

The Hon. Sydney M. Harris, Q.C.
1917 - 2009



The following is quoted from the eulogy given by Mark Harris, son of Judge Harris.

“My Father was born in 1917 in Toronto, the grandchild of immigrants who arrived in Toronto in the 1880's. The Harris home was across the street from the original Mt. Sinai Hospital. Dad attended Jesse Ketchum School, Jarvis Collegiate (where he graduated with one of

12 available scholarships), he then attended the University of Toronto and Osgoode Hall where he studied and became a lawyer, to the proud delight of his parents and family.

After being rejected for military service, Dad spent the war years in Ottawa working as an administrative lawyer in the civil service. Upon his return from Ottawa, Dad practised law and in 1950, with his close friend, Harold Rubenstein, he started the successful law firm of Harris & Rubenstein. In 1976, he was delighted and honoured to be appointed a Judge of the Ontario Provincial Court (Criminal Division). This was his greatest professional accomplishment and he often commented that he was perhaps the only lawyer to receive a large pay raise as a result of his appointment to the Bench... and he was serious.

My Father was known amongst the Criminal Bar for having a large sense of procedural fairness and reasonable doubt, but for those whom he found guilty, look out! His "Syd Vicious" nickname was richly deserved. As one contemporary put it, "he was a Roger Maris sort of judge. His batting average or "conviction rate" was low... but when he connected, you were gone".

Among his more noteworthy decisions were: his acquittal of the gay magazine Body Politic and three officers of Pink Triangle Press for possession and distribution of obscene materials in 1978; his conviction of hockey player Dino Ciccarelli for assaulting another player during a game at the old Maple Leaf Gardens in 1988; and his dismissal of charges against Magder Furs for selling goods on Sunday in 1983.

These difficult cases and well thought out and explained judgments have impacted Canadian society to this day... Dad foreshadowed the acceptance by society of the gays and their lifestyle; he prompted society to look more closely at violence in hockey, and he opened the floodgates to shopping on Sundays.

Dad retired in 1992 but went on to serve as a Small Claims Court Judge, part-time member of the Ontario Assessment Review Board, Referee for the Law Society of Upper Canada (of which he was a life member), and lay appointee of Council for the Association of Ontario Land Surveyors (of which he ultimately became an honorary member).

Throughout his life Dad was very active in Jewish causes, notably the Canadian Jewish Congress, as National President; he was regional Chair of the Canadian Council of Reform Congregations. Dad was a founding member and President of Upper Canada Lodge, B'nai Brith; President of Toronto Jewish Vocational Service; and was active in Canadian Friends of Boys Town Jerusalem, serving as president for a time.

His activism led him into the political realm where he led the fight against publically funded religious education. Dad used his influence to lobby for legislation to enlarge and protect civil liberties and human rights, the abolition of capital punishment, amendments to the Criminal Code against hate literature, and protection for the kosher slaughter of animals. He was also active in supporting the campaign for civil rights in the United States during the 1950's and 1960's.

But who was The Hon. Sydney M. Harris, Q.C., away from the spotlight. He was simply a learned man, a devoted son, an inspiring father, grandfather and teacher, and a pure and loving husband. Dad met Mom on New Year's Eve 60 years ago, this began 59 years of a loving, mutually supportive partnership. Mom was a career nurse and left her profession to be the "at-home Mother", while Dad was out saving the world! They shared common interests and passions and the kind of relationship that was the envy of all.

He enjoyed completing the NY Times crossword puzzles... and complete them he did, usually within a few hours; he relished his single malt scotch or ice cold vodka. He and I spent many an afternoon browsing the LCBO aisles as if in a great public library; the sweet, salty taste of a "warm, well-baked" twister always brought a smile to his face; as a sportsman, my Dad played "full contact chess" and we only stopped playing our weekly games when I started consistently beating him at the age of 14; he loved ruining every Perry Mason TV show by predicting the murderer and he was rarely wrong; he had a propensity for forecasting federal and provincial elections... and he was usually wrong! He had a green thumb for growing roses and basked in their rich, home-grown aromas."

Judge Harris, QC, OLS (Hon.) passed away on January 17th 2009. He is survived by his wife Enid, sons Mark and David, grandchildren Lindsay and Brett, and his sister Thelma Rose.

