Canadian Judge Punished to One Day of HIV Education

February 4, 2009 By Oriol R. Gutierrez Jr.

Jon-Jo Douglas, a Canadian judge, in 2007 ordered an HIV-positive witness with hepatitis C to wear a mask in the courtroom because the judge feared being infected, Xtra.ca reports.

According to a trial transcript, the judge said:

> The HIV virus will live in a dried state for year after year after year and only needs moisture to reactivate itself ... I mean, [the witness] speaks within two feet of me with two serious infectious diseases. Either you mask your witness and/or move us to another courtroom or we do not proceed.

The judge was punished by submitting to one day of HIV education at an AIDS hospice. Local HIV/AIDS activists only recently learned of the outcome and aren't satisfied with the results. They say that one day is insufficient for the judge to overcome his fears and that a public statement from the judge should have been required.

I agree with both of those points. I also believe that he should recuse himself from any future HIV criminalization cases that come before him.

There does seem to be a silver lining to this story. As a result of this incident, the chief justice of the Ontario Court is considering mandatory HIV/AIDS education for all judges.

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