



November 3, 2021

Hon. Doug Downey
Attorney General
McMurtry-Scott Building
11th Floor, 720 Bay St.
Toronto, ON M7A 2S9

Dear Attorney-General Downey,

Re: Request to add Nurse Practitioners to ineligible occupations under the Juries Act

On behalf of the Ontario Nurses' Association's 68,000 nurses and health-care professionals, I am writing to request that Nurse Practitioners (NPs) be exempted from jury duty and be added to the list of ineligible jurors under the Juries Act. As per in S. 3(1) of the Juries Act, the list of persons who are ineligible to serve as jurors includes: *every legally qualified medical practitioner [...]*. This includes medical doctors who are actively engaged in practice, but not NPs.

I am escalating this issue on behalf of ONA's NP members who have been called for jury duty, and taken away from their active practice. I also wish to draw your attention to the lengthy process that NPs must follow to secure an exemption as compared to medical doctors. This is particularly concerning at present given the important role that NPs play on the front lines of the COVID-19 pandemic. Their role has been recognized by your government on numerous occasions.

If a physician is selected for jury duty, they simply complete the jury questionnaire and indicate their profession. They are exempt from serving without a judge's approval. By comparison, an NP who is selected is then required to complete the jury questionnaire, and contact the court to request an exemption based on their NP practice. The NP would then be called by a judge from their court district and be required to provide evidence to support their ineligibility. The judge then decides based on this evidence. Unlike physicians, an exemption for an NP is not guaranteed.

NPs play a critically important role in our health-care system and ensure quality care for Ontarians. They can diagnose and treat patients in a timely and cost-effective manner that fosters better access to care in a variety of settings including hospitals, long-term care facilities, and remote and underserved communities. Removing NPs from the clinical setting for a potentially unknown period of time will disadvantage those Ontarians for whom they provide care.

Minister, we are requesting that you update this list to ensure that Nurse Practitioners are added to the list of ineligible occupations under the Juries Act because they are qualified medical practitioners.

I appreciate your attention to this urgent matter and I am available for any discussion you require to move this forward.

Sincerely,

ONTARIO NURSES' ASSOCIATION

A handwritten signature in black ink that reads "Vicki McKenna, RN". The signature is written in a cursive style with a small flourish at the end.

Vicki McKenna, RN

President

C: Joseph Hillier, Chief of Staff (joseph.hillier@ontario.ca)

ONA Board of Directors