



Given [ICBC's admitted snooping in jurors private records](#) in a recent personal injury trial in Victoria, BC, many people who have sat as jurors or even called as witnesses in ICBC Injury Cases may be wondering whether their records were compromised when they were called to court to perform their civic duty.

ICBC's public take on the matter is that to the very best of ICBC's knowledge "*this was an isolated incident*".

For the sake of people who have sat on civil juries in the past and for the integrity of the administration of justice in BC I certainly hope that is the case. However, ICBC has by their own admission not completed a full review of past jury cases at this time. As I write this article [ICBC's website](#) states that "*we have already begun a full review of previous cases handled by the defence counsel in question*" and "*we are undertaking a review of past jury trials and will report on our findings*" so the possibility of this occurring in other ICBC jury trials cannot be excluded.

If you sat on a jury in an ICBC Case or were called as a witness in an ICBC case and are wondering whether your private records were compromised and misused can you do anything to get to the bottom of matters?

The answer is yes and is contained in the [BC Freedom of Information and Protection of Privacy Act](#). This act makes public bodies (such as ICBC) more accountable to the public with respect to the protection of personal privacy and gives members of the public certain rights with respect to the access of records held by these bodies.

So, if you sat on a jury in an ICBC Claim and during that time had an active claim of your own and are wondering if ICBC misused your private records you can make an application under [section 5 of the Act](#) and ask ICBC to share your records with you including information about whether anyone from ICBC accessed your file during the time you were on jury duty.

If you have any questions about making a Freedom of Information Request for your ICBC records you can contact a BC Personal Injury Lawyer or a Lawyer experienced in privacy matters. These requests are routinely made in ICBC claims and assistance can be provided by experienced people if needed.

What if you find out that your records were misused? Hopefully ICBC will make proper amends if this is the case as "*The responsibility of protecting the private information of our customers is something that ICBC takes very seriously.*" As I previously posted, a separate law called the [BC Privacy Act](#), makes it a tort if your privacy was violated "*willfully and without claim of right*" and this legislation is worth reviewing for anyone concerned about their privacy and the potential misuse of private records by public bodies.