



**Saskatchewan Trial Lawyers Association**

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For Immediate Press Release:

**Gerald Stanley Murder Trial**

The Saskatchewan Trial Lawyers Association (STLA) is a voluntary membership association comprised of trial lawyers representing clients in family court matters, civil litigation and criminal defence charges. We wish to express our concerns over uninformed comments made by politicians, citizens and some members of the Bar who have unfairly criticized the judge, jurors, prosecutors and defence counsel on the Gerald Stanley murder trial.

Firstly, the members of the STLA wishes to express their deepest sympathies to the family and community of Colten Boushie.

Secondly, as an organization we have long advocated for solutions to systemic inequities in our legal system; specifically, the over-representation of First Nations, Métis and Aboriginal persons in our judicial and corrections systems. We fully recognize the historical inequities within Canadian society that lead to much of the societal problems and poverty that are the direct causes of these historically unbalanced systems.

However, many of the comments directed to the judge, the lawyers involved in the matter, and the jury are unfair and unwarranted.

In particular, members of the judiciary in Canada are not permitted to publically defend themselves, their decisions, or their rulings. The criticism of the trial judge in this case is unwarranted. By all accounts, the trial judge in the Stanley trial conducted himself with the utmost integrity, fairness, and in accordance with all applicable judicial standards and principles. If the trial judge erred in any of his rulings of law it is for the Court of Appeal to determine.

Defence counsel in this case, like all defence counsel, swore an oath to defend his client and to advance all legal defences available to his client by law and on the evidence before the court. He kept his oath. The role of the Crown prosecutor is to advance all relevant evidence on behalf of the state, and to do so fairly, objectively and impartial to the interests of the victim and the accused. This does not mean that the Crown is not allowed to put forward a theory or explanation based on his view of the evidence. In this case the Crown vigorously argued for conviction on second degree murder and, alternatively, manslaughter. Crown counsel fulfilled his duty to the court, the administration of justice, and to all parties involved.

Finally, the jurors, who were called upon to perform their civic duty, did so to the best of their ability. These are ordinary men and women who were compelled to attend and sit in judgment of their fellow citizen. It is a thankless and difficult task but it is one of the highest duties a citizen can perform in our democracy. These citizens were chosen at random and took an oath to render their verdict based only on the evidence presented before them. They cannot speculate. They must set aside their biases and personal opinions and reach a verdict based on that evidence. There is no evidence to suggest that they did not honour their oath. It is unfair to suggest otherwise because the jury is also powerless to defend itself, as it is a criminal offence in Canada for a juror to release any information about their deliberations.

There are those that strongly support the verdict and those that strongly oppose the verdict but the STLA urges all citizens to refrain from unfair accusations about the participants in the trial and to recognize that all did their best in fulfilling their oath and duty to society.

Nicholas J. Stooshinoff, Q.C.  
STLA President