

THE HONOURABLE MR. JUSTICE COLIN D. MCKINNON
SUPERIOR COURT OF JUSTICE

COURT HOUSE
161 ELGIN STREET
OTTAWA, ONTARIO K2P 2K1



L'HONORABLE JUGE COLIN D. MCKINNON
COUR SUPÉRIEURE DE JUSTICE

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

TELEPHONE/TÉLÉPHONE: (613) 239-1400
FAX/TÉLÉCOPIEUR: (613) 239-1507
cmckinnon@judicom.gc.ca

August 21, 2008

Inquiry Committee
Canadian Judicial Council
Ottawa, ON
K1A 0W8

Re: Justice Paul Cosgrove

I have been acquainted with Justice Cosgrove for over 20 years. I have had occasion to appear before him in court as an advocate on a number of occasions and have spent many hours with him as a colleague, interacting socially and professionally.

In court appearances before him, Justice Cosgrove was always well prepared. He cut to the marrow of the argument. He was often challenging in his comments which, personally, I found helpful in developing my arguments. At no time did I feel that I was treated unfairly.

For many years I did criminal defence work. Justice Cosgrove's general reputation was that he was "pro Crown" which, to say the least, renders these proceedings ironic.

There is no question that the Elliott case went terribly wrong for everyone involved. I personally believe that the case was bedevilled by an unfortunate grouping of individuals and issues which transformed over time into mass confusion, which the Court of Appeal, in very blunt language, corrected. As unfortunate as the handling of the case was by Justice Cosgrove, it is nonetheless atypical of Justice Cosgrove's twenty-four year judicial career.

As a colleague, Justice Cosgrove has been unfailingly courteous, eager to share knowledge and receptive to constructive comments. In many ways he is a Renaissance man. His life as an elected official prior to being appointed to the bench was marked by numerous achievements. He is a man of great integrity. As a judge, he frequently foregoes vacation weeks when the schedule calls for additional judicial complement. He

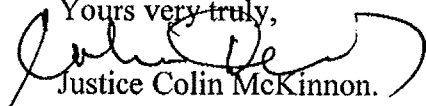


-2-

is willing to take on any assignment and travel anywhere in order to ensure that the caseload is serviced. Feedback from the bar convinces me that Justice Cosgrove is particularly knowledgeable in family and commercial law.

Justice Cosgrove has proven to be a dedicated judge ever ready to serve the public. I would regard it as a great shame were he to be removed from office by virtue of his involvement in one unfortunate trial which, as previously stated, was set right by the Court of Appeal for Ontario.

Yours very truly,


Justice Colin McKinnon.

CMcK/bh