



THE **VOICE** OF  
THE **CRIMINAL**  
**DEFENCE BAR**

## MEMBER PROFILE QUESTIONS

### INTRODUCTION

We want to make sure our clients get a fair shot through the system. We understand that it's equally as important to stand up for our collective civil rights through our individual client cases. And we want to accomplish all that while having fun. We tend not to take ourselves too seriously.

**Member Name :** Titan Defence LLP (Sina Shabestary and Kabir Sharma)

**Year of Call :** 2016 (Sina), 2015 (Kabir)

**Twitter Handle:** @titanllp

**LinkedIn Page:** Titan Defence LLP

**INSTAGRAM:** @titanllp

**Photo:** (courtesy of neighbourhood)

## **QUESTIONS :**

### **1- How did you get into criminal law?**

**Sina:** I've always had the view that we are largely limited in our choices, owing to circumstances beyond our control. Coupled with my passion for advocacy, this insight has fuelled my interest in a career that is fundamentally premised on administering a process that is uniformly fair and objective, regardless of the alleged crime. To me, that's criminal justice.

**Kabir:** Where I grew up, I had two choices – criminal or criminal lawyer, and I just happened to pick the right one. In racialized and marginalized communities, police, crime, and the Charter are all a part of day-to-day life. Because of this, criminal law was just something that I was always interested in.

Many don't understand that the police in the streets are nothing at all like police in court – they might as well be two separate institutions. I'm afraid many stakeholders in the justice system really can't understand how this fact can impact someone who lives in an overpoliced community.

I'm honoured that I can bring my very personal experiences into court on a daily basis and use my unique perspective to help the decision maker come to the right decision.

### **2- What type of cases do you enjoy defending the most and why?**

**Sina:** Those with a racial profiling component. Racism and confirmation bias are two of the most problematic features of our criminal justice system, and they perpetuate the circumstances that I alluded to above. I also enjoy conducting bail

reviews. In my experience, the principles governing eligibility for bail are often misapprehended at the first instance.

**Kabir:** I enjoy cases with unique and novel legal issues. For example, I've argued for a stay of proceedings on the basis of Peel Police's use of a ballistic breaching shotgun during the execution of search warrant, which was swiftly dismissed. I did thoroughly enjoy arguing it though!

### **3- How did the practice of criminal law change you?**

**Sina:** It has made me more self aware and less judgmental.

**Kabir:** To be thankful, because anyone's life can turn upside down in a second.

### **4- If there is one thing only you would like to see change in criminal law, what would it be?**

**Sina:** A more consistent application of the law of bail in accordance with principles advanced by the Supreme Court and a more efficient administration of set date court.

**Kabir:** An easier and more accessible appeal process. Judges make errors all the time – the problem is that those errors never see the light of day. A more accessible appeal process would hold the judiciary more accountable for the decisions that they make.

I would also like more diversity on the bench. We have made great progress thus far but we still have a long way to go. The judge who is evaluating the credibility of an accused person should have similar life experiences as them. The same

goes for sentencing – the Judge should be able to understand why someone committed a crime. Everyone thinks and acts differently based on how they were raised and the environment where they grew up. To apply the logic and reasoning of a privileged upbringing to that of a marginalized one will rarely result in a fair decision.

**5- What advice would you give to your younger self when you first started practising criminal law?**

**Sina:** Be positive. It always works out. And ditch the imposter syndrome!

**Kabir:** Trust me, you are a lot better equipped for this than you think you are.

**6- How do you deal with bad work days?**

**Sina:** I Facetime with my parents.

**Kabir:** The gym always helps. Sometimes I just sleep it away. I also tell myself that there are 10 great days for every bad day.

**7- What do you think of Zoom court?**

**Sina:** Time and a place. I think it's an excellent option for non-contentious appearances, especially set date court. Otherwise, it's not an adequate substitute.

**Kabir:** Great for set date court, but not for much else. You really lose out on that human element. A judge should not be deciding the guilt of a screen, but rather a real person.

### **8- Any embarrassing court story you're willing to share?**

**Sina:** Court was down for recess so the judge had left. All the support staff had remained. I got a call from my mother and picked up answering "hi mommy!!". I was made fun of a lot that day.

**Kabir:** Cracking a joke at a JPT that I thought was hilarious but definitely wasn't. There were multiple counsel and a long, uncomfortable period of silence. The judge (one of the best, bless her soul) basically said to me in a joking way that it was one of the most lame jokes she's ever heard, and moved on. Everyone exploded laughing and it kind of made me feel like they weren't all laughing at me (although they were). Loved it!

### **9- Who is your role model/inspiration in criminal law?**

**Sina:** Justice Paul French, who I had the pleasure of appearing before many times. His warm demeanour, and level of empathy and compassion were unparalleled.

**Kabir:** I have so many mentors and role models in criminal law that I'd be in trouble if I forgot one. Those who know, know. But I need to specifically shout out to my articling principal Roots Gadhia, and Allan Lobel who gave me a shot and basically fed me when I was starting out.

## **10– What’s your favourite song?**

**Sina:** The Notorious B.I.G. – Gimme the Loot

**Kabir:** My favourite song changes literally on a daily basis.

## **11– How do you maintain work life balance and how do you deal with the stress of the job?**

**Sina:** I try to commit to personal time far in advance so that I’m more likely to stick to the plan. I play sports and try to exercise as much as possible.

**Kabir:** I don’t let my job run my life. Long gone are the days where I put my work before my personal wellbeing. At the end of the day, I do this because it’s incredibly fun, and I try not to forget that.

## **12– What is your biggest legal inspiration?**

**Sina:** the legal aid warriors who are fighting in the trenches every day.

**Kabir:** Historically, all those who stood up against the law when the law was wrong. And today, those that fight against laws put in place that marginalize the disadvantaged.

### **13– What do you do outside of the law?**

**Sina:** Make really good coffee. Ride my motorcycle and take my car to the racetrack as much as possible. And purchase obscene amounts of craft beer and cider.

**Kabir:** I box. I was training for my first amateur fight right before COVID. I can't wait to get back into the ring.

### **14– What would your defence bar colleagues be surprised to learn about you?**

**Sina:** That I can't sleep at night if the dishwasher isn't loaded properly. Maybe they won't be surprised.

**Kabir:** Nothing really, What you see is what you get with me. Buckle up – it's going to be a bumpy ride!