

THE HONOURABLE
Hugh Campbell Stansfield, LLB ('79)

by Joe Wiebe



OCTOBER 1, 1952 TO MAY 7, 2009

On May 7, 2009 British Columbia's Provincial Court Chief Judge, Hugh Stansfield ('79), died from multiple myeloma, a cancer of the white blood cells. An intelligent, dynamic and open-minded judge, he was involved in or directly responsible for many of the significant reforms in BC's provincial court over the past 15 years. He was 56 years old.

Hugh Stansfield left an indelible mark on almost everyone he met. His colleagues who spoke at the Special Sitting held in his honour on June 4 in the Great Hall of the Law Courts repeated the same words over and over again – amazing, extraordinary, gifted, visionary, dedicated, eloquent, energetic, and innovative.

As Chief Judge from July 1, 2005 until his death, Stansfield devoted himself to the cause of access to justice.

"He understood that our system of justice is regarded by most people as being the best and the fairest and the most transparent in the world. But he also recognized that our system has its shortcomings. He recognized that our system needed to be reformed. And to that extent he was at the forefront. He was a reformer, someone who was passionate about the system, that cared about the system."

Wally Oppal ('66)

FORMER BC ATTORNEY-GENERAL

"He viewed service to others as a calling," said Judge Carol Baird Ellan ('79), who preceded him as Chief Judge (from 2000-2005). In her heartfelt speech at the Special Sitting, she expressed that "his love of the law was not a mere intellectual pursuit; he believed deeply that it was the best way he could live his vision of service."

It might be surprising to hear, then, that Stansfield got into law "by accident," as he put it in an interview published in *BC Business* in March 2006. He graduated as the top student at Magee Secondary in Kerrisdale but put off post-secondary studies for a year, choosing instead to work as a labourer with the UBC Physical Plant. After six months of mucking out sewers, he took a job as a deckhand on a United Church Mission boat that sailed to Alaska and back.

Judge Ken Ball ('76), who became friends with Stansfield when they were teenagers, says Stansfield thought "his place on Earth was to

be of service to others.” This first manifested itself through his faith, Ball says, “At one point, anyway, I know he actively considered the Ministry.” Stansfield remained active in the United Church throughout his life.

As an undergraduate, Stansfield studied English Literature and Theatre at UBC, where “he managed to complete the first three years in only six years,” as Judge Robert Metzger (’73) wrote in a tongue-in-cheek profile that appeared in *The Advocate* when Stansfield was appointed Chief Judge.

He pursued acting as a career for a time, sidelining as a waiter at the Keg. After marrying his high school sweetheart, Jo-Ann Giles in 1975, he decided to give law school a try, which, according to Metzger, was “a good way to avoid making any final career choice.”

Stansfield clearly found his calling at law school.

“Hugh immediately established himself as one of the most dynamic and charismatic members of our class,” Judge Baird Ellan remembered. “We nicknamed him Hugu within weeks. By Christmas we had designated him most likely to become Prime Minister. He rose in our ranks to become a member of the renowned Newfie Bullet Trike Race team, and President of the Law Students’ Association in third year.”

Stansfield articulated at the Provincial Crown Counsel Office, and then, six months after his call to the bar in 1980, joined the Provincial Crown as a junior prosecutor at the Main Street Courthouse. Judge Tom Gove (’73) who was managing his own firm (then Gove Sr., now McLaughlin Brown Anderson) and needed a new courtroom lawyer. Someone recommended Stansfield.

“I went down to Main Street and checked him out and offered him the job,” Gove says. “He was an awesome worker. He worked almost ridiculous hours. Very passionate about the child welfare cases, very passionate about the criminal cases. Always very concerned about people.”

“Hugh had that rare gift of precisely articulating the heart of an issue while the rest of us were still trying to figure out how to say something similar. And when we heard him, we’d go, *Gee, that’s what I wanted to say. Why can’t I talk like that?* And the truth of the matter was, we couldn’t talk as well as Hugh did, and that was okay. His comments were always insightful, they were dead on the issue, and they were delivered with gentle but direct force.”

Ray Wyant

CHIEF JUDGE OF MANITOBA

Eventually, Stansfield left Gove to join Lawson Lundell Lawson and McIntosh (now Lawson Lundell), focusing on commercial litigation, along with some family and criminal work. He became a partner there in 1987, but felt the call of the bench strongly, and became a provincial judge on May 6, 1993.

“There were a lot of people who wanted to see him appointed because he had earned, even in his relatively short legal career, a reputation as being bright, energetic and innovative,” remembers now-retired Judge Ross Tweedale (’72).

Stansfield was already an accomplished mediator when he became a judge and he soon began training other judges in mediation skills. According to Judge Baird Ellan, “Hugh was truly gifted at dispute resolution. He had a sympathetic manner that somehow allowed each person to fully express their point of view while maintaining their dignity. He had even the most hardened of litigants shaking hands or maybe even hugging by the end of their half-hour timeslot.”

In 1994, Stansfield transferred to Kelowna as Administrative Judge. He became an Associate Chief Judge under then Chief Judge Robert Metzger in 1998, working side-by-side with Judge Dennis Schmidt (then Associate Chief Judge) on the Criminal Caseflow Management rules, which were enacted in 1999.

Stansfield became a member of the Judicial Council in 2001, continuing to focus on a reform-minded agenda. Following his diagnosis with multiple myeloma in 2003, he underwent chemotherapy and stem-cell transplant treatments.

Stansfield's illness did not slow him down. If anything, it seemed to drive him to do more. In 2004, he was a member of the province's Street Crime Working Group, and then in 2005 he was appointed Chief Judge.

He was famously available to the media throughout his tenure, regularly appearing on television or the radio, and meeting with newspaper editorial boards. One of the first things he did was travel all around the province to meet with local media. He often made himself available to the public in Meet the Judge forums.

As Chief Judge, Stansfield was able to see one of his most important initiatives, the Downtown Community Court, come to fruition (see page 13 for more on the DCC). He was also invited to travel to China to observe its legal system and make recommendations, and reciprocated by hosting Chinese delegates in Vancouver in return.

Dennis Schmidt ('74) remembers how strenuous the trip to China was. "I was exhausted and I hadn't done much," he recalls. "Hugh carried all the freight, and I knew how sick he was. I came home and said to my wife, 'I've never seen anybody stronger in my life.'"

Many who worked with Hugh Stansfield during this time were astounded by his energy and commitment, even though his illness had returned. He was known for sending emails in the wee hours of the morning and maintaining a workload that healthy people would find overwhelming.

Stansfield still found time for his family and remained active in his church. He even managed to embark on a remarkable adventure when he and three buddies rode motorcycles across Canada to Newfoundland and back in the summer of 2008.

He also volunteered for a cause in which he believed strongly: the Hear the Child initiative of the Victoria-based International Institute for Child Rights and Development (IICRD).

"I don't think people have heard very much about his dedication and passion to see that children were better supported in the court process," Suzanne Williams, IICRD's Deputy and Legal Director.

Stansfield advised the IICRD from the bench's perspective and helped by writing letters or other documents.

"He was committed in every sense of the word," Williams emphasizes. "There was never a time that I called upon him that he wasn't there to be supportive. His presence is incredibly missed."

The consensus is that Hugh Stansfield was a truly rare individual—the sort of person you meet only a few times in your life. He was a deeply principled reformer with near-boundless energy who was rarely discouraged and always had time for friends and colleagues. As a judge, he gave each person his full attention and treated everyone the same. And he was a brilliant communicator who articulated any subject, no matter how complicated, without impatience or arrogance.

And, on top of it all, he was a tremendous singer.

"He had a wonderful singing voice and just loved to use it," Judge Ball says. "Even at his office a month before he died, he'd be walking down the hall singing. He just loved to sing."

Although Hugh Stansfield's voice is now silent, his legacy will echo loudly and clearly long into the future. ●

"He really did appreciate the majesty of the court, but the majesty of the court was not allowed, in his world, to interfere with the fact that he really wanted to be sitting on the same level as the litigant, looking them in the eye and being able to talk to them face to face. He was as good talking to taxi drivers as he was to talking to the powerful."

Trevor Armstrong, QC ('77)