

The Manitoba Bar Association wants to address the recent concerns raised about the use of racist and misogynistic comments by a witness during a provincial court trial in Manitoba. We support the statement by Chief Judge Margaret Wiebe and believe that all people should be treated with equal respect and dignity in a criminal courtroom.

The trial process is fundamental to the pursuit of truth in our democratic society. Respect for all participants – including accused persons, witnesses, judges and counsel – is at the heart of that process. Everyone has the right to a fair trial, which places a difficult task on the judge to remain impartial while witnesses give evidence. Although a judge must refrain from intervening in a way that might interrupt or obstruct witness testimony, respect in the courtroom must be maintained.

Our association remains firmly committed to advancing the fair treatment of all people in our justice system, acknowledging that reconciliation requires recognition and application of particular considerations for Indigenous participants.

The guiding principles of judicial independence require that respect be allotted to the complexity of decisions made in courtrooms, and that this respect is necessary in the pursuit of fair and equitable justice systems.