

Gordon Gale

1

1965

Experience & Education

June

Trace Career in A-G Dept.

memorandum to Court Dec. 16/71

Ex. 148 : See note on Exhibit next page.

Organization of Dept.

Notes!!

Describe: Trace control & reporting

Control exercised over prosecutors.

Assistance to field people.

✓ why appeals done by Halifax ✓
other provinces

Trace sheets for performance. Quota?

Ex. 149 ✓

Role of Crown Prosecutor. ✓

TRAINING ✓

Emphasize discretion at all levels.

Cannot be subjected to control

Province of Nova Scotia 159

Position Description

Position: Director (Criminal)
Incumbent: Gordon S. Gale, Q.C.
Department: Attorney General
Division: Legal Services
Location: Halifax
Date: November, 1985

General Accountability

This position is accountable for providing advice and assistance and ensuring consistency, through acquired expertise, in all aspects of the criminal justice system, directing and supervising criminal appeals, formulating policy in all matters related to policing and acting as inter-governmental liaison in all matters related to criminal law. ✓

Structure

This position is one of four reporting to the Executive Director (Legal Services). The others are Director (Civil Litigation), Director (Solicitor Services), and Director (Prosecutions).

There are three positions reporting to the Director (Criminal). These are Senior Solicitor (Young Offenders Act) who also reports to the Director (Prosecutions) in regard to Young Offenders Act prosecutions; Solicitor, of which there are four; Prosecuting Officer, of which there are seventeen prosecuting officers and forty-eight assistant prosecuting officers, who report only in regard to criminal appeals. }

Nature and Scope

The Attorney General is responsible for the administration of justice within the Province and included in this is the criminal justice system. The Director (Criminal) is the position responsible for ensuring the proper application of the criminal law. This involves ensuring uniformity of application of criminal law through appeal action, provision of advice on criminal law and

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enforcement policy to police agencies, provision of advice to prosecutors on appeal requests, and advice to the Attorney General on the effect of proposed or actual legislation on the criminal law.

Due to the advent of the Charter of Rights the number and complexity of criminal appeals has increased requiring complex examination of cases to be considered for appeal to ensure that the possible impact of decisions is properly presented to the Courts. This requires greater direction and supervision of the solicitors presenting the appeals.

The functions of the Director (Criminal) are the formulation of policy to ensure consistency in enforcement. Through accumulated expertise advising and directing police in the investigation of specific cases and advising prosecutors on matters of criminal law. Through an overview of crime to ensure that investigatorial resources are used to best advantage. By reason of expertise, forming part of the provincial delegation to national meetings on justice to advise the Attorney General and Deputy on matters relating to criminal law and policing and to assist at implementing decisions made at such meetings. Negotiation with R.C.M.P. on contractual matters.

The Director (Criminal) is responsible for liaison with the Nova Scotia Police Commission and considering its requests to the Attorney General for the purpose of formulating policy and legislative considerations arising therefrom. In addition, the Director (Criminal) is responsible for liaison with the Nova Scotia Hospital and the Lieutenant Governor's Warrant Review Board to determine the disposition of persons remanded by Courts or placed on Lieutenant Governor's Warrants. The position is also responsible for pardons and transfer of probation.

The Director (Criminal) is responsible for specific matters assigned by the Deputy Attorney General including Nova Scotia Hospital Act, Fatality Inquiries Act, Horse Racing Commission, Liquor Control Act, Liquor License Board, Lottery Act and Gun Clubs.

Major challenges of this position are:

- Analysis of criminal law, to respond to or make recommendations, on charges.
- Analysis of law enforcement problems so that changes can be implemented in particular trouble areas consistent with ensuring uniformity of response on a province wide basis.

- 3 -

The Director (Criminal) functions without supervision and consults with the Executive Director of Legal Services where policy formulation would require the approval of the Attorney General.

There is need for constant contact with the Director (Prosecutions) to ensure that the both directorates act in concert.

There are frequent contacts with other areas of the Department in the course of management of the unit with the Director, Administrative Services, on personnel and budget matters, the Director, Court and Registry Services, concerning utilization of courts and court officials, the Director, Correctional Services in providing legal advice. To a lesser extent there is contact with the Director (Solicitor Services) and the Director (Civil Litigation) over matters which have arisen within departments that require police investigations but result in civil action being required rather than criminal action. Also, because this position is that of chief advisor on criminal law and enforcement frequent contact is had with the Attorney General and his Deputy.

Frequent contact is made with other provincial departments at the deputy minister and director levels in regard to violations of statutes administered by those departments. Nationally, there is frequent contact with deputy ministers and directors in justice departments of other provinces and the federal government for the purpose of exchange of information and procedures, developing positions on criminal law and policing, and also for discussion of specific cases which involve this or other jurisdictions.

Outside of government there is frequent contact by judges of all levels of courts seeking assistance and information on various facets of criminal law. Also, there are frequent contacts with the practising bar in relation to criminal matters.

The Director (Criminal) is a member of the following job related organizations:

- Uniform Law Conference, Criminal Section, the purpose of which is to recommend amendments to the criminal law and to review criminal law proposals made by the federal justice authorities.

- Criminal law consultation committee of the Law Reform Commission of Canada the purpose of which is to review and assist in that Commission's reports to Parliament.

- Atlantic Police/Academy Advisory Council the purpose of which is to offer advice and review their training programs and to keep the Attorney General apprised of its activities.

- Representative of the Deputy Attorney General on the Nova Scotia Chiefs of Police Association.

Dimensions

Head office staff - Four Solicitors
Budgets - R.C.M.P. 22,000,000
Indirect responsibility for 24 municipal police comprising 750 police officers.

Specific Accountabilities

Ensure that amendments and changes to criminal law are consistent with provincial laws and objectives and are responsive to criminal problems in the Province.

Through formulation of policy to ensure consistency and effectiveness in the enforcement of criminal law.

Through the application of expertise in criminal law to advise police and prosecutors on specific investigations.

By reason of expertise in criminal law and familiarity with government to act as a resource person on criminal and police matters to other levels of government, the courts, police and prosecutors.

To act as liaison between the Department and enforcement agencies to formulate new policies for enforcement and to act as legal advisor to agencies of government which have interaction between enforcement and criminal law matters.

Approved by:

Incumbent 

Date Nov. 4/85

Deputy Minister 

Date Nov 6/85

Position of Deputy A-G - Relationships ✓

Policy

Direction

Knowledge

Regular Meetings —

Court Appearance ✓

Coles + Pace (see attached)

drafting resolutions

POSITION A-G

Policy & Direction

Briefing papers

Knowledge

Day to Day activity

Regular Meetings

Government direct contact.

Discuss law matter Government.
Recommendation to him?

George

Sunday

can you please get answers from Cole re:

- ① authority of A.G. office to stop police investigations
- ② auth of prosecutors re decision to lay charge $\hat{=}$ police
- ③ any sense of Cles relationship $\hat{=}$ Pace
- see Giv at 12467
(attached)

Thanks

W

A. Gordon Gale.

1 Q I see. Did you discuss the matter with him or seek his
2 instructions?

3 A. No, I didn't.

4 Q Why not?

5 A. I ultimately phoned the Attorney General himself. I thought
6 that this was an unusual position that I was going to have to
7 take and an important one, I guess I can use that word. So,
8 in one sense I wanted to get my instructions from the
9 highest source. I also, I think, and it's hard to reconstruct
10 this, but I think I thought that if I talked to Gordon Gale
11 about it, I'd simply end up talking to the Attorney General
12 anyway or at least someone higher up.

13 Q Did you discuss the matter with Mr. Coles?

14 A. No, not then and I haven't discussed it at any time with him.

15 Q Why not?

16 A. It's difficult to say. I...in the case of Gordon Gale I probably
17 didn't even think of getting my instructions from him. In
18 the case of Mr. Coles I actually did give it serious thought
19 and decided that I wouldn't, that it was my view, whether
20 it's right or not I don't know, that there was a prior
21 association between him and Justice Pace and I felt that at
22 the very least, given the nature of the submission I was
23 making, and given that prior association, that it might be
24 uncomfortable for him or might present some kind of
25

MR. GIOVANNETTI, EXAM, BY MR. ORSBORN

problem. And, so I did think about it and decided not to.

1 Q. Was this a new venture for you having to consider an
2 application in respect of perceived bias?

3 A. I had never done that before, I mean.

4 Q. I'm sorry.

5 A. I had never done it before.

6 MR. CHAIRMAN

7 Who was the Attorney General at the time, Mr. Giovannetti?

8 MR. GIOVANNETTI

9 Ron Giffin.

10 MR. ORSBORN

11 Q. And did you subsequently, prior to speaking to the Attorney
12 General, did you subsequently form in your own mind an
13 opinion on what you should do?

14 A. Yes. I think it eventually became clear to me that the right
15 thing to do was to make that submission on Monday
16 morning if, in fact, Justice Pace was on the panel.

17 Q. But was this all on the Friday that you found out that he was
18 sitting?

19 A. Yes, I'm a little unclear as to times throughout. I don't
20 recall exactly when I talked to the Attorney General. It
21 might have been on that Friday later in the evening or it
22 might have been on the Saturday morning. But it was in
23 that time frame.

24 Q. You did, in fact, communicate with Mr. Giffin?
25

Reporting Procedure:

Major Offences: RCMP

Investigation & Pre Charge

After Charge: Preliminary

Between Trial & Preliminary

After TRIAL Before Submission
re SENTENCE.

Appeal:
POSITION to be taken

Control of Field People

Manual

Directives



How followed up & monitored.

Discipline: Discussion re Policies

Reporting

INTERference (Consultation or Approval)

Before Charge
 Prelim. — withdraw
 TRIAL — stay
 — witnesses
 — Submissions
 — Sentence
 Appeal — POSITION ✓

diff in

come

Performance Appraisal (attached)

9.149

Quota

CONFIDENTIAL

GOVERNMENT OF NOVA SCOTIA
PERFORMANCE APPRAISAL
(MCP)

NAME: _____ POSITION TITLE: _____
DIVISION: _____ CLASSIFICATION: _____
DEPARTMENT: _____
APPOINTED TO PRESENT POSITION: _____ TOTAL SERVICE _____
REVIEW PERIOD: FROM _____ TO: _____

This form contains four sections:

- I Expected Results
- II Results Achieved
- III Analysis of Overall Performance
- IV Follow-up Action Plans

Part I, completed at the beginning of the review period, indicates the major accountabilities of the employee, and the performance goals which have been established in relation to each for the appraisal period.

Part II, completed at the end of the appraisal period, indicates the actual results achieved in relation to each goal.

Part III, provides an analysis of the individual's overall performance in terms of significant achievements, requirements for performance improvement, etc.

Part IV, indicates the follow-up action plans which have been developed in relation to each of the performance areas identified in Part III.

PART I EXPECTED RESULTS: For each major accountability identified, specify the performance goal(s) to be achieved and the standards by which success will be measured.

WHY!!

1. To consult with and be accessible to police forces operating in the county.
2. To keep abreast of developments in the criminal law which affect pending cases through perusal of available case reports and other legal materials.
3. To prepare and present cases in court in a thorough and professional manner.
4. To manage caseloads efficiently and facilitate the prompt hearing and disposition of cases.
5. To attend upon matters relating to witnesses including subpoenas, notice of adjournments, fees and exhibits.
6. To ensure that matters to be discussed with the Department i.e. plea bargaining situations, the entering of a stay of proceeding and recommendations for appeal are promptly raised with the Assistant Director or Director (Criminal).
7. To implement instructions issued from time to time by the Attorney General.

If not doing so, result?

PART II RESULTS ACHIEVED: Specify the results achieved in relation to each performance goal previously established.

PART III ANALYSIS OF OVERALL PERFORMANCE

(Summarize outstanding achievements; performance strengths; weaknesses; etc.)

PART IV FOLLOW-UP ACTION PLANS

(Specify action plans which have been developed in relation to each of the performance areas identified in Part III.)

SUMMARY COMMENTS

SIGNATURES

Manager

Employee

Senior Manager

Sensitive Cases

Definite "one case" →

Difference in handling

- a) Discretion of Crown
- b) Direction & Interference

Does The A-G Office make decision whether to

- a) recommend charges ←
- b) proceed with prosecution

Shoplifting case

was to move?

Knowledge !!

DAG

Any thing wrong with exercise of discretion by

Prosecutor
Deputy A-G

✓
✓
✓

Knowledge of case where has happened?
Reasons?
Political?

CLE for Staff

In-house Training ✓

Association of Courts. ✓

Membership in Associations ✓

- (a) Regional
- (b) Provincial
- (c) National CBA ✓

what would be helpful or useful to enable better performance of job?

Relationship with Police

RCMP:

Jurisdiction in N.S.

As N.S. Police Force under ultimate direction and control of A-G.

Julian Bennett

How exercised:

Regular Thursday meetings

Attendees? Vaughan
Minutes

Report to Deputy? A-G.

Green Sites - Verbot

Confidential Files: Filing System used.

Knowledge of investigations being carried out by RCMP. ✓

Conflicts - How resolved.

Authority A-G office to stop investigations?
Prosecutor's decision to lay charge

Relationship other Police Forces

Contacts

Complaints

Regular Meetings?

Courts

Regular contacts with various courts. Purpose

Provide legal service?
why?



1
2 was charged with a variety of fraud-related offences. We
3 went down to prosecute that. In those days the prosecuting
4 office in Halifax had two part-time prosecutors, and whenever
5 they got short they'd call the local office, rather the central
6 office, and someone, usually me or Bill MacDonald would go
7 up and fill in. So, yeah, I had some experience in that and I
8 think I conducted myself more or less in the fashion I've
9 indicated I should.

10 Q. I'm going to ask you two questions concerning concerning the
11 organization of files in the department. If you were working
12 on a file, where physically would that file be kept?

13 A. There was a file room in a vault. I can't even remember what
14 floor it was on and I think the department has moved a
15 couple of times since then, but there was a large file room in
16 which files were kept. I know there were files to which
17 lawyers in the department did not have access and these
18 would be files that would be sensitive for, I think, what you
19 might call "political" or "politically-related reasons" Files that
20 I think involved, I never got into any of them, but files that,
21 they used to have a green stripe on them and they would be
22 RCMP reports on sensitive matters. But the ordinary run of
23 files were either kept in that vault or kept in a filing cabinet
24 at the desk of the secretary who was working or were kept in
25 other filing cabinets around the office.

Marshall

1971 :

His position :

May 1971

November 15, 1971

December 15, 1971

Knowledge Marshall case.
TRIAL
APPEAL

Knowledge J. MacNeil Statement

Request to RCMP to interview
How would it be done.

Knowledge of what done & results:

Expect to know

Expect Defense would know?

Should he told? What steps

taken to make certain Defense knew

DUTY?

PAGE
MacLeod
documents

Knowledge Marshall Report.

Who would get in ordinary course
knew it was being done.

Would be interested in result?

would ask if not forthcoming

Review Report: Vol 18/7

type of report he would expect to receive?
Circulation
Refer p. 10 - duty of Market?

!! Wardrop -
given to Sale

Agreed - assigned my fa. counsel. Diff if personal
person?

Knowledge 1971 - 1982

who should have disclosed.
Injustice - Pace

MR. WARDROP - EXAM. BY MR. SPICER

1 you relied on that when Al Marshall went off to Sydney?

2 A. Exactly.

3 Q. Okay. What is your...what was your first knowledge of
4 the situation in Sydney? How did it come to your
5 attention?

6 A. I knew that there was a murder in Sydney. I knew that
7 a certain person by the name of Marshall was convicted.
8 I didn't follow the thing in the newspaper because I
9 had my own function to perform here. I got word from
10 the Attorney General's Department that there was a
11 person by the name of MacNeil that was putting...that
12 was maybe a slang expression "putting the finger" on
13 Ebsary, and that he was saying Marshall hadn't
14 committed the murder. I...

15 Q. Sorry. MacNeil was saying that Marshall committed it.

16 A. No, no. That Ebsary had committed the murder, not
17 Marshall. Okay. And this came over to me from the
18 Attorney General's Department. Now...

19 Q. Do you remember who in the Attorney General's
20 Department?

21 A. This is exactly what I'm going to try to tell you. I'm
22 not sure if Bob Anderson or Gordon Gale called me
23 direct or if I might have been out of the office at the
24 time and Burgess might have taken the call. If I was
25 out of the office they had free...we had a very

MR. WARDROP - EXAM. BY MR. SPICER

1 informal relationship with the Attorney General's
2 Department. Like if I was out and they wanted to talk
3 to anyone else they would talk to one of my readers,
4 and Burgess would be the one that would talk to them.
5 So, I don't know. It was one of the two. But anyway,
6 I was told that the Attorney General had received this
7 information, they wanted an investigation.

8 Q. And Burgess is...

9 A. Is my...one of the chief readers there.

10 Q. What's the function of reader?

11 A. Well, they handle criminal files and they research them
12 and they delve into them, and you know, they go into
13 them pretty carefully.

14 Q. Are they commissioned?

15 A. No, no.

16 Q. No.

17 A. They're NCO's. Uh-hum.

18 Q. And in Halifax you had Mr. Burgess and others or.

19 A. Well, he was the one that I can recall handling that
20 particular file. Every one had different particular
21 duties. Some would handle Federal statutes and some
22 would handle, you know, the Provincial Statutes,
23 etcetera, etcetera.

24 Q. As a result of the request that you received from the
25 Attorney General's office what did you do?

1 have. Now, normally, they would send a copy to the
2 A.G. and whoever else. Maybe to Headquarters Ottawa
3 and whatever else that they thought would be involved
4 in it.

5 Q. If that were the case, sir, if the readers did, in
6 fact, distribute various copies of this report to other
7 places, should there be transmittal slips to indicate
8 that that had been done?

9 A. Possibly, yes, but normally if it would have required
10 any further dissertation, they would have put a
11 footnote on there saying, you know, we believe this, we
12 believe this, dit, dit, dit. But I don't see that on
13 there. So I would say then that they must have put a
14 transmittal slip on and said it's complete, it's
15 concluded, there's nothing more to say. There's
16 nothing we can add and let it go at that. Now on top
17 of that, you're asking me about this report. When
18 Marshall handed this report, it seemed to me this was
19 coincidental with my visit to the Attorney General's
20 visit and my best recollection is that the report that
21 he gave me, I took over and handed to either Bob
22 Anderson or Gordon Gale. Now I'm not sure which one
23 was there at the time, but one of the two. Now when I
24 say that, I can't tell you that I remember saying,
25 "Here, this is the report." But I've been trying to

1 recall the many reports that I would take over on a
2 weekly visit. If I was over there, if anything came
3 across my desk that was coincidental with my visit,
4 then I would take it across and talk to him about it,
5 you know. Above everything else, lots of times I would
6 go over there and we'd have nothing to talk about. And
7 if I had a report that we had to discuss, we'd discuss
8 it. So this is what I'm asserting, that this is
9 probably what I...If I didn't do that, and I feel in my
10 own mind as clear as I can, that I took that report
11 over by hand. But if I didn't, it would have gone over
12 in the routine mail, anyway. And if I did take it
13 over, I would, Burgess or none of the readers would
14 have known. I mean their mail would go out in the
15 regular routine flow of mail and that would be it. They
16 wouldn't know that I took it. I didn't, I wouldn't go
17 and say, "I'm taking this over. You don't have to send
18 it." So the normal course of mail would have gone
19 anyway.

20 Q. All right, I just wanted to be certain of one thing
21 arising out of what you just said. Are you telling us
22 today that you have a recollection that you took this
23 report over to somebody in the Attorney General's
24 Department or are you assuming that that's what you did
25 because that's what you would normally do?

1 A. No, no, no, I'm telling you that my best recollection
2 is that I took it over, and when I say that, I'm
3 thinking back of all of the other reports that I took
4 over and it seems to me, in my best recollection,
5 that's the only thing I can say, that I took this
6 report over at the same time. Now I can't tell you,
7 and can't tell you any conversation that ensued as a
8 result of me taking it over, like anything. But I can
9 only tell you that the Attorney General's Department
10 never asked me for any further investigation on this
11 matter at all.

12 Q. And you're telling us today that you have a
13 recollection of that happening. You're not just
14 putting the pieces together and assuming that it
15 happened.

16 A. No, no, this is my best recollection, and, you know,
17 piecing that with the other pieces of correspondence
18 that I took over, I'm, it seems to me that this is one
19 piece of correspondence that I took over.

20 Q. Do you remember, after having taken it over, do you
21 remember discussing it with anybody in the A.G.'s
22 department?

23 A. That's what I simply just got through telling you. I
24 do not recall discussing it but my purpose of a weekly
25 trip over there was to discuss current events and if I

1 I'm completely clear that I took it over but my best
2 recollection is I did. But I'm telling you absolutely
3 for sure that that report got over to the Attorney
4 General's Department in one way or the other. You
5 know, it just doesn't make any sense to me whatever and
6 I'm very surprised, I'm very surprised that you would
7 bring this up because of all the times that I've been
8 here, there's never been any question about a flow of
9 reports over at the Attorney General's Department.
10 There's something absolutely, a weird wall put up here,
11 saying that that report didn't get over there. I'm
12 telling you that now.

13 Q. Mr. Wardrop, I'm only trying to understand what your
14 accurate and best recollection is.

15 A. Well, I'm just telling you. Our routine, and it hasn't
16 failed me yet, that mail got over to the Attorney
17 General's Department and you tell me that Bob Anderson
18 or Gordon Gale, who asked for this investigation,
19 didn't get the report and weren't querying me and
20 asking me where it was? Come on.

21 Q. Mr. Wardrop, your testimony today is based on what your
22 normal practice was at the time, correct?

23 A. No, no, I have a recollection, faint as it may be, with
24 age and time, but I have a recollection.

25 Q. The report that you received from Inspector Marshall,

1 A. That's right. But I'm not to...I'm...as I say I'm not certain
2 how much of that was adapted as Department policy at that
3 time.

4 Q. Again, you have indicated that it was your view that that
5 was appropriate policy in '71.

6 A. Oh, I think so.

7 Q. And the...and the fact of Mr. MacNeil coming forward with
8 this eyewitness information on November the 15th, 1971,
9 this fact was known by Mr. Matheson, Mr. MacNeil and Mr.
10 Anderson, all Crown counsel. In your view, leaving aside
11 any issue of the RCMP coming in, but in your view as
12 Attorney General, was there an obligation on the Crown to
13 disclose that information to the defence with the appeal
14 pending?

15 A. I think I've answered that, yes.

16 Q. Yes.

17 A. I think.

18 Q. And that would be an obligation that should be fulfilled
19 even in the absence of any request from defence counsel
20 because they wouldn't have any way of knowing about it,
21 would they?

22 A. They wouldn't have any way of knowing about it, no.

23 Q. And, the evidence is that defence counsel was not aware of
24 that evidence, and is it your view then that Crown counsel
25 were in breach of their obligation to provide that evidence?

1 A. What obligation are you referring to?

2 Q. The obligation to disclose it to defence.

3 A. I'd have to say, yes, because I think that was their general
4 thrust of trying to give full disclosure.

5 Q. And in that sense you would be then in agreement with Mr.
6 MacLeod and Mr. Anderson who have already testified that
7 in their view, yes, it should have been disclosed?

8 A. Yes, I have no difficulty with that.

9 Q. Are you able to indicate, My Lord, who you believe should
10 have disclosed it? We understand that, you know, appeals
11 were not carried by the local Crown, but were forwarded to
12 Halifax at that time, and indeed still are. So, you've got the
13 local Crown aware of it, but the matter being transferred to
14 Halifax, at least one counsel in Halifax being aware of it, but
15 he's not the guy who's looking after the appeal. Can you
16 give us any help and suggest who, on whom specifically the
17 responsibility rested?

18 A. I suppose it would be Mr. Anderson because he's the
19 director and he must designate the counsel who will be
20 doing the work.

21 Q. To summarize then this discussion, My Lord, we have fresh
22 eyewitness evidence coming to the attention of the Crown,
23 the matter is still before the Courts. It's evidence which,
24 certainly if you believe it, which would cast some doubt on
25 the conviction. And I take it from your evidence, it's your

1 view that it was the obligation of the Crown to ensure that
2 that was disclosed to defence and to the Court.

3 A. It should have been revealed to the defence.

4 Q. Yes. And in not disclosing that evidence to the defence, is
5 the Crown not in breach of its fundamental obligation to see
6 that justice was done?

7 A. If it, and in this case it did result in injustice, the wrong man
8 being convicted and the conviction upheld, yes.

9 Q. Yes. And, I guess in our parliamentary system the
10 responsibility for that ends up finally at the desk of the
11 Attorney General.

12 A. Exactly. I have never had any doubts on that, except if it's a
13 criminal matter then, of course, some Crown Prosecutor
14 carries out the criminal deed or act.

15 Q. Of course.

16 A. Then I don't feel that I have to be responsible for that. I
17 may be responsible for the discipline of it but...

18 Q. Yes. But you would agree then, as Attorney General, that a
19 conviction which continued, or at least the appeal was
20 unsuccessful, perhaps because of failure by the Crown to
21 disclose this evidence would be an injustice?

22 A. Would be what?

23 Q. The fact that Mr. Marshall's appeal was unsuccessful in
24 1972, if that can be attributed to a failure of the Crown to
25 disclose this fresh eyewitness evidence.

1 A. Yes.

2 Q. You're talking there about the November investigation by
3 Ebsary and, of Ebsary and MacNeil...

4 A. Yes.

5 Q. By Inspector Marshall.

6 A. Right.

7 Q. Should the defence have been advised of that?

8 A. Absolutely.

9 Q. And given the way your system works now, that the case is
10 under appeal and it's in Halifax, who should have advised
11 them?

12 A. That is a question that I've thought of many times in the last
13 few years and the short answer is Donald MacNeil.

14 Q. And would you like to explain why you make that statement
15 having, it's obviously one you've given serious thought to.

16 A. This was a criminal matter that took place in his jurisdiction.
17 He is the prosecuting officer for Cape Breton County. Was
18 responsible for criminal prosecutions in that county. He had
19 personally had carriage of the case and at the appeal stage,
20 although it was being handled by a solicitor in Halifax, it was
21 still information that he was personally aware of. And that,
22 no doubt, knew it would be of great interest, at least to the
23 defence. And I really don't think that he could have taken it
24 for granted that it would be disclosed in Halifax. I think he
25 was the one primarily responsible to get that information to

MR. EDWARDS, EXAM. BY MR. MacDONALD

1 the defence.

2 CHAIRMAN

3 Who could have disclosed it in Halifax unless Mr.
4 MacNeil...yes, well Halifax would have known, wouldn't they.
5 They knew the...

6 A. Yes.

7 MR. MacDONALD

8 Halifax, well...

9 CHAIRMAN

10 Well, I'm not sure of that.

11 MR. MacDONALD

12 I guess one of the questions is whether they did get
13 Marshall's report, but assuming they did.

14 A. I'm operating on the premise, My Lord, that Halifax knew.
15 And I'm saying notwithstanding that fact I would put the
16 initial responsibility, or the basic responsibility to disclose on
17 the Chief Prosecutor in that county.

18 COMMISSIONER EVANS

19 Wouldn't there be a joint responsibility?

20 A. Yes.

21 COMMISSIONER EVANS

22 The Crown is indivisible.

23 A. Of course. Yes. But I guess I would say the initial
24 responsibility would be MacNeil's...

25

Jan. 1982.

Aware RCMP called in again?
How? when? what expected

Diary?

Notes?

First Retollection?

Unusual case?

17/3 (A) why briefed by Chester?
what told?
Refer (A) p. 3
what expected?

(B) told this by Edwards?

Significance.

Knew that had recanted?

why RCMP believe Marshall
is innocent

would he be receiving reports
every Thursday from Chester?
Briefing Dep.? A-G?

what type of reports or updating
from Frank? written?

RCMP Report.

34/9

Frank's notes 17/7 memo 28/82

Knowledge of radio & media break?
(17/6)

RCMP Report.

- p. 141 ① Agree with this?
- ② Would this be proper
- p. 18 ③ note this?
- ④ Is this Chester?
- p. 19 ⑤ Comment
- ⑥ Appeal report to go to A-G

Request Report from Edwards?
why?

40/31/22

agree recommendation p. 24
when request?

Jul 31 / 13

See copy?

Arrange to meet Aronson?

31/36
met Marshall
3/7/82

Contacts Feds. Why?

families not
stated



① what co-operation being sought by Aronson?

Why not give Aronson copy of the RCMP report? Statements?

31/20 In Detail!

Believe Marshall innocent? !!

~~Support~~

go 31/34

31/36

- (1B) was that his understanding also
- (1D) comment
- (1E) what done with this request?
- (1F) —

also 31/38

See this?

- p. 40 (4) "innocent" miscarriage of justice?
- (5) Accurate?
- (6) comment? contacted? answer

Request Report from Edwards?
Why? When?

Vol 31 / ²¹22

Agree ^{Comment 24} Recommendation p. 24 (1)

Define "miscarriage of justice"

Request Update?

31/26 29

no backing off Recommendation?

"miscarriage of justice"

ultimate panel of prosecutors + A-6 office
Edwards (evidence)

1 Q. Well the system, you're telling us the system can't.

2 A. No, I'm not. I'm not.

3 Q. The criminal system now.

4 A. No, I think you have to dissect it. What I'm telling you is that,
5 in my opinion, and my logic may be all wet, but you have it
6 such as it is, in my opinion, John MacIntyre can't be held
7 criminally responsible.

8 Q. Neither should Harriss.

9 A. He is deserving of criticism for the way in which he conducted
10 the investigation but not a criminal charge. The system, you
11 know, the next logical progression is to say, well, if it's not
12 John MacIntyre where do we go from there. And I am of the
13 view, and I know that a contrary theory has been proffered
14 through questioning here but I am of the view that the first
15 statements of Chant, Pratico and Harriss were never disclosed
16 to the defence.

17 Q. And that's...

18 A. And if fault is to be assessed anywhere, then it is on that non-
19 disclosure.

20 Q. Okay.

21 A. Okay?

22 Q. All right.

23 A. Because my view, and again, that's all it is, is that the
24 disclosure of those statements would have prevented the
25 conviction. And then to carry it right through, that after the

1 conviction the 11-year incarceration could have been
2 prevented had the re-investigation been disclosed.

3 Q. Or had it been carried out in the same manner as the 1982
4 re-investigation.

5 A. Or had it been carried out in the same manner as the 1982
6 re-investigation.

7 Q. With all of these...

8 A. So, you know, to get back to your point, in view of what I've
9 just said, I don't think I'm throwing up my heads to Donald
10 Marshall and saying, "Too bad, pal. You know, you spent 11
11 years in jail."

12 Q. But the system has, the Court told him. "In spite of all that,
13 it's your own fault. You're the guy who is to blame."

14 A. And the Appeal Court said that, yes.

15 Q. Okay.

16 COMMISSIONER EVANS

17 May I just ask one question dealing with MacIntyre and the
18 witnesses. The witnesses didn't tell him the truth to start with
19 and as you say he was a little aggressive. But leaving aside...

20 MR. EDWARDS

21 Well Chant didn't...

22 COMMISSIONER EVANS

23 Well leaving aside the aggressiveness...

24 MR. EDWARDS

25 Or, and Pratico.

F.E. notes 17/7

In detail: discussion with McIntyre.
Why there? unusual?

length of meeting? what said?
Standing? Sitting?

Chief belief Marshall quiet?

Notes:

- ① Saxon etc. being employed?
- ①A Did F.E. compare this
- ② what is letter April 1982 from Atkinson?

As far as I am concerned, Rod Jellard is
the author of his own misfortune"

17/17

JOHN F. MacINTYRE, by Mr. MacDonald

1 MR. MacDONALD:

2 Thank you. We'll try to accommodate you on that.

3 BY MR. MacDONALD:

4 Q. Just a couple of things to clear up, Chief MacIntyre. A couple
5 of times yesterday you made reference to the Marshall file and
6 the Ebsary file, at least that's what I understood. Did you
7 have a separate file for each of those; that is, in 1982 when
8 the R.C.M.P. were doing the re-investigation?

9 A. No, I think I -- My opinion on that and my recollection would
10 be I'd keep everything together. It was all connected.

11 Q. So when you said you were reviewing with, do you remember --
12 with Scott and Frank Edwards?

13 A. Yes.

14 Q. You were reviewing, you said, the Marshall and Ebsary files.
15 You meant you were reviewing the Marshall case leading up to
16 his conviction and then the November incident when the Ebsary
17 matter came up, is that correct?

18 A. That's right. That's my recollection, yes.

19 Q. Thank you. The other point I wanted to just confirm with you
20 is the reference that was in Frank Edwards' notes to the Deputy
21 Attorney General putting his hand on your shoulder and saying,
22 "That fellow was the author of his own misfortune." I just
23 wanted to confirm the timing on that. You visited Gordon Gale
24 in April -- on April 16th, 1982.

25 A. Yes.

G. McD

Ref. to

Sydney Discover

Gale by
MacIntyre

re: Author of
misfortune



JOHN F. MacINTYRE, by Mr. MacDonald

1 Q. The note about the laying on of hands is dated January, 1983,
2 which is --

3 MR. CHAIRMAN:

4 Only the best attorney could put the question that way.

5 BY MR. MacDONALD:

6 Q. January of 1983. Were you in Halifax at the Attorney General's
7 Office -- Is it possible you were there on a couple of occasions.

8 A. Speaking about Mr. Gale -- he was talking about or Mr. --

9 Q. Or Mr. Coles -- or the Deputy?

10 A. No, this was the meeting that I had with Mr. Gale.

11 Q. Okay. Thank you. Now, I had said yesterday, Chief, that I
12 wanted to just give you an opportunity again with respect to
13 certain conflicts that I think exist and get your comment. Would
14 you agree with me that the conviction of Donald Marshall, Jr.,
15 initially was based primarily on the fact that there was evidence
16 of two independent witnesses, who were eyewitnesses, that those
17 witnesses, as far as everyone knew, had no opportunity to
18 collaborate and did not collaborate, and that they would have
19 no motive to lie and to -- to lie and say that Junior Marshall
20 had stabbed someone. That was at the basis of the decision,
21 wasn't it?

22 A. I would say so, yes.

23 Q. Now, before this Commission, both Mrs. Harriss and Mrs. Chant
24 have testified that you asked them to leave the room while their
25 children were being interrogated because -- somewhat to the

Sydney Police Files

Aware of position of France
↓ RCMP

17/8 ① Agree. why delaying

② F.E. advise you of this?
April 16.

Should Police be treated differently
than anyone else.

Obstruction charge? why not more
or since RCMP do so.

Was there a meeting of brass? Did
he hear from Chester.

April 19/82 17/10 ①

"Briefed Thoroughly"

17/9

- ① A) Whelan + Davies contact Police
 ② b) Donna Elmore
 ①A c) Hidden papers.

17/10

- ② d) wanted Police file

17/10 ① Agree with Frank - Investigation should focus on Sydney Police

Discussions with A-G

Meet with Chidley? (17/11 ① told me?)

- ③ Awareness of this?

Letter from A-G to Chief ordering
 turn over of file. April 20/82 31/27

Unique? ?

How delivered? When

CONVERSATION WITH GORDON GALE,
NOVA SCOTIA ATTORNEY GENERAL'S DEPARTMENT
(PROBABLY ON OR ABOUT APRIL 23, 1982)

- A.G. has taken case from Sydney police and given it to R.C.M.P.
- Sydney police playing games.
- Mrs. E. and daughter say they saw this stuff and recall it with great clarity.
- E. not yet sentenced - still under observation by psychiatrists.
 - is he fit to stand trial???
- Harris - new statement from her.
 - she describes E. to a t
 - old man with flowing white hair and cape.
- Aronson referred by A.G. to Legal Aid.
- compensation not decided
 - but may be given because of Sydney police
- perjury - it may not be...
- toss up between new appeal or pardon
- (I made an editorial note here saying "have distinct impression that he feels E., not Marshall did the stabbing")
- I asked him to write me to advise if they feel a remedy is warranted, and if so, which they would recommend.
- He said he hoped to have a letter for me the week after next.
- Hirshorn.

CONVERSATION WITH GALE MADE 20/82

- letter on the way
- not making a decision
- considerations:
 - pardon perhaps not expedient
 - [because there would be] no public airing of matter
- E. found unfit and in all probability won't recover
- will lay charge against Ebsary.

31/48

Colo
Is Sale only one with authority?

✓ Discussed with Sale?

Any examples of Dept. authorizing
payment to other counsel? rates?

Hire own counsel? rates.

Legal aid rates?

31/52

Recall conversation

Project: 34/64 ft
76
88

p. 89 - "obeyance"

ever release the "hold"??

ever authorize or request investigation
of Sydney Police Dept or any members

Did RCMP need to carry out?

31/54

Did he draft this letter.

Did he have discussions: ~~Rutherford~~, F.E.

- ① Marshall innocent? (Refⁿ p. 40)
- ② what about 617(c)
- ③ Had it already been determined that no perjury charge would be laid?
- ④ Review this paragraph

31/56 Review.

~~Surprise?~~

met E Rutherford + F.E. June 9th
(Rutherford evidence 9701 ft)

Best way to proceed under 617(c)

Know C.J. MacKeigan to be contacted

MR. RUTHERFORD, EXAM, BY MR. G. MacDONALD

1 the 16th.

2 A. I think so.

3 Q. "A classical 617(B) as if it were an appeal by Donald Marshall.
4 MacKeigan spoke to Rutherford on June 15, 1982." Did you
5 have conversations with Chief Justice MacKeigan about the
6 setting up of the reference?

7 A. Yes.

8 Q. What would be the purpose of those discussions?

9 A. On...after the exchange of correspondence, the page before
10 this, page 60, which has Mr. Chrétien writing back to Mr. How
11 and proposing that we get together, Rutherford and Gale, well,
12 "Rutherford work out with your officials," I in fact met on
13 June 9th, as I think I said earlier this morning, with Mr. Gale
14 and Mr. Edwards. We discussed options and potential
15 questions that could be asked of the Court, how to deal with
16 this, we discussed whether or not the compensation issue
17 could or should or could not or should not be wound into it in
18 one way or another. We discussed what would happen if the
19 Court of Appeal ordered a new trial. All those issues were
20 discussed. The conversation ended or the meeting ending
21 with Mr. Gale expressing the desire to be able to consult his
22 Minister on the things we had discussed and make final
23 comments. On Monday, June the 14th, I telephoned Gordon
24 Gale for those final comments and I then called Mr. Aronson
25 and told him, and I assume that phone call slip at the middle

1 of page 62, which is dated the 14th, is a reference to my
2 having called him. I did speak to him on that day and I told
3 him that as between the Nova Scotia Attorney General's
4 Department and officials in Justice we were of the view that
5 we would propose a reference as the right remedy to the
6 Minister for his ultimate decision, and that it would be a
7 reference under 617 (C) asking for the opinion of the Court.

8 Q. Two particular questions.

9 A. Two par...yeah, that's correct.

10 Q. Had you given any thought to the question that would be
11 put?

12 A. Yes, there was a lot of thought...there was a lot of thought to
13 put to a number of different questions and ultimately I think
14 it came down to probably one question.

15 Q. Yeah. What would that be?

16 A. I'm not sure whether I've got it. I may have a copy of what
17 we were working with at that time. I have a copy of what
18 has reference as a draft. There were several drafts, in fact.
19 One of the questions we were considering followed a
20 preambulatory sort of language that sounded like this, that it
21 asked the Court, referred the conviction to the Court for its
22 opinion and determination in the light of the existing record,
23 the evidence to be adduced by counsel for Donald Marshall,
24 for the Attorney General of Nova Scotia and any other
25 evidence which the Court in its discretion received and

MR. RUTHERFORD, EXAM. BY MR. G. MacDONALD

1 consider, the question being, "Does the additional evidence
2 warrant any action being taken in relation to the conviction
3 and, if so, what in the opinion of the Court should be the
4 nature of that action?" That was one question and I think
5 that was one of the ones that we were thinking of most
6 seriously at that time. Other forms of the questions we
7 discussed were of this order "Does this additional evidence
8 warrant any action being taken in relation to the conviction
9 and if so should Donald Marshall, Jr., be granted, (a) a new
10 trial, (b) a free pardon, or (c) some other form of relief alone
11 or in conjunction with the above?" Those were the kind of
12 things we were discussing.

13 Q. Now, had that followed through, if you had proceeded under
14 617 (C) the Court is being asked really to assist the Minister,
15 to give the Minister some...its opinion so he can make a
16 decision, is that correct?

17 A. Yes. Under (C) it would have left, in all likelihood, some
18 executive action to be taken by the Minister, either to refer
19 the matter to a new trial or possibly a free pardon. It led
20 most likely to some further ministerial action. I should say
21 the significance at least to me at that time, and I think to Mr.
22 Gale, was also that it avoided the possible awkward situation
23 of a new trial being ordered, a trial which the Attorney
24 General of the province may have no desire to take at all.

25 Q. Was it then the, at that stage anyway, the preferred option of

- 1 the officials in the Ministry of Justice and the Attorney
2 General that the best way to proceed would be under 617 (C)?
- 3 A. That's correct.
- 4 Q. What...
- 5 A. And I specifically appreciate your term of preferred option,
6 that was...that's exactly what it was at that point.
- 7 Q. What changed that position?
- 8 A. After the final discussions on the telephone with Mr. Aronson
9 and Mr. Gale on Monday the 14th, the options including the
10 preferred option were put to Mr. Chrétien on Tuesday the
11 15th in the morning, 15th of June, 1982. Mr. Chrétien agreed
12 with the preferred option and gave us instructions to finalize
13 the paperwork, that is including letters of transmission to the
14 Court, to counsel, informing Mr. Marshall through his counsel,
15 the related paper work. It was and the best of my
16 recollection is that it was the executive assistant of the
17 Minister at that time suggested to me that it might be
18 appropriate, as a courtesy, to inform the Chief Justice of Nova
19 Scotia, to whom this case in all its public ramifications was
20 about to be referred, presumably later that afternoon, in
21 advance by telephone. In fact, the executive assistant, to the
22 best of my recollection, said to me, "Wouldn't it be a good idea
23 as a courtesy to advise the Chief Justice of what's coming?"
24 My reaction at the time was that that was a good idea. It
25 hadn't occurred to me. Minister's staffs think of those things

Initially Feds. proposed having
compensation in reference. 9714

Bale requested it not be done in that way
9715

who leads that shifted to 617(b)
only concern? what type of questions
to be considered by court?

compensation

records for perjury

Guilt or innocence of Marshall

Wide congressional Inquiry

all possible under 617(c)

MR. RUTHERFORD, EXAM, BY MR. G. MacDONALD

1 quantum for the Government of Nova Scotia to decide?
2 A. Yes, in the same sense that the Criminal Law is left to the
3 provincial Attorneys General to deal with in their discretion,
4 we felt that the compensation issue in this case prosecuted,
5 investigated, dealt with completely by provincial officials was
6 properly theirs to deal with.

7 Q. Let's look at the reference...

MR. CHAIRMAN

9 If you had gone under Sec. 617(c) with, under your draft
10 reference, the question of compensation would have been
11 included.

MR. RUTHERFORD

13 It was one of the, I guess when Mr. Chrétien proposed that I
14 go down and work out details with the officials here in the Nova
15 Scotia Attorney General's Department, my first telephone call to
16 Mr. Gale established that for the meeting, I would bring some
17 draft questions to look at and that question, one of the draft
18 questions I obviously prepared included having compensation
19 addressed specifically as part of the Sub (c) reference.

MR. CHAIRMAN

21 But when you returned to Ottawa and received instructions
22 from your Minister to prepare the final draft, this was before your
23 conversation...

MR. RUTHERFORD

25 Yes.

MR. RUTHERFORD, EXAM, BY MR. G. MacDONALDMR. CHAIRMAN

1 The Chief Justice of Nova Scotia, in that draft, were you
2 instructed to include in that reference under (c), the question of
3 compensation?
4

MR. RUTHERFORD

5
6 No, on the basis of the discussions I had had with Mr. Gale, it
7 was not part of the preferred option to address the question of
8 compensation. They had requested it not be addressed in that
9 matter.

COMMISSIONER EVANS

10
11 Following up on that, was the, did the A.G. for Nova Scotia
12 have any input in the decision of the Federal Government to
13 proceed under 617(b) instead of (c)?

MR. RUTHERFORD

14
15 Only to the extent that we were able...I'll answer it directly, I
16 think this way, sir, there was no further communication between
17 the conversations that I had with Chief Justice MacKeigan and the
18 actual signing of the reference. I read, I should say, into the
19 situation on the basis of the discussions I had that they would not
20 be opposed or terribly concerned about it, and in fact, when I
21 called on the morning of the 16th to Gordon Gaie to tell him we
22 were changing our tack slightly, changing the style of the
23 reference, and was unable to get him, I was only mildly concerned
24 that I didn't have an actual discussions with him and I just left
25 the message saying we were doing it. I felt on the basis of the

3/1/59

met with Petherford. Kept A-G
advised.

Usual to deal directly with A-G?

4/1/62

re fees

evidence

being urged by Feds to be
generous? Any suggestion
of help?

3/1/63

① Key compensation end

② Anson has carried the ball.
Requires all the information to
do so properly.

See 29/6

obligation & duty to give him
everything.

MR. RUTHERFORD, EXAM. BY MR. G. MacDONALD

1 arrangement Justice will do what it can." Did you discuss with
2 Mr. Aronson the payment of his fees that would be incurred
3 as a result of a reference to the Appeal Division?

4 A. Well, it was certainly discussed with him and I know I wrote
5 to Mr. Aronson and got copies of his accounts, but again I
6 think, subject to finding that correspondence, that that was
7 after the reference. But there was some discussion as I
8 alluded to earlier about how he would be paid if there was a
9 reference and as I recall discussing that with Mr. Gale at some
10 point and finding out that the tariff was a pretty skinny one
11 for a pretty important court proceeding.

12 Q. Do you...

13 A. I don't recall...I don't recall ever, I should put that more
14 positively, I was never in a position to make any commitment
15 that Justice would pay anything. As I say, we're...our cost
16 sharing of Legal Aid in some ways militates against making
17 special agreements when somebody wants more than Legal
18 Aid can provide in a province. But I don't...I think it would be
19 fair to suggest that I at least went so far as to raise the matter
20 with Mr. Gale and say can't...can't... whatever is the most
21 suitable arrangement possible be made for Mr. Aronson.
22 After all this is a pretty major appellate proceedings we're
23 contemplating.

24 Q. Okay. Now, let me take you to the other notes on page 62.
25 And I take this to be notes of a conversation with you on June

31/68 Annou of Mrs Meeting
Instructions to F.E.

31/77 annou of June 9 application
Kept annou of situation?
Does F.E. report to him normally?
Was it to be addressed?

17/14 annou visit Cole by Whalley?
what told.
Speak to Cole? F.E., any concerns?

consideration to lift the hold
on RCMP?

Oct. Court Appearance

Answer of Mrs

Answer of position being taken

Jury Case 39/¹⁷⁹~~185~~

Vol. 39 183

① should defence have been given
these first statements

② Should Court be looking
at Mrs. How determination of a
"miscarriage"

185

Agree?

189

Agree?

Decision 39/190

Surprise.
not going to hear Police
not going to be second inquiry

Reference

Prior instructions to Edwards

Aware of ^{Panel} ~~Constitution~~ Members.
Should there be an objection

What was issue?

Did Donald Marshall Jr. Stop
Sandy Seale.

Could he be convicted of murder
of Sandy Seale

Has he ever read Transcript of
Reference Hearing.

Statement used without a voir dire
to prove voluntariness 3/69
70

Why should Court be concerned whether
Marshall & Seale engaged in a robbery
attempt? why relevant to "miscarriage of
justice"

17/16 ① Review of these comments. why concerned about Police image

② why DAG concerned about taking a stand?

Discussion with him?

17/17

McIntyre evidence. "Gole did it" (Get evidence)

Jan 18/83

31/126

Did he see this? Was it requested complete flip-flop compared to April 5/82 3/1/32

p. 127 if no evidence how could a new trial be ordered

17/17 Jan 24/83 what "reasonable
compromise"??

"Professional Integrity"

Can argue on appeal & not take
any position?

Was A-G involved in discussions

17/18 Are notes accurate?

what was Gale position. He
believed Marshall innocent. told
Rudolph - Aronson - Edwards

Wanted to discuss with A-G office
the pt to be taken on an appeal -
or before Court.

Factum
Vol 4/1

Did he see in advance of argument
Was A-G office in agreement?

Being Fair to Marshall?

Discussions with Frank re the
attitude of Court?

Decision

4/80

Review?

Agree?

Surprise? 145 146

!!
..

Conciled of robbery without
TRIAL (Get Frank evidence)

FAIR?

32/152 + May 1983 - aware of this
request to F.E.
were charges being considered?

Opinion 154 Review? Agree?

157, 158 told Police what he believed
they wanted to hear.

Police conduct reprehensible?

Refer F.E. evidence re ultimate
blame with Prosecutor. i.e. A.G.

only one ever blamed was Marshall

32/59 Review in detail

what done & by whom?

what role played by him in
the composition phase?

Vol 20 / 4

Why is this being done?

Were you restricting this to a review of file?

Had told RCMP to hold the interviews / investigation in abeyance.

What reply received? 20/20

When report 20/15

Insert 20/23

What done at that time?

If obstruction expected to be told?

~~If not obstructive view what action.~~

Wes
* Cole normally involved in
day to day activities on command
low matters

37/131

178
32/179

Review? For what purpose?
why is A-6 Dept. involved?
what is wrong with satellite?
Broadcast?

32/190 + Review.

would bring proceedings of
Court involved?
why?

32/203

See Mis?

205

Ague?

207

209

272

20/55

32

20/57

Know of this. If Lockman
told in 1983 what action?
Discuss with Vaughton?

20/72

Start to this + go to suggesting
mem

20/60

Vaughton memo - First to know
of this?

20/62

Discuss? Review?

20/63

Ever see? Discuss to
Vaughton?

What would he do?

20/70

Some thing

20/72

In detail

20/97

review. Discuss with Dale

never had seen interviews of
martyr + U by Police

Count Worker Program

His involvement. Refer Job description

Vol. 41

1. Agree with assessment?

8		
11	23	
27	++	31
43		
75		
77		
146		4161
178		

Policing

41/	134
	202

continue today

Vol. 28/

1. why asking Mrs. Expected everything to go to Aronson. 29/6
2. Remains page 2 for his convenience
3. Agree with this as policy?
6. In detail 3rd para.
7. Agree?
8. Discuss with Cole?
9. Refer to his "none"
16. In this Policy would reports be given to Aronson?

why not introduce during your time & anyone can acknowledge fault.

X Vol. 20/55

no problem turning mat'l over to Buckley.

turn over files to her lawyer

20/55