

Dec 16/92



A tearful farewell

Daughter Tracey, right, hugs her mother, Jean Millar, as she is led to waiting police car to take her to prison to begin serving her four-year sentence. Defence lawyer Michelle Fuerst looks on from left.

Nov 4/92

Jean Millar is found guilty of manslaughter by Picton jury

For the second time in three years a jury has convicted Jean Millar of homicide.

The 49-year-old former Foresters Falls' woman was convicted of manslaughter Thursday morning by an eight-man, four-woman jury in Picton, following a five-week trial.

Mrs. Millar had been charged with second-degree murder.

She was convicted on the same charge in 1989 in Pembroke but won a new trial in a decision by the Court of Appeal.

The charge stemmed from the August 18, 1987 shooting death of her husband, OPP Const. Ralph Millar, in the couple's Foresters Falls' home.

In the latest trial Mrs. Millar confessed to shooting her husband but she contended that she did so in self-defence, citing the battered woman's syndrome as the basis for that defence.

Despite the expert testimony of two psychiatrists, Dr. Frederick Shane and Dr. Graham Glancy, the jury rejected the theory of self-defence.

The only basis for the manslaughter conviction by the jury would seem to be that it perceived reasonable doubt as to her state of

mind at the time of the shooting.

Led by her lawyer, Michelle Fuerst, Mrs. Millar described her life with Ralph Millar as one of near-constant abuse, be it physical, sexual, or psychological.

She told the court of repeated beatings, of being called names and being belittled by her husband.

His cruelty, she said, extended to his two sons and his daughter, as well as the farm animals.

She said there had been a great disagreement about her continued theft of funds from the bank in which she worked the evening prior to the murder, and that her husband threatened to kill her.

Those thefts, court was told, were directed by her husband.

In addition to his original charge to the jury, Mr. Justice Ben Hurley told the jury that before Mrs. Millar could be convicted, it must be satisfied, to the exclusion of any reasonable doubt, that Mrs. Millar was not acting in self-defence.

"If you conclude that she killed Mr. Millar in self-defence, or if there is any reasonable doubt in your minds as to whether she did or not, then in either case you must acquit her," he told the

jury.

In his final summation to the jury, Crown attorney Peter Barnes told the jury that there was no evidence, apart from Mrs. Millar's testimony, that any fight took place that evening before the shooting.

He reminded the jury that under cross-examination from a number of witnesses and from police evidence that the reverse was true.

He said that the defendant's life was a lie and that her defence was an elaborate web of lies.

Miss Fuerst refused to comment on the verdict, saying that she preferred to not say anything while the matter is still before the courts. Mrs. Millar will be sentenced in Picton on December 9, 1992 by Mr. Justice Hurley.

Crown attorney Peter Barnes said that the trial offered judges, lawyers, police and public a lot to learn about the battered woman syndrome.

He said that, fortunately, it's a rare phenomenon since few women kill men.

The Crown has the option to appeal the verdict within 30 days and perhaps try a third attempt at finding Mrs. Millar guilty of murder.