

Canadian Institute for the Administration of Justice

Use of Social Media by Judges

Justice Fran Kiteley

October 16, 2019

Personal and Professional Use of Social Media by Judges

“Personal Use”

“Professional Use”

Social Media Usage by Canadians

84%
OF ONLINE
CANADIAN
ADULTS HAVE A
Facebook
ACCOUNT

Grund, Jacobson, Mai, & Dubois (2018). The State of Social Media in Canada 2017. Version: 1.0.
Ryerson University Social Media Lab. DOI: 10.5663/SP1AL8Z9H

37%
OF ONLINE
CANADIAN
ADULTS HAVE A
Instagram
ACCOUNT

Grund, Jacobson, Mai, & Dubois (2018). The State of Social Media in Canada 2017. Version: 1.0.
Ryerson University Social Media Lab. DOI: 10.5663/SP1AL8Z9H

59%
OF ONLINE
CANADIAN
ADULTS HAVE A
YouTube
ACCOUNT

Grund, Jacobson, Mai, & Dubois (2018). The State of Social Media in Canada 2017. Version: 1.0.
Ryerson University Social Media Lab. DOI: 10.5663/SP1AL8Z9H

46%
OF ONLINE
CANADIAN
ADULTS HAVE A
LinkedIn
ACCOUNT

Grund, Jacobson, Mai, & Dubois (2018). The State of Social Media in Canada 2017. Version: 1.0.
Ryerson University Social Media Lab. DOI: 10.5663/SP1AL8Z9H

38%
OF ONLINE
CANADIAN
ADULTS HAVE A
Pinterest
ACCOUNT

Grund, Jacobson, Mai, & Dubois (2018). The State of Social Media in Canada 2017. Version: 1.0.
Ryerson University Social Media Lab. DOI: 10.5663/SP1AL8Z9H

Use of Twitter

A report by the Social Media Lab at Ryerson University (an interdisciplinary research laboratory) confirmed that 42% of Canadian adults who use the internet have a Twitter account



Begin with short clicker survey of the audience

CIAJ categories of attendees, modified:

- Academics
- Lawyers (private, public, corporate)
- Members of Administrative Tribunals
- Federally and Provincially appointed judges

Clicker question #1

Should Academics use social media for
personal and professional purposes?

Clicker Question #2

Should Lawyers (private, public, corporate) use social media for personal and professional purposes?

Yes

No

Clicker Question #3

Should *full-time* members of Tribunals use social media for personal and professional purposes?

Yes

No

Clicker Question #4

Should federally and provincially appointed judges use social media for **personal purposes**?

Yes

No

Clicker Question #5

Should federally and provincially appointed judges use social media for professional purposes?

Yes

No



CCCT CCTJ

CANADIAN CENTRE FOR COURT TECHNOLOGY
CENTRE CANADIEN DE TECHNOLOGIE JUDICIAIRE

THE USE OF SOCIAL MEDIA BY CANADIAN JUDICIAL OFFICERS

A Discussion Paper of the Canadian Centre for Court
Technology

CCCT Findings

- “judicial officers”
- 678 respondents (474 English, 204 French)
- 227 federally-appointed judges
- Mean age for federally-appointed judges was 62 years old
- 48% of Canadian judicial officers visit or contribute to social media sites in a personal or professional capacity, to some small extent compared to then 67% of general Canadian population.

CCCT findings cont'd

- Judicial officers do not visit social media websites as frequently as the general population: 54% of Canadians log onto Facebook at least once every month while only 23% of judicial officers reported doing so
- Usage was largely personal

CCCT Recommendations

- All judicial officers have a duty to ensure that they understand the advantages, disadvantages and risks of the use of social media in personal and professional contexts and conduct themselves accordingly
- Existing policies, principles, codes of conduct or guidelines are inadequate to respond to that duty
- Until such time as more guidance is provided, judicial officers should use social media with caution, keeping in mind the above principles.

Canadian Judicial Council announced
intention to update the Ethical
Principles for Judges
spring 2019

On 6 major issues the CJC conducted a survey to
which over 1000 responses were received

The Majority of Respondents agreed:

that judges should not identify themselves as judges on social media and should not use social media to “like”, “friend” or “share” posts about matters that could come before the court, could generate negative debate (political or other), or could be the subject of controversy

Ontario Superior Court Judges Association Survey and Report to the Canadian Judicial Council

- 176 judges participated in survey; 43% appointed within 5 years
- 43% engage on social media platform
- Broadly speaking, support for personal use & much less for professional use
- Tweeting judges
- Clear guidelines are needed
- Support for institutional use to educate the public

THE GREAT DEBATE

For judges, the advantages of using social media
outweigh the risks

In Favour: Justice Fran Kiteley

Opposed: Justice Peter Lauwers

Clicker Question #6

For judges, the advantages of using social media outweigh the risks

Yes

No