roll

As depicted above, less than 5% of the respondents were eligible for the jury roll. Approximately 5% were deemed ineligible for various reasons, and about 90% of the Questionnaires were not returned.

Map 1)



Map 2)



Map 3)



Map 4)



Map Set I: Concentration of Jurors

Map 5)







Map 7)



Map 8)



Map Set II: Comparative Characteristics in Hastings County

Map 9)



Map 10)



Map 11)



Map 12)



Map 13)



Map 14)



Map 15)



Map 16)



Map 17)



Map 18)



Map 19)



Map 20)



Map Set III: Comparative Characteristics in the Belleville CMA Map 21)



Map 22)



Map 23)



Map 24)



Map 25)



Map 26)



Map 27)





Map 29)



Map 30)



Map 31)



Map 32)


Explanatory Notes

Column 1 shows the percent of jurors

Column 2 shows the average individual income

Column 3 shows the percentage of individuals who have Aboriginal identity (ie., First Nations, Métis, or Inuk).

Column 4 shows the percentage of individuals who have English as their mother tongue (English M.T)

Column 5 shows the percentage of individuals who have French as their mother tongue (French M.T)

Column 6 shows the percentage of individuals who know neither English nor French (No EN-FR)

Column 7 shows the percentage of individuals who are age 65 and older

Column 8 shows the percentage of households which own their property

Column 9 shows the percentage of households which rent their property

Column 10 shows the percentage of individuals who are male

Column 11 shows the percentage of individuals who are female

Column 12 shows the percentage of individuals who are visible minorities (VisMin, primarily consisting of South Asian, Chinese, Black, Filipino, Latin American, Arab, Southeast Asian, West Asian, Korean and Japanese.) Column 13 shows the percentage of individuals who are non visible minorities (Non VisMin).

Ten Most Represented Census Tracts

	Population	Column 1	Column 2	Column 3	Column 4	Column 5	Column 6
CT Number		Percent J	Avg Inc	Aboriginal	English MT	French MT	No-EnFr
9	2203	1.271	47665	1.354	88.209	2.041	0.454
202	2946	1.188	46606	6.066	96.226	2.058	0.172
600	4297	1.164	41665	10.373	97.552	1.049	0.116
200	2366	1.141	41427	5.102	95.299	1.068	0
700	4882	1.106	38651	4.807	94.797	0.832	0.520
201	4822	1.099	51377	5.032	89.905	2.839	0.211
303	3617	1.023	47692	3.412	94.693	2.095	0.279
8	3180	1.006	32408	6.625	95.899	1.262	0.315
3	2308	0.997	46052	2.863	93.506	1.515	0.217
501	3288	0.912	43801	4.637	93.465	3.647	0.152
CMA AVG		0.828	39824	5.178	92.424	2.985	0.289

	Column 7	Column 8	Column 9	Column 10	Column 11	Column 12	Column 13
CT Number	>=65	Owners	Renters	Male	Female	Vismin	NonVisMin
9	22.449	96.471	3.529	47.619	52.381	6.081	93.919
202	16.129	94.595	5.405	50.680	49.320	1.386	98.614
600	13.038	93.226	6.774	50.640	49.360	0.699	99.301
200	18.393	89.831	10.169	50.317	49.683	1.230	98.770
700	20.266	82.322	17.678	49.335	50.665	1.255	98.745
201	16.805	90.113	9.887	49.637	50.363	8.761	91.239
303	17.818	92.857	7.143	51.105	48.895	1.926	98.074
8	12.088	55.755	44.245	48.350	51.650	3.155	96.845
3	24.242	66.514	33.486	47.345	52.655	6.388	93.612
501	15.068	92.735	7.265	51.520	48.480	0.929	99.071
CMA AVG	20.098	69.221	30.779	48.806	51.194	4.142	95.858

Explanatory Notes

Column 1 shows the percent of jurors

Column 2 shows the average individual income

Column 3 shows the percentage of individuals who have Aboriginal identity (ie., First Nations, Métis, or Inuk).

Column 4 shows the percentage of individuals who have English as their mother tongue (English M.T)

Column 5 shows the percentage of individuals who have French as their mother tongue (French M.T)

Column 6 shows the percentage of individuals who know neither English nor French (No EN-FR)

Column 7 shows the percentage of individuals who are age 65 and older

Column 8 shows the percentage of households which own their property

Column 9 shows the percentage of households which rent their property

Column 10 shows the percentage of individuals who are male

Column 11 shows the percentage of individuals who are female

Column 12 shows the percentage of individuals who are visible minorities (VisMin, primarily consisting of South Asian, Chinese, Black, Filipino, Latin American, Arab, Southeast Asian, West Asian, Korean and Japanese.) Column 13 shows the percentage of individuals who are non visible minorities (Non VisMin).

Ten Least Represented Census Tracts

	Population	Column 1	Column 2	Column 3	Column 4	Column 5	Column 6
CT Number		Percent J	Avg Inc	Aboriginal	English MT	French MT	No-EnFr
301	1448	0	47153	8.712	78.547	19.377	0.346
1	1125	0.267	48788	5.285	93.333	1.333	0.444
5	1042	0.384	27117	3.902	91.748	1.456	0
400	2482	0.443	32787	6.751	93.561	3.823	0
401	5060	0.474	29794	5.514	94.253	3.239	0.209
6	5604	0.625	29868	6.793	94.419	1.710	0.360
4	4264	0.657	39890	3.498	94.125	1.319	0.600
406	4330	0.693	36495	3.913	89.931	6.713	0.231
403	3651	0.712	42314	3.755	85.027	6.181	0.549
7	6479	0.725	39566	4.726	89.174	2.231	0.579
CMA AVG		0.828	39824	5.178	92.424	2.985	0.289

	Column 7	Column 8	Column 9	Column 10	Column 11	Column 12	Column 13
CT Number	>=65	Owners	Renters	Male	Female	Vismin	NonVisMin
301	0.346	1.905	98.095	60.000	40.000	10.985	89.015
1	21.778	80.412	19.588	47.345	52.655	8.537	91.463
5	28.019	20.155	79.845	50.725	49.275	7.282	92.718
400	22.984	47.297	52.703	47.686	52.314	2.954	97.046
401	21.915	50.000	50.000	47.332	52.668	2.013	97.987
6	16.518	36.059	63.941	47.479	52.521	4.801	95.199
4	23.592	42.043	57.957	46.141	53.859	4.584	95.416
406	16.185	66.488	33.512	49.538	50.462	2.880	97.120
403	28.082	79.128	20.872	48.630	51.370	6.111	93.889
7	26.929	50.558	49.442	50.725	49.275	8.101	91.899
CMA AVG	20.098	69.221	30.779	48.806	51.194	4.142	95.858

Census Subdivisions

Census Subivision		Column 1	Column 2	Column 3	Column 4	Column 5	Column 6
	Pop	Percent J	Avg Inc	Aboriginal	English MT	French MT	No-EnFr
Tyendinaga	4297	1.164	41665	10.477	97.322	1.048	0
Carlow/Mayo	864	1.157	36012	11.047	94.798	1.156	0.581
Stirling-Rawdon	4882	1.106	38561	4.812	94.797	0.937	0.416
Wollaston	670	1.045	40857	15.672	94.776	0.746	0
Belleville	50716	0.862	39628	5.036	92.543	1.794	0.401
Faraday	1401	0.857	26542	12.545	95.000	1.071	0.357
Bancroft	3881	-0.825	33460	12.550	94.437	1.457	0.397
Madoc	2078	0.818	34912	4.327	96.394	0.721	0
Tweed	6044	0.794	34901	3.780	95.512	1.524	0
Deseronto	1774	0.789	31517	19.373	97.183	1.127	0
Hastings Highlands	4078	0.760	40211	11.961	93.260	1.225	0
Marmora and Lake	3953	0.759	33288	4.980	94.510	1.438	0.131
Centre Hastings	4774	0.754	38262	4.747	93.375	1.157	0.315
Quinte West	43577	0.723	40011	4.852	91.526	4.793	0.185
Limerick	346	0.578	28733	21.212	95.652	1.449	1.450
Tudor and Cashel	586	0.341	29078	9.600	94.872	0.855	0
Tyendinaga Mohawk Territory	2524	0.000	26826	82.540	98.812	0.198	0
County AVG		0.804	38646	7.368	93.047	2.553	0.260

	Column	-	-	-		-	-
Census Subivision	7	Column 8	Column 9	Column 10	Column 11	Column 12	Column 13
	>=65	Owners	Renters	Male	Female	Vismin	NonVisMin
Tyendinaga	12.922	93.204	6.796	0.506	0.494	0.699	99.301
Carlow/Mayo	26.590	94.667	5.333	0.503	0.497	1.754	98.246
Stirling-Rawdon	20.287	82.322	17.678	0.493	0.507	1.255	98.745
Wollaston	28.358	82.258	17.742	0.530	0.470	0	100
Belleville	21.217	62.158	37.842	0.478	0.522	5.633	94.367
Faraday	26.071	84.252	15.748	0.493	0.507	1.075	98.925
Bancroft	30.839	62.857	37.143	0.466	0.534	3.605	96.395
Madoc	21.154	92.547	7.453	0.513	0.487	2.410	97.590
Tweed	24.566	80.469	19.531	0.505	0.495	1.375	98.625
Deseronto	17.465	70.946	29.054	0.501	0.499	0.855	99.145
Hastings Highlands	28.799	93.132	6.868	0.512	0.488	1.973	98.027
Marmora and Lake	29.747	81.395	18.605	0.496	0.504	1.311	98.689
Centre Hastings	21.571	80.526	19.474	0.497	0.503	2.107	97.893
Quinte West	19.472	74.362	25.638	0.497	0.503	3.080	96.920
Limerick	25.000	87.879	12.121	0.551	0.449	0	100
Tudor and Cashel	25.000	80.357	19.643	0.547	0.453	0	100
Tyendinaga Mohawk Territory	15.644	68.063	31.937	0.490	0.510	0.792	99.208
County AVG	21.264	71.885	28.115	49.082	50.918	3.553	96.447

Summary and Discussion

In comparison to larger urban centres such as Ottawa, Hastings County does not have stark divides and contrasts, largely due to the homogenous nature of the area. Hence, trends are not as distinctive as they appear to be in urban areas.

Nonetheless, some notable trends are obvious in this study at both the Census Subdivision and Census Tract level.

Census Subdivisions

The Census Subdivisions show much diversity in terms of population. Belleville and Quinte West, each with tens of thousands of people, stand out as they are significantly larger than the others. As a result they may influence the county's average substantially.

The Tyendinaga Mohawk Territory is represented on the subdivision map at page 5. It is noteworthy as it represents a First Nations Reserve entirely unaccounted for on the jury panels that were examined. Reasons for the lack of representation are beyond the scope of this study.

While the First Nations Reserve appears to be unrepresented, those with Aboriginal heritage are likely better represented in the urban areas, particularly in Belleville. An example of this may be found at column 3 in the table of the most represented Census Tracts. About 10 per cent of the people in the third most represented CT identify as Aboriginal, raising the likelihood of Indigenous inclusion on the panel.

Census Tracts

The Census Tracts reveal more information which may be of interest. Urban areas tend to be more diverse than rural areas, creating increased variation.

The most notable finding pertains to the ratio of household renters to owners. Areas most represented by jurors had far higher levels of home ownership than the bottom ten.

Other figures did not have as dramatic a contrast, but in general the most represented tracts represented higher income earners and areas with a greater percentage of males, while areas comprising of visible minorities and Aboriginal people were less represented.