

JOINT SESSION OF THE UNIFORM AND CRIMINAL LAW SECTIONS

MINUTES

Computer Produced Records in Court Proceedings

The Uniform Law Section and the Criminal Law Section, sitting in joint session, received from the Ontario Commissioners a report commissioned from Ken Chasse on electronic records as evidence. In discussion led by John Gregory, the meeting discussed the elements of need for special legislation on the subject and the relation of any new legislation to the Uniform Evidence Act.

RESOLVED

1. That the Conference prepare a draft uniform statute on computer produced evidence based on a special rather than comprehensive reform, and with a view to leaving most of the factors of admissibility and weight of the evidence to the discretion of the court.
2. That the report be printed in the Proceedings. (see Appendix J at page 266.)

Jury Selection and Composition

The two Sections also received from the Nova Scotia Commissioners a report on principles for the selection and composition of juries applicable both to criminal and to civil juries. These principles had been discussed by a working group from both the Criminal Law and the Uniform Law Sections chaired by Dr. Moira McConnell.

RESOLVED

1. That the principles be reworked based on the discussion at the meeting, and brought back to the 1995 meeting for adoption.
2. That the report on juries be published in the Proceedings. (See Appendix K at page 268.)

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Uniform Mental Health Act

The meeting received from the Saskatchewan Commissioners a report on constitutional opinions produced on the current text of the Uniform Mental Health Act in the light of the Criminal Code amendments capping terms of confinement for people found not guilty of certain offences by reason of insanity. Based on these opinions and delays in proclamation of the amendments, the Commissioners recommended against further action on the Uniform Act at this time. The meeting agreed.

Canada - U.S. Liaison Committee's Report

The Liaison Committee had met at the conference of the National Conference of Commissioners on Uniform State Laws in Chicago. It submitted to the joint session a report on activities under the 1992 decision to further regularize contacts, including the routine exchange of working documents through the Executive Director of the Canadian Conference and the Executive Secretary of the American Conference. In addition, the group had made further progress towards a project for a joint working committee. Jeremiah Marsh of the U.S. Conference reviewed the recent meeting of NCCUSL and the current work program of that body. John Gregory noted that NCCUSL had continued to assist the Uniform Law Section in its work on the transfer of investment securities.