



Nishnawbe Aski Nation

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## BACKGROUND

### JURY ROLL

- On March 10, 2011, Nishnawbe Aski Nation (NAN) and two First Nation families won a landmark Court of Appeal judgment recognizing their right to conduct inquiries into the validity of juries empanelled in the Thunder Bay Judicial District (*Pierre v. McRae*, [www.ontariocourts.on.ca/decisions/2011/2011ONCA0187.htm](http://www.ontariocourts.on.ca/decisions/2011/2011ONCA0187.htm)).
- The appeals followed the refusals by the presiding coroners at the Inquest into the Death of Reggie Bushie and the Inquest into the Death of Jacy Pierre to summons the court official responsible for assembling the Thunder Bay jury roll to give evidence as to whether First Nation people were adequately represented.
- It was revealed during the Coroner's Inquest into the Deaths of Jamie Goodwin and Ricardo Wesley (the Kashechewan Inquest) in 2008 that the Kenora Judicial District jury roll has systematically underrepresented First Nations from jury participation.
- Evidence presented at Kashechewan Inquest revealed considerable concerns about the validity of the statutory compliance necessary to include First Nations from reserves on the jury roll.
- Since 2008, NAN led a coalition questioning the exclusion of First Nations on jury rolls and the legality of Ontario jury rolls, and requested that the Ontario Attorney General conduct a formal inquiry into the jury roll system.
- Reggie Bushie, 15, died in 2007 while attending school at Dennis Franklin Cromarty High School in Thunder Bay. His body was recovered from the McIntyre River on November 1, 2007. He was last seen alive along the riverside on October 26, 2007.
- Pre-inquest hearings into the death of Reggie Bushie were held July 21-22, and 28, 2011 at the Superior Court of Justice in Thunder Bay with Dr. David Eden presiding as inquest coroner. Dr. Eden is expected to rule on whether or not the 2011 Thunder Bay District jury roll is in compliance with the *Juries Act*.