

BLACK UNITED FRONT

MAR 09 1987

OF

NOVA SCOTIA

8 EDWARD STREET, DARTMOUTH, NOVA SCOTIA B2Y 2P1

PHONE: (902) 465-4010

March 9, 1987

Royal Commission on the
Donald Marshall, Jr.
Prosecution
Maritime Centre, Suite 1026,
1505 Barrington Street,
Halifax, Nova Scotia
B3J 3K5

THE BLACK UNITED FRONT OF NOVA SCOTIA is making a formal request to apply for standing during the proceedings of the Royal Commission on the Donald Marshall Jr. prosecution. We feel for a number of reasons that it is essential that **B.U.F.** as a Black Provincial Organization be granted standing to participate during these public hearings.

However, thus far we have not had time to prepare an application. Please accept this statement as our formal request to obtain standing. A more detailed statement with reasons to have standing granted will be forth-coming.

We appreciate your patience and anticipated co-operation in this matter.

Yours sincerely



Jerry Taylor
Interim Executive Director

JT/mr



Calvin Gough
2nd Vice President
B.U.F. Council

(L)

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REASONS WHY B.U.F. MUST OBTAIN STANDING BEFORE THE COMMISSION

The Black United Front of Nova Scotia was established in 1969 in response to the systemic discrimination and institutional racism faced by Black people of Nova Scotia. Over the past 18 years, the Black United Front has been besieged with requests from both individuals and community groups seeking assistance in obtaining fair and respectable treatment under Nova Scotia's justice system. Currently, such requests comprise approximately 20% of the case load handled by the Black United Front.

Recently (as in the past), there have been numerous major court matters which have caused Black people, with apparent good reason, to seriously question the meaningfulness of the so called constitutional safeguards as these are supposed to relate to Black people. These incidences have served to undermine confidence of Black Nova Scotians who must, from time to time, come in contact with the judicial system. The Black United Front is therefore quite naturally interested in any type of forum constituted to make inquiries into the functioning of the administration of justice.

The Black United Front of Nova Scotia deems it essential that we obtain standing before the Royal Commission in the matters related to the death of Sandford William Seale and the prosecution of Donald Marshall, Jr. for the following reasons:

1. That it is important to consider race as a major variable in the inquiry and allow us to participate in an effort to address

this issue from a minority perspective. Racism is as rampant today in Nova Scotian society as it was 16 years ago.

2. To place before the Royal Commission concerns of Black Nova Scotia, since protecting the rights and freedoms of all Black Nova Scotians is the most significant point of B.U.F.'s mandate.

3. To place before the Commission the lack of confidence and specific concerns the Black communities have with regard to the functioning of the legal system.

4. To point out and identify how racial attitudes prevalent in Nova Scotia society prevent Blacks from receiving fair and equitable treatment within the legal system.

5. To point out how historically the legal system has served the needs of white people and has taken a less progressive approach to dealing with Black people. What this has meant for Black people is harsher sentences and lack of proper representation at various levels of the legal system.

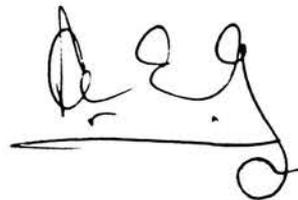
6. Through the inquiry B.U.F. intends to try to ascertain to what extent race was a factor in determining the outcome for the accused and the way in which the case had been previously handled by specific individuals in the legal system.

7. B.U.F. would also attempt to offer information to this inquiry that might allow the commissioners to present recommendations that would bring about more equitable treatment under

the legal system for Blacks and other minorities.

8. As a final consideration for B.U.F. obtaining standing is as Mr. Oscar Seale put it, "This inquiry is larger than Donald Marshall and the murder of my son." Mr. Seale is concerned about the implications such a miscarriage of justice as this has for all other minorities, and poor people generally.

Not to belabor the point, but justice or equality under the law in this province is questionable from the moment that the Black people first came in contact with the legal system until final sentencing. As a lay person one of the key principles of law which I have always understood is that justice must not only be done but justice must appear to be done. It is for these reasons and others that B.U.F. must be present and must be given standing before this inquiry.

A handwritten signature in black ink, consisting of several loops and a long horizontal stroke at the bottom.