

ROYAL COMMISSION ON THE DONALD MARSHALL R., PROSECUTION

MARITIME CENTRE, SUITE 1026, 1505 BARRINGTON STREET, HALIFAX
NOVA SCOTIA, B3J 3K5 902-424-4800

CHIEF JUSTICE T. ALEXANDER HICKMAN
CHAIRMAN

ASSOCIATE CHIEF JUSTICE LAWRENCE A. POITRAS
COMMISSIONER

THE HONOURABLE
MR. JUSTICE GREGORY THOMAS EVANS
COMMISSIONER

July 25, 1988

Mr. Gilbert Daye
Field Officer
Department of the Secretary
of State of Canada
5281 Duke Street
HALIFAX, Nova Scotia
B3J 3M1

Dear Mr. Daye:

I am writing in respect to the application by the Black United Front for funding for the "Marshall Inquiry Research Project." I refer to your letter of July 13 to Yvonne Atwell in which you asked to be provided with "written confirmation that B.U.F. will be able to present the research findings before the Inquiry in September."

I am unable at this time to give you such written confirmation. As I explained to representatives of the Black United Front at a meeting on July 18, we have only eleven days of hearings scheduled for September and beyond that no further hearings are planned, other than to deal with several matters which are outstanding due to court challenges. I advised the Black United Front representatives that their request that witnesses be called on this matter would be placed before Commission Counsel in the normal way, and that we would respond to that request as soon as possible. I gave no undertaking that they would receive a positive response.


I also indicated to them the Commission's view that the subject of the research is more appropriately dealt with by channeling it into our principal researcher who is doing work on the "Perception of Black People in Nova Scotia in the Criminal Justice System". There are some timing problems with this, however, since the report is beyond the first draft stage. It should be noted that the Commission has not called witnesses to speak to the racism issue other than through those witnesses who have given evidence relating to Donald Marshall, Jr.

Mr. Gilbert Daye

July 21, 1988

If you need any clarification please call me.

Yours truly,


Susan M. Ashley
Commission Executive
Secretary

SMA/bjs

ROYAL COMMISSION ON THE DONALD MARSHALL, JR., PROSECUTION

MARITIME CENTRE, SUITE 1026, 1505 BARRINGTON STREET, HALIFAX
NOVA SCOTIA, B3J 3K5 902-424-4800

CHIEF JUSTICE T. ALEXANDER HICKMAN
CHAIRMAN

ASSOCIATE CHIEF JUSTICE LAWRENCE A. POITRAS
COMMISSIONER

THE HONOURABLE
MR. JUSTICE GREGORY THOMAS EVANS
COMMISSIONER

July 22, 1988

Mr. Graham Hudson,
Convention Services Manager
World Trade and Convention Centre
1800 Argyle Street
Halifax, Nova Scotia B3J 3N8

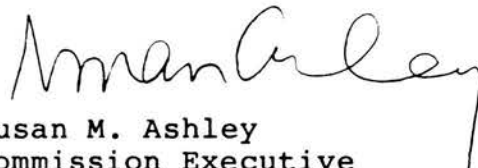
Dear Graham:

Thank-you for your letter of July 21, 1988. I regret very much to advise you that the Royal Commission is unable to accept the space in the Convention Centre under the conditions you set. I simply cannot justify the payment of approximately fifteen thousand dollars of the taxpayer's money for the use of hearing space for 11 days in September.

We have very much enjoyed holding the hearings at the World Trade and Convention Centre and appreciate everything that you have done for us.

Thank you very much.

Yours truly,


Susan M. Ashley
Commission Executive
Secretary

SMA/bjs

ROYAL COMMISSION ON THE DONALD MARSHALL, JR., PROSECUTION

MARITIME CENTRE, SUITE 1026, 1505 BARRINGTON STREET, HALIFAX
NOVA SCOTIA, B3J 3K5 902-424-4800

CHIEF JUSTICE T. ALEXANDER HICKMAN
CHAIRMAN

ASSOCIATE CHIEF JUSTICE LAWRENCE A. POITRAS
COMMISSIONER

THE HONOURABLE
MR. JUSTICE GREGORY THOMAS EVANS
COMMISSIONER

July 20, 1988

Mr. Stanley A. Cohen, Esquire
Coordinator Criminal Procedure Project
Law Reform Commission of Canada
130 Albert Street
OTTAWA, Ontario
K1A 0L6

Dear Stan:

Firstly a belated acknowledgement and thank-you for your letter of July 4, 1988, and the enclosed copy of your draft working paper on plea discussions. I was very pleased to have you participate in the workshop on Bruce Archibald's report and I hope that you will be available to attend the workshop on Professor Edward's Opinion Papers now scheduled for Thursday, September 29, 1988.

Secondly, thank-you very much for your lengthy letter of July 13 containing your comments on Bruce's working draft. I am sure that he will find your observations very helpful. I will be in Ottawa tomorrow and Friday and perhaps we will have an opportunity to speak during that time.

Please let me know as to your availability to attend the workshop in September. I shall be pleased to make available to you copies of our other research reports shortly.

Thank-you for your continuing cooperation.

Yours very truly,

John Briggs per bjs.

John E. S. Briggs
Director of Research

JESB/bjs

ROYAL COMMISSION ON THE DONALD MARSHALL R., PROSECUTION

MARITIME CENTRE, SUITE 1026, 1505 BARRINGTON STREET, HALIFAX
NOVA SCOTIA, B3J 3K5 902-424-4800

CHIEF JUSTICE T. ALEXANDER HICKMAN
CHAIRMAN

ASSOCIATE CHIEF JUSTICE LAWRENCE A. POITRAS
COMMISSIONER

THE HONOURABLE
MR. JUSTICE GREGORY THOMAS EVANS
COMMISSIONER

July 20, 1988

Mr. Darrel I. Pink
Patterson, Kitz
Barristers & Solicitors
Bank of Montreal Tower
Suite 1600
5151 George Street
P. O. Box 247
HALIFAX, Nova Scotia
B3J 2N9

Dear Darrel:

Re: Your file number 9201/1 - The Police Study
Dr. Philip Stenning

Thank-you for your letter of July 15, 1988, which would appear to cover the matter of complaints against the R.C.M.P. raised in my letter of July 14, 1988, and previous correspondence. I shall advise on your course regarding access to the files.

Thank-you for your cooperation.

Yours truly,

John Briggs per bjs

John E. S. Briggs
Director of Research

JESB/bjs

cc Philip Stenning ✓

ROYAL COMMISSION ON THE DONALD MARSHALL, JR., PROSECUTION

MARITIME CENTRE, SUITE 1026, 1505 BARRINGTON STREET, HALIFAX
NOVA SCOTIA, B3J 3K5 902-424-4800

CHIEF JUSTICE T. ALEXANDER HICKMAN
CHAIRMAN

ASSOCIATE CHIEF JUSTICE LAWRENCE A. POITRAS
COMMISSIONER

THE HONOURABLE
MR. JUSTICE GREGORY THOMAS EVANS
COMMISSIONER

July 20, 1988

Mr. Darrel I. Pink
Patterson Kitz
Barristers & Solicitors
Bank of Montreal Tower
Suite 1600
5151 George Street
Halifax, Nova Scotia B3J 2N9

Dear Mr. Pink:

Re: Brenda Thompson File

Further to our meeting with Mr. Donahoe, please be advised that it is not the intention of the Commission to call any evidence concerning the Brenda Thompson matter.

Thank you for your co-operation and that of the Attorney General.

Yours very truly,

W. Wylie Spicer,
Commission Counsel

WWS/ljb

ROYAL COMMISSION ON THE DONALD MARSHALL, JR., PROSECUTION

MARITIME CENTRE, SUITE 1026, 1505 BARRINGTON STREET, HALIFAX
NOVA SCOTIA, B3J 3K5 902-424-4800

CHIEF JUSTICE T. ALEXANDER HICKMAN
CHAIRMAN

ASSOCIATE CHIEF JUSTICE LAWRENCE A. POITRAS
COMMISSIONER

THE HONOURABLE
MR. JUSTICE GREGORY THOMAS EVANS
COMMISSIONER

July 20, 1988

Mr. Doug Kirby
Senior Librarian
Canadian Broadcasting Corporation
P. O. Box 3000
Halifax, Nova Scotia B3J 3E9

Dear Mr. Kirby:

I refer to my letter to you of April 13, 1988. Could I please have a response?

Yours truly,

Susan M. Ashley,
Commission Executive
Secretary

SMA/ljb

Enclosure

cc: Mr. Ron Crocker

ROYAL COMMISSION ON THE DONALD MARSHALL, R., PROSECUTION

MARITIME CENTRE, SUITE 1026, 1505 BARRINGTON STREET, HALIFAX
NOVA SCOTIA, B3J 3K5 902-424-4800

CHIEF JUSTICE T. ALEXANDER HICKMAN
CHAIRMAN

ASSOCIATE CHIEF JUSTICE LAWRENCE A. POITRAS
COMMISSIONER

THE HONOURABLE
MR. JUSTICE GREGORY THOMAS EVANS
COMMISSIONER

April 13, 1988

Mr. Doug Kirby
Senior Librarian
Canadian Broadcasting Corporation
P.O. Box 3000
Halifax, Nova Scotia
B3J 3E9

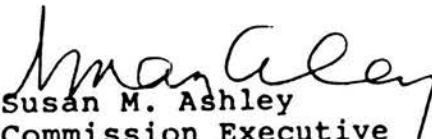
Dear Doug:

Further to my letter of February 12, 1988 I have confirmed with Mr. Carmen Carroll of the Public Archives that they will accept delivery of the tapes from the Public Hearings of the Royal Commission. Perhaps you could give me a call so that we can figure out the best way of handling this.

If possible I would like to receive from you any index that exists of the tapes, e.g. showing the witnesses heard on each tape and the date of the testimony being taped. We would also like to have a letter from you confirming the number of tapes which are being delivered to the Royal Commission.

I look forward to hearing from you soon.

Yours truly,


Susan M. Ashley
Commission Executive
Secretary

SMA:jrc

July 19, 1988

Mr. A. R. Pringle
Senior Counsel
Atlantic Region
Department of Justice Canada
4th Floor
Royal Bank Building
5161 George Street
Halifax, Nova Scotia
B3J 1M7

Dear Mr. Pringle:

Re: R.C.M.P. Witnesses

I am replying to your letter of July 15, with the attached list of attendees at the November 5, 1980, meeting in Ottawa.

Our intention is to interview all persons who attended the November 5 meeting. Those that are in Nova Scotia, we would be happy to interview in Halifax. With respect to the others, since a number of them are in any event residing in Ottawa, we would like to interview them in Ottawa on August 2 and 3 or 3 and 4. The Commission will undertake the pay the expenses of bringing personnel to Ottawa. From your list, I would think that the persons to be interviewed in Ottawa would be:

S/Sgt. D.C. Dillabaugh
C/Supt. Hugh Feagan
Insp. Tony Kozi
C/Supt. John William Bryan McConnell
Insp. Joop Plomp
S/Sgt. Frederick William Pratt
D/Commander Joseph Raymond Quintal
A/Commander Joseph Albert Robert Roy
D/Commander Thomas Stanley Venner

As I mentioned to you, we would also like to interview Commissioner Simmonds, who we understand is residing in Vienna. If he could be in Ottawa for our meetings in August, it would be appreciated. The Commission will pay Mr. Simmonds' expenses as well.

I look forward to hearing from you.

Yours very truly,

W. Wylie Spicer
Commission Counsel

/mm

COPY

ROYAL COMMISSION ON THE DONALD MARSHALL, JR., PROSECUTION

MARITIME CENTRE, SUITE 1026, 1505 BARRINGTON STREET, HALIFAX
NOVA SCOTIA, B3J 3K5 902-424-4800

CHIEF JUSTICE T. ALEXANDER HICKMAN
CHAIRMAN

ASSOCIATE CHIEF JUSTICE LAWRENCE A. POITRAS
COMMISSIONER

THE HONOURABLE
MR. JUSTICE GREGORY THOMAS EVANS
COMMISSIONER

July 20, 1988

Mr. Doug Kirby
Senior Librarian
Canadian Broadcasting Corporation
P. O. Box 3000
Halifax, Nova Scotia B3J 3E9

Dear Mr. Kirby:

I refer to my letter to you of April 13, 1988. Could I
please have a response?

Yours truly,

Susan M. Ashley,
Commission Executive
Secretary

SMA/ljb

Enclosure

ROYAL COMMISSION ON THE DONALD MARSHALL, JR., PROSECUTION

MARITIME CENTRE, SUITE 1026, 1505 BARRINGTON STREET, HALIFAX
NOVA SCOTIA, B3J 3K5 902-424-4800

CHIEF JUSTICE T. ALEXANDER HICKMAN
CHAIRMAN

ASSOCIATE CHIEF JUSTICE LAWRENCE A. POITRAS
COMMISSIONER

THE HONOURABLE
MR. JUSTICE GREGORY THOMAS EVANS
COMMISSIONER

April 13, 1988

Mr. Doug Kirby
Senior Librarian
Canadian Broadcasting Corporation
P.O. Box 3000
Halifax, Nova Scotia
B3J 3E9


Dear Doug:

Further to my letter of February 12, 1988 I have confirmed with Mr. Carmen Carroll of the Public Archives that they will accept delivery of the tapes from the Public Hearings of the Royal Commission. Perhaps you could give me a call so that we can figure out the best way of handling this.

If possible I would like to receive from you any index that exists of the tapes, e.g. showing the witnesses heard on each tape and the date of the testimony being taped. We would also like to have a letter from you confirming the number of tapes which are being delivered to the Royal Commission.

I look forward to hearing from you soon.

Yours truly,


Susan M. Ashley
Commission Executive
Secretary

SMA:jrc

ROYAL COMMISSION ON THE DONALD MARSHALL, JR., PROSECUTION

MARITIME CENTRE, SUITE 1026, 1505 BARRINGTON STREET, HALIFAX
NOVA SCOTIA, B3J 3K5 902-424-4800

CHIEF JUSTICE T. ALEXANDER HICKMAN
CHAIRMAN

ASSOCIATE CHIEF JUSTICE LAWRENCE A. POITRAS
COMMISSIONER

THE HONOURABLE
MR. JUSTICE GREGORY THOMAS EVANS
COMMISSIONER

BY COURIER

July 19, 1988

Mr. Brian A. Crane
Gowling & Henderson
Barristers & Solicitors
160 Elgin Street
Suite 2600
Ottawa, Ontario K1N 8S3

Dear Mr. Crane:

RE: Marshall Inquiry - Judicial Immunity

I refer to our conversation of a couple of days ago and enclose the material which should enable you to begin working on the Leave Application. To date, we have not received the necessary consents.

If you have any question, please give me a call.

Very truly yours,

W. Wylie Spicer,
Commission Counsel

WWS/ljb

Enclosures

ROYAL COMMISSION ON THE DONALD MARSHAL . JR., PROSECUTION

MARITIME CENTRE, SUITE 1026, 1505 BARRINGTON STREET, HALIFAX
NOVA SCOTIA, B3J 3K5 902-424-4800

CHIEF JUSTICE T. ALEXANDER HICKMAN
CHAIRMAN

ASSOCIATE CHIEF JUSTICE LAWRENCE A. POITRAS
COMMISSIONER

THE HONOURABLE
MR. JUSTICE GREGORY THOMAS EVANS
COMMISSIONER

July 18, 1988

Mr. Gerald Taylor
Executive Director
Black United Front of Nova Scotia
2006 Gottingen Street
HALIFAX, Nova Scotia
B3K 3A9

Dear Mr. Taylor:

This letter is simply to follow up the discussion held this afternoon between myself, Tony Ross, Rocky Jones, and yourself.

You indicated that the Black United Front will be undertaking research into five situations involving the death of a black victim. These are the cases of Dale Morton, Graham Jarvis, Nicolas Downey, Benefit Brown, and Kathy Wright. This research will not attempt to look behind the evidence or the decisions in these cases, but rather will deal with the impression held by the survivors of the black victims that the criminal justice system has not served them as well as it would have served white people in the same situation. The purpose of obtaining this information is to present to the Commission some further evidence about the treatment of blacks in the criminal justice system in situations similar to the Marshall case. You have indicated to me that you would like the director of this research project to be called as a witness before the Inquiry.

You indicated further that the Black United Front had been operating on the understanding that they would be permitted to call witnesses to talk about the problems facing blacks in the Criminal Justice System. The names of Rocky Jones and David Sparks were mentioned as potential witnesses.

I indicated that this is the first official word we have had of the request to call witnesses dealing with these issues and that the Black United Front had been advised by a letter of February 5 from John Briggs, that the procedure for calling witnesses is to make the request through Commission Counsel. At no time were Commission Counsel advised by counsel for the Black United Front of B.U.F.'s desire to have witnesses called dealing with the perception of racism against blacks in the Criminal Justice System.

Mr. Gerald Taylor

July 18, 1988

At this point, eleven days of hearings are scheduled for September and beyond that no further hearings are planned other than to deal with several witnesses whose status is now unclear due to court challenges.

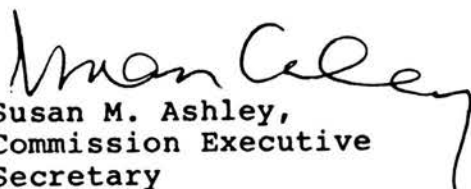
I asked that you write a letter to me, advising us of the names of people that you would like to be called and the purpose for which their evidence was being sought. Your request will then be dealt with by Commission Counsel in the usual way. I gave no undertaking that any further witnesses would be called in September, other than those who have been anticipated by the Commission.

I also indicated to you my feeling that the subject of your own research might be better dealt with through Dr. Head's project, on "Perceptions of Racism by Black Nova Scotians in the Criminal Justice System." However, once again the timing may be problematic if B.U.F.'s work is not completed in the very near future. As I noted in our meeting, it is not now our intention to call our own researchers as witnesses before the Inquiry.

It was made clear by the Commission at a very early stage in the proceedings that it was our belief that the best way of dealing with the racism issues is not through the vehicle of the public hearings. It is primarily for that reason that our research projects were undertaken. The Commission still holds that view.

I look forward to receiving your request in writing.

Yours truly,


Susan M. Ashley,
Commission Executive
Secretary

SMA/bjs
cc Anthony Ross

ROYAL COMMISSION ON THE DONALD MARSHALL, JR., PROSECUTION

MARITIME CENTRE, SUITE 1026, 1505 BARRINGTON STREET, HALIFAX
NOVA SCOTIA, B3J 3K5 902-424-4800

CHIEF JUSTICE T. ALEXANDER HICKMAN
CHAIRMAN

ASSOCIATE CHIEF JUSTICE LAWRENCE A. POITRAS
COMMISSIONER

THE HONOURABLE
MR. JUSTICE GREGORY THOMAS EVANS
COMMISSIONER

July 18, 1988

Daniel N. Paul, Esq.
Executive Director
The Confederacy of Mainland Micmacs
Post Office Box 1590
Truro, Nova Scotia B2N 5V3

Dear Mr. Paul:

Thank you for your letter of June 23, 1988 which we received on July 4th.

The points which you have raised have been passed on to Dr. Scott Clark for appropriate action. I was very pleased that your organization was represented at the meeting of Micmac Chiefs held in Halifax on July 12, 1988. I agree with you that it is important to consult with the Confederacy and to have their input.

Thank you for your participation and interest in the work of the Royal Commission.

I remain,

Yours very truly,



John E.S. Briggs
Director of Research

JESB/jc

cc: Dr. Scott Clark

ROYAL COMMISSION ON THE DONALD MARSHAL JR., PROSECUTION

MARITIME CENTRE, SUITE 1026, 1505 BARRINGTON STREET, HALIFAX
NOVA SCOTIA, B3J 3K5 902-424-4800

CHIEF JUSTICE T. ALEXANDER HICKMAN
CHAIRMAN

ASSOCIATE CHIEF JUSTICE LAWRENCE A. POITRAS
COMMISSIONER

THE HONOURABLE
MR. JUSTICE GREGORY THOMAS EVANS
COMMISSIONER

July 18, 1988

Alexander Denny
Grand Captain
Grand Council of the
Mikmaw Nation
c/o Eskasoni Indian Reserve
Cape Breton, Nova Scotia B0A 1J0

Dear Mr. Denny:

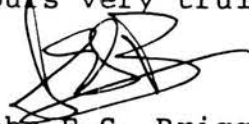
Thank you for your letter of June 29, 1988 and the accompanying report prepared by Dr. Marie Battiste which I received on July 11, 1988.

I believe that Dr. Battiste's report is a very helpful contribution to our work. Needless to say, a copy of the report has been given to Dr. Clark for his consideration in preparing the final draft of his own report.

I shall make a copy of Dr. Clark's final report available to you when completed. In the meantime, thank you for your contribution to and interest in, the work of the Royal Commission.

I remain,

Yours very truly,



John E.S. Briggs
Director of Research

JESB/jc

cc: Dr. Marie Battiste
Dr. Scott Clark

ROYAL COMMISSION ON THE DONALD MARSHALL, JR., PROSECUTION

MARITIME CENTRE, SUITE 1026, 1505 BARRINGTON STREET, HALIFAX
NOVA SCOTIA, B3J 3K5 902-424-4800

CHIEF JUSTICE T. ALEXANDER HICKMAN
CHAIRMAN

ASSOCIATE CHIEF JUSTICE LAWRENCE A. POITRAS
COMMISSIONER

THE HONOURABLE
MR. JUSTICE GREGORY THOMAS EVANS
COMMISSIONER

July 18, 1988

Dr. Marie Battiste, Ph.D., Ed.
Grand Council of Micmacs
c/o Eskasoni Band Council
Cape Breton, Nova Scotia B0A 1J0

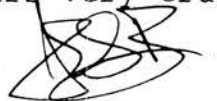
Dear Dr. Battiste:

I am enclosing a copy of my letter of today's date to Alexander Denny, Grand Captain of the Grand Council.

I simply wish to add that I very much enjoyed reading your report and although on the one hand I regret to say that it was an education, on the other hand I am pleased to say that my understanding of the issues and concerns of the Mikmaq Nation has been advanced.

I look forward to discussing these issues with you further as our work progresses. In the meantime, I remain,

Yours very truly,



John E.S. Briggs
Director of Research

JESB/jc

ROYAL COMMISSION ON THE DONALD MARSHALL, JR., PROSECUTION

MARITIME CENTRE, SUITE 1026, 1505 BARRINGTON STREET, HALIFAX
NOVA SCOTIA, B3J 3K5 902-424-4800

CHIEF JUSTICE T. ALEXANDER HICKMAN
CHAIRMAN

ASSOCIATE CHIEF JUSTICE LAWRENCE A. POITRAS
COMMISSIONER

THE HONOURABLE
MR. JUSTICE GREGORY THOMAS EVANS
COMMISSIONER

July 18, 1988

Mr. Darrel I. Pink
Patterson, Kitz
Suite 1600, 5151 George Street
Halifax, Nova Scotia
B3J 2N9

Dear Darrel:

Re: Attorney General's File - MacIsaac

In accordance with your request I now enclose a subpoena
for production to you of the MacIsaac file.

Thank you for your co-operation.

Yours very truly,

W. Wylie Spicer
Commission Counsel

WWS:jc

ROYAL COMMISSION ON THE DONALD MARSHALL, JR., PROSECUTION

MARITIME CENTRE, SUITE 1026, 1505 BARRINGTON STREET, HALIFAX
NOVA SCOTIA, B3J 3K5 902-424-4800

CHIEF JUSTICE T. ALEXANDER HICKMAN
CHAIRMAN

ASSOCIATE CHIEF JUSTICE LAWRENCE A. POITRAS
COMMISSIONER

THE HONOURABLE
MR. JUSTICE GREGORY THOMAS EVANS
COMMISSIONER

IN THE MATTER of the Public Inquiries Act,
R.S.N.S. 1967 c. 250

- and -

IN THE MATTER of a Commission appointed
by Order-in-Council the
28th day of October, 1986,
to inquire in and report to the
Governor in Council with respect
to all matters related to the
death of Sandford William Seale
and the criminal prosecution of
Donald Marshall, Jr. (The
Marshall Inquiry)

THE DEPARTMENT OF THE ATTORNEY GENERAL
TO: c/o DARREL I. PINK
Patterson, Kitz
Barristers & Solicitors
5151 George Street, Suite 1600
Halifax, Nova Scotia

BY VIRTUE of the powers vested in me by the Public
Inquiries Act and by Order-in-Council dated October 28, 1986, I
do hereby order that you:

1. Produce and deliver to Commission Counsel within 10
days of receipt of this Order any and all such
documents, reports and materials as may be in your
possession or custody and relevant to the matters
before the Inquiry, including, without restricting the
generality of the foregoing:

Those files relating to the prosecution of Gregory
MacIsaac.

WITNESS the Chairman of the Marshall Inquiry this 18th day
of July, A.D., 1988.


CHAIRMAN

ROYAL COMMISSION ON THE DONALD MARSHALL, JR., PROSECUTION

MARITIME CENTRE, SUITE 1026, 1505 BARRINGTON STREET, HALIFAX
NOVA SCOTIA, B3J 3K5 902-424-4800

CHIEF JUSTICE T. ALEXANDER HICKMAN
CHAIRMAN

ASSOCIATE CHIEF JUSTICE LAWRENCE A. POITRAS
COMMISSIONER

THE HONOURABLE
MR. JUSTICE GREGORY THOMAS EVANS
COMMISSIONER

July 14, 1988

Dr. J.A. Mannette
Dept. of Social Sciences
University College of Cape Breton
P.O. Box 5300
Sydney, Nova Scotia B1P 6L2

Dear Dr. Mannette,

Thank you for your letter of July 11th.

You indicate that you would like to have the opportunity to examine transcripts. As you are probably aware, there are now over 14,000 pages of transcribed oral testimony. We do not have extra copies of the transcript, other than the central office copy. Daily transcripts have, of course, been provided to all counsel. Perhaps if you could give me some idea of the particular testimony that you are interested in, we could work something out. It would not be possible to remove the transcript from this office. If you wish to have a look at particular parts of our office transcript, you could certainly do so subject to arranging a suitable time. Another option and perhaps a more practical one for you, would be to get access to the transcript from one of the counsel to the various parties appearing before the Inquiry.

At the end of the Inquiry's work, we intend to place a copy of the transcripts as well as the other documents in the Public Archives of Nova Scotia so that researchers and others can have full access to them. However, in the meantime, we are limited by resources and space. We simply do not have extra copies of the transcripts or other public documents for members of the public. However, subject to all the limitations I have indicated, we would be happy to help you out in any way that we can.

Dr. Mannette

2

July 14, 1988

I have noted also your offer of assistance in relation to our research findings. We will keep it in mind as the work progresses.

Thank you very much for your interest in the work of the Royal Commission.

Yours truly,

A handwritten signature in cursive script, appearing to read "Susan Ashley", with a long vertical flourish extending from the end of the name.

Susan M. Ashley
Commission Executive
Secretary

SMA/jm

JUL 13 1988



University College of Cape Breton

P. O. BOX 5300
SYDNEY, NOVA SCOTIA
CANADA
B1P 6L2
(902) 539-5300

July 11, 1988

Susan Ashley
Commission Secretary
Royal Commission of Inquiry
Into the Wrongful Prosecution
of Donald Marshall, Jr.
Suite 1026
1505 Barrington Street
Halifax, Nova Scotia
B3J 3A5

Dear Ms. Ashley,

I am a sociologist in the Department of Social Sciences at the University College of Cape Breton, Sydney, Nova Scotia. Based on media coverage, I have been doing research on the Inquiry. Also, when the Inquiry's venue was Sydney, I attended the hearings regularly.

At the Learned Societies meetings in Windsor, Ontario in June, I presented a paper, "The Donald Marshall Inquiry: Everyday Culture and State Intervention", based on findings to date. This paper will be published in the Canadian Ethnic Studies journal's forthcoming special issue on Atlantic Canada.

I would like to have the opportunity to examine transcripts of witness testimony. My schedule is flexible for the remainder of the summer. Could you let me know when it would be convenient for me to do this research.

I have been told by colleagues, and have read in the media, about the preliminary findings of research commissioned by the Inquiry. If I could be of assistance in this endeavour, please let me know. John Briggs and Don Clairmont are aware of the work which I have been doing.

I look forward to hearing from you at your earliest convenience.

Sincerely,



Dr. J. A. Mannette
Dept. of Social Sciences

ROYAL COMMISSION ON THE DONALD MARSHALL, JR., PROSECUTION

MARITIME CENTRE, SUITE 1026, 1505 BARRINGTON STREET, HALIFAX
NOVA SCOTIA, B3J 3K5 902-424-4800

CHIEF JUSTICE T. ALEXANDER HICKMAN
CHAIRMAN

ASSOCIATE CHIEF JUSTICE LAWRENCE A. POITRAS
COMMISSIONER

THE HONOURABLE
MR. JUSTICE GREGORY THOMAS EVANS
COMMISSIONER

July 14, 1988

Mr. Darrel I. Pink
Patterson, Kitz
Suite 1600, 5151 George Street
Halifax, Nova Scotia
B3J 2N9

Dear Darrel:

Re: Your File #9201/1 - The Policy Study
- Dr. Philip Stenning

Thank you for your letter of July 5, 1988 in regard to the above.

Firstly, a small point of clarification: Am I to take it that the belief which you express in paragraph #4, page 2 of your letter is based upon the specific advice and instructions you have received from the Department with respect to the question which I have raised?

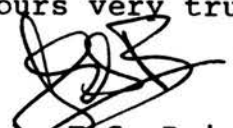
Again, I note that in paragraph #5 (3) on page 5 of your letter you express your belief that the Province does not maintain information regarding complaints lodged against the RCMP. I presume that you have been advised by your client that this is indeed the case? I simply wish to be clear regarding the actual situation. For example, am I able to say that the Province simply does not maintain that kind of information or gather any statistics regarding same? Alternatively, is there any ambiguity regarding their practices?

In any event, would you please be good enough to ask your client to request this information from the RCMP. I presume that the RCMP maintain some information or statistics in respect of complaints lodged against them whilst carrying out policing functions in the province of Nova Scotia. We would like to have that information.

Page 2
Darrel Pink
July 14, 1988

I shall let you know how Dr. Stenning wishes to proceed in regard to the examination of documents relating to the standard police training plan. Thank you for your co-operation. I remain,

Yours very truly,

A handwritten signature in black ink, appearing to be 'J.E.S. Briggs', written over the typed name.

John E.S. Briggs
Director of Research

JESB:jrc

cc: Dr. P. Stenning

ROYAL COMMISSION ON THE DONALD MARSHALL, JR., PROSECUTION

MARITIME CENTRE, SUITE 1026, 1505 BARRINGTON STREET, HALIFAX
NOVA SCOTIA, B3J 3K5 902-424-4800

CHIEF JUSTICE T. ALEXANDER HICKMAN
CHAIRMAN

ASSOCIATE CHIEF JUSTICE LAWRENCE A. POITRAS
COMMISSIONER

THE HONOURABLE
MR. JUSTICE GREGORY THOMAS EVANS
COMMISSIONER

July 14, 1988

Mr. E. Anthony Ross
Smith, Gay, Evans & Ross
Barristers & Solicitors
604 Queen Square
Dartmouth, Nova Scotia
B2Y 3Z5

Dear Tony:

Re: Your File #1085-01 - "Other Cases"

Further to your letter of June 2, 1988 with respect to the above captioned subject, as I have indicated to you during subsequent conversations, I contacted the Department of the Secretary of State in Ottawa to determine specifically what information they would require from me.

To-date, I have received no communication from the Secretary of State and I am wondering if you or they still require a letter from me? If so, please advise at your earliest convenience.

Thank you. I remain,

Yours truly,



John E.S. Briggs
Director of Research

JESB:jrc

ROYAL COMMISSION ON THE DONALD MARSHALL JR., PROSECUTION

MARITIME CENTRE, SUITE 1026, 1505 BARRINGTON STREET, HALIFAX
NOVA SCOTIA, B3J 3K5 902-424-4800

CHIEF JUSTICE T. ALEXANDER HICKMAN
CHAIRMAN

ASSOCIATE CHIEF JUSTICE LAWRENCE A. POITRAS
COMMISSIONER

THE HONOURABLE
MR. JUSTICE GREGORY THOMAS EVANS
COMMISSIONER

July 13, 1988

Mr. Darrel I. Pink
Patterson, Kitz
Suite 1600, 5151 George Street
Halifax, Nova Scotia
B3J 2N9

Dear Darrel:

Re: Your File #9201/1 - The MacLean Case

Further to your letter of July 11, 1988, I am able to confirm that the proposed meeting for July 29th at 10:00 a.m. at the Speaker's office in One Government Place is agreeable.

Thank you for your co-operation. I remain,

Yours very truly,



for John E.S. Briggs
Director of Research

JESB:jrc

ROYAL COMMISSION ON THE DONALD MARSHAL JR., PROSECUTION

MARITIME CENTRE, SUITE 1026, 1505 BARRINGTON STREET, HALIFAX
NOVA SCOTIA, B3J 3K5 902-424-4800

CHIEF JUSTICE T. ALEXANDER HICKMAN
CHAIRMAN

ASSOCIATE CHIEF JUSTICE LAWRENCE A. POITRAS
COMMISSIONER

THE HONOURABLE
MR. JUSTICE GREGORY THOMAS EVANS
COMMISSIONER

July 13, 1988

Mr. Darrel I. Pink
Patterson, Kitz
Suite 1600, 5151 George Street
Halifax, Nova Scotia
B3J 2N9

Dear Darrel:

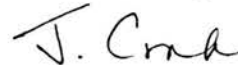
Re: N.S. Communications Project in Criminal Law

Further to your letter of July 5, 1988 to George MacDonald, please be good enough to forward copies of the first, second and fifth documents referred to on the second page of your letter which you have indicated are available.

In addition, I would appreciate if you would provide me with a copy of "Attitudes of Minorities to Criminal Justice Services". Although you have indicated to us that the document was previously provided, I have been unable to locate same. Thank you for your co-operation.

I remain,

Yours very truly,



fel John E.S. Briggs
Director of Research

JESB:jc

ROYAL COMMISSION ON THE DONALD MARSHALL R., PROSECUTION

MARITIME CENTRE, SUITE 1026, 1505 BARRINGTON STREET, HALIFAX
NOVA SCOTIA, B3J 3K5 902-424-4800

CHIEF JUSTICE T. ALEXANDER HICKMAN
CHAIRMAN

ASSOCIATE CHIEF JUSTICE LAWRENCE A. POITRAS
COMMISSIONER

THE HONOURABLE
MR. JUSTICE GREGORY THOMAS EVANS
COMMISSIONER

July 13, 1988

Mr. Darrel I. Pink
Patterson, Kitz
Suite 1600, 5151 George Street
Halifax, Nova Scotia
B3J 2N9

Dear Darrel:

Re: Task Force on Municipal Police Training


Further to your letter of July 11, 1988 regarding a meeting with Kit Waters. As you by now know, Richard Apostle and I attended at the offices of the Solicitor General today based upon your telephone message. I had not connected your reference to Kit Waters with the Task Force meeting. In any event, the Thursday, July 28th date is not satisfactory for Dr. Apostle and I expect to be out of town during the period July 21st to 27th.

Both Dr. Apostle and I would be available on July 18, 1988.

If your people are available on that date, please advise at your earliest convenience. Thank you. I remain,

Yours very truly,



 John E.S. Briggs
Director of Research

JESB:jrc

cc: Dr. Richard Apostle

ROYAL COMMISSION ON THE DONALD MARSHALL, JR., PROSECUTION

MARITIME CENTRE, SUITE 1026, 1505 BARRINGTON STREET, HALIFAX
NOVA SCOTIA, B3J 3K5 902-424-4800

CHIEF JUSTICE T. ALEXANDER HICKMAN
CHAIRMAN

ASSOCIATE CHIEF JUSTICE LAWRENCE A. POITRAS
COMMISSIONER

THE HONOURABLE
MR. JUSTICE GREGORY THOMAS EVANS
COMMISSIONER

July 13, 1988

Professor Allan Grant
Osgoode Hall Law School
York University
4700 Keele Street
Downsview, Ontario N0A 1R0

Dear Allan:

Thank you for your letter of July 6, 1988. I am very pleased that you will be available to act as a reviewer of the Police Study.

As I indicated during one of our telephone conversations, the reviewers will be expected to provide a written critique of the study prior to the workshop. I would hope to be able to forward a copy of the draft study around the end of this month. The reviewers will also be expected to maintain the confidentiality of the contents of the research report. The workshop will be an all-day, in-house, non-public event. I look forward to seeing you in August if not before.

Thank you for your co-operation. I remain,

Yours very truly,



John E.S. Briggs
Director of Research

JESB:jrc

ROYAL COMMISSION ON THE DONALD MARSHALL, JR., PROSECUTION

MARITIME CENTRE, SUITE 1026, 1505 BARRINGTON STREET, HALIFAX
NOVA SCOTIA, B3J 3K5 902-424-4800

CHIEF JUSTICE T. ALEXANDER HICKMAN
CHAIRMAN

ASSOCIATE CHIEF JUSTICE LAWRENCE A. POITRAS
COMMISSIONER

THE HONOURABLE
MR. JUSTICE GREGORY THOMAS EVANS
COMMISSIONER

July 12, 1988

Mr. R. J. Downie, Q.C.
Cox, Downie & Goodfellow
Barristers and Solicitors
P. O. Box 2380, Station "M"
Halifax, Nova Scotia
B3J 3E5

Dear Mr. Downie:

Re: MacKeigan et al v. Hickman et al

I acknowledge receipt of your letter of July 5, 1988 and the enclosed copies of the draft Order.

My only suggestion with respect to the draft Order concerns the final words of the first recital. As you know, the Subpoenaes did not identify any particular areas to be canvassed with the Judges. The letters from David Orsborn, however, set out the areas to be covered, and these areas were further defined in the Memorandum filed on behalf of the Commissioners. I do not wish to be precluded from taking the position that some of the areas with which we wanted to deal did not relate to the performance of judicial duties by the Judges.

I would be prepared to consent as to form to the Order provided the words "relating to the performance of their judicial duties" are deleted from the first recital. If you wished to replace those words with some descriptive phrase such as "before the Inquiry being held by the Defendants" or "relating to their involvement in the Reference relating to Donald Marshall, Jr., and any matters ancillary thereto" I would have no objection.

I will await your comments.

Yours very truly,

A handwritten signature in cursive script, appearing to read "George W. MacDonald". The signature is written in dark ink and is positioned above the printed name and title.

George W. MacDonald
Commission Counsel

GWMacD/fm

cc: Mr. Jamie W. S. Saunders
Ms. Anne Derrick

ROYAL COMMISSION ON THE DONALD MARSHALL CASE, PROSECUTION

MARITIME CENTRE, SUITE 1026, 1505 BARRINGTON STREET, HALIFAX
NOVA SCOTIA, B3J 3K5 902-424-4800

CHIEF JUSTICE T. ALEXANDER HICKMAN
CHAIRMAN

ASSOCIATE CHIEF JUSTICE LAWRENCE A. POITRAS
COMMISSIONER

THE HONOURABLE
MR. JUSTICE GREGORY THOMAS EVANS
COMMISSIONER

July 12, 1988

Ms. Debbie Glabay
St. Andrew's United Church
40 Bentinck Street
P.O. Box 937
Sydney, Nova Scotia
B1P 6J4


Dear Debbie,

The Commission now intends to hear final argument by counsel in Sydney. We are looking at the week of October 31st, that is, Monday, October 31st to Friday, November 4th. If the space is available, we would very much like to schedule the argument to be heard at St. Andrew's. It is possible that we might go longer than November 4th but our plans will be clearer as time goes on.

Could you please let me know whether the church hall is available for these dates or whether you anticipate that there will be any other demand for this space at that time.

I hope you and your new family are doing well and enjoying the summer. Please say hello to all of our friends at the church. I look forward to hearing from you soon.

Yours truly,


Susan M. Ashley
Commission Executive
Secretary

SMA/jm

ROYAL COMMISSION ON THE DONALD MARSHALL, JR., PROSECUTION

MARITIME CENTRE, SUITE 1026, 1505 BARRINGTON STREET, HALIFAX
NOVA SCOTIA, B3J 3K5 902-424-4800

CHIEF JUSTICE T. ALEXANDER HICKMAN
CHAIRMAN

ASSOCIATE CHIEF JUSTICE LAWRENCE A. POITRAS
COMMISSIONER

THE HONOURABLE
MR. JUSTICE GREGORY THOMAS EVANS
COMMISSIONER

July 11, 1988

Mr. Jamie W. S. Saunders
Patterson Kitz
Barristers and Solicitors
P. O. Box 1068
Truro, Nova Scotia
B2N 5B9

Dear Mr. Saunders:

Re: Marshall Inquiry

I refer to the booklet of documents which we gave to you concerning the "Thornhill affair". On page 77 there is a memo from Sgt. Plomp in which reference is made to a situation involving Walton Cook, Allan Sullivan, Gordon Coles and a Douglas Mark Rhodenizer in 1974 and 1980. Would you please determine if files exist concerning this case and arrange to have them available for our review at the earliest possible opportunity.

Yours very truly,

George W. MacDonald
Commission Counsel

GWMacD/fm

ROYAL COMMISSION ON THE DONALD MARSHALL, JR., PROSECUTION

MARITIME CENTRE, SUITE 1026, 1505 BARRINGTON STREET, HALIFAX
NOVA SCOTIA, B3J 3K5 902-424-4800

CHIEF JUSTICE T. ALEXANDER HICKMAN
CHAIRMAN

ASSOCIATE CHIEF JUSTICE LAWRENCE A. POITRAS
COMMISSIONER

THE HONOURABLE
MR. JUSTICE GREGORY THOMAS EVANS
COMMISSIONER

July 7, 1988

Mr. Clayton C. Ruby
Ruby & Edwardh
Barristers and Solicitors
11 Prince Arthur Avenue
Toronto, Ontario
M5R 1B2

Dear Mr. Ruby:

Re: MacKeigan et al v. Hickman et al

I acknowledge your letter of July 24, 1988.

In my letter of June 29, 1988 I outlined the reasons why it appeared appropriate in these circumstances to appeal directly to the Supreme Court of Canada. Those same considerations would apply with respect to an Appeal taken on behalf of Donald Marshall, Jr. Accordingly, I would consent to your proposal.

Yours very truly,

George W. MacDonald
Commission Counsel

GWMacD/fm

cc: Mr. Ronald J. Downie, Q.C.
Mr. Jamie W. S. Saunders

ROYAL COMMISSION ON THE DONALD MARSHALL, JR., PROSECUTION

MARITIME CENTRE, SUITE 1026, 1505 BARRINGTON STREET, HALIFAX
NOVA SCOTIA, B3J 3K5 902-424-4800

CHIEF JUSTICE T. ALEXANDER HICKMAN
CHAIRMAN

ASSOCIATE CHIEF JUSTICE LAWRENCE A. POITRAS
COMMISSIONER

THE HONOURABLE
MR. JUSTICE GREGORY THOMAS EVANS
COMMISSIONER

July 5, 1988

Prof. Llewellyn Watson
Dept. of Sociology & Anthropology
University of P.E.I.
Charlottetown, Prince Edward Island
C1A 4P3

Dear Professor Watson:

Thank you very much for your reviewer's comments which I have read with interest, enjoyed and found to be very helpful.

I am sure that you would be interested in receiving a copy of the next draft of Dr. Head's report and I can assure you that I will forward one when it is available.

I enjoyed our dinner together and your participation in the workshop. I look forward to seeing you again in the future. Thank you very much for your interest in and contribution to the work of the Royal Commission. As soon as we receive a cheque from the finance people, we will forward it on to you. I trust you will find this in order.

Thank you. I remain,

Yours truly,

John E.S. Briggs
Director of Research

JESB:jrc

ROYAL COMMISSION ON THE DONALD MARSHALL, JR., PROSECUTION

MARITIME CENTRE, SUITE 1026, 1505 BARRINGTON STREET, HALIFAX
NOVA SCOTIA, B3J 3K5 902-424-4800

CHIEF JUSTICE T. ALEXANDER HICKMAN
CHAIRMAN

ASSOCIATE CHIEF JUSTICE LAWRENCE A. POITRAS
COMMISSIONER

THE HONOURABLE
MR. JUSTICE GREGORY THOMAS EVANS
COMMISSIONER

July 4, 1988

Bruce H. Wildsmith, Esq.
Room 307, Weldon Law Bldg.
Dalhousie Law School
Halifax, Nova Scotia B3H 4H9

Dear Bruce:

I shall be out of the office until July 11, 1988. I had hoped to speak with you prior to the long weekend but was unable to reach you.

As you are no doubt aware, it has been proposed that a meeting of the 13 Nova Scotia Chiefs be held in Halifax on July 12, 1988. Dan Christmas contacted me about this on Thursday last and we have scrambled somewhat to put things in place. In any event, a meeting room has been arranged at the Chateau Halifax, Baronet Room on the 8th floor from 8:30 a.m. until 5:00 p.m.

I am concerned that the Confederacy be properly represented. Obviously they will be represented through their Chiefs but in addition I thought it might be appropriate that a member of their executive be in attendance. Dan Paul has been suggested. I have spoken to Scott Clark about this and I would ask that perhaps you would be good enough to contact him and share your views on the subject. It may also be that Viola Robinson will attend although I am leaving that up to Scott Clark to work out.

Scott has suggested that I attend on behalf of the Commission and beyond that he wants to keep the numbers as small as possible. I agree. I should also say that I very much look forward to attending the meeting.

I have enclosed for your information a copy of my letter of today's date to Alexander Christmas. I hope that all of this comes off without a hitch. In any event, I don't intend to worry about it while I'm away. Thank you. I remain,

Yours very truly,

John E.S. Briggs
Director of Research

JESB:jrc
cc: Dr. Scott Clark

ROYAL COMMISSION ON THE DONALD MARSHALL, JR., PROSECUTION

MARITIME CENTRE, SUITE 1026, 1505 BARRINGTON STREET, HALIFAX
NOVA SCOTIA, B3J 3K5 902-424-4800

CHIEF JUSTICE T. ALEXANDER HICKMAN
CHAIRMAN

ASSOCIATE CHIEF JUSTICE LAWRENCE A. POITRAS
COMMISSIONER

THE HONOURABLE
MR. JUSTICE GREGORY THOMAS EVANS
COMMISSIONER

July 4, 1988

H. Archibald Kaiser
Associate Professor of Law
Dalhousie Law School
Halifax, Nova Scotia B3H 4H9

Dear Archie:

Re: Your Draft Paper - Wrongful Conviction and Imprisonment:
Towards and End to the Compensatory Obstacle Course

Thank you very much for your letter of June 27, 1988 and in particular the enclosed copy of your draft paper.

Your paper has been circulated to Commission Counsel and I hope to be in a position to advise you shortly as to how we will proceed with respect to dealing with this issue. I have not as yet had an opportunity to read your paper, but I can assure that when I have done so, I will have some comments and some questions. In the meantime, thank you for your contribution and assistance to the work of the Commission.

I remain,

Yours truly,

John E.S. Briggs
Director of Research

JESB:jrc

ROYAL COMMISSION ON THE DONALD MARSHALL, JR., PROSECUTION

MARITIME CENTRE, SUITE 1026, 1505 BARRINGTON STREET, HALIFAX

NOVA SCOTIA, B3J 3K5 902-424-4800

CHIEF JUSTICE T. ALEXANDER HICKMAN
CHAIRMAN

ASSOCIATE CHIEF JUSTICE LAWRENCE A. POITRAS
COMMISSIONER

THE HONOURABLE
MR. JUSTICE GREGORY THOMAS EVANS
COMMISSIONER

July 4, 1988

H. Archibald Kaiser
Associate Professor of Law
Dalhousie Law School
Halifax, Nova Scotia B3H 4H9

Dear Archie:

Thank you for your letter of June 28, 1988 detailing Mr. Donahoe's answers to various questions which you put to him during his Law School visit on April 9, 1987.

It would appear that our concerns about the government attempting to limit the scope of the Inquiry were put to rest during the last day of the public hearings last week. In any event, your time and effort in providing this information is appreciated.

Thank you for your co-operation and assistance. I remain,

Yours truly,

John E.S. Briggs
Director of Research

JESB:jrc

ROYAL COMMISSION ON THE DONALD MARSHALL, JR., PROSECUTION

MARITIME CENTRE, SUITE 1026, 1505 BARRINGTON STREET, HALIFAX
NOVA SCOTIA, B3J 3K5 902-424-4800

CHIEF JUSTICE T. ALEXANDER HICKMAN
CHAIRMAN

ASSOCIATE CHIEF JUSTICE LAWRENCE A. POITRAS
COMMISSIONER

THE HONOURABLE
MR. JUSTICE GREGORY THOMAS EVANS
COMMISSIONER

July 4, 1988

Alex Christmas, Esq.
President
Union of Nova Scotia Indians
111 Membertou Street
Sydney, Nova Scotia B1S 2N9

Dear Mr. Christmas:

Re: Proposed Nova Scotia Chief's Meeting - Tuesday, July 12,
1988 - Halifax

Thank you for your letter of June 30, 1988 which was faxed to me on the same day.

I spoke with your Executive Assistant, Mr. Dan Christmas twice on Thursday, June 30, 1988 and we agreed as follows: the Royal Commission will pay to each of the Chiefs in attendance at the proposed meeting, the sum of \$150.00 as an expense per diem which will cover the cost of accommodation and meals in connection with their attendance at the meeting. In addition, we are prepared to pay an extra day's per diem where necessary to each of the five Chiefs coming from Cape Breton. It is also understood that the Commission will pay the necessary travel expenses of the Chiefs.

We have arranged for the meeting to be held in the Baronet Room, 8th Floor, Chateau Halifax from 8:30 a.m. until 5:00 p.m.

I have spoken with Dr. Scott Clark and he will be in attendance at the meeting. I expect that he will have been in touch with you before you receive this letter. In any event, if you should have any questions or concerns, please do not hesitate to contact Janice Cook at the Commission office, 424-4800.

I trust you will find these arrangements in order. I look forward to seeing you on July 12th. Thank you. I remain,

Yours very truly,

John E.S. Briggs
Director of Research

JESB:jrc

ROYAL COMMISSION ON THE DONALD MARSHALL, JR., PROSECUTION

MARITIME CENTRE, SUITE 1026, 1505 BARRINGTON STREET, HALIFAX
NOVA SCOTIA, B3J 3K5 902-424-4800

CHIEF JUSTICE T. ALEXANDER HICKMAN
CHAIRMAN

ASSOCIATE CHIEF JUSTICE LAWRENCE A. POITRAS
COMMISSIONER

THE HONOURABLE
MR. JUSTICE GREGORY THOMAS EVANS
COMMISSIONER

July 4, 1988

Mr. Darrel I. Pink
Patterson, Kitz
Suite 1600, 5151 George Street
Halifax, Nova Scotia
B3J 2N9

Dear Darrel:

Thank you for sending me a copy of your letter to Scott Clark of June 28, 1988 and in particular the attached materials.

With reference to your letter to myself of June 28, 1988 in connection with Professor Edwards' papers, I shall advise you shortly.

I trust you will find this in order.

Thank you. I remain,

Yours very truly,

John E.S. Briggs
Director of Research

JESB:jc

ROYAL COMMISSION ON THE DONALD MARSHALL, JR., PROSECUTION

MARITIME CENTRE, SUITE 1026, 1505 BARRINGTON STREET, HALIFAX
NOVA SCOTIA, B3J 3K5 902-424-4800

CHIEF JUSTICE T. ALEXANDER HICKMAN
CHAIRMAN

ASSOCIATE CHIEF JUSTICE LAWRENCE A. POITRAS
COMMISSIONER

THE HONOURABLE
MR. JUSTICE GREGORY THOMAS EVANS
COMMISSIONER

July 4, 1988

Mr. Darrel I. Pink
Patterson, Kitz
Suite 1600, 5151 George Street
Halifax, Nova Scotia
B3J 2N9

Dear Darrel:

Re: Task Force on Municipal Police Training

Further to our recent correspondence on this subject and subsequent telephone conversations, I have suggested that if possible you arrange a meeting for myself and Dr. Apostle with the appropriate Task Force persons so that we can brief you on the nature of our data and we can be briefed on how best we can help the Task Force.

I shall be tied up on Monday and Tuesday, July 11th and 12th, but should be available thereafter. The ball is in your court.

Thank you. I remain,

Yours very truly,

John E.S. Briggs
Director of Research

JESB:jrc

ROYAL COMMISSION ON THE DONALD MARSHALL, JR., PROSECUTION

MARITIME CENTRE, SUITE 1026, 1505 BARRINGTON STREET, HALIFAX
NOVA SCOTIA, B3J 3K5 902-424-4800

CHIEF JUSTICE T. ALEXANDER HICKMAN
CHAIRMAN

ASSOCIATE CHIEF JUSTICE LAWRENCE A. POITRAS
COMMISSIONER

THE HONOURABLE
MR. JUSTICE GREGORY THOMAS EVANS
COMMISSIONER

July 5, 1988

Dr. Wilson Head
111 Yorkminster Road
(North York)
Willowdale, Ontario
M2P 1M5I

Dear Wilson:

I shall be out of the office until Monday, July 11, 1988. I had hoped to speak with you before I left but will certainly do so immediately upon my return.

I had a very good meeting with Don Clairmont early last week and I have asked him to undertake some of the dog work of beating Section III and IV of the report into shape for the next draft. In addition, Don will be putting forward a proposal to carry out another sentencing study relating to a different and perhaps more appropriate offence under the Criminal Code. I shall provide you with further details about that when I return.

Given that you have very limited time between now and when you leave the country in August, I would request that you concentrate your energies on addressing Part V of the report - that is Policy Implications and Recommendations. In particular, I believe that it would be very fruitful if you could identify some specific proposals which in your experience have worked elsewhere. In this regard, you may wish to pick up on some of the suggestions made by Dan McIntyre in his reviewer's comments.

I trust that you now have a copy of Professor Watson's review of your report.

To return to the subject of the second draft, I will follow up with the Nova Scotia Human Rights Commission with a view to determining what additional data they may have which we can usefully access. Essentially, my thought is that given the little time available, I do not wish to see you waste your time on activities such as editing, information gathering, or rewriting which, for example, Don or myself can perhaps handle at this end. The more difficult part of the exercise, and the one

Page 2
July 5, 1988

which will draw heavily upon your experience in this field, relates to Section V. If you are agreeable, I would ask you to concentrate in the next several weeks on that area. In any event I shall discuss this with you when I return to the office.

My apologies for this hastily dictated note which I hope arrives in a coherent state.

Warmest wishes. I remain,

Yours very truly,

John E.S. Briggs
Director of Research

JESB:jrc

* Dictated but not read.

ROYAL COMMISSION ON THE DONALD MARSHALL, JR., PROSECUTION

MARITIME CENTRE, SUITE 1026, 1505 BARRINGTON STREET, HALIFAX
NOVA SCOTIA, B3J 3K5 902-424-4800

CHIEF JUSTICE T. ALEXANDER HICKMAN
CHAIRMAN

ASSOCIATE CHIEF JUSTICE LAWRENCE A. POITRAS
COMMISSIONER

THE HONOURABLE
MR. JUSTICE GREGORY THOMAS EVANS
COMMISSIONER

BY COURIER

July 5, 1988

Dr. Chris Murphy
Police & Security Branch
Solicitor General Canada
8th Floor, 340 Laurier Avenue East
Ottawa, Ontario K1A 0P8

Dear Chris:

Re: The Police Study - Workshop - Wednesday, August 31, 1988

This is simply to confirm your availability to act as a reviewer of the Police Study and then subsequently attend the workshop scheduled for Wednesday, August 31, 1988.

As we discussed by telephone some time ago, we would be prepared to pay you an honorarium of \$1,000. to review the study, provide us with your written comments and then attend an all-day workshop to be held in Halifax. In addition, we will of course, pay for your necessary travel, accommodation and related expenses attendant upon your participation at the workshop. I understand however that you will probably be living in Halifax at that time. In any event, I would appreciate if you would be good enough to confirm your availability as soon as possible. Thank you for your co-operation. I remain,

Yours very truly,

John E.S. Briggs
Director of Research

JESB:jrc

ROYAL COMMISSION ON THE DONALD MARSHALL, JR., PROSECUTION

MARITIME CENTRE, SUITE 1026, 1505 BARRINGTON STREET, HALIFAX
NOVA SCOTIA, B3J 3K5 902-424-4800

CHIEF JUSTICE T. ALEXANDER HICKMAN
CHAIRMAN

ASSOCIATE CHIEF JUSTICE LAWRENCE A. POITRAS
COMMISSIONER

THE HONOURABLE
MR. JUSTICE GREGORY THOMAS EVANS
COMMISSIONER

BY COURIER

July 5, 1988

Mr. Allan Grant
Osgoode Hall Law School
York University
4700 Keele Street
Downsview, Ontario N0A 1R0

Dear Allan:

Re: The Police Study - Workshop - Wednesday, August 31, 1988

Further to our telephone conversation of some time ago, I simply wish to confirm your availability to act as a reviewer for the Police Study and then subsequently attend the workshop which will be held in Halifax on Wednesday, August 31, 1988.

As previously discussed, the Commission will pay you an honorarium of \$1,000. to act as a reviewer and subsequently attend the workshop. In addition, we will of course, pay for your necessary travel, accommodation and related expenses. I trust you will be available and look forward to your participation.

Thank you for your co-operation. I remain,

Yours very truly,

John E.S. Briggs
Director of Research

JESB:jrc

ROYAL COMMISSION ON THE DONALD MARSHALL, JR., PROSECUTION

MARITIME CENTRE, SUITE 1026, 1505 BARRINGTON STREET, HALIFAX
NOVA SCOTIA, B3J 3K5 902-424-4800

CHIEF JUSTICE T. ALEXANDER HICKMAN
CHAIRMAN

ASSOCIATE CHIEF JUSTICE LAWRENCE A. POITRAS
COMMISSIONER

THE HONOURABLE
MR. JUSTICE GREGORY THOMAS EVANS
COMMISSIONER

June 30, 1988

Mr. James W. S. Saunders
Patterson, Kitz
Barristers and Solicitors
P. O. Box 1068
Truro, Nova Scotia
B2N 5B9

Dear Mr. Saunders:

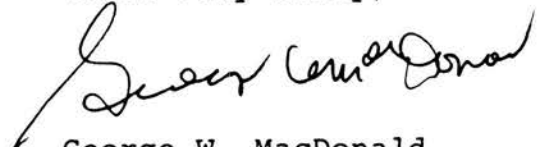
Re: Marshall Inquiry

Some time ago we met and provided to you a proposed Agreed Statement of Facts and a booklet of documents all relating to the "Thornhill affair".

We want to provide Notice to Mr. Thornhill and the Chartered Banks of our intention to look at this file. We would like to be able to provide copies of the Statement of Facts and the booklet and advise those parties of the method we intend to adopt and our present assessment that no evidence would be required from them.

Before we can take this step we do require your advice whether the Statement of Facts is agreeable and if you have any objection to our releasing the documents to the interested parties and also using such documents at the Hearings when the Inquiry resumes. Given the fact that you have had these documents for some time I think it reasonable to ask that you let us have your advice in writing no later than July 15, 1988. If you would like to discuss this matter with us in the meantime, please get in touch.

Yours very truly,



George W. MacDonald
Commission Counsel

GWMacD/fm

ROYAL COMMISSION ON THE DONALD MARSHALL, JR., PROSECUTION

MARITIME CENTRE, SUITE 1026, 1505 BARRINGTON STREET, HALIFAX
NOVA SCOTIA, B3J 3K5 902-424-4800

CHIEF JUSTICE T. ALEXANDER HICKMAN
CHAIRMAN

ASSOCIATE CHIEF JUSTICE LAWRENCE A. POITRAS
COMMISSIONER

THE HONOURABLE
MR. JUSTICE GREGORY THOMAS EVANS
COMMISSIONER

June 30, 1988

Mr. James D. Bissell
Department of Justice
4th Floor, 5161 George Street
Halifax, Nova Scotia
B3J 1M7

Dear Jim:

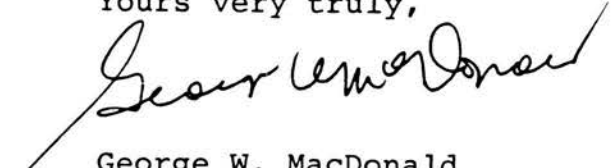
Re: Marshall Inquiry

Some time ago we provided you with a proposed Agreed Statement of Facts and booklet of documents which we propose using in the Inquiry hearings into the "Thornhill affair".

We want to know if there is any disagreement with the Statement of Facts and whether we are at liberty to disclose the Statement of Facts and the documents to Mr. Thornhill and the Banks in question. We propose giving Notice to those parties of our intention to look into the matter and the manner in which we intend to proceed, and our present assessment that no evidence would be required from these parties.

During casual conversations over the last several weeks I had the impression your clients had reviewed the proposed Agreement of Facts and documents and were prepared to consent to their use by us. I would appreciate your written advice whether your clients are agreeable to our proceeding in the manner indicated. Given the short time that remains before Hearings resume in September, I would ask that you let me have your advice no later than July 15, 1988 in order that I can give immediate advice to Mr. Thornhill and the Banks.

Yours very truly,


George W. MacDonald
Commission Counsel

GWMacD/fm

JUN 30 1988

ROYAL COMMISSION ON THE DONALD MARSHALL, JR., PROSECUTION

MARITIME CENTRE, SUITE 1026, 1505 BARRINGTON STREET, HALIFAX
NOVA SCOTIA, B3J 3K5 902-424-4800

CHIEF JUSTICE T. ALEXANDER HICKMAN
CHAIRMAN

ASSOCIATE CHIEF JUSTICE LAWRENCE A. POITRAS
COMMISSIONER

THE HONOURABLE
MR. JUSTICE GREGORY THOMAS EVANS
COMMISSIONER

June 29, 1988

Mr. Ronald J. Downie, Q.C.
Cox, Downie & Goodfellow
Barristers and Solicitors
P. O. Box 2380, Station "M"
Halifax, Nova Scotia
B3J 3E5

Mr. Clayton Ruby
Ruby & Edwardh
Barristers and Solicitors
11 Prince Arthur Avenue
Toronto, Ontario
M5R 1B2

Mr. Jamie W. S. Saunders
Patterson Kitiz
Barristers and Solicitors
P. O. Box 1068
Truro, Nova Scotia
B2N 5B9

Gentlemen:

Re: MacKeigan et al v. Hickman et al

We have been instructed by the Commissioners to appeal from the Decision of Chief Justice Glube in this matter.

Given the fact that the Plaintiffs are five members of the Appeal Division of the Supreme Court of Nova Scotia, and that Mr. Downie acts on behalf of all members of the Appeal Division, it is obvious no member of the Division could hear an appeal. The issue to be heard is whether members of the Appeal Division are compellable to appear to give evidence dealing with the matters which the Commission wishes to canvass. It could be perceived to be embarrassing to the administration of justice in this Province to have our Appeal Division consider the issues.

...../2

Section 39 of the Supreme Court Act provides that an appeal lies to the Court on a question of law alone with leave of the Court, from a final judgment of a Court other than the highest Court of final resort in a Province, pronounced in a judicial proceeding where an appeal lies to that highest Court of final resort. Before an Application for Leave to Appeal to the Supreme Court of Canada can be made, it is necessary to obtain the consent in writing of the parties or their solicitors.

We have been instructed by the Commissioners to request that all parties to this proceeding agree to our making an Application for Leave to Appeal to the Supreme Court of Canada without having appealed Chief Justice Glube's Decision to the Appeal Division of the Nova Scotia Supreme Court. Would you please advise at the earliest possible time whether your clients are prepared to instruct you to provide such written consent.

We have had preliminary discussions with our Ottawa agent and are advised that the next date for hearing Applications for Leave is September 30, 1988. The Court has now adopted a procedure, however, of giving consideration to Applications for Leave by review of the written documents and in a great majority of cases decisions are rendered without the requirement to have an appearance by counsel. Accordingly, it is possible a decision of the Court could be obtained prior to September 30, 1988 if documents are filed well in advance of that date. If the necessary consents are obtained, it would be our intention to proceed as quickly as possible to have our documents filed with the Court.

I would ask you to let me have your response as quickly as possible. If all parties are prepared to consent, I will obtain instructions from our Ottawa agent as to the form of consent which is required and will be providing you with the necessary documentation in due course.

Yours very truly,

George W. MacDonald
Commission Counsel

GWMacD/fm

ROYAL COMMISSION ON THE DONALD MARSHALL, JR., PROSECUTION

MARITIME CENTRE, SUITE 1026, 1505 BARRINGTON STREET, HALIFAX
NOVA SCOTIA, B3J 3K5 902-424-4800

CHIEF JUSTICE T. ALEXANDER HICKMAN
CHAIRMAN

ASSOCIATE CHIEF JUSTICE LAWRENCE A. POITRAS
COMMISSIONER

THE HONOURABLE
MR. JUSTICE GREGORY THOMAS EVANS
COMMISSIONER

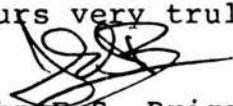
June 29, 1988

Ms. Anne S. Derrick
Buchan, Derrick & Ring
5516 Spring Garden Road
Suite 205, Sovereign Building
Halifax, Nova Scotia B3J 1G6

Dear Anne:

Thank you for your letter of June 17, 1988 advising me of Mr. Samuel D. Stevens and the Native Law Program at the University of British Columbia. I have passed this information along to Scott Clark for appropriate follow-up.

Yours very truly,


John E.S. Briggs
Director of Research

JESB:jrc

cc: Dr. Scott Clark

ROYAL COMMISSION ON THE DONALD MARSHALL, JR., PROSECUTION

MARITIME CENTRE, SUITE 1026, 1505 BARRINGTON STREET, HALIFAX
NOVA SCOTIA, B3J 3K5 902-424-4800

CHIEF JUSTICE T. ALEXANDER HICKMAN
CHAIRMAN

ASSOCIATE CHIEF JUSTICE LAWRENCE A. POITRAS
COMMISSIONER

THE HONOURABLE
MR. JUSTICE GREGORY THOMAS EVANS
COMMISSIONER

June 28, 1988

Mr. Marc Rosenberg, Esq.
Suite 3200, Simpson's Tower
401 Bay Street
Toronto, Ontario M5H 2Y4

Dear Marc:

Re: Prof. Archibald's Study - Prosecuting Officers and the
Administration of Criminal Justice in Nova Scotia

Thank you very much for your contribution to, and participation
in, last Thursday's workshop.

Personally, it was a pleasure to meet you having recently
ploughed through your magnus opus for the Law Reform Commission!

We very much appreciated your written and oral comments which
will certainly help to improve and strengthen the final report.
Bruce and I will be meeting tomorrow to discuss in some detail
all of the reviewers' comments and the input which we received
from the workshop. Overall, I am confident that the review
exercise will contribute to a much improved product.

I have asked that a cheque be requisitioned to cover your
honorarium and in the meantime, I would ask that you forward an
invoice for any of the expenses which we have not already
covered. I may have mentioned that we will be having a workshop
to review Professor Edwards' opinion papers on Thursday,
September 29, 1988. If you are available I would certainly
welcome your attendance as a participant at that workshop. As an
invited participant we would pay your travel and related
expenses, but beyond that the only reward would be the knowledge
that you were doing it pro bono publico. In any event, please
let me know your availability.

Thank you again for your assistance. I remain,

Yours very truly,



John E.S. Briggs
Director of Research

JESB:jrc

ROYAL COMMISSION ON THE DONALD MARSHALL, JR., PROSECUTION

MARITIME CENTRE, SUITE 1026, 1505 BARRINGTON STREET, HALIFAX
NOVA SCOTIA, B3J 3K5 902-424-4800

CHIEF JUSTICE T. ALEXANDER HICKMAN
CHAIRMAN

ASSOCIATE CHIEF JUSTICE LAWRENCE A. POITRAS
COMMISSIONER

THE HONOURABLE
MR. JUSTICE GREGORY THOMAS EVANS
COMMISSIONER

June 28, 1988

Mr. Ken Chasse, Esq.
Director of Research,
Ontario Legal Aid Plan
Suite 200, 481 University Avenue
Toronto, Ontario M5G 2G1

Dear Ken:

Re: Prof. Archibald's Study - Prosecuting Officers and the
Administration of Criminal Justice in Nova Scotia

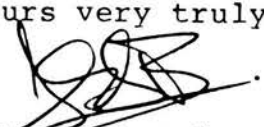
Thank you very much for your contribution to, and participation
in, last week's workshop.

I was very pleased that you were able to attend and in particular
to bring to bear a much needed perspective on a number of the
issues which we were attempting to address. I very much look
forward to receiving your written comments on Bruce's report and
in this regard, I would ask that you forward them at your
earliest convenience. In the meantime, I have asked that a
cheque be requisitioned to cover your honorarium and I would ask
you to forward an invoice to cover any travel and related
expenses which the Commission has not already covered.

Bruce and I will be meeting tomorrow to discuss in detail the
input which we have received from the workshop exercise. I am
confident that the overall review process will result in a much
better and stronger final report.

Again, thank you for your contribution to that process. I
remain,

Yours very truly,


John E.S. Briggs
Director of Research

JESB:jrc

ROYAL COMMISSION ON THE DONALD MARSHALL, JR., PROSECUTION

MARITIME CENTRE, SUITE 1026, 1505 BARRINGTON STREET, HALIFAX
NOVA SCOTIA, B3J 3K5 902-424-4800

CHIEF JUSTICE T. ALEXANDER HICKMAN
CHAIRMAN

ASSOCIATE CHIEF JUSTICE LAWRENCE A. POITRAS
COMMISSIONER

THE HONOURABLE
MR. JUSTICE GREGORY THOMAS EVANS
COMMISSIONER

June 9, 1988

Mr. Gordon Gregory, Q.C.
365 Wright Street
Fredericton, New Brunswick
E3B 2E3

Dear Gordon:

Re: Prof. Archibald's Study - Prosecuting Officers and the
Administration of Criminal Justice in Nova Scotia

Thank you very much for your contribution to, and participation
in, last Thursday's workshop.

We found your comments, both written and oral, very helpful.
Bruce and I will be meeting tomorrow to discuss in detail the
input which we have received from all of the reviewers as well as
during the workshop. I am sure that the overall exercise will
contribute to a better and stronger final report.

I have asked that a cheque be requisitioned to cover your
honorarium which you can expect to receive in the next two to
three weeks. In the meantime, please forward an invoice for any
of the expenses which you have incurred and which we have not
already paid for.

I trust that you will find this in order. If you have any
questions, please do not hesitate to give me a call. Incidentally,
we have scheduled a workshop to discuss Professor Edwards'
opinion papers on Thursday, September 29, 1988. If you are
available I would welcome your attendance as a participant at
that workshop. As an invited participant we would pay your
travel and related expenses, but beyond that the only reward
would be the knowledge that you were doing it pro bono publico.
In any event, please let me know your availability.

Thank you for your assistance. I remain,

Yours very truly,



John E.S. Briggs
Director of Research

JESB:jrc

ROYAL COMMISSION ON THE DONALD MARSHALL, JR., PROSECUTION

MARITIME CENTRE, SUITE 1026, 1505 BARRINGTON STREET, HALIFAX
NOVA SCOTIA, B3J 3K5 902-424-4800

CHIEF JUSTICE T. ALEXANDER HICKMAN
CHAIRMAN

ASSOCIATE CHIEF JUSTICE LAWRENCE A. POITRAS
COMMISSIONER

THE HONOURABLE
MR. JUSTICE GREGORY THOMAS EVANS
COMMISSIONER

PERSONAL & CONFIDENTIAL

June 24, 1988

Mr. Kevin Christmas
17 Bonita Drive
Dartmouth, Nova Scotia
B2X 3A2

Dear Mr. Christmas:

I wish to thank you for your participation in the recent workshop sponsored by the Royal Commission on our research into the perceptions of Native people of discrimination in the criminal justice system of Nova Scotia. I am sure that the discussion from the workshop will be very useful to the researchers in putting the report in final form.

Thursday's session provided an excellent opportunity for the Commissioners to become aware of the issues as they relate to Native people living in Nova Scotia. This awareness will be very useful to us in writing our final report and in making recommendations to government. We are confident that the significant input that we have had to date from the Native community will be of assistance to us in this stage of our work.

Once again, thank you for your involvement in the work of the Royal Commission. It was much appreciated.

Yours very truly,


Chairman

/jrc

ROYAL COMMISSION ON THE DONALD MARSHALL, JR., PROSECUTION

MARITIME CENTRE, SUITE 1026, 1505 BARRINGTON STREET, HALIFAX
NOVA SCOTIA, B3J 3K5 902-424-4800

CHIEF JUSTICE T. ALEXANDER HICKMAN
CHAIRMAN

ASSOCIATE CHIEF JUSTICE LAWRENCE A. POITRAS
COMMISSIONER

THE HONOURABLE
MR. JUSTICE GREGORY THOMAS EVANS
COMMISSIONER

PERSONAL & CONFIDENTIAL

June 24, 1988

Mr. Albert Julien
c/o Eskasoni Band Manager
Eskasoni
Cape Breton, Nova Scotia B0A 1J0

Dear Mr. Julien:

I wish to thank you for your participation in the recent workshop sponsored by the Royal Commission on our research into the perceptions of Native people of discrimination in the criminal justice system of Nova Scotia. I am sure that the discussion from the workshop will be very useful to the researchers in putting the report in final form.

Thursday's session provided an excellent opportunity for the Commissioners to become aware of the issues as they relate to Native people living in Nova Scotia. This awareness will be very useful to us in writing our final report and in making recommendations to government. We are confident that the significant input that we have had to date from the Native community will be of assistance to us in this stage of our work.

Once again, thank you for your involvement in the work of the Royal Commission. It was much appreciated.

Yours very truly,


Chairman

/jrc

ROYAL COMMISSION ON THE DONALD MARSHALL, JR., PROSECUTION

MARITIME CENTRE, SUITE 1026, 1505 BARRINGTON STREET, HALIFAX
NOVA SCOTIA, B3J 3K5 902-424-4800

CHIEF JUSTICE T. ALEXANDER HICKMAN
CHAIRMAN

ASSOCIATE CHIEF JUSTICE LAWRENCE A. POITRAS
COMMISSIONER

THE HONOURABLE
MR. JUSTICE GREGORY THOMAS EVANS
COMMISSIONER

June 27, 1988

Viola Robinson, President
Native Council of Nova Scotia
P.O. Box 1320, Abenaki Road
Truro, Nova Scotia B2N 5N2

Dear Ms. Robinson:


Thank you very much for your letter of June 22, 1988 which I received on Friday.

I find your approach, that is, identifying general and fundamental issues as well as putting forward a specific proposal such as a "Micmac and the Law Foundation", to be a very helpful one.

I would certainly agree with your comment that "all problems of any society are resolvable, however we must first be willing to explore the possibilities and then effect the necessary actions in stages or globally to resolve the problem. If we can't even begin to look at possibilities, or if we simply accept narrow views or recommendations which do not include all the Micmac people regardless of where they reside in Nova Scotia, we then simply prolong the problem".

I have of course forwarded a copy of your letter and the enclosures along to Dr. Scott Clark and I will be discussing your comments with him. I know that Scott will be in touch with you shortly, if he has not already done so, in order to arrange for a mutually convenient time to meet and discuss these issues. If you wish to communicate any further thoughts or suggestions, please do not hesitate to call me at any time. Thank you for your co-operation. I remain,

Yours very truly,



John E.S. Briggs
Director of Research

JESB:jrc

cc: Dr. Scott Clark

ROYAL COMMISSION ON THE DONALD MARSHALL, JR., PROSECUTION

MARITIME CENTRE, SUITE 1026, 1505 BARRINGTON STREET, HALIFAX
NOVA SCOTIA, B3J 3K5 902-424-4800

CHIEF JUSTICE T. ALEXANDER HICKMAN
CHAIRMAN

ASSOCIATE CHIEF JUSTICE LAWRENCE A. POITRAS
COMMISSIONER

THE HONOURABLE
MR. JUSTICE GREGORY THOMAS EVANS
COMMISSIONER

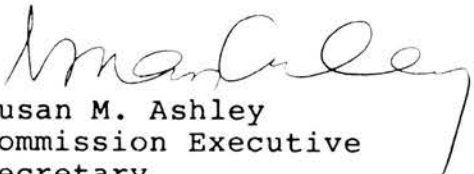
June 24, 1988

The Honourable Arthur R. Donahoe,
Speaker
House of Assembly
1 Government Place
7th Floor
P.O. Box 1617
Halifax, Nova Scotia B3J 2Y3

Dear Mr. Donahoe:

Thank you for your quick (and positive) response to my
letter of June 7, 1988.

Yours truly,


Susan M. Ashley
Commission Executive
Secretary

SMA/ljb

ROYAL COMMISSION ON THE DONALD MARSHALL, JR., PROSECUTION

MARITIME CENTRE, SUITE 1026, 1505 BARRINGTON STREET, HALIFAX
NOVA SCOTIA, B3J 3K5 902-424-4800

CHIEF JUSTICE T. ALEXANDER HICKMAN
CHAIRMAN

ASSOCIATE CHIEF JUSTICE LAWRENCE A. POITRAS
COMMISSIONER

THE HONOURABLE
MR. JUSTICE GREGORY THOMAS EVANS
COMMISSIONER

PERSONAL & CONFIDENTIAL

June 24, 1988

Chief John Knockwood
c/o Shubenacadie Band Council Office
MicMac/Indian Brook
P.O. Box 350
Shubenacadie, Nova Scotia B0N 2H0

Dear Chief Knockwood:

I wish to thank you for your participation in the recent workshop sponsored by the Royal Commission on our research into the perceptions of Native people of discrimination in the criminal justice system of Nova Scotia. I am sure that the discussion from the workshop will be very useful to the researchers in putting the report in final form.

Thursday's session provided an excellent opportunity for the Commissioners to become aware of the issues as they relate to Native people living in Nova Scotia. This awareness will be very useful to us in writing our final report and in making recommendations to government. We are confident that the significant input that we have had to date from the Native community will be of assistance to us in this stage of our work.

Once again, thank you for your involvement in the work of the Royal Commission. It was much appreciated.

Yours very truly,


Chairman

/jrc

ROYAL COMMISSION ON THE DONALD MARSHALL, JR., PROSECUTION

MARITIME CENTRE, SUITE 1026, 1505 BARRINGTON STREET, HALIFAX
NOVA SCOTIA, B3J 3K5 902-424-4800

CHIEF JUSTICE T. ALEXANDER HICKMAN
CHAIRMAN

ASSOCIATE CHIEF JUSTICE LAWRENCE A. POITRAS
COMMISSIONER

THE HONOURABLE
MR. JUSTICE GREGORY THOMAS EVANS
COMMISSIONER

PERSONAL & CONFIDENTIAL

June 24, 1988

Mr. Noel Doucet
Chapel Island Band Office
RR#1, St. Peter's
Cape Breton, Nova Scotia B0E 3B0

Dear Mr. Doucet:

I wish to thank you for your participation in the recent workshop sponsored by the Royal Commission on our research into the perceptions of Native people of discrimination in the criminal justice system of Nova Scotia. I am sure that the discussion from the workshop will be very useful to the researchers in putting the report in final form.

Thursday's session provided an excellent opportunity for the Commissioners to become aware of the issues as they relate to Native people living in Nova Scotia. This awareness will be very useful to us in writing our final report and in making recommendations to government. We are confident that the significant input that we have had to date from the Native community will be of assistance to us in this stage of our work.

Once again, thank you for your involvement in the work of the Royal Commission. It was much appreciated.

Yours very truly,


Chairman

/jrc

ROYAL COMMISSION ON THE DONALD MARSHALL, JR., PROSECUTION

MARITIME CENTRE, SUITE 1026, 1505 BARRINGTON STREET, HALIFAX
NOVA SCOTIA, B3J 3K5 902-424-4800

CHIEF JUSTICE T. ALEXANDER HICKMAN
CHAIRMAN

ASSOCIATE CHIEF JUSTICE LAWRENCE A. POITRAS
COMMISSIONER

THE HONOURABLE
MR. JUSTICE GREGORY THOMAS EVANS
COMMISSIONER

PERSONAL & CONFIDENTIAL

June 24, 1988

Ms. Viola Robinson, President
Native Council of Nova Scotia
P.O. Box 1320, Abenaki Road
Truro, Nova Scotia B2N 5N2

Dear Ms. Robinson:

I wish to thank you for your participation in the recent workshop sponsored by the Royal Commission on our research into the perceptions of Native people of discrimination in the criminal justice system of Nova Scotia. I am sure that the discussion from the workshop will be very useful to the researchers in putting the report in final form.

Thursday's session provided an excellent opportunity for the Commissioners to become aware of the issues as they relate to Native people living in Nova Scotia. This awareness will be very useful to us in writing our final report and in making recommendations to government. We are confident that the significant input that we have had to date from the Native community will be of assistance to us in this stage of our work.

Once again, thank you for your involvement in the work of the Royal Commission. It was much appreciated.

Yours very truly,


Chairman

/jrc

ROYAL COMMISSION ON THE DONALD MARSHALL, JR., PROSECUTION

MARITIME CENTRE, SUITE 1026, 1505 BARRINGTON STREET, HALIFAX
NOVA SCOTIA, B3J 3K5 902-424-4800

CHIEF JUSTICE T. ALEXANDER HICKMAN
CHAIRMAN

ASSOCIATE CHIEF JUSTICE LAWRENCE A. POITRAS
COMMISSIONER

THE HONOURABLE
MR. JUSTICE GREGORY THOMAS EVANS
COMMISSIONER

PERSONAL & CONFIDENTIAL

June 24, 1988

Alex Christmas, President
Union of Nova Scotia Indians
111 Membertou Street
Sydney, Nova Scotia B1S 2N9

Dear Mr. Christmas:

I wish to thank you for your participation in the recent workshop sponsored by the Royal Commission on our research into the perceptions of Native people of discrimination in the criminal justice system of Nova Scotia. I am sure that the discussion from the workshop will be very useful to the researchers in putting the report in final form.

Thursday's session provided an excellent opportunity for the Commissioners to become aware of the issues as they relate to Native people living in Nova Scotia. This awareness will be very useful to us in writing our final report and in making recommendations to government. We are confident that the significant input that we have had to date from the Native community will be of assistance to us in this stage of our work.

Once again, thank you for your involvement in the work of the Royal Commission. It was much appreciated.

Yours very truly,


Chairman

/jrc

ROYAL COMMISSION ON THE DONALD MARSHALL, JR., PROSECUTION

MARITIME CENTRE, SUITE 1026, 1505 BARRINGTON STREET, HALIFAX
NOVA SCOTIA, B3J 3K5 902-424-4800

CHIEF JUSTICE T. ALEXANDER HICKMAN
CHAIRMAN

ASSOCIATE CHIEF JUSTICE LAWRENCE A. POITRAS
COMMISSIONER

THE HONOURABLE
MR. JUSTICE GREGORY THOMAS EVANS
COMMISSIONER

PERSONAL & CONFIDENTIAL

June 24, 1988

Mr. Reg Maloney, Vice-President
Union of Nova Scotia Indians
c/o Shubenacadie Band Council Office
MicMac/Indian Brook, P.O. Box 350
Shubenacadie, Nova Scotia B0N 2H0

Dear Mr. Maloney:

I wish to thank you for your participation in the recent workshop sponsored by the Royal Commission on our research into the perceptions of Native people of discrimination in the criminal justice system of Nova Scotia. I am sure that the discussion from the workshop will be very useful to the researchers in putting the report in final form.

Thursday's session provided an excellent opportunity for the Commissioners to become aware of the issues as they relate to Native people living in Nova Scotia. This awareness will be very useful to us in writing our final report and in making recommendations to government. We are confident that the significant input that we have had to date from the Native community will be of assistance to us in this stage of our work.

Once again, thank you for your involvement in the work of the Royal Commission. It was much appreciated.

Yours very truly,


Chairman

/jrc

ROYAL COMMISSION ON THE DONALD MARSHALL, JR., PROSECUTION

MARITIME CENTRE, SUITE 1026, 1505 BARRINGTON STREET, HALIFAX
NOVA SCOTIA, B3J 3K5 902-424-4800

CHIEF JUSTICE T. ALEXANDER HICKMAN
CHAIRMAN

ASSOCIATE CHIEF JUSTICE LAWRENCE A. POITRAS
COMMISSIONER

THE HONOURABLE
MR. JUSTICE GREGORY THOMAS EVANS
COMMISSIONER

PERSONAL & CONFIDENTIAL

June 24, 1988

Chief Roderick Googoo, Vice-President
Union of Nova Scotia Indians
c/o Whycocomagh Band Office
Post Office Box 149
Whycocomagh, Nova Scotia B0E 3M0

Dear Chief Googoo:

I wish to thank you for your participation in the recent workshop sponsored by the Royal Commission on our research into the perceptions of Native people of discrimination in the criminal justice system of Nova Scotia. I am sure that the discussion from the workshop will be very useful to the researchers in putting the report in final form.

Thursday's session provided an excellent opportunity for the Commissioners to become aware of the issues as they relate to Native people living in Nova Scotia. This awareness will be very useful to us in writing our final report and in making recommendations to government. We are confident that the significant input that we have had to date from the Native community will be of assistance to us in this stage of our work.

Once again, thank you for your involvement in the work of the Royal Commission. It was much appreciated.

Yours very truly,


Chairman

/jrc

ROYAL COMMISSION ON THE DONALD MARSHALL, JR., PROSECUTION

MARITIME CENTRE, SUITE 1026, 1505 BARRINGTON STREET, HALIFAX
NOVA SCOTIA, B3J 3K5 902-424-4800

CHIEF JUSTICE T. ALEXANDER HICKMAN
CHAIRMAN

ASSOCIATE CHIEF JUSTICE LAWRENCE A. POITRAS
COMMISSIONER

THE HONOURABLE
MR. JUSTICE GREGORY THOMAS EVANS
COMMISSIONER

PERSONAL & CONFIDENTIAL

June 24, 1988

Mr. Bernie Francis
Union of Nova Scotia Indians
111 Membertou Street
Sydney, Nova Scotia B1S 2N9

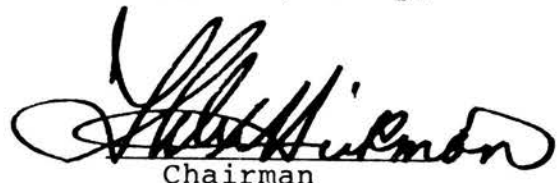
Dear Mr. Francis:

I wish to thank you for your participation in the recent workshop sponsored by the Royal Commission on our research into the perceptions of Native people of discrimination in the criminal justice system of Nova Scotia. I am sure that the discussion from the workshop will be very useful to the researchers in putting the report in final form.

Thursday's session provided an excellent opportunity for the Commissioners to become aware of the issues as they relate to Native people living in Nova Scotia. This awareness will be very useful to us in writing our final report and in making recommendations to government. We are confident that the significant input that we have had to date from the Native community will be of assistance to us in this stage of our work.

Once again, thank you for your involvement in the work of the Royal Commission. It was much appreciated.

Yours very truly,


Chairman

/jrc

ROYAL COMMISSION ON THE DONALD MARSHALL, JR., PROSECUTION

MARITIME CENTRE, SUITE 1026, 1505 BARRINGTON STREET, HALIFAX
NOVA SCOTIA, B3J 3K5 902-424-4800

CHIEF JUSTICE T. ALEXANDER HICKMAN
CHAIRMAN

ASSOCIATE CHIEF JUSTICE LAWRENCE A. POITRAS
COMMISSIONER

THE HONOURABLE
MR. JUSTICE GREGORY THOMAS EVANS
COMMISSIONER

PERSONAL & CONFIDENTIAL

June 24, 1988

Ms. Catherine Martin
c/o Henson College
Dalhousie University
1261 Seymour Street
Halifax, Nova Scotia B3H 3J5

Dear Ms. Martin:

I wish to thank you for your participation in the recent workshop sponsored by the Royal Commission on our research into the perceptions of Native people of discrimination in the criminal justice system of Nova Scotia. I am sure that the discussion from the workshop will be very useful to the researchers in putting the report in final form.

Thursday's session provided an excellent opportunity for the Commissioners to become aware of the issues as they relate to Native people living in Nova Scotia. This awareness will be very useful to us in writing our final report and in making recommendations to government.

Once again, thank you for your involvement in the work of the Royal Commission. It was much appreciated.

Yours very truly,


Chairman

/jrc

ROYAL COMMISSION ON THE DONALD MARSHALL, JR., PROSECUTION

MARITIME CENTRE, SUITE 1026, 1505 BARRINGTON STREET, HALIFAX
NOVA SCOTIA, B3J 3K5 902-424-4800

CHIEF JUSTICE T. ALEXANDER HICKMAN
CHAIRMAN

ASSOCIATE CHIEF JUSTICE LAWRENCE A. POITRAS
COMMISSIONER

THE HONOURABLE
MR. JUSTICE GREGORY THOMAS EVANS
COMMISSIONER

PERSONAL & CONFIDENTIAL

June 24, 1988

Ms. Marie Batiste, Ph.D. Ed.
Grand Council of MicMacs
c/o Eskasoni Band Council
Cape Breton County, Nova Scotia
B0A 1J0

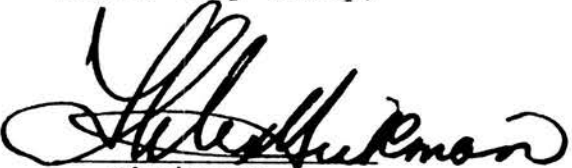
Dear Ms. Batiste:

I wish to thank you for your participation in the recent workshop sponsored by the Royal Commission on our research into the perceptions of Native people of discrimination in the criminal justice system of Nova Scotia. I am sure that the discussion from the workshop will be very useful to the researchers in putting the report in final form.

Thursday's session provided an excellent opportunity for the Commissioners to become aware of the issues as they relate to Native people living in Nova Scotia. This awareness will be very useful to us in writing our final report and in making recommendations to government. We are confident that the significant input that we have had to date from the Native community will be of assistance to us in this stage of our work.

Once again, thank you for your involvement in the work of the Royal Commission. It was much appreciated.

Yours very truly,


Chairman

/jrc

ROYAL COMMISSION ON THE DONALD MARSHALL, JR., PROSECUTION

MARITIME CENTRE, SUITE 1026, 1505 BARRINGTON STREET, HALIFAX
NOVA SCOTIA, B3J 3K5 902-424-4800

CHIEF JUSTICE T. ALEXANDER HICKMAN
CHAIRMAN

ASSOCIATE CHIEF JUSTICE LAWRENCE A. POITRAS
COMMISSIONER

THE HONOURABLE
MR. JUSTICE GREGORY THOMAS EVANS
COMMISSIONER

PERSONAL & CONFIDENTIAL

June 24, 1988

Mr. Sakej Henderson, Advisor
Grand Council of MicMacs
c/o Eskasoni Band Council
Cape Breton County, Nova Scotia
B0A 1J0

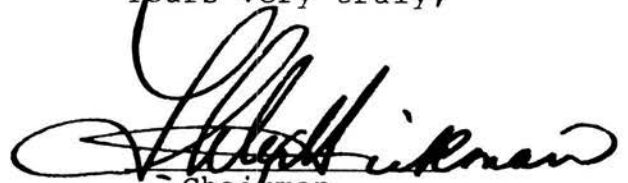
Dear Mr. Henderson:

I am most grateful for your participation in the recent workshop sponsored by the Royal Commission on our research into the perceptions of Native people of discrimination in the criminal justice system of Nova Scotia. The discussion arising out of the workshop will be very helpful to the researchers in preparing the report in final report.

Thursday's session provided an excellent opportunity for the Commissioners to become aware of the issues as they relate to Native people living in Nova Scotia. This awareness will assist us in writing our final report and in making recommendations to government. We are confident that the significant input that we have had to date from the Native community will help us in this stage of our work.

Once again, I thank you for your involvement in the work of the Royal Commission. It was much appreciated.

Yours very truly,


Chairman

/jrc

ROYAL COMMISSION ON THE DONALD MARSHALL, JR., PROSECUTION

MARITIME CENTRE, SUITE 1026, 1505 BARRINGTON STREET, HALIFAX
NOVA SCOTIA, B3J 3K5 902-424-4800

CHIEF JUSTICE T. ALEXANDER HICKMAN
CHAIRMAN

ASSOCIATE CHIEF JUSTICE LAWRENCE A. POITRAS
COMMISSIONER

THE HONOURABLE
MR. JUSTICE GREGORY THOMAS EVANS
COMMISSIONER

June 24, 1988

Mr. Jamie W. S. Saunders
Patterson, Kitz
Barristers & Solicitors
Suite 1600, 5151 George Street
Halifax, Nova Scotia B3J 2N9

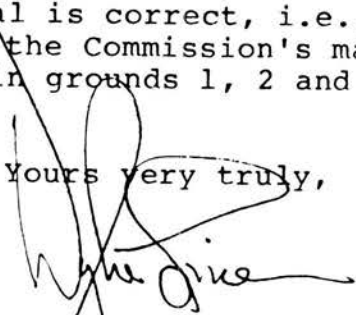
Dear Mr. Saunders:

As you are aware, there has been some commentary both by Mr. Donahoe and the Premier concerning the scope of your appeal concerning Cabinet secrecy.

I would appreciate it if you would advise us on Monday as to whether or not the Government intends to argue, as part of its appeal, that the Commission has been acting outside its mandate in respect to the matters raised in paragraphs 1, 2 and 3 of your Notice of Appeal. It is necessary that the Commission know the Government's intentions in this respect prior to the conclusion of this set of Hearings on Tuesday.

If I do not hear from you on Monday, I will assume that our interpretation of your Notice of Appeal is correct, i.e., that the Government is indeed arguing that the Commission's mandate is restricted in the manner set forward in grounds 1, 2 and 3 of your Notice of Appeal.

Yours very truly,



W. Wylie Spicer,
Commission Counsel

WWS/ljb

ROYAL COMMISSION ON THE DONALD MARSHALL, JR., PROSECUTION

MARITIME CENTRE, SUITE 1026, 1505 BARRINGTON STREET, HALIFAX
NOVA SCOTIA, B3J 3K5 902-424-4800

CHIEF JUSTICE T. ALEXANDER HICKMAN
CHAIRMAN

ASSOCIATE CHIEF JUSTICE LAWRENCE A. POITRAS
COMMISSIONER

THE HONOURABLE
MR. JUSTICE GREGORY THOMAS EVANS
COMMISSIONER

June 24, 1988

Ms. Viola M. Robinson,
President
Native Council of Nova Scotia
P. O. Box 1320
Truro, Nova Scotia B2N 5N2

Dear Ms. Robinson:

Thank you so much for sending me a copy of your letter of June 22nd, 1988 to Mr. John E. S. Briggs, Director of Research with the Royal Commission. I have read your letter and enclosures very carefully indeed, and can assure you that the issues raised therein will be dealt with by our research staff and the Commission.

With kindest regards,

Yours sincerely,


Chairman

TAH/ljb

cc: Assoc. Chief Justice Lawrence A. Poitras
The Hon. Gregory T. Evans, Q.C.
Mr. John E. S. Briggs

ROYAL COMMISSION ON THE DONALD MARSHALL, JR., PROSECUTION

MARITIME CENTRE, SUITE 1026, 1505 BARRINGTON STREET, HALIFAX
NOVA SCOTIA, B3J 3K5 902-424-4800

CHIEF JUSTICE T. ALEXANDER HICKMAN
CHAIRMAN

ASSOCIATE CHIEF JUSTICE LAWRENCE A. POITRAS
COMMISSIONER

THE HONOURABLE
MR. JUSTICE GREGORY THOMAS EVANS
COMMISSIONER

PERSONAL & CONFIDENTIAL

June 24, 1988

Ms. Joyce Robart, Chairperson
Halifax/Dartmouth Justice Committee
6143 South Street
Halifax, Nova Scotia B3H 1T4

Dear Ms. Robart:

I wish to thank you for your participation in the recent workshop sponsored by the Royal Commission on our research into the perceptions of Black people of discrimination in the criminal justice system of Nova Scotia. I am sure that the discussion from the workshop will be very useful to the researchers in putting the report in final form.

Wednesday's session provided an excellent opportunity for the Commissioners to become aware of the issues as they relate to Black people living in Nova Scotia. This awareness will be very useful to us in writing our final report and in making recommendations to government. We are confident that the significant input that we have had to date from the Black community will be of assistance to us in this stage of our work.

Once again, thank you for your involvement in the work of the Royal Commission. It was much appreciated.

Yours very truly,


Chairman

/jrc

ROYAL COMMISSION ON THE DONALD MARSHALL, JR., PROSECUTION

MARITIME CENTRE, SUITE 1026, 1505 BARRINGTON STREET, HALIFAX
NOVA SCOTIA, B3J 3K5 902-424-4800

CHIEF JUSTICE T. ALEXANDER HICKMAN
CHAIRMAN

ASSOCIATE CHIEF JUSTICE LAWRENCE A. POITRAS
COMMISSIONER

THE HONOURABLE
MR. JUSTICE GREGORY THOMAS EVANS
COMMISSIONER

PERSONAL & CONFIDENTIAL

June 24, 1988

Mr. Gerry M. Taylor
Acting Executive Director
Black United Front
2006 Gottingen Street
Halifax, Nova Scotia B3K 3A9

Dear Mr. Taylor:

I wish to thank you for your participation in the recent workshop sponsored by the Royal Commission on our research into the perceptions of Black people of discrimination in the criminal justice system of Nova Scotia. I am sure that the discussion from the workshop will be very useful to the researchers in putting the report in final form.

Wednesday's session provided an excellent opportunity for the Commissioners to become aware of the issues as they relate to Black people living in Nova Scotia. This awareness will be very useful to us in writing our final report and in making recommendations to government. We are confident that the significant input that we have had to date from the Black community will be of assistance to us in this stage of our work.

Once again, thank you for your involvement in the work of the Royal Commission. It was much appreciated.

Yours very truly,


Chairman

/jrc

ROYAL COMMISSION ON THE DONALD MARSHALL, JR., PROSECUTION

MARITIME CENTRE, SUITE 1026, 1505 BARRINGTON STREET, HALIFAX
NOVA SCOTIA, B3J 3K5 902-424-4800

CHIEF JUSTICE T. ALEXANDER HICKMAN
CHAIRMAN

ASSOCIATE CHIEF JUSTICE LAWRENCE A. POITRAS
COMMISSIONER

THE HONOURABLE
MR. JUSTICE GREGORY THOMAS EVANS
COMMISSIONER

PERSONAL & CONFIDENTIAL

June 24, 1988

Ms. Yvonne Atwell, President
Black United Front
2006 Gottingen Street
Halifax, Nova Scotia B3K 3A9

Dear Ms. Atwell:

I wish to thank you for your participation in the recent workshop sponsored by the Royal Commission on our research into the perceptions of Black people of discrimination in the criminal justice system of Nova Scotia. I am sure that the discussion from the workshop will be very useful to the researchers in putting the report in final form.

Wednesday's session provided an excellent opportunity for the Commissioners to become aware of the issues as they relate to Black people living in Nova Scotia. This awareness will be very useful to us in writing our final report and in making recommendations to government. We are confident that the significant input that we have had to date from the Black community will be of assistance to us in this stage of our work.

Once again, thank you for your involvement in the work of the Royal Commission. It was much appreciated.

Yours very truly,


Chairman

/jrc

ROYAL COMMISSION ON THE DONALD MARSHALL, JR., PROSECUTION

MARITIME CENTRE, SUITE 1026, 1505 BARRINGTON STREET, HALIFAX
NOVA SCOTIA, B3J 3K5 902-424-4800

CHIEF JUSTICE T. ALEXANDER HICKMAN
CHAIRMAN

ASSOCIATE CHIEF JUSTICE LAWRENCE A. POITRAS
COMMISSIONER

THE HONOURABLE
MR. JUSTICE GREGORY THOMAS EVANS
COMMISSIONER

PERSONAL & CONFIDENTIAL

June 24, 1988

Mr. Russell Juriansz
c/o Blake, Cassels & Graydon
S.E. Corner, King & Bay Streets
Commerce Court West, 26th Floor
Toronto, Ontario M4L 1A9

Dear Mr. Juriansz:

I wish to thank you for your participation in the recent workshop sponsored by the Royal Commission on our research into the perceptions of Black people of discrimination in the criminal justice system of Nova Scotia. I am sure that the discussion from the workshop will be very useful to the researchers in putting the report in final form.

Wednesday's session provided an excellent opportunity for the Commissioners to become aware of the issues as they relate to Black people living in Nova Scotia. This awareness will be very useful to us in writing our final report and in making recommendations to government.

Once again, thank you for your involvement in the work of the Royal Commission. It was much appreciated.

Yours very truly,


Chairman

/jrc

ROYAL COMMISSION ON THE DONALD MARSHALL, JR., PROSECUTION

MARITIME CENTRE, SUITE 1026, 1505 BARRINGTON STREET, HALIFAX
NOVA SCOTIA, B3J 3K5 902-424-4800

CHIEF JUSTICE T. ALEXANDER HICKMAN
CHAIRMAN

ASSOCIATE CHIEF JUSTICE LAWRENCE A. POITRAS
COMMISSIONER

THE HONOURABLE
MR. JUSTICE GREGORY THOMAS EVANS
COMMISSIONER

PERSONAL & CONFIDENTIAL

June 24, 1988

Dean James Morrison
St. Mary's University
Halifax, Nova Scotia
B3H 3C3

Dear Dean Morrison:

I wish to thank you for your participation in the recent workshop sponsored by the Royal Commission on our research into the perceptions of Black people of discrimination in the criminal justice system of Nova Scotia. I am sure that the discussion from the workshop will be very useful to the researchers in putting the report in final form.

Wednesday's session provided an excellent opportunity for the Commissioners to become aware of the issues as they relate to Black people living in Nova Scotia. This awareness will be very useful to us in writing our final report and in making recommendations to government.

Once again, thank you for your involvement in the work of the Royal Commission. It was much appreciated.

Yours very truly,


Chairman

/jrc

ROYAL COMMISSION ON THE DONALD MARSHALL, JR., PROSECUTION

MARITIME CENTRE, SUITE 1026, 1505 BARRINGTON STREET, HALIFAX
NOVA SCOTIA, B3J 3K5 902-424-4800

CHIEF JUSTICE T. ALEXANDER HICKMAN
CHAIRMAN

ASSOCIATE CHIEF JUSTICE LAWRENCE A. POITRAS
COMMISSIONER

THE HONOURABLE
MR. JUSTICE GREGORY THOMAS EVANS
COMMISSIONER

PERSONAL & CONFIDENTIAL

June 24, 1988

Ms. Jacqueline Barkley, MSW
Dept. of Social Work, Main Floor
Izaak Walton Killam Hospital
University Avenue
Halifax, Nova Scotia

Dear Ms. Barkley:

I wish to thank you for your participation in the recent workshop sponsored by the Royal Commission on our research into the perceptions of Black people of discrimination in the criminal justice system of Nova Scotia. I am sure that the discussion from the workshop will be very useful to the researchers in putting the report in final form.

Wednesday's session provided an excellent opportunity for the Commissioners to become aware of the issues as they relate to Black people living in Nova Scotia. This awareness will be very useful to us in writing our final report and in making recommendations to government.

Once again, thank you for your involvement in the work of the Royal Commission. It was much appreciated.

Yours very truly,


Chairman

/jrc

ROYAL COMMISSION ON THE DONALD MARSHALL, JR., PROSECUTION

MARITIME CENTRE, SUITE 1026, 1505 BARRINGTON STREET, HALIFAX
NOVA SCOTIA, B3J 3K5 902-424-4800

CHIEF JUSTICE T. ALEXANDER HICKMAN
CHAIRMAN

ASSOCIATE CHIEF JUSTICE LAWRENCE A. POITRAS
COMMISSIONER

THE HONOURABLE
MR. JUSTICE GREGORY THOMAS EVANS
COMMISSIONER

PERSONAL & CONFIDENTIAL

June 24, 1988

Ms. Delvina Bernard
Program Co-ordinator
Youth Employment Skills Canada
1660 Hollis Street, Suite 310
Halifax, Nova Scotia B3H 1T4

Dear Ms. Bernard:

I wish to thank you for your participation in the recent workshop sponsored by the Royal Commission on our research into the perceptions of Black people of discrimination in the criminal justice system of Nova Scotia. I am sure that the discussion from the workshop will be very useful to the researchers in putting the report in final form.

Wednesday's session provided an excellent opportunity for the Commissioners to become aware of the issues as they relate to Black people living in Nova Scotia. This awareness will be very useful to us in writing our final report and in making recommendations to government. We are confident that the significant input that we have had to date from the Black community will be of assistance to us in this stage of our work.

Once again, thank you for your involvement in the work of the Royal Commission. It was much appreciated.

Yours very truly,


Chairman

/jrc

June 23, 1988

BY TELECOPIER

Mr. Robert Murrant, Q.C.
Murrant Brown
Barristers and Solicitors
P. O. Box 2626
Halifax, Nova Scotia
B3J 3P7

Dear Mr. Murrant:

Re: Marshall Inquiry - Michael Harris

I acknowledge receipt of your letter of June 22, 1988. You did not indicate who received a copy of my letter but I assume one was forwarded to Ron Pugsley who is the person primarily interested in the evidence of Mr. Harris on the point in question.

I am naturally disappointed that we have not been able to resolve this matter. I have given you my assurance that there is only one topic we want to cover with Mr. Harris. I have no doubt other counsel would take the same position.

The Hearings in Halifax are to end on June 28. I see no alternative at this stage but to ask the Commission to issue a Subpoena and to seek the assistance of the Supreme Court of Newfoundland to require Mr. Harris to attend and give evidence in Newfoundland sometime this summer. That seems to be a frightful waste of money but given the decision of the Commissioners that they wanted to hear Mr. Harris' evidence on that one point, I see no alternative at this stage. Would it be Mr. Harris' intention to engage Newfoundland counsel to contest the Application to be made to the Supreme Court of Newfoundland to require his attendance to give evidence in that Province? If so, perhaps you could

ascertain the name of such counsel and I can communicate directly with him.

Yours very truly,

George W. MacDonald
Commission Counsel

GWMacD/fm

cc: Mr. Ronald W. Pugsley, Q.C.

COPY

JUN 30 1988

MURRANT BROWN**Barristers & Solicitors**SUITE 404
PURDY'S WHARF
P.O. BOX 2626
HALIFAX, CANADA
B3J 2P7

ROBERT MURRANT Q.C.

TELEPHONE (902) 421-3121

XEROX-FAX (902) 421-2121

June 22, 1988

George W. MacDonald, Q.C.
McINNES COOPER & ROBERTSON
Barristers and Solicitors
P. O. Box 730
HALIFAX, Nova Scotia
B3J 2V1

Dear Mr. MacDonald:

RE: Marshall Inquiry - Michael Harris

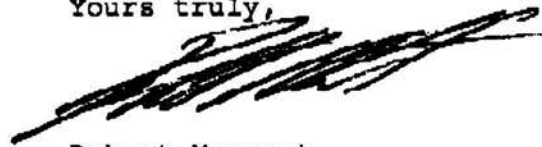
I have your letter of June 23 together with correspondence from Messrs. Pugsley, Pringle and Saunders.

The effective concern in having Mr. Harris appear voluntarily is the fear that he would be put on the rack for the benefit of all counsel having interest in the Inquiry. If all counsel were to agree to confine their questioning to the "shuffle" and matters pertaining to it - as has Mr. Pringle - then there would be no adverse consequence in the appearance of Mr. Harris.

This amounts to all concerned following the guidelines set forward by the Commission and giving their commitment that the questioning would not be expanded.

This, to me, would appear to be a simple solution.

Yours truly,



Robert Murrant

RM*dm

cc. All Commission Counsel

JUN 30 1988

MURRANT BROWN

Barristers & Solicitors

SUITE 404
MURDY'S WHARF
P.O. BOX 1686
HALIFAX, CANADA
B3J 3P7

ROBERT MURRANT Q.C.

TELEPHONE (902) 421-2121

XEROX-FAX (902) 421-2125

June 22, 1988

George W. MacDonald, Q.C.
Commission Counsel
Royal Commission on the
Donald Marshall, Jr., Prosecution
8th Floor
World Trade & Convention Centre
HALIFAX, Nova Scotia

Dear Mr. MacDonald:

RE: The Marshall Inquiry - Michael Harris

I have your letter of June 21.

Your suggestions are most helpful.

The effective problem lies with the potential for abuse should Mr. Harris volunteer to attend. You will appreciate that any involvement of his at this stage, is entirely voluntary. In participating, significant legal rights and remedies would be waived, once and for all.

Mr. Harris would not be prepared to waive these rights and remedies in the absence of a clear understanding as to the scope of any examination that would occur. Unfortunately, while you have been forthcoming as Commission Counsel, other counsel have not.

Mr. Harris will not consider this matter further until such time as we have received, from all parties, confirmation to the effect that they agree to confine their examination to the "St. Peter's shuffle" and matters relating to the disclosure and publication or non-publication of this information.

A copy of this letter is going forward to all concerned inviting

...../2

MURRANT BROWN

- 2 -

them to reply immediately, as it is important to know whether any overreaching is intended should Mr. Harris elect to participate.

Yours truly,



Robert Murrant

RM*dm

ROYAL COMMISSION ON THE DONALD MARSHALL, JR., PROSECUTION

MARITIME CENTRE, SUITE 1026, 1505 BARRINGTON STREET, HALIFAX
NOVA SCOTIA, B3J 3K5 902-424-4800

CHIEF JUSTICE T. ALEXANDER HICKMAN
CHAIRMAN

ASSOCIATE CHIEF JUSTICE LAWRENCE A. POITRAS
COMMISSIONER

THE HONOURABLE
MR. JUSTICE GREGORY THOMAS EVANS
COMMISSIONER

June 21, 1988

Mr. Robert Murrant, Q.C.
Murrant Brown
Barristers & Solicitors
Suite 404, Purdy's Wharf
P. O. Box 2626
Halifax, Nova Scotia B3J 3P7

Dear Mr. Murrant:

Re: The Marshall Inquiry - Michael Harris

I understand Mr. Harris is concerned that should he appear at the Inquiry to give evidence, he may be subject to questions on a broad range of topics. In the decision of the Commissioners on the application by Mr. Pugsley to subpoena Mr. Harris, the Commissioners made it clear that there is one matter on which they would like to have information from Mr. Harris. That area is the allegation by Mr. Wheaton that Sergeant MacIntyre attempted to conceal the first Patricia Harris statement. You have advised that Mr. Harris would answer "yes" when asked whether he was told about this alleged incident by Harry Wheaton. We would like to know the details of the disclosure and to deal generally with the topic. This is the only topic we would intend to canvass with Mr. Harris.

Should any other counsel attempt to question Mr. Harris on another topic, it would be our intention to object and to refer the Commissioners to their decision.

We are very anxious to conclude the evidence on this phase of the Inquiry early next week. Donald Marshall, Jr. is scheduled to give evidence on June 28th, and we would like to have him be the final witness. If, at all possible therefore, we would like to have Mr. Harris attend voluntarily to give evidence on Monday, June 27th commencing at 9:30 a.m. Would you please advise as quickly as possible whether Mr. Harris will accommodate us in this regard in order that I can advise all other counsel.

- 2 -

Mr. Robert Murrant, Q.C.

June 21, 1988

We will reimburse Mr. Harris for his expenses incurred in attending the Hearings in Halifax.

Yours very truly,

A handwritten signature in cursive script, appearing to read "George W. MacDonald".

George W. MacDonald,
Commission Counsel

GWMacD/ljb

SENT BY FAX
421-2125
6/21/88

ROYAL COMMISSION ON THE DONALD MARSHALL, JR., PROSECUTION

MARITIME CENTRE, SUITE 1026, 1505 BARRINGTON STREET, HALIFAX
NOVA SCOTIA, B3J 3K5 902-424-4800

CHIEF JUSTICE T. ALEXANDER HICKMAN
CHAIRMAN

ASSOCIATE CHIEF JUSTICE LAWRENCE A. POITRAS
COMMISSIONER

THE HONOURABLE
MR. JUSTICE GREGORY THOMAS EVANS
COMMISSIONER

June 21, 1988

Mr. Darrel I. Pink
Patterson, Kitz
Suite 1600, 5151 George Street
Halifax, Nova Scotia
B3J 2N9

Dear Darrel:

Re: Your File #9201/1 - Task Force on Municipal Police Training

Further to your letter of June 15, 1988 with respect to the above, I do not envisage any difficulty in making Professor Apostle's data available to the Task Force.

However, I understand that it may be another week or two before the data is in shape to usefully pass along. I should emphasize that the data which we have gathered is not exhaustive of the information available and consequently is limited in the uses to which it can be properly put. In any event, Professor Apostle will prepare a covering memorandum indicating the data sources, its limitations, and perhaps suggesting further avenues which the Task Force may wish to explore.

We shall be in touch with you again on this shortly.

Thank you. I remain,

Yours very truly,



John E.S. Briggs
Director of Research

JESB:jc

cc: Prof. Richard Apostle

ROYAL COMMISSION ON THE DONALD MARSHALL, JR., PROSECUTION

MARITIME CENTRE, SUITE 1026, 1505 BARRINGTON STREET, HALIFAX
NOVA SCOTIA, B3J 3K5 902-424-4800

CHIEF JUSTICE T. ALEXANDER HICKMAN
CHAIRMAN

ASSOCIATE CHIEF JUSTICE LAWRENCE A. POITRAS
COMMISSIONER

THE HONOURABLE
MR. JUSTICE GREGORY THOMAS EVANS
COMMISSIONER

June 21, 1988

Mr. Darrel I. Pink
Patterson, Kitz
Suite 1600, 5151 George Street
Halifax, Nova Scotia
B3J 2N9

Dear Darrel:

Re: The Police Study - Dr. Philip Stenning - Your File #9201/1

By way of a follow-up to my previous correspondence of April 27 and May 18, 1988, I would appreciate your advice with respect to the following points:

1. The matter of more detailed statistics for public complaints against municipal police forces, is I believe still outstanding (reference item #8 on "List of Additional Information" attached to my April 27, 1988 letter).
2. I do not believe that you have clarified the question raised in point #4 of my April 27, 1988 letter.
3. I understand that there was indeed a background discussion paper emanating from the Attorney General's Department with respect to the Police Act (1985). (I believe that you will find reference to this in the materials forwarded recently to us by Mr. Graham Walker.)
4. I do not believe that you have yet clarified the question raised in point #2 of my April 27, 1988 letter. If these materials do not exist, please provide written confirmation of same.
5. The matters raised in request #'s 1, 2 and 4 of my letter of May 18, 1988 appear to be still outstanding although you have responded to the request outlined in #4. With respect to the latter point, would you please confirm that the Province has no information, nor seeks out any information, with respect to complaints lodged against the RCMP whilst carrying out provincial policing functions and the disposition of same.

Page 2
June 21, 1988

Thank you for your co-operation. I remain,

Yours very truly,

A handwritten signature in dark ink, appearing to be 'JESB', written over a rectangular box.

John E.S. Briggs
Director of Research

JESB:jrc

ROYAL COMMISSION ON THE DONALD MARSHALL, JR., PROSECUTION

MARITIME CENTRE, SUITE 1026, 1505 BARRINGTON STREET, HALIFAX
NOVA SCOTIA, B3J 3K5 902-424-4800

CHIEF JUSTICE T. ALEXANDER HICKMAN
CHAIRMAN

ASSOCIATE CHIEF JUSTICE LAWRENCE A. POITRAS
COMMISSIONER

THE HONOURABLE
MR. JUSTICE GREGORY THOMAS EVANS
COMMISSIONER

June 21, 1988

Mr. Jamie W.S. Saunders
Patterson, Kitz
Barristers & Solicitors
Suite 1600, 5151 George Street
Halifax, Nova Scotia B3J 2N9

Dear Jamie:

Re: Your File #9201/1

I acknowledge receipt of your letter of June 20, 1988.

As I understand, the confirmation which you have provided in that letter, neither the Speaker nor his office has any file materials, etc., which deal with the Thornhill case. However, the Speaker's Office (and I presume you intend to include therein the Speaker himself) does have a file relating to the Billy Joe MacLean case consisting of materials which you believe we have already seen. Please be good enough to have that file available for the examination of Commission Counsel.

There remains the matter of confirmation with respect to files, documents or other materials in the possession of the Premier or his office. This matter has been raised in previous correspondence with both myself and Commission Counsel. I look forward to hearing from you in that regard very shortly.

Thank you. I remain,

Yours very truly,



John E.S. Briggs
Director of Research

JESB:jrc

cc: George MacDonald

ROYAL COMMISSION ON THE DONALD MARSHAL, JR., PROSECUTION

MARITIME CENTRE, SUITE 1026, 1505 BARRINGTON STREET, HALIFAX
NOVA SCOTIA, B3J 3K5 902-424-4800

CHIEF JUSTICE T. ALEXANDER HICKMAN
CHAIRMAN

ASSOCIATE CHIEF JUSTICE LAWRENCE A. POITRAS
COMMISSIONER

THE HONOURABLE
MR. JUSTICE GREGORY THOMAS EVANS
COMMISSIONER

June 20, 1988

Jeremy Pope, Esq.
Barrister at Law
Director, Legal Division
Commonwealth Secretariat
Marlborough House, Pall Mall
London, U.K. SW1Y 5HX

Dear Mr. Pope:

I enclose for your information and on a confidential basis, copies of the following two opinion papers prepared for the Royal Commission by Professor John Edwards: (1) The Office of Director of Public Prosecutions - The Australian Experience; (2) The Office of "Special Prosecutor" or "Independent Counsel": The U.S. Experience.

Professor Edwards had brought your request to my attention some long time ago and it is entirely my responsibility for the delay in responding. My apologies. I hope that the enclosed materials will be sufficiently timely to be of interest to you.

If you are agreeable, I would certainly be most interested in receiving any of your comments with respect to either of the enclosed opinions. I look forward to hearing from you.

Thank you. I remain,

Yours very truly,



John E.S. Briggs
Director of Research

JESB:jrc

cc: Prof. J. Edwards

enclosure

ROYAL COMMISSION ON THE DONALD MARSHALL, JR., PROSECUTION

MARITIME CENTRE, SUITE 1026, 1505 BARRINGTON STREET, HALIFAX
NOVA SCOTIA, B3J 3K5 902-424-4800

CHIEF JUSTICE T. ALEXANDER HICKMAN
CHAIRMAN

ASSOCIATE CHIEF JUSTICE LAWRENCE A. POITRAS
COMMISSIONER

THE HONOURABLE
MR. JUSTICE GREGORY THOMAS EVANS
COMMISSIONER

June 20, 1988

Dr. A. Johnston, Chairman
N.S. Human Rights Commission
Lord Nelson Arcade
Halifax, Nova Scotia

Dear Doctor Johnston:

Re: Dr. Wilson Head's Study - "Discrimination Against Blacks in
Nova Scotia and the Criminal Justice System"

Thank you very much for your participation in last week's workshop. Your contribution is appreciated and will certainly assist us in revising the current draft report and ultimately enhancing the whole research effort.

I would appreciate receiving your written comments at your earliest convenience. In this regard, I refer you to my memo of June 14, 1988 to yourself and the other reviewers to which I attached a draft of materials on the Sentencing Study and the Survey. When preparing your comments, you should focus on those materials rather than Sections III and IV as now written in the draft report.

I understood from our discussion last Wednesday that you felt you would be able to submit your written comments by the end of this month. Your success in doing so will be very much appreciated. In the meantime, should you have any questions, please do not hesitate to give me a call.

Thank you for your co-operation. I remain,

Yours truly,



for: John E.S. Briggs
Director of Research

JESB:jrc

ROYAL COMMISSION ON THE DONALD MARSHALL, JR., PROSECUTION

MARITIME CENTRE, SUITE 1026, 1505 BARRINGTON STREET, HALIFAX
NOVA SCOTIA, B3J 3K5 902-424-4800

CHIEF JUSTICE T. ALEXANDER HICKMAN
CHAIRMAN

ASSOCIATE CHIEF JUSTICE LAWRENCE A. POITRAS
COMMISSIONER

THE HONOURABLE
MR. JUSTICE GREGORY THOMAS EVANS
COMMISSIONER

June 20, 1988

Prof. Llewellyn Watson
Dept. of Sociology & Anthropology
University of P.E.I.
Charlottetown, Prince Edward Island
C1A 4P3

Dear Professor Watson:

Re: Dr. Wilson Head's Study - "Discrimination Against Blacks in
Nova Scotia and the Criminal Justice System"

Thank you very much for your participation during the workshop last week. Your contribution will certainly assist us in revising the current draft report and ultimately increasing the value of the whole research effort.

I would appreciate receiving your written comments at your earliest convenience. In this regard, I understand that you will be able to forward them by the end of this month. You might also forward an invoice with respect to any expenses you have incurred for travel, accommodation, etc. In the meantime, I have asked that a cheque be requisitioned to cover your honorarium. I trust that you will find this in order, but should you have any questions, please do not hesitate to give me a call at any time.

Thank you for your co-operation. I remain,

Yours truly,

J. Cook

for: John E.S. Briggs
Director of Research

JESB:jrc

ROYAL COMMISSION ON THE DONALD MARSHALL, JR., PROSECUTION

MARITIME CENTRE, SUITE 1026, 1505 BARRINGTON STREET, HALIFAX
NOVA SCOTIA, B3J 3K5 902-424-4800

CHIEF JUSTICE T. ALEXANDER HICKMAN
CHAIRMAN

ASSOCIATE CHIEF JUSTICE LAWRENCE A. POITRAS
COMMISSIONER

THE HONOURABLE
MR. JUSTICE GREGORY THOMAS EVANS
COMMISSIONER

June 20, 1988

Prof. Fred Wien
Maritime School of Social Work
Dalhousie University
6414 Coburg Road
Halifax, Nova Scotia B3H 3J5

Dear Professor Wien:

Re: Dr. Scott Clark's Study - The MI'KMAQ and Criminal Justice
in Nova Scotia

Thank you very much for your very helpful and positive
contribution to the workshop last week.

We are at the stage of digesting the various comments received
from reviewers and workshop participants and reflecting upon
where we go from here.

I have no doubt that we shall be in touch again to elicit your
views and discuss the next draft. In the meantime, I have asked
that a cheque be requisitioned to cover your honorarium as a
reviewer.

Thank you. I remain,

Yours very truly,

J. Cork

for: John E.S. Briggs
Director of Research

JESB:jrc

ROYAL COMMISSION ON THE DONALD MARSHALL, JR., PROSECUTION

MARITIME CENTRE, SUITE 1026, 1505 BARRINGTON STREET, HALIFAX
NOVA SCOTIA, B3J 3K5 902-424-4800

CHIEF JUSTICE T. ALEXANDER HICKMAN
CHAIRMAN

ASSOCIATE CHIEF JUSTICE LAWRENCE A. POITRAS
COMMISSIONER

THE HONOURABLE
MR. JUSTICE GREGORY THOMAS EVANS
COMMISSIONER

June 20, 1988

Dr. Carol LaPrairie, Ph.D.
18 Ralph Street
Ottawa, Ontario
K1S 4A5

Dear Carol:

Re: Dr. Scott Clark's Study - The MI'KMAQ and Criminal Justice
in Nova Scotia

Thank you again for your participation in last week's workshop. Your comments, both written and oral, were most helpful and do a lot to provide a more balanced critical perspective.

As you know, Scott will be preparing the revised draft and needless to say both he and I will be in touch with you as things develop on that front.

In the meantime, I look forward to receiving your invoice with respect to your expenses whilst in Halifax. I understand that you are reluctant to accept the reviewer's honorarium, however, I do not believe you should be reluctant to submit an invoice for your hotel accommodation for the three nights you were here, in view of the fact that your time was spent meeting with myself and Scott Clark, working on your workshop presentation, and all in all directly relevant to the review of Scott Clark's report.

Again, many thanks for your continuing assistance. Warm regards.
I remain,

Yours very truly,

J. Cook

for : John E.S. Briggs
Director of Research

JESB:jrc

ROYAL COMMISSION ON THE DONALD MARSHALL, JR., PROSECUTION

MARITIME CENTRE, SUITE 1026, 1505 BARRINGTON STREET, HALIFAX
NOVA SCOTIA, B3J 3K5 902-424-4800

CHIEF JUSTICE T. ALEXANDER HICKMAN
CHAIRMAN

ASSOCIATE CHIEF JUSTICE LAWRENCE A. POITRAS
COMMISSIONER

THE HONOURABLE
MR. JUSTICE GREGORY THOMAS EVANS
COMMISSIONER

June 20, 1988

Mr. James R. McLeod
Barrister & Solicitor
c/o Taylor, McCaffrey, Chapmen
4th Floor, 386 Broadway
Winnipeg, Manitoba R3C 3R6

Dear Rod:

Re: Dr. Scott Clark's Study - The MI'KMAQ and Criminal Justice
in Nova Scotia

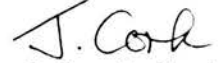
Thank you for your contribution to the workshop last week. It was a pleasure to meet with you and I look forward to receiving your written comments with respect to Dr. Clark's report, by the end of the month if that is at all possible.

In preparing your comments, please feel free to range beyond Dr. Clark's report and draw upon any of the comments made during the workshop which you feel you wish to address in your written remarks.

Please forward an invoice for any expenses which you have incurred and which we have not paid for directly. I have requested that a cheque be requisitioned to cover your honorarium. I look forward to hearing from you shortly. In the meantime, if you should have any questions, do not hesitate to give me a call.

Thank you. I remain,

Yours very truly,


John E.S. Briggs
Director of Research

JESB:jc

ROYAL COMMISSION ON THE DONALD MARSHALL, JR., PROSECUTION

MARITIME CENTRE, SUITE 1026, 1505 BARRINGTON STREET, HALIFAX
NOVA SCOTIA, B3J 3K5 902-424-4800

CHIEF JUSTICE T. ALEXANDER HICKMAN
CHAIRMAN

ASSOCIATE CHIEF JUSTICE LAWRENCE A. POITRAS
COMMISSIONER

THE HONOURABLE
MR. JUSTICE GREGORY THOMAS EVANS
COMMISSIONER

June 20, 1988

Mr. Dan McIntyre
Race Relations Commissioner
Province of Ontario
Ontario Human Rights
400 University Avenue
Toronto, Ontario M7A 1T7

Dear Dan:

Re: Dr. Head's Study - Discrimination Against Blacks in Nova
Scotia and the Criminal Justice System

Thank you very much for your participation in last week's workshop. I am very glad that the universe unfolded in such a way that you became one of the three reviewers.

Your comments during the workshop did a lot to increase the value of that exercise. Your written comments are, I believe, well taken. In fact, I agree with all of them and I see no reason why we cannot respond fully to them in the next draft of Wilson's report. In any event, I am sure that both Wilson and myself will be in touch with you again to discuss this subject further.

In the meantime, perhaps you would be good enough to send us an invoice for your expenses with regard to your workshop participation. There is also the matter of an honorarium for the reviewers and in that regard I cannot remember whether or not you raised some reservation. In any event, let me know. Again, many thanks for your participation and co-operation. Warm regards. I remain,

Yours very truly,

J. Cook

J.E.S. John E.S. Briggs
Director of Research

JESB:jrc

ROYAL COMMISSION ON THE DONALD MARSHAL JR., PROSECUTION

MARITIME CENTRE, SUITE 1026, 1505 BARRINGTON STREET, HALIFAX
NOVA SCOTIA, B3J 3K5 902-424-4800

CHIEF JUSTICE T. ALEXANDER HICKMAN
CHAIRMAN

ASSOCIATE CHIEF JUSTICE LAWRENCE A. POITRAS
COMMISSIONER

THE HONOURABLE
MR. JUSTICE GREGORY THOMAS EVANS
COMMISSIONER

June 20, 1988

Dr. Wilson Head
111 Yorkminster Road
(North York)
Willowdale, Ontario
M2P 1M5I

Dear Wilson:

I enclose herewith for your information and records a copy of Dan McIntyre's review of your study.

I think that Dan makes some excellent comments and suggestions and in particular I agree with the following:

1. that we elaborate upon the legal definitions of discrimination which have evolved in the United States and more laterally in Canada and in particular those developments reflected in recent Supreme Court of Canada decisions.
2. that we fill in the "one major information gap" by obtaining more detailed and specific information from the Nova Scotia Human Rights Commission.
3. that we include a section with respect to the "rich history of the Black church in Nova Scotia".
4. that we discuss the need for an accountability system and in particular a mechanism for monitoring and evaluating both the implementation and efficacy of recommendations.
5. that we also discuss within the report the need for a "corporate action plan", or facsimile thereof. (The points raised in #4 above would in fact constitute part of the corporate action plan.) A formal mechanism for the evaluation of the progress of implementation as well as the success of programs in achieving their stated goals is, I believe, essential. It is only in relatively recent years that the federal government has engaged in these evaluation exercises (Program Planning and Evaluation/PPE) and even at that, the track record is rather spotty.

Page 2
June 20, 1988

Professor Watson has undertaken to have his comments in by the end of this month and I have asked Tony Johnston to do the same. I shall of course forward their comments as soon as I have them. As you know I am anxious to have a revised draft prepared by mid-July. I shall be in touch within a few days and we can discuss details.

In the meantime, thank you for your continuing co-operation.

Warmest regards,

Yours very truly,

A handwritten signature in black ink, appearing to read 'John E.S. Briggs', with a long horizontal line extending to the right.

John E.S. Briggs
Director of Research

JESB:jrc

enclosure

JUN 30 1988

June 17, 1988

BY COURIER

Mr. E. Anthony Ross
Smith, Gay, Evans & Ross
Barristers and Solicitors
604-45 Alderney Drive
Queen Square
Dartmouth, Nova Scotia
B2Y 3Z5

Dear Mr. Ross:

I am enclosing copies of the following documents which have been provided to me by Darrel Pink in response to the request forwarded to him some time ago:

1. Attitudes of Minorities to Criminal Justice Services in Nova Scotia;
2. Comments on the Research Report.

Mr. Pink advises that these are the only documents in the possession of the Attorney General's office which he has been able to locate and which deal with the matter raised in your request.

Yours very truly,

George W. MacDonald
Commission Counsel

GWMacD/fm
Encl.

cc: Mr. Darrel Pink

JUN 30 1988

June 15, 1988

BY TELECOPIER

Mr. Robert Murrant, Q.C.
Murrant Brown
Barristers and Solicitors
Suite 404, Purdy's Wharf
P. O. Box 2626
Halifax, Nova Scotia
B3J 3P7

Dear Mr. Murrant:

Re: Marshall Inquiry - Michael Harris

Thank you for the copy of your letter of June 14, 1988 directed to Don Murray. I am quite prepared to meet with you and Mr. Murray to have this question resolved. We would like to have all evidence completed by June 28. Hopefully we can resolve this dispute and reach a solution which is acceptable to everyone.

Yours very truly,

George W. MacDonald
Commission Counsel

GNMacD/fm

cc: Mr. Donald C. Murray

MURRANT BROWN
Barristers & Solicitors

SUITE 404
FURDY'S WHARF
P.O. BOX 2636
HALIFAX, CANADA
B3J 3P7

ROBERT MURRANT Q.C.

TELEPHONE (902) 423-2121

XEROX-FAX (902) 423-2121

June 14, 1988

Mr. Donald C. Murray
STEWART MacKEEN & COVERT
Barristers and Solicitors
900 - 1959 Upper Water Street
HALIFAX, Nova Scotia

Dear Mr. Murray:

RE: Marshall Inquiry - Michael Harris

I have your letter of June 9.

The position set out by former Chief MacIntyre does not vary the considered position stated in our correspondence of June 8.

It may be necessary for us to meet in order to resolve this impasse, as I do not feel the present letter writing exercise is advancing the interests of any of the concerned parties.

Yours truly,



Robert Murrant

RM*dm

cc. George W. MacDonald, Q.C.
Commission Counsel

cc. Mr. Michael Harris

ROYAL COMMISSION ON THE DONALD MARS MURDER, JR., PROSECUTION

MARITIME CENTRE, SUITE 1026, 1505 BARRINGTON STREET, HALIFAX
NOVA SCOTIA, B3J 3K5 902-424-4800

CHIEF JUSTICE T. ALEXANDER HICKMAN
CHAIRMAN

ASSOCIATE CHIEF JUSTICE LAWRENCE A. POITRAS
COMMISSIONER

THE HONOURABLE
MR. JUSTICE GREGORY THOMAS EVANS
COMMISSIONER

By Courier
Personal & Confidential

June 14, 1988

Mr. Darrel I. Pink
Patterson, Kitz
Suite 1600, 5151 George Street
Halifax, Nova Scotia B3K 3A9

Dear Darrel:

Re: Discrimination Against Blacks in Nova Scotia and the
Criminal Justice System

I enclose for your information and on a confidential basis,
copies of the following draft materials: (1) Sentencing Disparity
and Race in the Nova Scotia Criminal Justice System; (2) Survey
of Discrimination in Nova Scotia.

These materials form the basis of what are now Sections III and
IV of Dr. Head's draft report. We shall of course be revising
the report following the workshop and I would expect that the
enclosed materials would probably be incorporated as appendices
with executive summaries of same prepared for inclusion in the
body of a revised draft.

If you have any comments regarding these draft materials I would
be interested to have them. Thank you for your co-operation. I
remain,

Yours truly,



John E.S. Briggs
Director of Research

JESB:jrc

ROYAL COMMISSION ON THE DONALD MARSHALL, JR., PROSECUTION

MARITIME CENTRE, SUITE 1026, 1505 BARRINGTON STREET, HALIFAX
NOVA SCOTIA, B3J 3K5 902-424-4800

CHIEF JUSTICE T. ALEXANDER HICKMAN
CHAIRMAN

ASSOCIATE CHIEF JUSTICE LAWRENCE A. POITRAS
COMMISSIONER

THE HONOURABLE
MR. JUSTICE GREGORY THOMAS EVANS
COMMISSIONER

By Courier
Personal & Confidential

June 14, 1988

Mr. Bruce H. Wildsmith
Dalhousie University Law School
Weldon Law Building, Room 307
University Avenue
Halifax, Nova Scotia B3H 4H9

Dear Bruce:

Re: Discrimination Against Blacks in Nova Scotia and the
Criminal Justice System

I enclose for your information and on a confidential basis, copies of the following draft materials: (1) Sentencing Disparity and Race in the Nova Scotia Criminal Justice System; (2) Survey of Discrimination in Nova Scotia.

These materials form the basis of what are now Sections III and IV of Dr. Head's draft report. We shall of course be revising the report following the workshop and I would expect that the enclosed materials would probably be incorporated as appendices with executive summaries of same prepared for inclusion in the body of a revised draft.

If you have any comments regarding these draft materials I would be interested to have them. Thank you for your co-operation. I remain,

Yours truly,



John E.S. Briggs
Director of Research

JESB:jrc

ROYAL COMMISSION ON THE DONALD MARSHALL, JR., PROSECUTION

MARITIME CENTRE, SUITE 1026, 1505 BARRINGTON STREET, HALIFAX
NOVA SCOTIA, B3J 3K5 902-424-4800

CHIEF JUSTICE T. ALEXANDER HICKMAN
CHAIRMAN

ASSOCIATE CHIEF JUSTICE LAWRENCE A. POITRAS
COMMISSIONER

THE HONOURABLE
MR. JUSTICE GREGORY THOMAS EVANS
COMMISSIONER

By Courier
Personal & Confidential

June 14, 1988

Ms. Anne S. Derrick
Buchan, Derrick & Ring
5516 Spring Garden Road
Suite 205, Sovereign Bldg.
Halifax, Nova Scotia B3J 1G6

Dear Anne:

Re: Discrimination Against Blacks in Nova Scotia and the
Criminal Justice System

I enclose for your information and on a confidential basis,
copies of the following draft materials: (1) Sentencing Disparity
and Race in the Nova Scotia Criminal Justice System; (2) Survey
of Discrimination in Nova Scotia.

These materials form the basis of what are now Sections III and
IV of Dr. Head's draft report. We shall of course be revising
the report following the workshop and I would expect that the
enclosed materials would probably be incorporated as appendices
with executive summaries of same prepared for inclusion in the
body of a revised draft.

If you have any comments regarding these draft materials I would
be interested to have them. Thank you for your co-operation. I
remain,

Yours truly,



John E.S. Briggs
Director of Research

JESB:jrc

ROYAL COMMISSION ON THE DONALD MARSHALL, JR., PROSECUTION

MARITIME CENTRE, SUITE 1026, 1505 BARRINGTON STREET, HALIFAX
NOVA SCOTIA, B3J 3K5 902-424-4800

CHIEF JUSTICE T. ALEXANDER HICKMAN
CHAIRMAN

ASSOCIATE CHIEF JUSTICE LAWRENCE A. POITRAS
COMMISSIONER

THE HONOURABLE
MR. JUSTICE GREGORY THOMAS EVANS
COMMISSIONER

By Courier
Personal & Confidential

June 14, 1988

Mr. E. Anthony Ross
Smith, Gay, Evans & Ross
Barristers & Solicitors
604 Queen Square
Dartmouth, Nova Scotia
B2Y 3Z5

Dear Tony:

Re: Discrimination Against Blacks in Nova Scotia and the
Criminal Justice System

I enclose for your information and on a confidential basis,
copies of the following draft materials: (1) Sentencing Disparity
and Race in the Nova Scotia Criminal Justice System; (2) Survey
of Discrimination in Nova Scotia.

These materials form the basis of what are now Sections III and
IV of Dr. Head's draft report. We shall of course be revising
the report following the workshop and I would expect that the
enclosed materials would probably be incorporated as appendices
with executive summaries of same prepared for inclusion in the
body of a revised draft.

If you have any comments regarding these draft materials I would
be interested to have them. Thank you for your co-operation. I
remain,

Yours truly,



John E.S. Briggs
Director of Research

JESB:jrc

ROYAL COMMISSION ON THE DONALD MARSHALL, JR., PROSECUTION

MARITIME CENTRE, SUITE 1026, 1505 BARRINGTON STREET, HALIFAX
NOVA SCOTIA, B3J 3K5 902-424-4800

CHIEF JUSTICE T. ALEXANDER HICKMAN
CHAIRMAN

ASSOCIATE CHIEF JUSTICE LAWRENCE A. POITRAS
COMMISSIONER

THE HONOURABLE
MR. JUSTICE GREGORY THOMAS EVANS
COMMISSIONER

By Courier
Personal & Confidential

June 14, 1988

Mr. Gerry Taylor
Executive Director
Black United Front
2006 Gottingen Street
Halifax, Nova Scotia B3K 3A9

Dear Mr. Taylor:

Re: Discrimination Against Blacks in Nova Scotia and the
Criminal Justice System

I enclose for your information and on a confidential basis,
copies of the following draft materials: (1) Sentencing Disparity
and Race in the Nova Scotia Criminal Justice System; (2) Survey
of Discrimination in Nova Scotia.

These materials form the basis of what are now Sections III and
IV of Dr. Head's draft report. We shall of course be revising
the report following the workshop and I would expect that the
enclosed materials would probably be incorporated as appendices
with executive summaries of same prepared for inclusion in the
body of a revised draft.

If you have any comments regarding these draft materials I would
be interested to have them. Thank you for your co-operation. I
remain,

Yours truly,



John E.S. Briggs
Director of Research

JESB:jrc

ROYAL COMMISSION ON THE DONALD MARSHALL, JR., PROSECUTION

MARITIME CENTRE, SUITE 1026, 1505 BARRINGTON STREET, HALIFAX
NOVA SCOTIA, B3J 3K5 902-424-4800

CHIEF JUSTICE T. ALEXANDER HICKMAN
CHAIRMAN

ASSOCIATE CHIEF JUSTICE LAWRENCE A. POITRAS
COMMISSIONER

THE HONOURABLE
MR. JUSTICE GREGORY THOMAS EVANS
COMMISSIONER

BY COURIER

June 13, 1988

Darrel I. Pink
Patterson, Kitz
Barristers & Solicitors
Bank of Montreal Tower
5151 George Street, Suite 1600
P. O. Box 247
Halifax, Nova Scotia B3J 2N9

Dear Darrel:

As we discussed today, I am enclosing for your information on a confidential basis, a copy of "Sentencing Disparity and Race in the Nova Scotia Criminal Justice System".

Yours very truly,

John E. S. Briggs,
Director of Research

JESB/ljb

Enclosure

ROYAL COMMISSION ON THE DONALD MARSHAL JR., PROSECUTION

MARITIME CENTRE, SUITE 1026, 1505 BARRINGTON STREET, HALIFAX
NOVA SCOTIA, B3J 3K5 902-424-4800

CHIEF JUSTICE T. ALEXANDER HICKMAN
CHAIRMAN

ASSOCIATE CHIEF JUSTICE LAWRENCE A. POITRAS
COMMISSIONER

THE HONOURABLE
MR. JUSTICE GREGORY THOMAS EVANS
COMMISSIONER


June 10, 1988

Mr. Robert Thiel, P.Eng.
President
I.S.T.S./TELAV
90 Montee De Liesse
Montreal, Quebec H4T 1N4

Dear Mr. Thiel,

Following a discussion with Andrew Mitchell in your Halifax office, I have adjusted the account (Invoice No. 24998) as necessary. The cheque will be forwarded to you shortly.

Yours truly,


Susan M. Ashley
Commission Executive
Secretary

SMA/jm
Encl.

cc: Andrew Mitchell
Dartmouth, N.S.

ROYAL COMMISSION ON THE DONALD MARSHALL, JR., PROSECUTION

MARITIME CENTRE, SUITE 1026, 1505 BARRINGTON STREET, HALIFAX
NOVA SCOTIA, B3J 3K5 902-424-4800

CHIEF JUSTICE T. ALEXANDER HICKMAN
CHAIRMAN

ASSOCIATE CHIEF JUSTICE LAWRENCE A. POITRAS
COMMISSIONER

THE HONOURABLE
MR. JUSTICE GREGORY THOMAS EVANS
COMMISSIONER

June 10, 1988

Dean James MacPherson
Osgoode Hall Law School
York University
4700 Keele Street
Downsview, Ontario M3J 2R5

Dear Jim,

It was great to see you again after such a long time. We all enjoyed having the opportunity to meet with you socially, in a more informal setting after the Hearing was completed. I know that the Commissioners really appreciated your contribution to the work of the Royal Commission and that they would want to thank you for all of the efforts that you have taken on their behalf.

We haven't heard anything from Chief Justice Glube as yet, although we are all waiting with bated breath. I enclose a xerox copy of an editorial cartoon from the Chronicle Herald. I'm sure you will get a kick out of it. I think it speaks for itself.

You've probably read by now that that Government is appealing Chief Justice Glube's decision on the confidentiality of cabinet discussions. I can't say that I am surprised by this decision, although we all wished that they would simply accept her decision and bite the bullet. This will, no doubt, slow us down a bit in the long run.

Jim MacPherson

2

June 10, 1988

On a bureaucratic note, please submit your bill to me whenever you can and I will see that it is paid promptly.

Best personal regards,

Yours sincerely,

A handwritten signature in cursive script, appearing to read 'Mman', is written above a horizontal line.

Susan M. Ashley
Commission Executive
Secretary

SMA/jm
Encl.

ROYAL COMMISSION ON THE DONALD MARSHALL, JR., PROSECUTION

MARITIME CENTRE, SUITE 1026, 1505 BARRINGTON STREET, HALIFAX
NOVA SCOTIA, B3J 3K5 902-424-4800

CHIEF JUSTICE T. ALEXANDER HICKMAN
CHAIRMAN

ASSOCIATE CHIEF JUSTICE LAWRENCE A. POITRAS
COMMISSIONER

THE HONOURABLE
MR. JUSTICE GREGORY THOMAS EVANS
COMMISSIONER

PERSONAL & CONFIDENTIAL
BY COURIER

June 10, 1988

W. Brian Smith, Esq.
Smith, Gay, Evans & Ross
604 Queen Square
Dartmouth, Nova Scotia
B2Y 3Z5

Dear Brian:

Re: Workshop on the Role of the Local Crown Prosecutor
- Thursday, June 23, 1988

Further to our telephone conversation of today's date, I now enclose for your information and on a confidential basis a copy of Professor Archibald's draft report.

I have also enclosed a list of workshop participants and a tentative agenda outline.

You have been invited to attend the all-day workshop (Thursday, June 23, 1988) at which the report will be thoroughly discussed with the participation of three outside reviewers, the researchers, Commissioners, Commission Counsel, Commission staff and other invited participants. The workshop will not be a public event, the proceedings will not be recorded and participants will be asked to maintain the confidentiality of the contents of the research report and the discussions arising during the workshop. It is our hope that there will be a frank, informed and wide-ranging discussion of the report and all of the relevant issues that flow from it.

I expect to prepare a more detailed agenda prior to the workshop. You will note that the workshop is scheduled to commence at 9:00 a.m., Thursday, June 23, 1988. I shall advise you of the exact location within a few days. Lunch will be provided by the Royal Commission. We will finish the workshop at approximately 4:30 p.m.

Page 2
June 10, 1988

In the meantime if you should have any questions concerning the workshop please do not hesitate to give me a call.

Thank you for your co-operation and participation.

I remain,

Yours very truly,

John E.S. Briggs
Director of Research

JESB:jc
enclosures

ROYAL COMMISSION ON THE DONALD MARSHALL, JR., PROSECUTION

MARITIME CENTRE, SUITE 1026, 1505 BARRINGTON STREET, HALIFAX
NOVA SCOTIA, B3J 3K5 902-424-4800

CHIEF JUSTICE T. ALEXANDER HICKMAN
CHAIRMAN

ASSOCIATE CHIEF JUSTICE LAWRENCE A. POITRAS
COMMISSIONER

THE HONOURABLE
MR. JUSTICE GREGORY THOMAS EVANS
COMMISSIONER

PERSONAL & CONFIDENTIAL

BY COURIER

June 10, 1988

Ms. Delvina Bernard
Program Co-ordinator
Youth Employment Skills Canada
1660 Hollis Street, Suite 310
Halifax, Nova Scotia

Dear Ms. Bernard:

Re: Dr. Wilson Head's Study - Discrimination Against Blacks in
Nova Scotia and the Criminal Justice System

I enclose for your information and on a confidential basis a copy of Dr. Head's draft working report.

I apologize in advance for the poor production quality of this draft and any resulting inconvenience. The report is clearly a working draft and is in need of considerable editing. Although both Dr. Head and myself would have preferred to forward a more polished draft for your consideration, the constraints of time and logistics do not permit of a revision if we are to proceed with the workshop as now scheduled.

You will note as you go through the report that there are some numbered pages containing the entry "insert Table ". In some instances you may have to refer to the tables contained in Appendix C or Appendix D in order to review the specific table referred to in the text.

I would ask for your forbearance in dealing with these and any other problems relating to the organization of the enclosed draft.

You have been invited to attend an all-day workshop (Wednesday, June 15, 1988) at which the report will be thoroughly discussed

Page 2
June 10, 1988

with the participation of three outside reviewers, the researchers, Commissioners, Commission Counsel, Commission staff and other invited participants. The workshop will not be a public event, the proceedings will not be recorded and participants will be asked to maintain the confidentiality of the contents of the research report and the discussions arising during the workshop. It is our hope that there will be a frank, informed and wide-ranging discussion of the report and all of the relevant issues that flow from it.

In reviewing Dr. Head's study in preparation for the workshop, I would ask you to bear in mind that the Royal Commission's primary focus is the criminal justice system in Nova Scotia. Although it is obvious that problems of discrimination in the justice system cannot be dealt with in isolation from the broader based problems of discrimination in Canadian Society, it will nonetheless be the task of the Royal Commission to make specific recommendations with respect to the criminal justice system. It is therefore my hope that participants will be prepared to discuss specific problems within the justice system and possible solutions or at least steps which may be taken to improve the system.

I have also enclosed for your information a tentative list of participants at the workshop along with an outline of the proposed agenda.

You will note that the workshop is scheduled to commence at 9:00 a.m., Wednesday, June 15, 1988 at the Delta Barrington Inn, in the Thomas B. Room. A buffet lunch is being provided by the Royal Commission which will be held at the Delta Barrington. We will finish the workshop at approximately 4:30 p.m.

If you should have any questions concerning the foregoing or the workshop, please do not hesitate to give me a call. Thank you for your co-operation and participation. I remain,

Yours truly,

John E.S. Briggs
Director of Research

JESB:jrc

enclosure

June 9, 1988

Darrel I. Pink, Esq.
Patterson Kitz
Barristers & Solicitors
1600-5151 George Street
P. O. Box 247
Halifax, Nova Scotia
B3J 2N9

Dear Darrel:

Re: Cabinet Confidentiality

I confirm our recent discussion. As I understand it, you will be preparing a Notice of Appeal in sufficient time so that we may proceed to Chambers next Thursday with a view to having this matter set down for Hearing in September.

In the meantime, in order to avoid delays, I would like the opportunity to interview the various members of Cabinet so I can get an assessment as to whether or not there are any matters which need to be pursued. Perhaps you could give me some idea of when we might be able to speak to the Cabinet.

Yours very truly,

W. Wylie Spicer
Commission Counsel

/mm

June 8, 1988

Peter Ashman, Esq.
Justice
95a Chancery Lane
London WC2A 1DT
ENGLAND

Dear Mr. Ashman:

Re: Marshall Inquiry

I am replying to your letter of May 25, 1988. Thank you very much for forwarding to me the first draft of your report on Miscarriages of Justice. We are still involved in the hearing process and expect it may be some time before I get a chance to fully digest your report.

In case you have not already received it, I am sending along with this letter a copy of the Federal-Provincial Task Force Report on the compensation of wrongfully convicted and imprisoned persons and also a copy of the proposed Federal-Provincial Guidelines which flowed from the Task Force Report.

Kind regards,

Yours very truly,

W. Wylie Spicer
Commission Counsel

/mm

Enclosures

ROYAL COMMISSION ON THE DONALD MARSHALL, JR., PROSECUTION

MARITIME CENTRE, SUITE 1026, 1505 BARRINGTON STREET, HALIFAX
NOVA SCOTIA, B3J 3K5 902-424-4800

CHIEF JUSTICE T. ALEXANDER HICKMAN
CHAIRMAN

ASSOCIATE CHIEF JUSTICE LAWRENCE A. POITRAS
COMMISSIONER

THE HONOURABLE
MR. JUSTICE GREGORY THOMAS EVANS
COMMISSIONER

PERSONAL & CONFIDENTIAL
BY COURIER

June 9, 1988

Ms. Marlys Edwardh
Ruby and Edwardh
11 Prince Arthur Avenue
Toronto, Ontario M5R 1B2

Dear Marlys:

Re: Workshop on the Role of the Local Crown Prosecutor
- Thursday, June 23, 1988

I now enclose for your information and on a confidential basis a copy of Professor Archibald's draft report.

I have also enclosed a list of workshop participants and a tentative agenda outline.

You have been invited to attend the all-day workshop (Thursday, June 23, 1988) at which the report will be thoroughly discussed with the participation of three outside reviewers, the researchers, Commissioners, Commission Counsel, Commission staff and other invited participants. The workshop will not be a public event, the proceedings will not be recorded and participants will be asked to maintain the confidentiality of the contents of the research report and the discussions arising during the workshop. It is our hope that there will be a frank, informed and wide-ranging discussion of the report and all of the relevant issues that flow from it.

I expect to prepare a more detailed agenda prior to the workshop. You will note that the workshop is scheduled to commence at 9:00 a.m., Thursday, June 23, 1988. I shall advise you of the exact location within a few days. Lunch will be provided by the Royal Commission. We will finish the workshop at approximately 4:30 p.m.

Page 2
June 9, 1988

In the meantime if you should have any questions concerning the workshop please do not hesitate to give me a call.

Thank you for your co-operation and participation.

I remain,

Yours very truly,

A handwritten signature in dark ink, appearing to read 'JESB', with a horizontal line drawn through it.

John E.S. Briggs
Director of Research

JESB:jc
enclosures

cc: Anne Derrick

ROYAL COMMISSION ON THE DONALD MARSHALL, JR., PROSECUTION

MARITIME CENTRE, SUITE 1026, 1505 BARRINGTON STREET, HALIFAX
NOVA SCOTIA, B3J 3K5 902-424-4800

CHIEF JUSTICE T. ALEXANDER HICKMAN
CHAIRMAN

ASSOCIATE CHIEF JUSTICE LAWRENCE A. POITRAS
COMMISSIONER

THE HONOURABLE
MR. JUSTICE GREGORY THOMAS EVANS
COMMISSIONER

PERSONAL & CONFIDENTIAL

BY COURIER

June 9, 1988

Ms. Anne S. Derrick
Buchan, Derrick & Ring
5516 Spring Garden Road
Suite 205, Sovereign Building
Halifax, Nova Scotia B3J 1G6

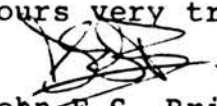
Dear Anne:

I attach for your information a copy of my letter of today's date to Marlys along with a copy of Professor Archibald's draft report. The report is provided to you for your own information and on a confidential basis.

I understand that Marlys will be attending the workshop but I thought that you would like to have a copy of Bruce's report as I am sure that you and Marlys will wish to confer regarding same. If you should have any questions please do not hesitate to give me a call.

Thank you. I remain,

Yours very truly,


John E.S. Briggs
Director of Research

JESB:jrc

enclosure

ROYAL COMMISSION ON THE DONALD MARSHALL, JR., PROSECUTION

MARITIME CENTRE, SUITE 1026, 1505 BARRINGTON STREET, HALIFAX
NOVA SCOTIA, B3J 3K5 902-424-4800

CHIEF JUSTICE T. ALEXANDER HICKMAN
CHAIRMAN

ASSOCIATE CHIEF JUSTICE LAWRENCE A. POITRAS
COMMISSIONER

THE HONOURABLE
MR. JUSTICE GREGORY THOMAS EVANS
COMMISSIONER

PERSONAL & CONFIDENTIAL

BY COURIER

June 9, 1988

Professor John Edwards
University of Toronto
Faculty of Law
78 Queen's Park
Toronto, Ontario M5S 2C5

Dear Professor Edwards:

Re: Workshop on the Role of the Local Crown Prosecutor
- Thursday, June 23, 1988

I enclose for your information and on a confidential basis a copy of Professor Archibald's draft report.

I have also enclosed a list of the workshop participants and a tentative agenda outline. We will prepare a more detailed agenda at least for our own guidance if not for general circulation. In that regard, I would welcome your suggestions. I shall of course be discussing this with Bruce Archibald but no doubt we will have an opportunity of speaking by telephone next week.

There will be something wrong with us if we cannot have a useful and stimulating workshop. I am looking forward to seeing you shortly. Thank you for your co-operation.

Warm regards,

Yours very truly,



John E.S. Briggs
Director of Research

JESB:jrc
enclosures

ROYAL COMMISSION ON THE DONALD MARSHALL, JR., PROSECUTION

MARITIME CENTRE, SUITE 1026, 1505 BARRINGTON STREET, HALIFAX
NOVA SCOTIA, B3J 3K5 902-424-4800

CHIEF JUSTICE T. ALEXANDER HICKMAN
CHAIRMAN

ASSOCIATE CHIEF JUSTICE LAWRENCE A. POITRAS
COMMISSIONER

THE HONOURABLE
MR. JUSTICE GREGORY THOMAS EVANS
COMMISSIONER

PERSONAL & CONFIDENTIAL
BY COURIER

June 9, 1988

Mr. James D. Bissell
Director, Atlantic Region
Dept. of Justice Canada
4th Floor, 5161 George Street
Halifax, Nova Scotia B3J 1M7

Dear Jim:

Re: Workshop on the Role of the Local Crown Prosecutor
- Thursday, June 23, 1988

I enclose for your information and on a confidential basis a copy of Professor Archibald's draft report.

I have also enclosed a list of workshop participants and a tentative agenda outline.

You have been invited to attend the all-day workshop (Thursday, June 23, 1988) at which the report will be thoroughly discussed with the participation of three outside reviewers, the researchers, Commissioners, Commission Counsel, Commission staff and other invited participants. The workshop will not be a public event, the proceedings will not be recorded and participants will be asked to maintain the confidentiality of the contents of the research report and the discussions arising during the workshop. It is our hope that there will be a frank, informed and wide-ranging discussion of the report and all of the relevant issues that flow from it.

I expect to prepare a more detailed agenda prior to the workshop. You will note that the workshop is scheduled to commence at 9:00 a.m., Thursday, June 23, 1988. I shall advise you of the exact location within a few days. Lunch will be provided by the Royal Commission. We will finish the workshop at approximately 4:30 p.m.

Page 2
June 9, 1988


In the meantime if you should have any questions concerning the workshop please do not hesitate to give me a call.

Thank you for your co-operation and participation.

I remain,

Yours very truly,



 John E.S. Briggs
Director of Research

JESB:jc
enclosures

ROYAL COMMISSION ON THE DONALD MARSHALL, JR., PROSECUTION

MARITIME CENTRE, SUITE 1026, 1505 BARRINGTON STREET, HALIFAX
NOVA SCOTIA, B3J 3K5 902-424-4800

CHIEF JUSTICE T. ALEXANDER HICKMAN
CHAIRMAN

ASSOCIATE CHIEF JUSTICE LAWRENCE A. POITRAS
COMMISSIONER

THE HONOURABLE
MR. JUSTICE GREGORY THOMAS EVANS
COMMISSIONER

PERSONAL & CONFIDENTIAL
BY COURIER

June 9, 1988

Mr. Darrel I. Pink
Patterson, Kitz
Suite 1600, 5151 George Street
Halifax, Nova Scotia
B3J 2N9

Dear Darrel:

Re: Workshop on the Role of the Local Crown Prosecutor
- Thursday, June 23, 1988

I enclose on a confidential basis for your information and that of your colleagues, six copies of Professor Archibald's draft report.

I have also enclosed a list of workshop participants and a tentative agenda outline. I expect to prepare a more detailed agenda prior to the workshop.

This should prove to be a very interesting workshop and I look forward to the participation of yourself and your colleagues. Thank you for your co-operation. I remain,

Yours very truly,



John F.S. Briggs
Director of Research

JESB:jc

cc: Jamie W.S. Saunders, Counsel
Robert Parker, Dept. of Attorney General
Adrian Reid, Dept. of Attorney General
William MacDonald, Q.C., Dept. of Attorney General
Martin Herschorn, Dept. of Attorney General

ROYAL COMMISSION ON THE DONALD MARSHALL, JR., PROSECUTION

MARITIME CENTRE, SUITE 1026, 1505 BARRINGTON STREET, HALIFAX
NOVA SCOTIA, B3J 3K5 902-424-4800

CHIEF JUSTICE T. ALEXANDER HICKMAN
CHAIRMAN

ASSOCIATE CHIEF JUSTICE LAWRENCE A. POITRAS
COMMISSIONER

THE HONOURABLE
MR. JUSTICE GREGORY THOMAS EVANS
COMMISSIONER

PERSONAL & CONFIDENTIAL
BY COURIER

June 9, 1988

William Digby, Q.C.
c/o N.S. Legal Aid
5212 Sackville Street
Halifax, Nova Scotia B3J 1K6

Dear Mr. Digby:

Re: Workshop on the Role of the Local Crown Prosecutor
- Thursday, June 23, 1988

Further to our telephone conversation of June 8, 1988, I now enclose for your information and on a confidential basis two copies of Professor Archibald's draft research report.

I am also enclosing a list of workshop participants, a tentative agenda outline, and a copy of my letter to Gordon Murray of May 17, 1988.

I was surprised and concerned to hear that you and Nova Scotia Legal Aid have reservations about participating in the workshop because of the confidentiality requirement. Frankly, I am unclear as to what in particular is problematic about this requirement for you and your organization.

In order to place this matter in perspective, I would point out that the workshop is simply part of our review process for all research reports. Each of the reports was sent to three outside reviewers and subsequently is the subject of discussion at an all day workshop which is attended by the reviewers, researchers, persons associated with the Royal Commission and other invited participants. Professor Archibald's report is at this stage simply a working draft and the procedure which we are following - i.e. an in-house confidential workshop discussion - is essentially the same process followed by the Law Reform Commission of Canada.

Page 2
June 9, 1988

I am sure that Professor Archibald's report will benefit from the comments, suggestions and criticisms of workshop participants and that their input will be reflected in a subsequent draft report. Ultimately, his report will be more widely circulated and subject to public scrutiny and discussion. In the meantime, and at this preliminary draft stage, I do not consider it appropriate to have Professor Archibald's report made public. If there are residual concerns regarding which I have not been responsive, please do not hesitate to advise me accordingly. Given the importance and centrality of the subject matter of Professor Archibald's report to the criminal justice system in Nova Scotia and given the lead role which Nova Scotia Legal Aid plays at the Criminal Defence Bar, it would be more than regrettable if your organization declined to participate in this workshop exercise.


You will note that I have enclosed an additional copy of the report with the hope that you will be attending the workshop with a colleague. If that is the case, I would appreciate if you would advise me accordingly. You will be advised of the location of the workshop shortly.

In the meantime if you should have any questions or concerns regarding the foregoing or the workshop, please do not hesitate to give me a call.

Thank you for your co-operation and participation.

I remain,

Yours very truly,



John E.S. Briggs
Director of Research

JESB:jc
enclosures

ROYAL COMMISSION ON THE DONALD MARSHALL, JR., PROSECUTION

MARITIME CENTRE, SUITE 1026, 1505 BARRINGTON STREET, HALIFAX
NOVA SCOTIA, B3J 3K5 902-424-4800

CHIEF JUSTICE T. ALEXANDER HICKMAN
CHAIRMAN

ASSOCIATE CHIEF JUSTICE LAWRENCE A. POITRAS
COMMISSIONER

THE HONOURABLE
MR. JUSTICE GREGORY THOMAS EVANS
COMMISSIONER

PERSONAL & CONFIDENTIAL
BY COURIER

June 9, 1988

Professor Brent Cotter
Associate Dean, Faculty of Law
Dalhousie University
Weldon Law Building
Halifax, Nova Scotia B3H 4H9

Dear Professor Cotter:

Re: Workshop on the Role of the Local Crown Prosecutor
- Thursday, June 23, 1988

Further to our recent telephone conversations, I now enclose for your information and on a confidential basis a copy of Professor Archibald's draft report.

I have also enclosed a list of workshop participants and a tentative agenda outline.

You have been invited to attend the all-day workshop (Thursday, June 23, 1988) at which the report will be thoroughly discussed with the participation of three outside reviewers, the researchers, Commissioners, Commission Counsel, Commission staff and other invited participants. The workshop will not be a public event, the proceedings will not be recorded and participants will be asked to maintain the confidentiality of the contents of the research report and the discussions arising during the workshop. It is our hope that there will be a frank, informed and wide-ranging discussion of the report and all of the relevant issues that flow from it.

I expect to prepare a more detailed agenda prior to the workshop. You will note that the workshop is scheduled to commence at 9:00 a.m., Thursday, June 23, 1988. I shall advise you of the exact location within a few days. Lunch will be provided by the Royal Commission. We will finish the workshop at approximately 4:30 p.m.

Page 2
June 9, 1988

In the meantime if you should have any questions concerning the workshop please do not hesitate to give me a call.

Thank you for your co-operation and participation.


I remain,

Yours very truly,



John E.S. Briggs
Director of Research

JESB:jc
enclosures

P.S.
Please call upon
receipt of this letter.
Thank you! 

ROYAL COMMISSION ON THE DONALD MARSHALL, JR., PROSECUTION

MARITIME CENTRE, SUITE 1026, 1505 BARRINGTON STREET, HALIFAX

NOVA SCOTIA, B3J 3K5

902-424-4800

CHIEF JUSTICE T. ALEXANDER HICKMAN
CHAIRMAN

ASSOCIATE CHIEF JUSTICE LAWRENCE A. POITRAS
COMMISSIONER

THE HONOURABLE
MR. JUSTICE GREGORY THOMAS EVANS
COMMISSIONER

PERSONAL & CONFIDENTIAL
BY COURIER

June 9, 1988

Professor Archie Kaiser
Faculty of Law
Dalhousie University
Weldon Law Building
Halifax, Nova Scotia B3H 4H9

Dear Archie:

Re: Workshop on the Role of the Local Crown Prosecutor
- Thursday, June 23, 1988

Further to our recent telephone conversations, I now enclose for your information and on a confidential basis a copy of Professor Archibald's draft report.

I have also enclosed a list of workshop participants and a tentative agenda outline.

You have been invited to attend the all-day workshop (Thursday, June 23, 1988) at which the report will be thoroughly discussed with the participation of three outside reviewers, the researchers, Commissioners, Commission Counsel, Commission staff and other invited participants. The workshop will not be a public event, the proceedings will not be recorded and participants will be asked to maintain the confidentiality of the contents of the research report and the discussions arising during the workshop. It is our hope that there will be a frank, informed and wide-ranging discussion of the report and all of the relevant issues that flow from it.

I expect to prepare a more detailed agenda prior to the workshop. You will note that the workshop is scheduled to commence at 9:00 a.m., Thursday, June 23, 1988. I shall advise you of the exact location within a few days. Lunch will be provided by the Royal Commission. We will finish the workshop at approximately 4:30 p.m.

Page 2
June 9, 1988

In the meantime if you should have any questions concerning the workshop please do not hesitate to give me a call.

Thank you for your co-operation and participation.

I remain,

Yours very truly,

A handwritten signature in dark ink, appearing to be 'J.E.S. Briggs', written over a horizontal line.

John E.S. Briggs
Director of Research

JESB:jc
enclosures

ROYAL COMM' ION ON THE DONALD MARSH L. JR., PROSECUTION

MARITIME CENTRE, SUITE 1026, 1505 BARRINGTON STREET, HALIFAX
NOVA SCOTIA, B3J 3K5 902-424-4800

CHIEF JUSTICE T. ALEXANDER HICKMAN
CHAIRMAN

ASSOCIATE CHIEF JUSTICE LAWRENCE A. POITRAS
COMMISSIONER

THE HONOURABLE
MR. JUSTICE GREGORY THOMAS EVANS
COMMISSIONER

PERSONAL & CONFIDENTIAL
BY COURIER

June 9, 1988

Patrick J. Duncan, Esq.
c/o Lambert & Duncan
1649 Hollis Street
Halifax, Nova Scotia
B3J 1V8

Dear Pat:

Re: Workshop on the Role of the Local Crown Prosecutor
- Thursday, June 23, 1988

Further to our recent telephone conversations, I now enclose for your information and on a confidential basis a copy of Professor Archibald's draft report.

I have also enclosed a list of workshop participants and a tentative agenda outline.

You have been invited to attend the all-day workshop (Thursday, June 23, 1988) at which the report will be thoroughly discussed with the participation of three outside reviewers, the researchers, Commissioners, Commission Counsel, Commission staff and other invited participants. The workshop will not be a public event, the proceedings will not be recorded and participants will be asked to maintain the confidentiality of the contents of the research report and the discussions arising during the workshop. It is our hope that there will be a frank, informed and wide-ranging discussion of the report and all of the relevant issues that flow from it.

I expect to prepare a more detailed agenda prior to the workshop. You will note that the workshop is scheduled to commence at 9:00 a.m., Thursday, June 23, 1988. I shall advise you of the exact location within a few days. Lunch will be provided by the Royal Commission. We will finish the workshop at approximately 4:30 p.m.

Page 2
June 9, 1988

In the meantime if you should have any questions concerning the workshop please do not hesitate to give me a call.

Thank you for your co-operation and participation.

I remain,

Yours very truly,

A handwritten signature in black ink, appearing to be 'JESB', written over the typed name.

John E.S. Briggs
Director of Research

JESB:jc

enclosures

ROYAL COMMISSION ON THE DONALD MARSHALL, JR., PROSECUTION

MARITIME CENTRE, SUITE 1026, 1505 BARRINGTON STREET, HALIFAX
NOVA SCOTIA, B3J 3K5 902-424-4800

CHIEF JUSTICE T. ALEXANDER HICKMAN
CHAIRMAN

ASSOCIATE CHIEF JUSTICE LAWRENCE A. POITRAS
COMMISSIONER

THE HONOURABLE
MR. JUSTICE GREGORY THOMAS EVANS
COMMISSIONER

PERSONAL & CONFIDENTIAL
BY COURIER

June 9, 1988

Mr. Gordon Gregory, Q.C.
365 Wright Street
Fredericton, New Brunswick
E3B 2E3

Dear Mr. Gregory:

Re: Workshop on the Role of the Local Crown Prosecutor
- Thursday, June 23, 1988

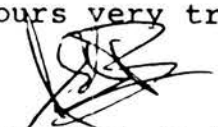
I enclose herewith the following: (1) a bound copy of Professor Archibald's draft research report concerning which you will note that the Table of Contents is now numbered. (The report is in all other respects identical to the draft which I forwarded to you by courier on Monday, June 6, 1988.); (2) a list of workshop participants; (3) a tentative agenda outline.

I expect to have a more detailed agenda prepared at least for our own guidance if not for general circulation. In that regard, I would appreciate if you would make yourself available for an evening dinner meeting on Wednesday, June 22, 1988 with myself, Professor Archibald, the other two reviewers and Lois Dyer, the Chair for the workshop.

I believe that it would be useful for us to get together in advance of the workshop with a view to maximizing the value of that exercise. It would seem that Wednesday evening is the only feasible time to get together if you are able to arrange your travel plans accordingly.

If you have any questions or concerns, do not hesitate to give me a call. Thank you for your co-operation. I remain,

Yours very truly,


John E.S. Briggs
Director of Research

JESB:jrc

ROYAL COMMISSION ON THE DONALD MARSH, JR., PROSECUTION

MARITIME CENTRE, SUITE 1026, 1505 BARRINGTON STREET, HALIFAX
NOVA SCOTIA, B3J 3K5 902-424-4800

CHIEF JUSTICE T. ALEXANDER HICKMAN
CHAIRMAN

ASSOCIATE CHIEF JUSTICE LAWRENCE A. POITRAS
COMMISSIONER

THE HONOURABLE
MR. JUSTICE GREGORY THOMAS EVANS
COMMISSIONER

PERSONAL & CONFIDENTIAL
BY COURIER

June 9, 1988

Mr. Ken Chasse, Esq.
Director of Research,
Ontario Legal Aid Plan
Suite 200, 481 University Avenue
Toronto, Ontario M5G 2G1

Dear Mr. Chasse:

Re: Workshop on the Role of the Local Crown Prosecutor
- Thursday, June 23, 1988

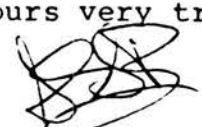
I enclose herewith the following: (1) a bound copy of Professor Archibald's draft research report concerning which you will note that the Table of Contents is now numbered. (The report is in all other respects identical to the draft which I forwarded to you by courier on Monday, June 6, 1988.); (2) a list of workshop participants; (3) a tentative agenda outline.

I expect to have a more detailed agenda prepared at least for our own guidance if not for general circulation. In that regard, I would appreciate if you would make yourself available for an evening dinner meeting on Wednesday, June 22, 1988 with myself, Professor Archibald, the other two reviewers and Lois Dyer, the Chair for the workshop.

I believe that it would be useful for us to get together in advance of the workshop with a view to maximizing the value of that exercise. It would seem that Wednesday evening is the only feasible time to get together if you are able to arrange your travel plans accordingly.

If you have any questions or concerns, do not hesitate to give me a call. Thank you for your co-operation. I remain,

Yours very truly,


John E.S. Briggs
Director of Research

JESB:jrc

ROYAL COMMISSION ON THE DONALD MARSHA, JR., PROSECUTION

MARITIME CENTRE, SUITE 1026, 1505 BARRINGTON STREET, HALIFAX
NOVA SCOTIA, B3J 3K5 902-424-4800

CHIEF JUSTICE T. ALEXANDER HICKMAN
CHAIRMAN

ASSOCIATE CHIEF JUSTICE LAWRENCE A. POITRAS
COMMISSIONER

THE HONOURABLE
MR. JUSTICE GREGORY THOMAS EVANS
COMMISSIONER

PERSONAL & CONFIDENTIAL
BY COURIER

June 9, 1988

Mr. Marc Rosenberg, Esq.
Barrister at Law
Suite 3200, Simpson's Tower
401 Bay Street
Toronto, Ontario M5H 2Y4

Dear Mr. Rosenberg:

Re: Workshop on the Role of the Local Crown Prosecutor
- Thursday, June 23, 1988


I enclose herewith the following: (1) a bound copy of Professor Archibald's draft research report concerning which you will note that the Table of Contents is now numbered. (The report is in all other respects identical to the draft which I forwarded to you by courier on Monday, June 6, 1988.); (2) a list of workshop participants; (3) a tentative agenda outline.

I expect to have a more detailed agenda prepared at least for our own guidance if not for general circulation. In that regard, I would appreciate if you would make yourself available for an evening dinner meeting on Wednesday, June 22, 1988 with myself, Professor Archibald, the other two reviewers and Lois Dyer, the Chair for the workshop.

I believe that it would be useful for us to get together in advance of the workshop with a view to maximizing the value of that exercise. It would seem that Wednesday evening is the only feasible time to get together if you are able to arrange your travel plans accordingly.

If you have any questions or concerns, do not hesitate to give me a call. Thank you for your co-operation. I remain,

Yours very truly,


John E.S. Briggs
Director of Research

JESB:jrc

ROYAL COMMISSION ON THE DONALD MARSHALL, JR., PROSECUTION

MARITIME CENTRE, SUITE 1026, 1505 BARRINGTON STREET, HALIFAX
NOVA SCOTIA, B3J 3K5 902-424-4800

CHIEF JUSTICE T. ALEXANDER HICKMAN
CHAIRMAN

ASSOCIATE CHIEF JUSTICE LAWRENCE A. POITRAS
COMMISSIONER

THE HONOURABLE
MR. JUSTICE GREGORY THOMAS EVANS
COMMISSIONER

PERSONAL & CONFIDENTIAL
BY COURIER

June 9, 1988

Stanley A. Cohen, Esq.
Criminal Law Project Co-ordinator
Law Reform Commission of Canada
131 Albert Street
Ottawa, Ontario K1A 0L6

Dear Stan:

Re: Workshop on the Role of the Local Crown Prosecutor
- Thursday, June 23, 1988

I now enclose for your information and on a confidential basis, a copy of Professor Archibald's draft research report.

I have also enclosed a list of workshop participants and a tentative agenda outline.

I am pleased that you will be able to participate in the workshop and look forward to seeing you at that time. In the meantime, if you should have any questions or concerns do not hesitate to give me a call.

Thank you for your co-operation. I remain,

Yours very truly,


John E.S. Briggs
Director of Research

JESB:jc

enclosures

ROYAL COMMISSION ON THE DONALD MARSHALL, JR., PROSECUTION

MARITIME CENTRE, SUITE 1026, 1505 BARRINGTON STREET, HALIFAX
NOVA SCOTIA, B3J 3K5 902-424-4800

CHIEF JUSTICE T. ALEXANDER HICKMAN
CHAIRMAN

ASSOCIATE CHIEF JUSTICE LAWRENCE A. POITRAS
COMMISSIONER

THE HONOURABLE
MR. JUSTICE GREGORY THOMAS EVANS
COMMISSIONER

PERSONAL & CONFIDENTIAL

BY COURIER

June 9, 1988

Philip C. Stenning, Esq.
Centre for Criminology
University of Toronto
Room 8001, Robarts Library
130 St. George Street
Toronto, Ontario M5S 1A1

Dear Philip:

Re: Workshop on the Role of the Local Crown Prosecutor
- Thursday, June 23, 1988

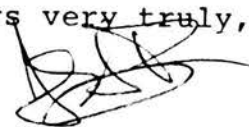
I enclose for your information and on a confidential basis, a copy of Bruce Archibald's draft research report.

Also, I have enclosed a list of workshop participants and the tentative agenda outline. We will be putting together a more detailed agenda and in that regard I would welcome your input. Hopefully, we will have an opportunity to discuss this and related matters while you are in Halifax next week.

I understand that we have tentatively agreed to meet with Richard Apostle on Friday, June 17, 1988 in the forenoon to discuss the Police Study. I understand that you will be meeting with Richard on the preceeding Wednesday and I am wondering if you will be putting aside some time to meet with Professor Clairmont. I believe that Don will be attending one or more of the workshops to be held on June 15th and June 16th.

I look forward to seeing you shortly. Thank you. I remain,

Yours very truly,


John E.S. Briggs
Director of Research

JESB:jrc

ROYAL COMMISSION ON THE
DONALD MARSHALL, JR., PROSECUTION

MEMORANDUM

DATE

Alex Christmas, Pres. UNSI,
111 Membertou St., Sydney, N.S. B1S 2N9

Reg Maloney, V.P. UNSI
c/o Shubenacadie Band Council Office
MicMac/Indian Brook, P.O. Box 350,
Shubenacadie B0N 2H0

Chief Roderick Googoo, VP, UNSI
c/o Whycocomagh Band Office, P.O. Box 149
Whycocomagh, NS B0E 3M0

Chief Alison Bernard, Eskasoni Band Council
Cape Breton County, N.S. B0A 1J0

Marie Batiste, Ph.D. Ed., Grand Council of
MicMac's c/o Eskasoni Band Council
(same as above)

Viola Robinson, Pres. Native Council of N.S.
P.O. Box 1320, Abenaki Road, Truro B2N 5N2

Noel Doucet, Chapel Island Band Office
RR#1, St. Peter's, C.B. B0E 3B0

Tom McMahon, Secretary, Aboriginal Justice Inq.
5th Floor, Woodsworth Bldg. 405 Broadway
Winnipeg, Man. R3C 3L6

Chief John Knockwood, Shubenacadie Band Council
(Same as Reg Maloney address)

Bernie Francis, UNSI (same as A. Christmas)

Sakej Henderson, Advisor, Grand Council of
MicMacs (Same as for Batiste)

Alex Denny, Grand Captain of Grand Council of
MicMacs c/o (same as Batiste)

Dan Christmas, Ex. Assist. to Pres. UNSI
(Same as A. Christmas)

Catherine Martin
c/o Henson College, Dalhousie University
1261 Seymour Street, Halifax, B3H 3J5

ROYAL COMMISSION ON THE DONALD MARSHAL JR., PROSECUTION

MARITIME CENTRE, SUITE 1026, 1505 BARRINGTON STREET, HALIFAX
NOVA SCOTIA, B3J 3K5 902-424-4800

CHIEF JUSTICE T. ALEXANDER HICKMAN
CHAIRMAN

ASSOCIATE CHIEF JUSTICE LAWRENCE A. POITRAS
COMMISSIONER

THE HONOURABLE
MR. JUSTICE GREGORY THOMAS EVANS
COMMISSIONER

PERSONAL & CONFIDENTIAL

BY COURIER

June 8, 1988

Alex Christmas, Esq.
President
Union of Nova Scotia Indians
111 Membertou Street
Sydney, Nova Scotia B1S 2N9

Dear Mr. Christmas:

Re: Dr. Scott Clark's Report - "The MI'KMAQ and Criminal Justice
in Nova Scotia"

I enclose for your information and on a confidential basis a copy of Dr. Scott Clark's research report.

You have been invited to attend an all-day workshop (Thursday, June 16, 1988) at which Dr. Clark's report will be discussed with the participation of three outside reviewers, the researchers, Commissioners, Commission Counsel, Commission staff and other invited participants. The workshop will not be a public event, proceedings will not be recorded and participants will be asked to maintain the confidentiality of the contents of the research report and the discussions arising during the workshop. It is our hope that there will be a frank, informed, and wide-ranging discussion of the report and all of the relevant issues that flow from it.

In reviewing Dr. Clark's report in preparation for the workshop, I would ask you to bear in mind that the Royal Commission's primary focus is the criminal justice system in Nova Scotia. Although it is obvious that problems of discrimination in the justice system cannot be dealt with in isolation from the broader based problems of Native peoples in Canadian society, it will nonetheless be the task of the Royal Commission to make specific recommendations with respect to the criminal justice system. It is therefore my hope that participants will be prepared to discuss specific problems within the justice system and possible solutions or at least those steps which may be taken to improve the system for Native peoples.

Page 2
June 8, 1988

I have also enclosed for your information, a list of workshop participants along with an outline of the proposed agenda. You will note that the workshop is scheduled to commence at 9:00 a.m. on Thursday, June 16, 1988 at the Delta Barrington Inn in the Sackville Room. A buffet lunch is being provided by the Royal Commission, which will be held at the Delta Barrington. We will finish the workshop at approximately 4:30 p.m.

If you should have any questions concerning the workshop, please do not hesitate to give me a call. Thank you for your co-operation and participation.

I remain,

Yours very truly,

John E.S. Briggs
Director of Research

JESB:jrc

enclosures

ROYAL COMMISSION ON THE DONALD MARSHALL, JR., PROSECUTION

MARITIME CENTRE, SUITE 1026, 1505 BARRINGTON STREET, HALIFAX
NOVA SCOTIA, B3J 3K5 902-424-4800

CHIEF JUSTICE T. ALEXANDER HICKMAN
CHAIRMAN

ASSOCIATE CHIEF JUSTICE LAWRENCE A. POITRAS
COMMISSIONER

THE HONOURABLE
MR. JUSTICE GREGORY THOMAS EVANS
COMMISSIONER

PERSONAL & CONFIDENTIAL
BY COURIER

June 8, 1988

Prof. Fred Wien
Maritime School of Social Work
Dalhousie University
6414 Coburg Road
Halifax, Nova Scotia B3H 3J5

Dear Professor Wien:

Re: Dr. Scott Clark's Report - The MI'KMAQ and Criminal Justice
in Nova Scotia

Further to our telephone conversation this morning, I now enclose Scott's revised draft which you will note now contains a numbered table of contents and the missing Part IV "Responses to the Problems".

I understand that pursuant to my discussion with Scott, he has beefed up the recommendations section of the report and made other changes, the details of which I am unable to advise at this time. You will no doubt wish to review the latest draft in toto.

My apologies for the inconvenience. Your forbearance is appreciated. I shall touch base with you next week regarding our evening dinner meeting for Wednesday, June 15, 1988.

Thank you for your co-operation. I remain,

Yours very truly,



John E.S. Briggs
Director of Research

JESB:jrc

ROYAL COMMISSION ON THE DONALD MARSHALL, JR., PROSECUTION

MARITIME CENTRE, SUITE 1026, 1505 BARRINGTON STREET, HALIFAX
NOVA SCOTIA, B3J 3K5 902-424-4800

CHIEF JUSTICE T. ALEXANDER HICKMAN
CHAIRMAN

ASSOCIATE CHIEF JUSTICE LAWRENCE A. POITRAS
COMMISSIONER

THE HONOURABLE
MR. JUSTICE GREGORY THOMAS EVANS
COMMISSIONER

PERSONAL & CONFIDENTIAL

BY COURIER

June 8, 1988

Mr. James R. McLeod
Barrister at Law
c/o George Maier
200 Thoms Crescent
Newmarket, Ontario

Dear Rod:

Re: Dr. Scott Clark's Study - The MI'KMAQ and Criminal Justice
in Nova Scotia

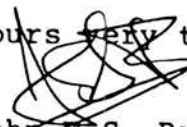
Further to our telephone conversation yesterday, I now enclose a copy of Scott Clark's revised draft report.

You will note that the report now contains a numbered table of contents as well as the previously missing Part IV "Responses to the Problems". I understand that following my discussion with him, Scott beefed up the Recommendations section of the report and I believe that there are other changes, the details of which I am unable to advise at this time. No doubt you will want to read the revised draft in toto.

I have also enclosed for your information, a copy of the list of workshop participants and an outline of the tentative agenda. I do hope that you will be able to arrange your travel so as to arrive in Halifax on Wednesday afternoon (June 15th) so that we may meet with Scott Clark and the other reviewers to discuss the workshop agenda.

I hope the enclosed reaches you in a timely fashion and I apologize for the inconvenience. Thank you for your co-operation. I remain,

Yours very truly,


John E.S. Briggs
Director of Research

JESB:jc
encl.

ROYAL COMMISSION ON THE DONALD MARSHALL, JR., PROSECUTION

MARITIME CENTRE, SUITE 1026, 1505 BARRINGTON STREET, HALIFAX
NOVA SCOTIA, B3J 3K5 902-424-4800

CHIEF JUSTICE T. ALEXANDER HICKMAN
CHAIRMAN

ASSOCIATE CHIEF JUSTICE LAWRENCE A. POITRAS
COMMISSIONER

THE HONOURABLE
MR. JUSTICE GREGORY THOMAS EVANS
COMMISSIONER

PERSONAL & CONFIDENTIAL
BY COURIER

June 8, 1988

Ms. Lois Dyer
c/o Mount Saint Vincent University
166 Bedford Highway
Evaristus Hall, Room 210
Halifax, Nova Scotia

Dear Lois:

Re: Dr. Scott Clark's Report - The MI'KMAQ and Criminal Justice
in Nova Scotia

Further to our breakfast meeting today, I now enclose a copy of Scott Clark's revised draft report.

You will note that the table of contents is now numbered and the report now contains Part IV "Responses to the Problems". There are other changes, the details of which I am unable to advise at this time. You will no doubt wish to read the latests draft in toto.

I am also enclosing the following: (1) list of workshop participants; (2) tentative agenda outline; (3) a copy of my letter to Alex Christmas, President of the Union of Nova Scotia Indians; (4) a copy of my letter to Bruce Wildsmith, Counsel to Union of Nova Scotia Indians.

I have written to all the workshop participants in terms identical to the letter sent to Alex Christmas.

I have written to all counsel who may be attending the workshop specifically requesting that they leave their "counsel hat" at the door and approach the workshop more in the role of observer than advocate.

As discussed, we will plan to meet with the reviewers and Scott Clark for a dinner meeting on Wednesday, June 15, 1988. -

Page 2
June 8, 1988

I hope to forward to you Bruce Archibald's report by the end of the week. In the meantime, if anything at all occurs please feel free to give me a call at any time.

Thank you for your co-operation.

Yours very truly,

A handwritten signature in black ink, appearing to read 'John E.S. Briggs', written over a horizontal line.

John E.S. Briggs
Director of Research

JESB:jrc

enclosures

ROYAL COMMISSION ON THE DONALD MARSH. L. JR., PROSECUTION

MARITIME CENTRE, SUITE 1026, 1505 BARRINGTON STREET, HALIFAX
NOVA SCOTIA, B3J 3K5 902-424-4800

CHIEF JUSTICE T. ALEXANDER HICKMAN
CHAIRMAN

ASSOCIATE CHIEF JUSTICE LAWRENCE A. POITRAS
COMMISSIONER

THE HONOURABLE
MR. JUSTICE GREGORY THOMAS EVANS
COMMISSIONER

PERSONAL & CONFIDENTIAL

BY COURIER

June 8, 1988

Ms. Marlys Edwardh
Ruby & Edwardh
11 Prince Arthur Avenue
Toronto, Ontario M5R 1B2


Dear Marlys:

As agreed, herewith a copy of Scott Clark's draft report along with a copy of my letter to Anne Derrick.

I would hope to forward Professor Bruce Archibald's report with respect to Local Crown Prosecutors at the end of the week.

I remain,

Yours very truly,


John E.S. Briggs
Director of Research

JESB:jrc

enclosure

ROYAL COMMISSION ON THE DONALD MARSHALL, JR., PROSECUTION

MARITIME CENTRE, SUITE 1026, 1505 BARRINGTON STREET, HALIFAX
NOVA SCOTIA, B3J 3K5 902-424-4800

CHIEF JUSTICE T. ALEXANDER HICKMAN
CHAIRMAN

ASSOCIATE CHIEF JUSTICE LAWRENCE A. POITRAS
COMMISSIONER

THE HONOURABLE
MR. JUSTICE GREGORY THOMAS EVANS
COMMISSIONER

PERSONAL & CONFIDENTIAL

BY COURIER

June 8, 1988

Mr. Tony Ross
Smith, Gay, Evans & Ross
604 Queen Square
Dartmouth, Nova Scotia B2Y 3Z5

Dear Mr. Ross:

Re: Dr. Scott Clark's Report - "The MI'KMAQ and Criminal Justice
in Nova Scotia"

I enclose for your information and on a confidential basis a copy of Dr. Scott Clark's research report.

I understand that you may wish to attend an all-day workshop (Thursday, June 16, 1988) at which Dr. Clark's report will be discussed with the participation of three outside reviewers, the researchers, Commissioners, Commission Counsel, Commission staff and other invited participants. The workshop will not be a public event, proceedings will not be recorded and participants will be asked to maintain the confidentiality of the contents of the research report and the discussions arising during the workshop. It is our hope that there will be a frank, informed, and wide-ranging discussion of the report and all of the relevant issues that flow from it.

In reviewing Dr. Clark's report in preparation for the workshop, I would ask you to bear in mind that the Royal Commission's primary focus is the criminal justice system in Nova Scotia. Although it is obvious that problems of discrimination in the justice system cannot be dealt with in isolation from the broader based problems of Native peoples in Canadian society, it will nonetheless be the task of the Royal Commission to make specific recommendations with respect to the criminal justice system. It is therefore my hope that participants will be prepared to discuss specific problems within the justice system and possible solutions or at least those steps which may be taken to improve the system for Native peoples.

Page 2
June 8, 1988

I have also enclosed for your information, a list of workshop participants along with an outline of the proposed agenda. You will note that the workshop is scheduled to commence at 9:00 a.m. on Thursday, June 16, 1988 at the Delta Barrington Inn in the Sackville Room. A buffet lunch is being provided by the Royal Commission, which will be held at the Delta Barrington. We will finish the workshop at approximately 4:30 p.m.

As you are aware the intention of the workshop is, at least in part, to obtain input from persons from whom it might not otherwise be readily available. It will not be an adversarial process and consequently as I have asked in connection with other workshops, counsel will be expected to leave their "counsel hat" at the door and assume the role rather more of observer than advocate.

If you should have any questions concerning the workshop, please do not hesitate to give me a call. Thank you for your co-operation and participation.

I remain,

Yours very truly,

A handwritten signature in black ink, appearing to read 'John F.S. Briggs', with a long horizontal line extending to the right.

John F.S. Briggs
Director of Research

JESB:jrc

enclosures

ROYAL COMMISSION ON THE DONALD MARSHALL JR., PROSECUTION

MARITIME CENTRE, SUITE 1026, 1505 BARRINGTON STREET, HALIFAX
NOVA SCOTIA, B3J 3K5 902-424-4800

CHIEF JUSTICE T. ALEXANDER HICKMAN
CHAIRMAN

ASSOCIATE CHIEF JUSTICE LAWRENCE A. POITRAS
COMMISSIONER

THE HONOURABLE
MR. JUSTICE GREGORY THOMAS EVANS
COMMISSIONER

PERSONAL & CONFIDENTIAL

BY COURIER

June 8, 1988

Mr. Darrel I. Pink
Patterson, Kitz
Suite 1600, 5151 George Street
Halifax, Nova Scotia B3J 2N9

Dear Darrel:

Re: Dr. Scott Clark's Report - "The MI'KMAQ and Criminal Justice
in Nova Scotia"

I enclose on a confidential basis for your information and that of your colleagues, five copies of Dr. Scott Clark's research report.

You have been invited to attend an all-day workshop (Thursday, June 16, 1988) at which Dr. Clark's report will be discussed with the participation of three outside reviewers, the researchers, Commissioners, Commission Counsel, Commission staff and other invited participants. The workshop will not be a public event, proceedings will not be recorded and participants will be asked to maintain the confidentiality of the contents of the research report and the discussions arising during the workshop. It is our hope that there will be a frank, informed, and wide-ranging discussion of the report and all of the relevant issues that flow from it.

In reviewing Dr. Clark's report in preparation for the workshop, I would ask you to bear in mind that the Royal Commission's primary focus is the criminal justice system in Nova Scotia. Although it is obvious that problems of discrimination in the justice system cannot be dealt with in isolation from the broader based problems of Native peoples in Canadian society, it will nonetheless be the task of the Royal Commission to make specific recommendations with respect to the criminal justice system. It is therefore my hope that participants will be prepared to discuss specific problems within the justice system and possible solutions or at least those steps which may be taken to improve the system for Native peoples.

Page 2
June 8, 1988

I have also enclosed for your information, a list of workshop participants along with an outline of the proposed agenda. You will note that the workshop is scheduled to commence at 9:00 a.m. on Thursday, June 16, 1988 at the Delta Barrington Inn in the Sackville Room. A buffet lunch is being provided by the Royal Commission, which will be held at the Delta Barrington. We will finish the workshop at approximately 4:30 p.m.

As you are aware the intention of the workshop is, at least in part, to obtain input from persons from whom it might not otherwise be readily available. It will not be an adversarial process and consequently as I have asked in connection with other workshops, counsel will be expected to leave their "counsel hat" at the door and assume the role rather more of observer than advocate.

If you should have any questions concerning the workshop, please do not hesitate to give me a call. Thank you for your co-operation and participation.

I remain,

Yours very truly,



John E.S. Briggs
Director of Research

JESB:jrc

enclosures

cc: Jamie W.S. Saunders, Counsel
Doug Keefe, Dept. of Attorney General
William MacDonald, Q.C., Dept. of Attorney General
Allan Clark, Dept. of Community Services

ROYAL COMMISSION ON THE DONALD MARSHALL, JR., PROSECUTION

MARITIME CENTRE, SUITE 1026, 1505 BARRINGTON STREET, HALIFAX
NOVA SCOTIA, B3J 3K5 902-424-4800

CHIEF JUSTICE T. ALEXANDER HICKMAN
CHAIRMAN

ASSOCIATE CHIEF JUSTICE LAWRENCE A. POITRAS
COMMISSIONER

THE HONOURABLE
MR. JUSTICE GREGORY THOMAS EVANS
COMMISSIONER

PERSONAL & CONFIDENTIAL

BY COURIER

June 8, 1988

Ms. Anne S. Derrick
Buchan, Derrick & Ring
5516 Spring Garden Road
Suite 105, Sovereign Building
Halifax, Nova Scotia B3J 1G6

Dear Ms. Derrick:

Re: Dr. Scott Clark's Report - "The MI'KMAQ and Criminal Justice
in Nova Scotia"

I enclose for your information and on a confidential basis a copy of Dr. Scott Clark's research report.

I understand that you may wish to attend an all-day workshop (Thursday, June 16, 1988) at which Dr. Clark's report will be discussed with the participation of three outside reviewers, the researchers, Commissioners, Commission Counsel, Commission staff and other invited participants. The workshop will not be a public event, proceedings will not be recorded and participants will be asked to maintain the confidentiality of the contents of the research report and the discussions arising during the workshop. It is our hope that there will be a frank, informed, and wide-ranging discussion of the report and all of the relevant issues that flow from it.

In reviewing Dr. Clark's report in preparation for the workshop, I would ask you to bear in mind that the Royal Commission's primary focus is the criminal justice system in Nova Scotia. Although it is obvious that problems of discrimination in the justice system cannot be dealt with in isolation from the broader based problems of Native peoples in Canadian society, it will nonetheless be the task of the Royal Commission to make specific recommendations with respect to the criminal justice system. It is therefore my hope that participants will be prepared to discuss specific problems within the justice system and possible solutions or at least those steps which may be taken to improve the system for Native peoples.

Page 2
June 8, 1988

I have also enclosed for your information, a list of workshop participants along with an outline of the proposed agenda. You will note that the workshop is scheduled to commence at 9:00 a.m. on Thursday, June 16, 1988 at the Delta Barrington Inn in the Sackville Room. A buffet lunch is being provided by the Royal Commission, which will be held at the Delta Barrington. We will finish the workshop at approximately 4:30 p.m.

As you are aware the intention of the workshop is, at least in part, to obtain input from persons from whom it might not otherwise be readily available. It will not be an adversarial process and consequently as I have asked in connection with other workshops, counsel will be expected to leave their "counsel hat" at the door and assume the role rather more of observer than advocate.

If you should have any questions concerning the workshop, please do not hesitate to give me a call. Thank you for your co-operation and participation.

I remain,

Yours very truly,



John E.S. Briggs
Director of Research

JESB:jrc

enclosures

ROYAL COMMISSION ON THE DONALD MARSHAL JR., PROSECUTION

MARITIME CENTRE, SUITE 1026, 1505 BARRINGTON STREET, HALIFAX
NOVA SCOTIA, B3J 3K5 902-424-4800

CHIEF JUSTICE T. ALEXANDER HICKMAN
CHAIRMAN

ASSOCIATE CHIEF JUSTICE LAWRENCE A. POITRAS
COMMISSIONER

THE HONOURABLE
MR. JUSTICE GREGORY THOMAS EVANS
COMMISSIONER

PERSONAL & CONFIDENTIAL

BY COURIER

Bruce H. Wildsmith
Barrister & Solicitor
Room 307, Weldon Law Building
Dalhousie University
University Avenue
Halifax, Nova Scotia B3H 4H9

Dear Bruce:

Re: Dr. Scott Clark's Report - "The MI'KMAQ and Criminal Justice
in Nova Scotia"

I enclose for your information and on a confidential basis a copy
of Dr. Scott Clark's research report.

You have been invited to attend an all-day workshop (Thursday, June 16, 1988) at which Dr. Clark's report will be discussed with the participation of three outside reviewers, the researchers, Commissioners, Commission Counsel, Commission staff and other invited participants. The workshop will not be a public event, proceedings will not be recorded and participants will be asked to maintain the confidentiality of the contents of the research report and the discussions arising during the workshop. It is our hope that there will be a frank, informed, and wide-ranging discussion of the report and all of the relevant issues that flow from it.

In reviewing Dr. Clark's report in preparation for the workshop, I would ask you to bear in mind that the Royal Commission's primary focus is the criminal justice system in Nova Scotia. Although it is obvious that problems of discrimination in the justice system cannot be dealt with in isolation from the broader based problems of Native peoples in Canadian society, it will nonetheless be the task of the Royal Commission to make specific recommendations with respect to the criminal justice system. It is therefore my hope that participants will be prepared to discuss specific problems within the justice system and possible solutions or at least those steps which may be taken to improve the system for Native peoples.

*Same letter
to Graydon
Nicholas
24 Lorne St.
Fredericton, N.B.
E3B 2Y7*

Page 2
June 8, 1988

I have also enclosed for your information, a list of workshop participants along with an outline of the proposed agenda. You will note that the workshop is scheduled to commence at 9:00 a.m. on Thursday, June 16, 1988 at the Delta Barrington Inn in the Sackville Room. A buffet lunch is being provided by the Royal Commission, which will be held at the Delta Barrington. We will finish the workshop at approximately 4:30 p.m.

As you are aware the intention of the workshop is, at least in part, to obtain input from persons from whom it might not otherwise be readily available. It will not be an adversarial process and consequently as I have asked in connection with other workshops, counsel will be expected to leave their "counsel hat" at the door and assume the role rather more of observer than advocate.

If you should have any questions concerning the workshop, please do not hesitate to give me a call. Thank you for your co-operation and participation.

I remain,

Yours very truly,



John E.S. Briggs
Director of Research

JESB:jrc

enclosures

ROYAL COMMISSION ON THE DONALD MARSH, JR., PROSECUTION

MARITIME CENTRE, SUITE 1026, 1505 BARRINGTON STREET, HALIFAX
NOVA SCOTIA, B3J 3K5 902-424-4800

CHIEF JUSTICE T. ALEXANDER HICKMAN
CHAIRMAN

ASSOCIATE CHIEF JUSTICE LAWRENCE A. POITRAS
COMMISSIONER

THE HONOURABLE
MR. JUSTICE GREGORY THOMAS EVANS
COMMISSIONER

PERSONAL & CONFIDENTIAL

BY COURIER

June 7, 1988

Darrel I. Pink
Patterson, Kitz
Suite 1600
5151 George Street
Halifax, Nova Scotia B3J 2N9

Dear Darrel:

Re: Dr. Wilson Head's Study - Discrimination Against Blacks in
Nova Scotia and the Criminal Justice System

I enclose, on a confidential basis, for your information and that of your colleagues, five copies of Dr. Head's draft working report.

I apologize in advance for the poor production quality of this draft and any resulting inconvenience. The report is clearly a working draft and is in need of considerable editing. Although both Dr. Head and myself would have preferred to forward a more polished draft for your consideration, the constraints of time and logistics do not permit of a revision if we are to proceed with the workshop as now scheduled.

You will note as you go through the report that there are some numbered pages containing the entry "insert Table ". In some instances you may have to refer to the tables contained in Appendix C or Appendix D in order to review the specific table referred to in the text.

I would ask for your forbearance in dealing with these and any other problems relating to the organization of the enclosed draft.

You and your colleagues have been invited to attend an all-day workshop (Wednesday, June 15, 1988) at which the report will be thoroughly discussed with the participation of three outside reviewers, the researchers, Commissioners, Commission Counsel, Commission staff and other invited participants. The workshop will not be a public event, the proceedings will not be recorded and participants will be asked to maintain the confidentiality of the contents of the research report and the discussions arising during the workshop. It is our hope that there will be a frank, informed and wide-ranging discussion of the report and all of the relevant issues that flow from it.

The intention of the workshop is in part to obtain input from persons from whom it might not otherwise be readily available. The process will not be adversarial and consequently I have asked all counsel who will be attending to leave their 'counsel hat' at the door and assume the role of observer rather than advocate.

In reviewing Dr. Head's study in preparation for the workshop, I have asked participants to bear in mind that the Royal Commission's primary focus is the criminal justice system in Nova Scotia. Although it is obvious that problems of discrimination in the justice system cannot be dealt with in isolation from the broader based problems of discrimination in Canadian Society, it will nonetheless be the task of the Royal Commission to make specific recommendations with respect to the criminal justice system. It is therefore my hope that participants will be prepared to discuss specific problems within the justice system and possible solutions or at least steps which may be taken to improve the system.

I have also enclosed for your information a tentative list of participants at the workshop along with an outline of the proposed agenda.


You will note that the workshop is scheduled to commence at 9:00 a.m., Wednesday, June 15, 1988 at the Delta Barrington Inn, in the Thomas B. Room. A buffet lunch is being provided by the Royal Commission which will be held at the Delta Barrington. We will finish the workshop at approximately 4:30 p.m.

Page 3
June 7, 1988

I expect to forward Dr. Clark's and Professor Archibald's respective reports within a day or so. In the meantime, if you should have any questions or concerns regarding the workshop, please do not hesitate to give me a call.

Thank you. I remain,

Yours very truly,

A handwritten signature in dark ink, appearing to be "JESB", with a horizontal line extending to the right.

John E.S. Briggs
Director of Research

JESB:jrc
enclosure

cc: Jamie W.S. Saunders, Counsel
John Embree, Dept. of Attorney General
Jim Fanning, Dept. of Attorney General
William MacDonald, Q.C.,
Dept. of Attorney General

ROYAL COMMISSION ON THE DONALD MARSHA, JR., PROSECUTION

MARITIME CENTRE, SUITE 1026, 1505 BARRINGTON STREET, HALIFAX
NOVA SCOTIA, B3J 3K5 902-424-4800

CHIEF JUSTICE T. ALEXANDER HICKMAN
CHAIRMAN

ASSOCIATE CHIEF JUSTICE LAWRENCE A. POITRAS
COMMISSIONER

THE HONOURABLE
MR. JUSTICE GREGORY THOMAS EVANS
COMMISSIONER

PERSONAL & CONFIDENTIAL

BY COURIER

June 7, 1988

Mr. Bruce Wildsmith
Dalhousie Law School
Weldon Law Building
University Avenue
Halifax, Nova Scotia B3H 4H9

Dear Bruce:

Re: Dr. Wilson Head's Study - Discrimination Against Blacks in
Nova Scotia and the Criminal Justice System

I enclose for your information and on a confidential basis a copy of Dr. Head's draft working report.

I apologize in advance for the poor production quality of this draft and any resulting inconvenience. The report is clearly a working draft and is in need of considerable editing. Although both Dr. Head and myself would have preferred to forward a more polished draft for your consideration, the constraints of time and logistics do not permit of a revision if we are to proceed with the workshop as now scheduled.

You will note as you go through the report that there are some numbered pages containing the entry "insert Table ". In some instances you may have to refer to the tables contained in Appendix C or Appendix D in order to review the specific table referred to in the text.

I would ask for your forbearance in dealing with these and any other problems relating to the organization of the enclosed draft.

I understand that you wish to attend an all-day workshop (Wednesday, June 15, 1988) at which the report will be thoroughly discussed with the participation of three outside reviewers, the researchers, Commissioners, Commission Counsel, Commission staff and other invited participants. The workshop will not be a public event, the proceedings will not be recorded and participants will be asked to maintain the confidentiality of the contents of the research report and the discussions arising during the workshop. It is our hope that there will be a frank, informed and wide-ranging discussion of the report and all of the relevant issues that flow from it.

The intention of the workshop is in part to obtain input from persons from whom it might not otherwise be readily available. The process will not be adversarial and consequently I have asked all counsel who will be attending to leave their 'counsel hat' at the door and assume the role of observer rather than advocate.

In reviewing Dr. Head's study in preparation for the workshop, I have asked participants to bear in mind that the Royal Commission's primary focus is the criminal justice system in Nova Scotia. Although it is obvious that problems of discrimination in the justice system cannot be dealt with in isolation from the broader based problems of discrimination in Canadian Society, it will nonetheless be the task of the Royal Commission to make specific recommendations with respect to the criminal justice system. It is therefore my hope that participants will be prepared to discuss specific problems within the justice system and possible solutions or at least steps which may be taken to improve the system.

I have also enclosed for your information a tentative list of participants at the workshop along with an outline of the proposed agenda.

You will note that the workshop is scheduled to commence at 9:00 a.m., Wednesday, June 15, 1988 at the Delta Barrington Inn, in the Thomas B. Room. A buffet lunch is being provided by the Royal Commission which will be held at the Delta Barrington. We will finish the workshop at approximately 4:30 p.m.

Page 3
June 7, 1988

I expect to forward tomorrow a copy of Scott Clark's revised report. In the meantime, if you have any questions or concerns do not hesitate to give me a call.

Thank you. I remain,

Yours very truly,

A handwritten signature in black ink, appearing to be "JESB", written over the typed name.

John E.S. Briggs
Director of Research

JESB:jrc
enclosure

ROYAL COMMISSION ON THE DONALD MARSHALL JR., PROSECUTION

MARITIME CENTRE, SUITE 1026, 1505 BARRINGTON STREET, HALIFAX
NOVA SCOTIA, B3J 3K5 902-424-4800

CHIEF JUSTICE T. ALEXANDER HICKMAN
CHAIRMAN

ASSOCIATE CHIEF JUSTICE LAWRENCE A. POITRAS
COMMISSIONER

THE HONOURABLE
MR. JUSTICE GREGORY THOMAS EVANS
COMMISSIONER

PERSONAL & CONFIDENTIAL

BY COURIER

June 7, 1988

Ms. Marlys Edwardh
Ruby & Edwardh
11 Prince Arthur Avenue
Toronto, Ontario M5R 1B2

Dear Marlys:

Re: Research Report Workshop


I enclose for your information a copy of my letter of today's date to Anne Derrick, along with Dr. Head's draft working report.

I shall forward shortly copies of Scott Clark's report on "The MI'KMAQ and Criminal Justice in Nova Scotia" and Professor Archibald's report on Local Crown Prosecutors.

I understand that Chief Justice Hickman spoke with you regarding the workshop process and that you may wish Anne Derrick to attend some of the workshops in your absence.

If you have any questions or concerns please give me a call.
Warm regards,

Yours very truly,


John E.S. Briggs
Director of Research

JESB:jrc

enclosure

ROYAL COMMISSION ON THE DONALD MARSHAL JR., PROSECUTION

MARITIME CENTRE, SUITE 1026, 1505 BARRINGTON STREET, HALIFAX
NOVA SCOTIA, B3J 3K5 902-424-4800

CHIEF JUSTICE T. ALEXANDER HICKMAN
CHAIRMAN

ASSOCIATE CHIEF JUSTICE LAWRENCE A. POITRAS
COMMISSIONER

THE HONOURABLE
MR. JUSTICE GREGORY THOMAS EVANS
COMMISSIONER

PERSONAL & CONFIDENTIAL

BY COURIER

June 7, 1988

Ms. Anne S. Derrick
Buchan, Derrick & Ring
5516 Spring Garden Road
Suite 205, Sovereign Building
Halifax, Nova Scotia B3J 1G6

Dear Anne:

Re: Dr. Wilson Head's Study - Discrimination Against Blacks in
Nova Scotia and the Criminal Justice System

I enclose for your information and on a confidential basis a copy
of Dr. Head's draft working report.

I apologize in advance for the poor production quality of this
draft and any resulting inconvenience. The report is clearly a
working draft and is in need of considerable editing. Although
both Dr. Head and myself would have preferred to forward a more
polished draft for your consideration, the constraints of time
and logistics do not permit of a revision if we are to proceed
with the workshop as now scheduled.

You will note as you go through the report that there are some
numbered pages containing the entry "insert Table ". In some
instances you may have to refer to the tables contained in
Appendix C or Appendix D in order to review the specific table
referred to in the text.

I would ask for your forbearance in dealing with these and any
other problems relating to the organization of the enclosed
draft.

I understand you wish to attend an all-day workshop (Wednesday,
June 15, 1988) at which the report will be thoroughly discussed

Page 2
June 7, 1988

with the participation of three outside reviewers, the researchers, Commissioners, Commission Counsel, Commission staff and other invited participants. The workshop will not be a public event, the proceedings will not be recorded and participants will be asked to maintain the confidentiality of the contents of the research report and the discussions arising during the workshop. It is our hope that there will be a frank, informed and wide-ranging discussion of the report and all of the relevant issues that flow from it.

The intention of the workshop is in part to obtain input from persons from whom it might not otherwise be readily available. The process will not be adversarial and consequently I have asked all counsel who will be attending to leave their 'counsel hat' at the door and assume the role of observer rather than advocate.

In reviewing Dr. Head's study in preparation for the workshop, I have asked participants to bear in mind that the Royal Commission's primary focus is the criminal justice system in Nova Scotia. Although it is obvious that problems of discrimination in the justice system cannot be dealt with in isolation from the broader based problems of discrimination in Canadian Society, it will nonetheless be the task of the Royal Commission to make specific recommendations with respect to the criminal justice system. It is therefore my hope that participants will be prepared to discuss specific problems within the justice system and possible solutions or at least steps which may be taken to improve the system.

I have also enclosed for your information a tentative list of participants at the workshop along with an outline of the proposed agenda.

You will note that the workshop is scheduled to commence at 9:00 a.m., Wednesday, June 15, 1988 at the Delta Barrington Inn, in the Thomas B. Room. A buffet lunch is being provided by the Royal Commission which will be held at the Delta Barrington. We will finish the workshop at approximately 4:30 p.m.

Page 3
June 7, 1988

I shall forward to you shortly additional material with respect to the workshop on Natives and the Justice System scheduled for Thursday, June 16, 1988 and the workshop on Crown Prosecutors scheduled for Thursday, June 23, 1988. If you should have any questions or concerns regarding the foregoing, please do not hesitate to give me a call.

Thank you. I remain,

Yours very truly,



John E.S. Briggs
Director of Research

JESB:jrc
enclosure

cc: Marlys Edwardh

ROYAL COMMISSION ON THE DONALD MARSHALL JR., PROSECUTION

MARITIME CENTRE, SUITE 1026, 1505 BARRINGTON STREET, HALIFAX
NOVA SCOTIA, B3J 3K5 902-424-4800

CHIEF JUSTICE T. ALEXANDER HICKMAN
CHAIRMAN

ASSOCIATE CHIEF JUSTICE LAWRENCE A. POITRAS
COMMISSIONER

THE HONOURABLE
MR. JUSTICE GREGORY THOMAS EVANS
COMMISSIONER

PERSONAL & CONFIDENTIAL

BY COURIER

June 7, 1988

Mr. E. Anthony Ross
Smith, Gay, Evans & Ross
604 Queen Square
Dartmouth, Nova Scotia B2Y 3Z5

Dear Tony:

Re: Dr. Wilson Head's Study - Discrimination Against Blacks in
Nova Scotia and the Criminal Justice System

I enclose for your information and on a confidential basis a copy of Dr. Head's draft working report.

I apologize in advance for the poor production quality of this draft and any resulting inconvenience. The report is clearly a working draft and is in need of considerable editing. Although both Dr. Head and myself would have preferred to forward a more polished draft for your consideration, the constraints of time and logistics do not permit of a revision if we are to proceed with the workshop as now scheduled.

You will note as you go through the report that there are some numbered pages containing the entry "insert Table ". In some instances you may have to refer to the tables contained in Appendix C or Appendix D in order to review the specific table referred to in the text.

I would ask for your forbearance in dealing with these and any other problems relating to the organization of the enclosed draft.

You have been invited to attend an all-day workshop (Wednesday, June 15, 1988) at which the report will be thoroughly discussed

Page 2
June 7, 1988

with the participation of three outside reviewers, the researchers, Commissioners, Commission Counsel, Commission staff and other invited participants. The workshop will not be a public event, the proceedings will not be recorded and participants will be asked to maintain the confidentiality of the contents of the research report and the discussions arising during the workshop. It is our hope that there will be a frank, informed and wide-ranging discussion of the report and all of the relevant issues that flow from it.

The intention of the workshop is in part to obtain input from persons from whom it might not otherwise be readily available. The process will not be adversarial and consequently I have asked all counsel who will be attending to leave their 'counsel hat' at the door and assume the role of observer rather than advocate.

In reviewing Dr. Head's study in preparation for the workshop, I have asked participants to bear in mind that the Royal Commission's primary focus is the criminal justice system in Nova Scotia. Although it is obvious that problems of discrimination in the justice system cannot be dealt with in isolation from the broader based problems of discrimination in Canadian Society, it will nonetheless be the task of the Royal Commission to make specific recommendations with respect to the criminal justice system. It is therefore my hope that participants will be prepared to discuss specific problems within the justice system and possible solutions or at least steps which may be taken to improve the system.

I have also enclosed for your information a tentative list of participants at the workshop along with an outline of the proposed agenda.

You will note that the workshop is scheduled to commence at 9:00 a.m., Wednesday, June 15, 1988 at the Delta Barrington Inn, in the Thomas B. Room. A buffet lunch is being provided by the Royal Commission which will be held at the Delta Barrington. We will finish the workshop at approximately 4:30 p.m.

Tony, might I suggest that upon receipt of this letter you give me a call so that we can discuss some of the details regarding the workshop.

I look forward to hearing from you shortly. Thank you. I remain,

Yours very truly,



John E.S. Briggs
Director of Research

JESB:jrc
enclosure

ROYAL COMMISSION ON THE
DONALD MARSHALL, JR., PROSECUTION

MEMORANDUM

Same letter
McIntyre.Ltr

DATE

Judge C. Sparks
Prov. Family Court
P.O. Box 1192, Truro, N.S. B2N 5H1

James H. Morrison, Dean of Arts
St. Mary's University
Halifax, N.S. B3H 3C3

Ms. Jacqueline E. Barkley, MSW
Dept. of Social Work, Main Floor
I.W.K. Hospital
University Avenue, Halifax, N.S.

Calvin Gough, c/o Jacqueline Barkley

Yvonne Atwell, Pres. BUF
2006 Gottingen Street
Halifax, Nova Scotia B3K 3A9

Gerry M. Taylor, Act. Ex. Director, BUF
2006 Gottingen St. Halifax, B3K 3A9

Ms. Joyce Robart, Chairperson
Hfx/Dart. Justice Committee
6143 South St., Halifax B3H 1T4

Kenneth D. Crawford, c/o Rockwell, Moore
1355 Barrington St. Halifax, N.S.

June 6, 1988

Dear :

Re: Dr. Wilson Head's Study - Discrimination Against Blacks in
Nova Scotia and the Criminal Justice System

I enclose for your information and on a confidential basis a copy of Dr. Head's draft working report.

I apologize in advance for the poor production quality of this draft and any resulting inconvenience. The report is clearly a working draft and is in need of considerable editing. Although both Dr. Head and myself would have preferred to forward a more polished draft for your consideration, the constraints of time and logistics do not permit of a revision if we are to proceed with the workshop as now scheduled.

You will note as you go through the report that there are some numbered pages containing the entry "insert Table ". In some instances you may have to refer to the tables contained in Appendix C or Appendix D in order to review the specific table referred to in the text.

I would ask for your forbearance in dealing with these and any other problems relating to the organization of the enclosed draft.

You have been invited to attend an all-day workshop (Wednesday, June 15, 1988) at which the report will be thoroughly discussed

Page 2
June 6, 1988

with the participation of three outside reviewers, the researchers, Commissioners, Commission Counsel, Commission staff and other invited participants. The workshop will not be a public event, the proceedings will not be recorded and participants will be asked to maintain the confidentiality of the contents of the research report and the discussions arising during the workshop. It is our hope that there will be a frank, informed and wide-ranging discussion of the report and all of the relevant issues that flow from it.

In reviewing Dr. Head's study in preparation for the workshop, I would ask you to bear in mind that the Royal Commission's primary focus is the criminal justice system in Nova Scotia. Although it is obvious that problems of discrimination in the justice system cannot be dealt with in isolation from the broader based problems of discrimination in Canadian Society, it will nonetheless be the task of the Royal Commission to make specific recommendations with respect to the criminal justice system. It is therefore my hope that participants will be prepared to discuss specific problems within the justice system and possible solutions or at least steps which may be taken to improve the system.

I have also enclosed for your information a tentative list of participants at the workshop along with an outline of the proposed agenda.

You will note that the workshop is scheduled to commence at 9:00 a.m., Wednesday, June 15, 1988 at the Delta Barrington Inn, in the Thomas B. Room. A buffet lunch is being provided by the Royal Commission which will be held at the Delta Barrington. We will finish the workshop at approximately 4:30 p.m.

If you should have any questions concerning the foregoing or the workshop, please do not hesitate to give me a call. Thank you for your co-operation and participation. I remain,

Yours truly,

John E.S. Briggs
Director of Research

JESB:jrc

enclosure

ROYAL COMMISSION ON THE DONALD MARSHALL JR., PROSECUTION

MARITIME CENTRE, SUITE 1026, 1505 BARRINGTON STREET, HALIFAX
NOVA SCOTIA, B3J 3K5 902-424-4800

CHIEF JUSTICE T. ALEXANDER HICKMAN
CHAIRMAN

ASSOCIATE CHIEF JUSTICE LAWRENCE A. POITRAS
COMMISSIONER

THE HONOURABLE
MR. JUSTICE GREGORY THOMAS EVANS
COMMISSIONER

PERSONAL & CONFIDENTIAL

BY COURIER

June 6, 1988

Jerry M. Taylor, Esq.
Executive Director
Black United Front
2006 Gottingen Street
Halifax, Nova Scotia B3K 3A9

Dear Mr. Taylor:

Re: Dr. Wilson Head's Study - Discrimination Against Blacks in
Nova Scotia and the Criminal Justice System

I enclose for your information and on a confidential basis a copy of Dr. Head's draft working report.

I apologize in advance for the poor production quality of this draft and any resulting inconvenience. The report is clearly a working draft and is in need of considerable editing. Although both Dr. Head and myself would have preferred to forward a more polished draft for your consideration, the constraints of time and logistics do not permit of a revision if we are to proceed with the workshop as now scheduled.

You will note as you go through the report that there are some numbered pages containing the entry "insert Table ". In some instances you may have to refer to the tables contained in Appendix C or Appendix D in order to review the specific table referred to in the text.

I would ask for your forbearance in dealing with these and any other problems relating to the organization of the enclosed draft.

You have been invited to attend an all-day workshop (Wednesday, June 15, 1988) at which the report will be thoroughly discussed

with the participation of three outside reviewers, the researchers, Commissioners, Commission Counsel, Commission staff and other invited participants. The workshop will not be a public event, the proceedings will not be recorded and participants will be asked to maintain the confidentiality of the contents of the research report and the discussions arising during the workshop. It is our hope that there will be a frank, informed and wide-ranging discussion of the report and all of the relevant issues that flow from it.

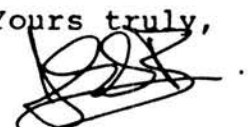
In reviewing Dr. Head's study in preparation for the workshop, I would ask you to bear in mind that the Royal Commission's primary focus is the criminal justice system in Nova Scotia. Although it is obvious that problems of discrimination in the justice system cannot be dealt with in isolation from the broader based problems of discrimination in Canadian Society, it will nonetheless be the task of the Royal Commission to make specific recommendations with respect to the criminal justice system. It is therefore my hope that participants will be prepared to discuss specific problems within the justice system and possible solutions or at least steps which may be taken to improve the system.

I have also enclosed for your information a tentative list of participants at the workshop along with an outline of the proposed agenda.

You will note that the workshop is scheduled to commence at 9:00 a.m., Wednesday, June 15, 1988 at the Delta Barrington Inn, in the Thomas B. Room. A buffet lunch is being provided by the Royal Commission which will be held at the Delta Barrington. We will finish the workshop at approximately 4:30 p.m.

If you should have any questions concerning the foregoing or the workshop, please do not hesitate to give me a call. Thank you for your co-operation and participation. I remain,

Yours truly,



John E.S. Briggs
Director of Research

JESB:jrc

enclosure

ROYAL COMMISSION ON THE DONALD MARSHAL JR., PROSECUTION

MARITIME CENTRE, SUITE 1026, 1505 BARRINGTON STREET, HALIFAX
NOVA SCOTIA, B3J 3K5 902-424-4800

CHIEF JUSTICE T. ALEXANDER HICKMAN
CHAIRMAN

ASSOCIATE CHIEF JUSTICE LAWRENCE A. POITRAS
COMMISSIONER

THE HONOURABLE
MR. JUSTICE GREGORY THOMAS EVANS
COMMISSIONER

PERSONAL & CONFIDENTIAL

BY COURIER

June 6, 1988

Rocky Jones, Esq.
98 Rocky Lake Road
Bedford, Nova Scotia B4A 2T2

Dear Rocky:

Re: Dr. Wilson Head's Study - Discrimination Against Blacks in
Nova Scotia and the Criminal Justice System

Further to our telephone conversation of today, I now enclose for your information and on a confidential basis a copy of Dr. Head's draft working report.

I apologize in advance for the poor production quality of this draft and any resulting inconvenience. The report is clearly a working draft and is in need of considerable editing. Although both Dr. Head and myself would have preferred to forward a more polished draft for your consideration, the constraints of time and logistics do not permit of a revision if we are to proceed with the workshop as now scheduled.

You will note as you go through the report that there are some numbered pages containing the entry "insert Table ". In some instances you may have to refer to the tables contained in Appendix C or Appendix D in order to review the specific table referred to in the text.

I would ask for your forbearance in dealing with these and any other problems relating to the organization of the enclosed draft.

You have been invited to attend an all-day workshop (Wednesday, June 15, 1988) at which the report will be thoroughly discussed

with the participation of three outside reviewers, the researchers, Commissioners, Commission Counsel, Commission staff and other invited participants. The workshop will not be a public event, the proceedings will not be recorded and participants will be asked to maintain the confidentiality of the contents of the research report and the discussions arising during the workshop. It is our hope that there will be a frank, informed and wide-ranging discussion of the report and all of the relevant issues that flow from it.

I understand that it is unlikely that you will be able to attend the workshop but you have undertaken to review Dr. Head's Study and pass along your comments to him or myself. In carrying out your review I would ask you to bear in mind that the Royal Commission's primary focus is the criminal justice system in Nova Scotia. Although it is obvious that problems of discrimination in the justice system cannot be dealt with in isolation from the broader based problems of discrimination in Canadian Society, it will nonetheless be the task of the Royal Commission to make specific recommendations with respect to the criminal justice system. I would therefore hope that your critical comments would focus on a discussion of specific problems within that justice system and possible solutions or at least steps which may be taken to improve the system.

I have also enclosed for your information a tentative list of participants at the workshop along with an outline of the proposed agenda.

If you should have any questions, please do not hesitate to contact me accordingly. In any event, I shall look forward to receiving your comments at your earliest convenience. Thank you for your co-operation. I remain,

Yours truly,



John E.S. Briggs
Director of Research

JESB:jrc
enclosure