

Coroner suspends inquest into native teen's death

Sep 9 2011



By **Tanya Talaga** Queen's Park Bureau

The inquest into the death of Reggie Bushie, a Grade 9 First Nations Boy, has been suspended until Thunder Bay lawmakers can form a jury that includes native people.

The Ontario coroner's office ruled Friday that the current Thunder Bay jury roll is legally invalid as there is a "systemic exclusion" of young, native adults, said Julian Falconer, lawyer for Nishnawbe Aski-Nation, a political body representing 49 northern First Nations.

"No inquest can be held," Falconer said. "It confirms NAN's worst concerns and makes clear First Nations can't get a fair trial in northern Ontario."

Bushie drowned Nov. 1, 2007 in the McIntyre River. He is one of seven native teens from remote reserves who went to Thunder Bay alone to go to school and then died. All drowned but one.

Terry Waboose, NAN deputy grand chief, said this ruling shows there are huge problems with the justice system and natives.

"There is an over-representation of First Nations people in jail and under in the jury system," he said. "There is something wrong there."

The inquest into Bushie's death was blocked by NAN in 2009 due to a lack of native representation on the jury.

The Ontario Court of Appeal ruled in March that the NAN complaints were valid and said the provincial coroner's office was not "forthcoming about how the roll was established."

It also ruled that native families got the "runaround" when they kept asking how the jury was put together.

On Friday, the coroner ordered the sheriff to produce a jury that reflects the First Nations reserve residents.

Falconer feels this ruling will have broader implications for all jury court trials in the area.

For years the Ontario government has refused to listen to the problem surrounding these lost students, said Howard Hampton, former New Democratic MPP for Kenora-Rainy River.

“This is the third decision by a judge or coroner that shows the government cannot proceed,” he said. “In a country that believes in the rule of law that is unacceptable.”



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