

THE HONOURABLE CHARLES T. HACKLAND
REGIONAL SENIOR JUSTICE
SUPERIOR COURT OF JUSTICE

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OTTAWA, ONTARIO K2P 2K1



L'HONORABLE CHARLES T. HACKLAND
JUGE PRINCIPAL RÉGIONAL
COUR SUPÉRIEURE DE JUSTICE

PALAIS DE JUSTICE
161, RUE ELGIN
OTTAWA (ONTARIO) K2P 2K1

August 26, 2008

Mr. Chris G. Paliare
Paliare, Roland, Rosenberg, Rothstein LLP
250 University Avenue, Suite 501
Toronto, ON M5H 3E5

**Re: Inquiry Committee regarding
The Honourable Mr. Justice Paul Cosgrove**

Dear Mr. Paliare:

You have asked me to provide you with a letter setting out my views on Justice Cosgrove's character in respect of his integrity, fairness and competence based on my knowledge of and dealings with him.

I have known Justice Cosgrove for many years, first as a counsel appearing in front of him periodically and over the last 5 years as a judicial colleague and more recently as Regional Senior Justice for the East Region of the Superior Court of Justice.

I hold Justice Cosgrove in high regard. I have observed him to be extremely dedicated and hard working, always willing to co-operate in terms of judicial assignments and always courteous and pleasant to his colleagues. Notwithstanding the personal stress and embarrassment that the current proceedings have caused Justice Cosgrove, I have not heard him complain and he has not missed one day of assigned work. Moreover, he has continued his long standing habit of waiving his judgment writing weeks in favour of taking on additional work. While he has not been sitting pending the outcome of the present proceedings, he has assisted us by processing a significant part of our large volume of motions in writing and he has conducted many case conferences or settlement conferences in family law. I think this attests to Justice Cosgrove's character and dedication in the present difficult circumstances.

Justice Cosgrove has rendered extraordinary public service to this country, in municipal politics, as a Mayor (of Scarborough), as a federal member of parliament and a Minister of the Crown (in the Trudeau government). Few of us have comparable records of public service. Justice Cosgrove, who has a great interest in local history, was a leader in the planning for the renovation and expansion of the historic Brockville Courthouse. He is very active in Law Day events each year.



As you know, the Court of Appeal for Ontario carefully reviewed Justice Cosgrove's handling of the Elliott decision and rendered their judgment. Justice Cosgrove has respectfully accepted this judgment. The judgment speaks for itself in terms of the legal errors attributed to Justice Cosgrove. I wish to convey, with due respect, that it is a matter of some dismay to me and to many of Justice Cosgrove's other judicial colleagues, that he should be subject to a public proceeding and possible discipline for errors of judgment made in good faith in the course of exercising his judicial duties.

To the best of my knowledge and on the basis of my personal experience and observation, Justice Cosgrove has never acted for personal motives or benefit and has always done what he honestly considered to be in the interests of justice. Such errors of law and procedure as he has made have been addressed by our Court of Appeal, as should be the case. I am aware that some lawyers dislike Justice Cosgrove's judging style. On the other hand, he has very strong skills in dealing with self represented individuals, particularly in family law.

In conclusion, Justice Cosgrove is owed a debt of gratitude for his contributions to public life, including his many years of judicial service. He continues to have my respect and I wish him well as he nears retirement after a distinguished career.

Yours very truly,

A handwritten signature in cursive script, which appears to read 'Charles T. Hackland'.

Charles T. Hackland
Regional Senior Justice

CTH:dmo