

The Colten Boushie case: Canadians divided on jury's verdict, but think Trudeau was wrong to weigh in

Six-in-ten say reforms are needed to ensure juries better reflect the communities they come from

February 26, 2018 – The acquittal of Gerald Stanley – the white Saskatchewan farmer accused of shooting and killing 22-year-old Cree man Colten Boushie in August 2016 – has prompted [nationwide debate](#) about how the Canadian justice system handles cases involving Indigenous people.

Near the centre of this powder keg is Prime Minister Justin Trudeau, who has faced [significant criticism](#) for appearing to question the jury's decision in the case and asserting that Canada must "do better" in the future.

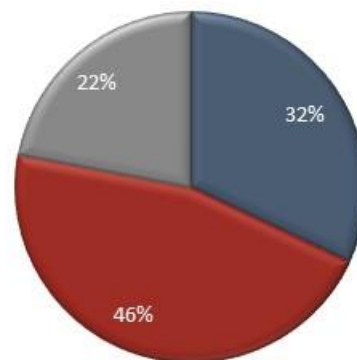
Now, a new public opinion poll from the Angus Reid Institute finds Canadians divided on the jury's "not guilty" verdict in the case, but considerably more likely to see Trudeau's comments as inappropriate than appropriate, given the context.

Fewer than one-in-three Canadians (32%) say the Prime Minister was right to weigh in on the jury's decision, while nearly half (46%) say doing so was inappropriate. The rest (22%) are uncertain.

More Key Findings:

- On the verdict itself, Canadians are roughly as likely to say the jury's decision was "good and fair" (30% say this) as they are to say it was "flawed and wrong" (32%). The largest number – 38 per cent – are unsure
- Asked to choose between two statements on the jury-selection process – during which defence lawyers prevented any Indigenous-looking potential jurors from being selected – six-in-ten (59%) opt for "we should reform these rules to ensure juries reflect the whole community better"
- Regional differences are significant. Saskatchewan residents, especially, are overwhelmingly in agreement that the jury's decision was fair, Trudeau's comments inappropriate, and jury reform unnecessary

Would you say it was appropriate or inappropriate for the Prime Minister to personally respond to the Boushie verdict?



■ Appropriate ■ Inappropriate ■ Not sure/Can't say

METHODOLOGY:

The Angus Reid Institute conducted an online survey from February 15 – 19, 2018, among a representative randomized sample of 2,501 Canadian adults who are members of the [Angus Reid Forum](#). The sample plan included large oversamples in specific regions, which were then weighted down to provide a national snapshot. For comparison purposes only, a probability sample of this size with this sample plan would carry a margin of error of +/- 2.5 percentage points, 19 times out of 20. Discrepancies in or between totals are due to rounding. The survey was self-commissioned and paid for by ARI. Detailed tables are found at the end of this release.

CONTACT:

Shachi Kurl, Executive Director: 604.908.1693 shachi.kurl@angusreid.org @shachikurl
Ian Holliday, Research Associate: 604.442.3312 ian.holliday@angusreid.org

INDEX:

- **Many doubt the propriety of Trudeau’s response**
- **Canadians divided over jury’s decision**
- **Most would welcome jury reform**

Many doubt the propriety of Trudeau’s response

Gerald Stanley was charged with second-degree murder for his role in Boushie’s death. He testified that he didn’t intend to shoot anyone, but had grabbed his gun to fire warning shots that he hoped would scare off the five Indigenous people who had driven their vehicle onto his property. He claimed that his gun went off in his hand accidentally, and the shot hit Boushie in the head.

Legal experts have suggested that the jury’s decision may have come down to a lack of certainty about Stanley’s intent and about what exactly happened during the altercation on his farm – uncertainty fed in part by witnesses for the prosecution who changed their stories.

In the hours and days after the jury delivered its verdict, Prime Minister Justin Trudeau and Justice Minister Jody Wilson-Raybould have repeatedly expressed sympathy toward the Boushie family and suggested that Canada’s justice system “can and must do better.”

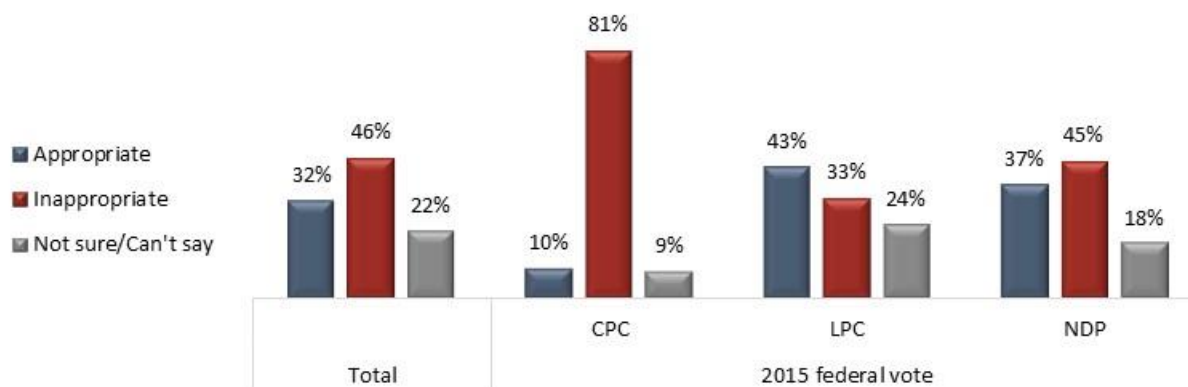
Less than a week after the verdict, after meetings with the family, the ministers said they intend to introduce reforms aimed at tackling “systemic issues” in the justice system’s treatment of Indigenous people.

Trudeau and Wilson-Raybould have faced criticism for weighing in on – and arguably sowing doubt about the legitimacy of – the jury’s lawfully delivered decision.

Asked whether the Prime Minister’s decision to offer a personal response to the Boushie verdict was appropriate or not, nearly half of all Canadians (46%) say it was not.

Past Conservatives overwhelmingly say Trudeau’s response was inappropriate, while those who voted for his Liberal Party are hardly united in his defense. One-in-three past Liberal voters (33%) say Trudeau’s decision to respond was inappropriate, and fewer than half (43%) say it was appropriate:

Would you say it was appropriate or inappropriate for the Prime Minister to personally respond to the Boushie verdict?



CONTACT:

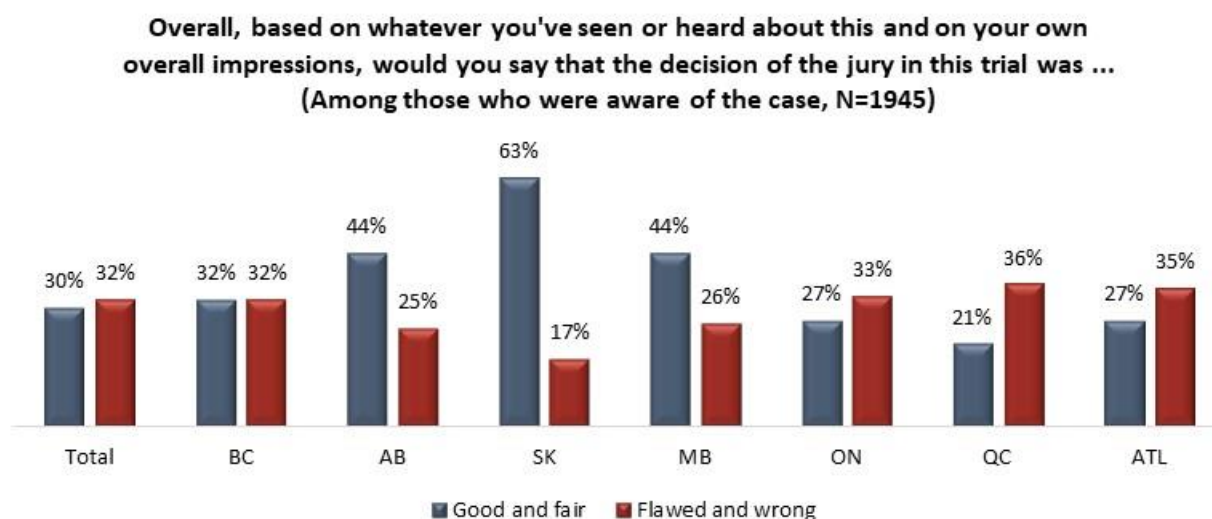
Shachi Kurl, Executive Director: 604.908.1693 shachi.kurl@angusreid.org @shachikurl
 Ian Holliday, Research Associate: 604.442.3312 ian.holliday@angusreid.org

Canadians divided over jury's decision

The trial and the back-and-forth surrounding it drew a great deal of media coverage, and more than three-in-four Canadians (78%) report at least scanning the headlines about it.

After excluding the 22 per cent who haven't seen or heard anything about the case, this survey finds Canadians who were aware of it to be divided on its outcome. The largest group – 38 per cent – are unsure, while three in-ten say it was either “good and fair” (30%) or “flawed and wrong” (32%).

The fault-lines driving this division are regional, political, generational, gendered, and racialized. Saskatchewan residents overwhelmingly say the decision was good and fair, but all of Western Canada leans in this direction, compared to those in Ontario and points east, who are more likely to see the decision as flawed and wrong:



Age and gender also tell a compelling story on the verdict. Overall, men and women hold nearly mirror-opposite views, with 37 per cent of men saying the verdict was good and fair (compared to 27% “flawed and wrong” and 36% unsure) and the same proportion of women (37%) saying it was flawed and wrong (compared to 24% “good and fair” and 39% unsure).

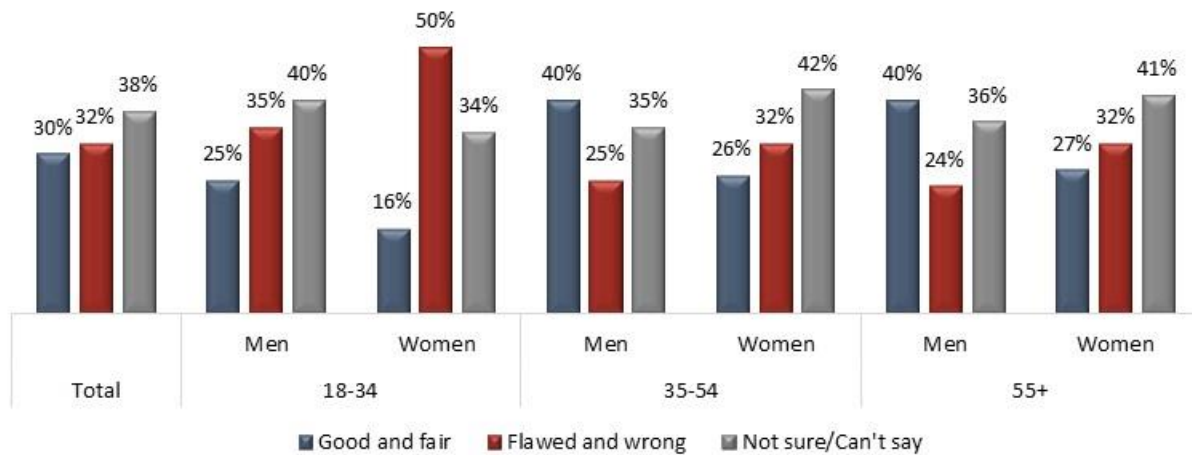
Canadians under the age of 35 also zag when the rest of the population zigs. More than four-in-ten (43%) in this age group say the jury made the wrong decision – twice as many as say it made a good one (20%). Among older Canadians, one-in-three (34%) say the verdict was fair, while smaller numbers (28%) say it was flawed ([see comprehensive tables for greater detail](#)).

When these two variables are combined, the underlying pattern becomes clear: Women of all ages – though especially those ages 18-34 – are more likely to see the jury's decision as flawed, while men over 35 are the only age-gender combination more likely to see it as fair, as seen in the following graph:

CONTACT:

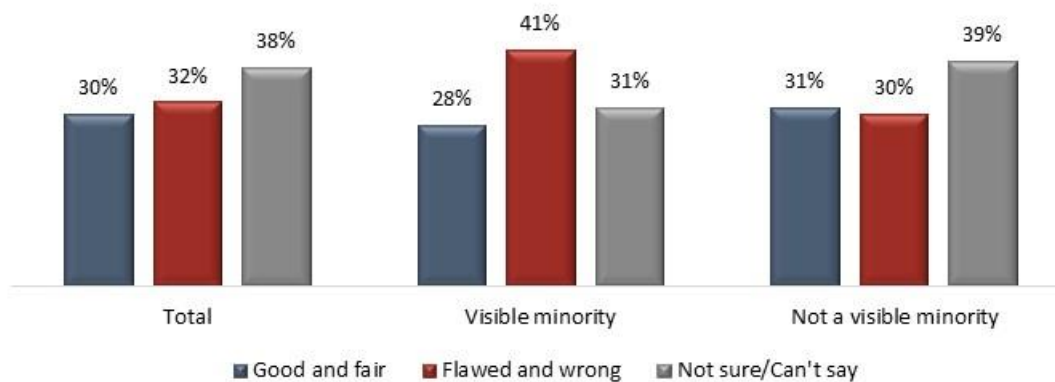
Shachi Kurl, Executive Director: 604.908.1693 shachi.kurl@angusreid.org @shachikurl
Ilan Holliday, Research Associate: 604.442.3312 ian.holliday@angusreid.org

Overall, based on whatever you've seen or heard about this and your own overall impressions, would you say that the decision of the jury in this trial was ... (Among those who were aware of the case, N=1945)



The acquittal of Gerald Stanley also divides opinion along racial lines, with self-identified visible minorities more likely than other Canadians to say that the verdict was flawed and wrong:

Overall, based on whatever you've seen or heard about this and your own overall impressions, would you say that the decision of the jury in this trial was ... (Among those who were aware of the case, N=1945)



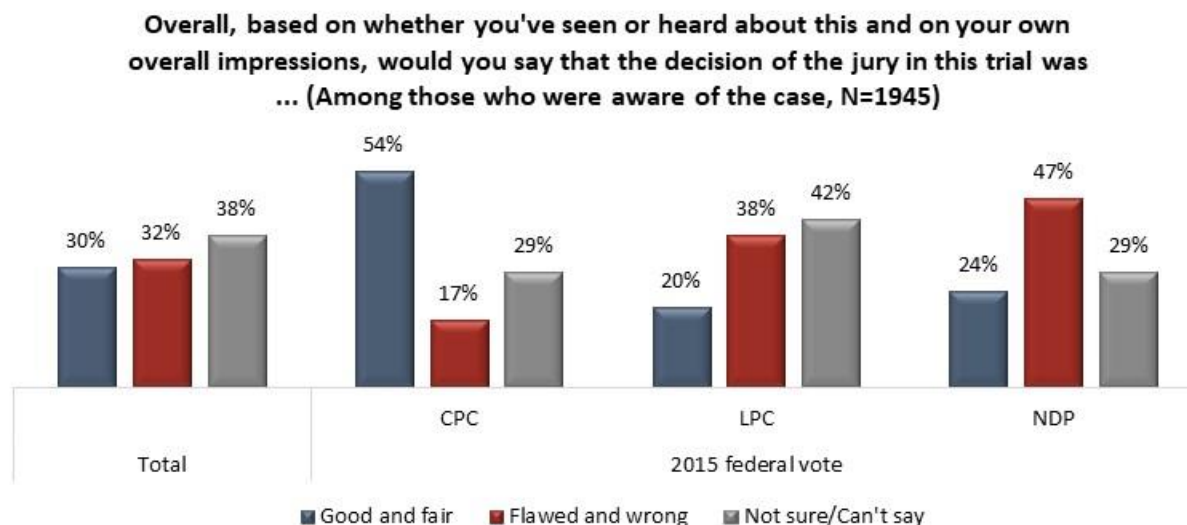
This divergence follows a pattern recorded in [a recent Angus Reid Institute survey](#), which found those who identify as visible minorities less likely than other Canadians to express confidence in several elements of the Canadian justice system, including criminal courts.

[Related – Confidence in the justice system: Visible minorities have less faith in courts than other Canadians](#)

CONTACT:

Shachi Kurl, Executive Director: 604.908.1693 shachi.kurl@angusreid.org @shachikurl
 Ian Holliday, Research Associate: 604.442.3312 ian.holliday@angusreid.org

Views on the outcome of the trial also correlate with past political preferences. A full majority (54%) of those who voted for the Conservative Party of Canada in the 2015 federal election say the jury's decision was a good one, while nearly as many 2015 NDP voters say the opposite (47% do). Among those who supported the governing Liberals, uncertainty predominates, though more say the decision was flawed than say it was good:



Most would welcome jury reform

Since the “not guilty” verdict, much has been made of the fact that the jury did not include any visibly Indigenous people, despite the fact that one-in-ten Indigenous people in Canada live in Saskatchewan, and 22 per cent of the population of North Battleford – where the trial was held – is Indigenous.

Moreover, the Boushie family was angered by the fact that Stanley's lawyers rejected several Indigenous-looking potential jurors during jury selection. These objections were legal, and part of a privilege enjoyed by lawyers on both sides during the selection process known as “peremptory challenge.” Each legal team is allowed to exclude any would-be juror from consideration and is not required to provide a reason for the objection.

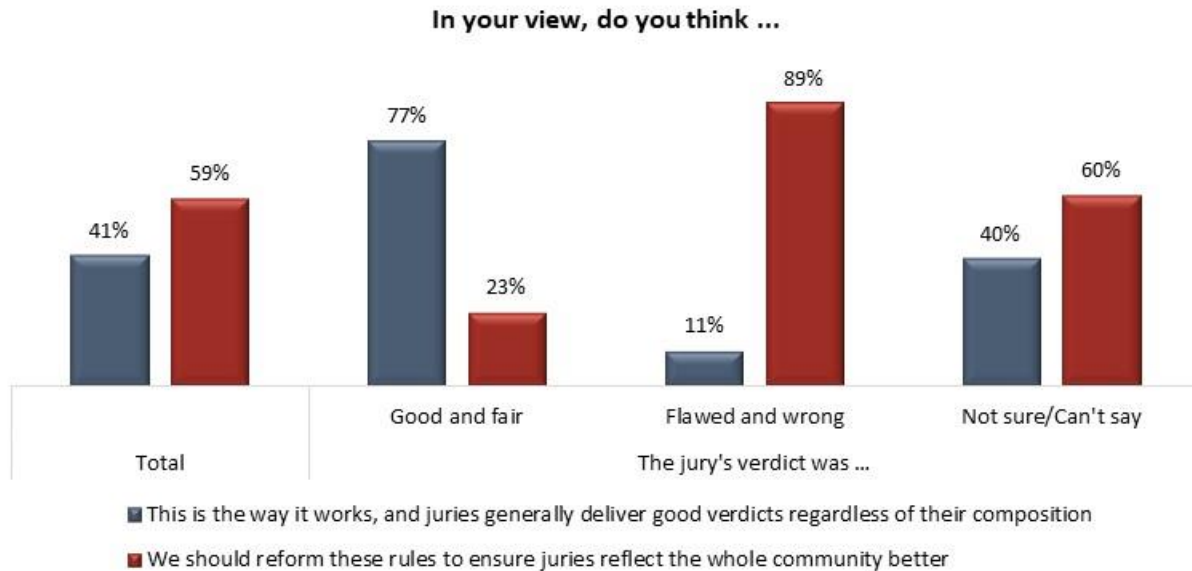
Modifications to the rules for peremptory challenges are among those the federal government is now considering.

Offered a choice between two opposing perspectives on this procedure, six-in-ten Canadians (59%) place themselves on the side of reform, choosing the statement, “we should reform these rules to ensure juries reflect the whole community better.”

As might be expected, responses to this question are highly correlated with views on the outcome of the trial itself. Those who believe the verdict was fair overwhelmingly support the status quo, while those who believe the verdict was flawed are even more united in their belief that changes are needed:

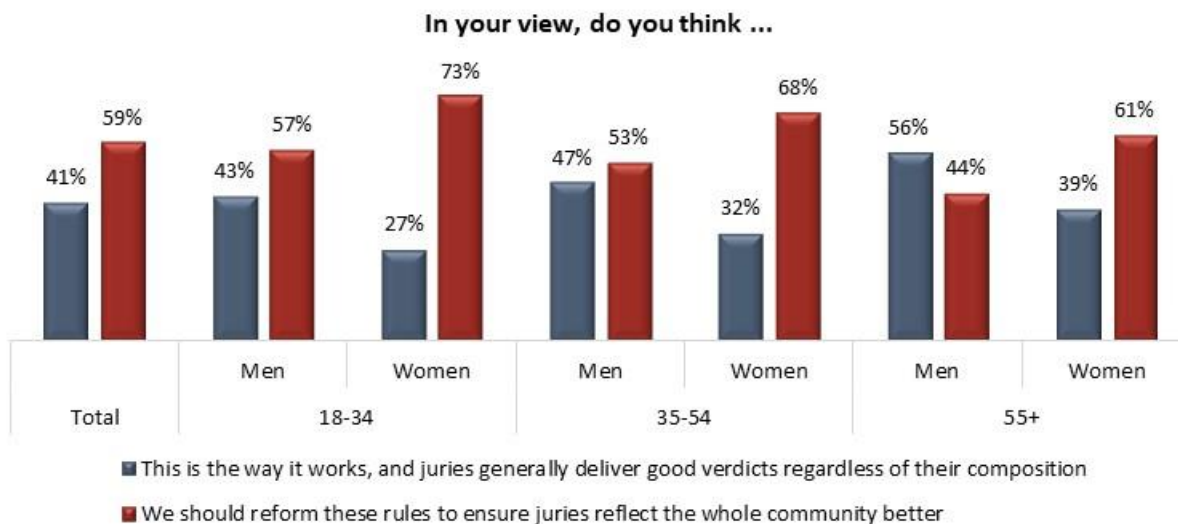
CONTACT:

Shachi Kurl, Executive Director: 604.908.1693 shachi.kurl@angusreid.org @shachikurl
 Ian Holliday, Research Associate: 604.442.3312 ian.holliday@angusreid.org



Given the high degree of correlation between opinions on the verdict itself and opinions on the necessity of jury reform, it should come as no surprise that those demographics that tend to find the verdict fair are also more likely to say no change is needed.

Two-thirds of Saskatchewan residents (67%) say this is the case, as do a similar number of past Conservative voters (66%). Men are more likely to do so than women, and older respondents are more likely to do so than younger ones – though it's notable that men ages 55-plus are the only age-gender group more likely to choose the “juries generally deliver good verdicts” option than the reform option ([see comprehensive tables](#) and the following graph):



CONTACT:

Shachi Kurl, Executive Director: 604.908.1693 shachi.kurl@angusreid.org @shachikurl
 Ian Holliday, Research Associate: 604.442.3312 ian.holliday@angusreid.org

The **Angus Reid Institute (ARI)** was founded in October 2014 by pollster and sociologist, Dr. Angus Reid. ARI is a national, not-for-profit, non-partisan public opinion research foundation established to advance education by commissioning, conducting and disseminating to the public accessible and impartial statistical data, research and policy analysis on economics, political science, philanthropy, public administration, domestic and international affairs and other socio-economic issues of importance to Canada and its world.

For detailed results by age, gender, region, education, and other demographics, [click here](#).

Would you say it was appropriate or inappropriate for the Prime Minister to personally respond to the Boushie verdict?					
(weighted sample sizes)	Total (2501)	The jury's verdict was ...			
		Good and fair (591)	Flawed and wrong (618)	Not sure/Can't say (736)	Not asked – respondent not following case (556)
Appropriate	32%	13%	58%	26%	30%
Inappropriate	46%	84%	28%	49%	24%
Not sure/Can't say	22%	3%	15%	25%	46%

In your view, do you think ...					
(weighted sample sizes)	Total (2501)	The jury's verdict was ...			
		Good and fair (591)	Flawed and wrong (618)	Not sure/Can't say (736)	Not asked – respondent not following case (556)
This is the way it works, and juries generally deliver good verdicts regardless of their composition	41%	77%	11%	40%	36%
We should reform these rules to ensure juries reflect the whole community better	59%	23%	89%	60%	64%

CONTACT:

Shachi Kurl, Executive Director: 604.908.1693 shachi.kurl@angusreid.org @shachikurl
 Ian Holliday, Research Associate: 604.442.3312 ian.holliday@angusreid.org

Overall, based on whatever you've seen or heard about this and your own overall impressions, would you say that the decision of the jury in the trial was ...			
(weighted sample sizes)	Total who have followed the trial (1945)	Visible minority	
		Yes (339)	No (1606)
Good and fair	30%	28%	31%
Flawed and wrong	32%	41%	30%
Not sure/Can't say	38%	31%	39%