

In Veltman trial, judge rejected publication ban

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Police outside Nathaniel Veltman's London, Ont., apartment. Veltman's racist manifesto was found on his digital devices soon after the attack.

Steve Russell / Toronto Star

In an “important victory” for the principle of transparent justice, the Ontario judge overseeing the case of accused terrorist [Nathaniel Veltman](#) denied an “unprecedented” request by prosecutors for a permanent publication ban on the killer’s hate-filled manifesto.

The ruling by Ontario Superior Court Justice Renee Pomerance was made days before Veltman’s high-profile first-degree murder trial started in Windsor this fall, but was itself under a publication ban until the completion of the evidence. The Star can now report on the decision after jurors began verdict deliberations following the nine-week trial Wednesday.

Pomerance’s Sept. 7 ruling came after a rare application from Crown counsel for a permanent publication ban on the contents of Veltman’s racist and Islamophobic manifesto — a move prosecutors said was to prevent the risk of copycat violence. The application was fought by a coalition of media groups, including the Toronto Star, CBC, Globe and Mail, CTV and

Postmedia, who argued the ban would significantly undermine the foundational Canadian principle that courts be open to the public.

Pomerance denied the ban, concluding the request had a “paternalistic quality” — that prosecutors feared the public could not be trusted to responsibly hear the evidence. Blocking the media from reporting on Veltman’s manifesto, she said, “would keep from the public evidence that lies at the very heart of the prosecution.”

She wrote: “Canadian criminal trials must be subject to public scrutiny. Trials must not be secret affairs.”

Iain MacKinnon, the lawyer who represented the media coalition, said Pomerance’s decision is “important” because it reinforces that media coverage of court proceedings is necessary for the public to understand evidence heard at a trial.

“The judge said that journalists play a critical role by offering a portal for the public to monitor the administration of justice,” MacKinnon said.

Veltman, 22, pleaded not guilty to four counts of terrorism-motivated first-degree murder and one count of terrorism-motivated attempted murder in the June 6, 2021, hit-and-run that killed four members of a London, Ont., Muslim family — [Salman, Talat and Yumna Afzaal, and Madiha Salman](#) — and seriously injured a fifth.

The manifesto, which Veltman titled “A White Awakening,” was a key piece of Crown evidence during the more than two-month trial. The document was found by police on Veltman’s digital devices in the hours after the fatal collision and Veltman admitted he began writing it a month before he fatally struck the Afzaal family, working on it right up until the days before the deaths.

“Below are my political views for whoever is interested,” the manifesto began.

In the document, he disparages Muslims, rails against “mass immigration” and calls on white people to “unite” and fight back against multiculturalism. When Veltman took the stand midtrial, he said he’d written it to sort out his [changing world view but had no audience in mind](#); under questioning by the prosecution [he admitted his words were “hateful” and “dehumanizing.”](#)

Months before the start of the trial, Pomerance ruled that prosecutors could admit relevant portions of the manifesto to establish the elements of the terrorism allegations. Crown prosecutors could then read the manifesto to the jury and provide them with written copies during their deliberations.

In June, shortly before the trial began, Crown prosecutors requested Pomerance place a permanent publication ban on the contents of the manifesto. They asked for a court order stating journalists covering the trial could generally describe the manifesto but not quote directly from it.

The Crown argued that publishing quotes from the manifesto would amount to the dissemination of hate speech and that it risked inspiring other like-minded individuals to engage in violence. Manifestos carry “special significance among white supremacists” and are “digitally passed on like a baton from one attacker to another,” Pomerance wrote, summarizing the Crown arguments. Veltman’s words could end up on the dark web and be accessed by right-wing extremist groups, prosecutors said.

During Veltman’s trial, court heard he downloaded and repeatedly read a white-nationalist manifesto penned by [the man who killed 51 people](#) in an attack on two New Zealand mosques in 2019; prosecutors initially asked for a publication ban on this document but later withdrew the request as the document has already been broadly disseminated.

In a written arguments, the media coalition called a publication ban on evidence that would be read in at trial “unprecedented.” The coalition argued there was a critical distinction between the sharing of manifestos on extremist networks and responsible, contextualized reporting by media on a public trial.

If there was a risk of harm in publishing Veltman’s manifesto, it was from it being posted on extreme sites by “like-minded individuals and not from media articles that report on legal proceedings,” wrote MacKinnon, lawyer for the media coalition.

Pomerance agreed. In her decision, the judge said that publication by media on Veltman’s manifesto was not aimed at legitimizing his message but rather to explain the importance of the document at the trial and “educate the public on the very harms alleged by the Crown,” Pomerance wrote.

“I agree with the media that ‘context is everything.’ Responsible journalistic reporting on trial proceedings is necessary to allow the public to understand the charges and any verdicts reached by the jury,” Pomerance wrote.

She noted prosecutors had not provided evidence to show that media reporting on trials causes harm and said “common sense” would dictate that it’s not comparable to the sharing of a manifesto in extremist networks.

“Hate speech causes harm. The prosecution of hate speech — or activity allegedly inspired by hate speech — if successful, seeks to deter and publicly denounce this type of conduct,”

Pomerance wrote.

The proposed ban was also unlikely to prevent any glorification of the accused's alleged actions, the judge added.

Not only are the ideas shared in Veltman's manifesto largely duplicated in the interview he gave to London police — which all parties knew would be [made public during the trial](#) — but those “inclined to celebrate the action or words of the accused ... will do so whether or not the excerpts from the manifesto are published,” Pomerance wrote. She noted the Crown had already submitted evidence prior to the trial that an unnamed website had called Veltman a “saint,” according to the ruling.

Pomerance also noted portions of Veltman's manifesto would be read out in open court, heard by anyone attending in person or watching a live stream of the trial at the London courthouse. The evidence, she said, “should not be the exclusive domain of those who happen to get a physical seat in the courthouse,” she wrote, adding that the media play the “critical role” of providing information about the trial to the broader public.

And while Pomerance accepted that the manifesto may indeed be “misused” by some, that isn't a basis to deprive the broader public of information about the trial.

“The potential actions of a few should not deprive the many of access to evidence led at a public trial. To hold otherwise is to have the tail wag the dog,” she wrote.

Ultimately the court should not dictate “what the public should and should not receive for its own good,” she wrote — “it is not my role as a judge to curate the marketplace of ideas.”

Justin Manoryk, the Star's legal counsel, called Pomerance's ruling “an important victory for freedom of expression.” He credited Pomerance for rejecting arguments that the public needed to be protected from exposure to critically important evidence and for instead taking a “nuanced approach” that underscores the public's right to know what happens in our courts.

“She concluded rightly that a more informed public, not less, is in the public interest,” Manoryk said.