

NEW RELEASE

August 3, 1988

FOR IMMEDIATE RELEASE

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

Contact:
Susan M. Ashley
424-4800

Counsel for the Royal Commission on the Donald Marshall, Jr., Prosecution will appear in court Thursday, August 4, to set a date for an appeal to the Nova Scotia Supreme Court Appeal Division from the Decision of Chief Justice Glube quashing the subpoenas directed to five Justices of that Division.

A request by the Commission to appeal directly to the Supreme Court of Canada has not been agreed to by Counsel for the Appeal Division.

It is expected that Counsel for the Appeal Division, the Attorney General and Donald Marshall, Jr. will make representation before the Appeal Division to the Nova Scotia Supreme Court.

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Project Planning
and Feasibility
Studies.

CML Consultants
Limited

1586 Queen Street
Halifax
Nova Scotia
Canada
B3J 2J1

902 422-1343

FACSIMILE TRANSMISSION SHEET

TO: Susan Ashley

FROM: Carole McD.

TOTAL NUMBER OF PAGES (INCLUDING COVER) 2

DATE: 03 Aug. 88

TIME: 3:40 PM

CONTACT: _____

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Telephone (902) 422-1343

FAX (902) 423-6629

DRAFT - NEWS RELEASE

Counsel for the Royal Commission on the Donald Marshall, Jr., Prosecution will appear in court Thursday, August 4, to set a date for an appeal to the Nova Scotia Supreme Court Appeal Division from the Decision of Chief Justice Glube quashing the subpoenas directed to five Justices of that Division.

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It is expected that Counsel for the Appeal Division, the Attorney General and Donald Marshall, Jr. will make representation before the Appeal Division of the Nova Scotia Supreme Court.

DRAFT - NEWS RELEASE

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A request by the Commission to appeal directly to the Supreme Court of Canada has not been agreed to by Counsel for the Appeal Division.

It is expected that Counsel for the Appeal Division, the Attorney General and Donald Marshall, Jr. will make representation before the Appeal Division of the Nova Scotia Supreme Court.

DRAFT - NEWS RELEASE

Counsel for the Royal Commission on the Donald Marshall Jr. Prosecution will appear in court Thursday, August 4, to discuss the appeal of the judges subpoenas and to set a date for the appeal hearing.

The application to have the subpoenas dealt with directly by the Supreme Court of Canada has been denied by Counsel for the Appeal Division.

Counsel for the Appeal Division, the Attorney General and Donald Marshall Jr. will make representation in the request for hearing before the Appeal Division of the Nova Scotia Supreme Court.

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and Feasibility
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CML Consultants
Limited

1536 Queen Street
Halifax
Nova Scotia
Canada
B3J 2J1

902 422-1343

FACSIMILE TRANSMISSION SHEET

TO: Susan Ashley

FROM: Jarvis McDougall

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DATE: 03 Aug 88

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Telephone (902) 422-1343

FAX (902) 423-6629

** Please call with approval.*

SEP 02 1987

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

September 2, 1987

FOR IMMEDIATE RELEASE

Contact: Susan M. Ashley

Commission Executive Secretary

(902) 424-4800 (office)

Public Hearings of the Royal Commission on the Donald Marshall, Jr., Prosecution will begin Wednesday, September 9, in Sydney. The hearings will take place in St. Andrew's United Church Hall, 40 Bentinck Street, from 10 am. to 5 pm.

The Commission will investigate the circumstances of the prosecution, conviction, and subsequent acquittal of Donald Marshall, Jr. During the course of the investigation, the Commission will be looking into the administration of criminal justice in Nova Scotia.

Dates for the Halifax portion of the hearings are

MORE MORE MORE

tentatively set for November, and have not yet been released.

All hearings are open to the public.



ROYAL COMMISSION ON THE DONALD MARSHALL, JR., PROSECUTION

MARITIME CENTRE, SUITE 1026, 1505 BARRINGTON STREET, HALIFAX
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CHIEF JUSTICE T. ALEXANDER HICKMAN
CHAIRMAN

ASSOCIATE CHIEF JUSTICE LAWRENCE A. POITRAS
COMMISSIONER

THE HONOURABLE
MR. JUSTICE GREGORY THOMAS EVANS
COMMISSIONER

FACT SHEET

CONTACT: Susan M. Ashley
Commission Executive Secretary
(902) 424-4800 (office)
(902) 563-2420 (Sydney)
2520

EVENT: Commencement of the Public Hearings of the Royal
Commission on the Donald Marshall, Jr.,
Prosecution

DATE: September 9, 1987

SUBSEQUENT HEARINGS:

For dates of subsequent Sydney hearings see
attached list.

PLACE: St. Andrew's United Church Hall, 40 Bentinck
Street, Sydney, Nova Scotia

MORE MORE MORE

TIME: 10 am. - 5 pm.

PURPOSE: The Commission will inquire into, report findings, and make recommendations concerning the wrongful conviction of Donald Marshall, Jr. The Commission will also study other related matters considered to be relevant.

COUNSEL FOR PARTIES WITH STANDING:

See attached list.

LIST OF WITNESSES:

A list of witnesses is attached. An updated daily schedule of witnesses will also be available once the hearings begin.

MEDIA ARRANGEMENTS:

In addition to a Media table in the Hearing Room, representatives of the media will be provided with a Media Room that has close access to public telephones. Members of the media are reminded that while the Commission Office in the Hall is open from 9 - 5 pm., the private rooms for Commissioners, Commission Counsel, other counsel

MORE MORE MORE

and witnesses, are off limits. Two copies of all exhibits marked "MEDIA POOL COPY" will be available in the media room on a 24-hour turn around basis.

Preparations are being made to set up an electronic feed for those wishing to hook up for radio. It is hoped that a television feed will also be set up. More information on the television feed will be released later.

MEETING WITH THE MEDIA:

The Commission Secretary will hold an information meeting for members of the press to be held in Salon E of the Holiday Inn, Sydney, on September 8, 1987 at 8 pm.

NOTE:

It is very important to the Commission that the hearings be conducted calmly and considerately. No interviews will be permitted in the hearing room. Photographers will not be permitted to take photographs while the hearings are in progress.

MORE MORE MORE

The cooperation and consideration of the media will be greatly appreciated.

COMMISSIONERS' RETIRING ROOM ←

COMMISSION COUNSEL'S RETIRING ROOM ←

COMMISSIONERS

EXHIBITS

WITNESS

REGISTRAR

COMMISSION EXEC. SECT'Y

COMMISSION

D. MARSHALL JR.

AUDIO SERVICES
REPORTER

CITY OF SYDNEY

J. MACINTYRE W. URQUHART

MEDIA

P. MACNEIL

ATTORNEY GENERAL

RCMP CORR. SERVICE WHEATON/SCOTT EVERS/GREY/MCALPINE CARROLL DAVIES

BUF/O.N. SEALE

U.N.S.I.

CANTEEN

PAY PHONES

COUNSEL'S RETIRING ROOM ←

↓ MEDIA ROOM

WITNESS ROOM ←

↑ TRANCE

ADDRESSES OF COUNSEL FOR PARTIES WITH STANDING

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Department of Justice Canada
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5161 George Street
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Tel: (902) 426-7592

Mr. Al Pringle
Department of Justice Canada
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Smith, Gay, Evans & Ross
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Dartmouth, Nova Scotia B2Y 3Z5
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PARTIES WITH STANDING

John F. MacIntyre

Royal Canadian Mounted Police

Correctional Service of
Canada, National Parole Board
Department of Justice Canada
(Department of Solicitor
General of Canada)

City of Sydney Police
Commission

William Urquhart

Oscar Nathaniel Seale

Mr. Jamie W. S. Saunders
Patterson, Kitz
Barristers & Solicitors
10 Church Street
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Scotia and Department of
Attorney General

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Attorney General

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Ruby & Edwardh
Barristers
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Buchan, Derrick & Ring
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Donald Marshall, Jr.

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Barrister
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Union of Nova Scotia
Indians

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Black United Front

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Elman, Kuna & Hannem
Barristers & Solicitors
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The Estate of Donald C.
MacNeil, Q.C.

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Stewart, MacKeen & Covert
Barristers & Solicitors
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Barrister & Solicitor
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Tel: (902) 862-6471

Staff Sgt. James Carroll

Mr. S. Bruce Outhouse
Blois, Nickerson, Palmetter & Bryson
Barristers & Solicitors
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Halifax, Nova Scotia B3J 3B7
Tel: (902) 425-6000

Staff Sgt. H. F. Wheaton

Mr. S. Bruce Outhouse
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Barristers & Solicitors
1568 Hollis Street
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Inspector D. B. Scott

Mr. Guy LaFosse
Boudreau, Beaton & LaFosse
Barristers & Solicitors
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Sergeant Herb Davies

OBSERVER STATUS

Mr. David W. Fisher,
Solicitor
Police Association of Nova Scotia
c/o The Billy Club
16 Portland Street
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Tel: (902) 423-7477.

Police Association of
Nova Scotia

Mr. Gordon F. Proudfoot
Office of the President
Nova Scotia Branch
Canadian Bar Association
c/o Boyne Clarke
33 Alderney Drive
P. O. Box 876
Dartmouth, Nova Scotia B2Y 3Z5
Tel: (902) 469-9500

Nova Scotia Branch
Canadian Bar Association

September 1, 1987

LIST OF WITNESSES FOR THE PUBLIC HEARINGS
OF THE ROYAL COMMISSION ON THE DONALD MARSHALL, JR.,
PROSECUTION, TO BE EXAMINED IN SYDNEY

Please note: This list is subject to change at any time. An attempt will be made to give prior notification of changes.

Roy Ebsary
James MacNeil
Robert MacKay
Debbie Timmins (nee MacPherson)
Marvel Mattson
Maynard Chant
Richard Walsh
John MULLOWNEY
Howard Dean
Ambrose MacDonald
Michael Bernard MacDonald
Constable Ryan, R.C.M.P.
John Pratico
Mrs. Pratico
Rudolph Poirier
Dr. M. A. Mian
Dr. M. A. Naqvi
Arthur Paul
Terrance Gushue
Patricia Harriss
Mrs. Eunice Harriss
Mary Csernyik
Catherine Soltesz
Barbara Floyd
Sandra Cotie
Mrs. Emily Clemens
Wayne Magee
Lawrence Burke
Beudah Chant
Roy Gould
Thomas Christmas
Bernie Francis
S. Khattar
Lewis Matheson
Robert Anderson
David Ratchford
Eugene Smith
Inspector E. A. Marshall
William Urquhart
John MacIntyre

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

MAY 14, 1987

TENTATIVE SCHEDULE

SYDNEY PHASE

ROYAL COMMISSION HEARINGS

MONTH	MON.	TUES.	WED.	THURS.	FRI.
SEPTEMBER:			9TH	10TH	11TH
	14TH	15TH	16TH	17TH	18TH
	21ST	22ND	23RD	24TH	25TH
OCTOBER:		6TH	7TH	8TH	9TH
	26TH	27TH	28TH	29TH	30TH
NOVEMBER:	2ND	3RD	4TH	5TH	6TH
	9TH	10TH	11TH	12TH	13TH

AND BEYOND, AS REQUIRED.

APPROXIMATE NUMBER OF HEARING DAYS: 32

The Hearings will reconvene in Halifax for the Halifax Phase approximately 2 weeks after the conclusion of the Sydney Phase.



BY HIS HONOUR
THE HONOURABLE ALAN R. ABRAHAM, C.D.
LIEUTENANT GOVERNOR OF NOVA SCOTIA



TO: THE HONOURABLE MR. JUSTICE T. ALEXANDER HICKMAN
THE HONOURABLE MR. JUSTICE LAWRENCE A. POITRAS
THE HONOURABLE MR. JUSTICE GREGORY THOMAS EVANS

G R E E T I N G:

WHEREAS it is deemed expedient to cause inquiry to be made into and concerning the public matters hereinafter mentioned in relation to which the Legislature of Nova Scotia may make laws;

NOW KNOW YE THAT I have thought fit, by and with the advice of the Executive Council of Nova Scotia, to appoint, and do hereby appoint you:

THE HONOURABLE MR. JUSTICE T. ALEXANDER HICKMAN
THE HONOURABLE MR. JUSTICE LAWRENCE A. POITRAS
THE HONOURABLE MR. JUSTICE GREGORY THOMAS EVANS

to be, during pleasure, Our Commissioners under the Public Inquiries Act to constitute a Commission under the Chairmanship of the Honourable Mr. Justice T. Alexander Hickman with power to inquire into, report your findings, and make recommendations to the Governor in Council respecting the investigation of the death of Sandford William Seale on the 28th-29th day of May, A.D., 1971; the charging and prosecution of Donald Marshall Jr., with that death; the subsequent conviction and sentencing of Donald Marshall Jr., for the non-capital murder of Sandford William Seale for which he was subsequently found to be not guilty; and such other related matters which the Commissioners consider relevant to the Inquiry;

The Governor in Council is further pleased to:

(1) AUTHORIZE the payment to the Commissioners for expenses for travel, reasonable living expenses and other disbursements necessarily incurred in the Inquiry, in accordance with the provisions of the Judges Act, R.S.C. 1970, as amended;

(2) DIRECT the Commissioners to retain the services of legal counsel and such other technical, secretarial and clerical personnel who, in the opinion of the Commissioners are required for the purposes of the Inquiry, at remunerations as shall be approved by Management Board and authorize the Commissioners to approve for payment reasonable expenses for travel, accommodation, meals and other disbursements necessarily incurred by such personnel for the purposes of the Inquiry;

(3) DIRECT the Commissioners to arrange for suitable facilities, recording and transcribing equipment and such other administrative matters which, in their opinion, are necessary for the purpose of the Inquiry and authorize the Commissioners to approve for payment any costs incurred in respect to the foregoing matters;

(4) ORDER that remuneration, costs and expenses payable in respect to the Inquiry shall be paid out of the Consolidated Fund of the Province;

(5) ORDER that the Commissioners may adopt such rules, practices and procedures for the purposes of the inquiry as they, from time to time, may consider necessary for the proper conduct of the Inquiry, and may vary such rules, practices and procedures from time to time as they consider necessary and appropriate for the purposes of the Inquiry;

(6) DIRECT the Commissioners to report their findings and recommendations in the matter of their Inquiry to the Governor in Council.

GIVEN under my hand and Seal at Arms
at the City of Halifax this 28th day
of October in the year of Our Lord
one thousand nine hundred and
eighty-six and in the thirty-fifth
year of Her Majesty's reign.


PROVINCIAL SECRETARY

JUL 15 1987

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 15, 1987

FOR IMMEDIATE RELEASE

Contact: M. Lois Dyer
Commission Executive Secretary
(902) 424-4800 (Office)
(902) 423-4080 (Home)

The Honourable Chief Justice T. Alexander Hickman, Chairman of the Royal Commission on the Donald Marshall, Jr., Prosecution, announced in Halifax today that Susan M. Ashley will succeed M. Lois Dyer as Commission Executive Secretary in early September 1987.

Ms Ashley has taken a leave of absence from Dalhousie Law School to fill the appointment. She has been Administrative Officer and Lecturer at the Law School since 1976 and was Acting Associate Dean from February to May 1987. Ms

MORE

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Ashley also served as a consultant to the House of Commons Sub-committee on Equality Rights in 1985.

Lois Dyer was appointed Executive Secretary of the Royal Commission in January, 1987. She leaves to become Vice President, Administration at Mount Saint Vincent University.

The public hearings of the Royal Commission are scheduled to begin September 9, 1987.



news release

STATEMENT BY HONOURABLE TERENCE R.B. DONAHOE, Q.C.,
ATTORNEY GENERAL

MAY 14, 1987

My officials in the department and I have received a copy of the report of the Royal Commission on the Donald Marshall, Jr. Prosecution handed down this afternoon.

I note that the report filed by the Commission makes certain recommendations to government and recognizes, as I have stated previously, that the government is not required to accept these recommendations.

It is significant that the Commission has stated in its report today on page two, "with the exception of the Attorney General for Nova Scotia, none of the parties granted standing can reasonably take the position that either the public interest or their own interest requires the presence of legal counsel on their behalf throughout the Hearings."

And further, as the Commission states, the extent of involvement required at the Hearing by parties with standing is difficult to predict at this time.

The Government of Nova Scotia is pleased that this matter has been reviewed by the Commission. Having considered this matter, the Government of Nova Scotia has reached the following decision.

- 1) The Government of Nova Scotia will provide funding for legal counsel for John F. MacIntyre, the Union of Nova Scotia Indians, the Black United Front, the Estate of Donald C. MacNeil, Q.C., and Oscar Nathaniel Seale.

As the Commission has indicated, it is in a unique position in relation to the conduct of this inquiry. It has suggested accounts rendered for participant funding be reviewed (taxed).

- 2) I have instructed my counsel to meet with Commission officials to consider the most appropriate methods of review (taxation).

MAY 11 1987

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

May 11, 1987

FACT SHEET

CONTACT: M. Lois Dyer
Commission Executive Secretary
(902) 424-4800 (Office)
(902) 429-2875 (Home)
425-3892

EVENT: Public Hearings of the Royal Commission on the
Donald Marshall, Jr., Prosecution

DATE: May 13 and 14 (as required)

PLACE: Port Royal E Room
World Trade and Convention Centre
Halifax, Nova Scotia

TIME: 10:00 a.m.

MORE MORE MORE

PURPOSE: The Commission will hear applications respecting the provision of funding for legal counsel for various parties granted standing

APPLICANTS: John F. MacIntyre
Oscar N. Seale
Donald C. MacNeil (the estate of)
Union of Nova Scotia Indians
Department of the Attorney General
Messrs. A. Evers, G. Green and R. MacAlpine,
R.C.M.P.
Messrs. D.B. Scott and H.F. Wheaton, R.C.M.P.
Sergeant Herb Davies, R.C.M.P.
Black United Front

OTHERS in attendance will include counsel for:

R.C.M.P.
Correctional Services of Canada
City of Sydney Police Commission
Donald Marshall, Jr.

MEDIA

ARRANGEMENTS: A media pool arrangement has been set up and coordinated by Mike Barnes, Program Director, Halifax Cablevision. The hearings will be

MORE MORE MORE

covered live and an electronic feed supplied to any wishing to hook up for television or radio feeds. Please contact Mike Barnes at 453-2800.

MEDIA ROOM:

The Mariner 5 Room will be set up as the Media Room and two telephones will be provided. No typewriters or other equipment will be provided.

A table will be set aside as a media table for the convenience of the media in the Port Royal E Room.

NOTE:

It is very important to the Commission that the hearings be conducted calmly and considerately. The media pool arrangement was agreed upon because of the Commission's desire to eliminate as much as possible the possibility of intimidation or distraction of witnesses.

No interviews will be permitted in the hearing room. Photographers will not be permitted to take photographs while the hearings are in progress.

The cooperation and consideration of the media will be greatly appreciated.

ROYAL COMMISSION ON THE DONALD MARSHALL, JR., PROSECUTION

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CHIEF JUSTICE T. ALEXANDER HICKMAN
CHAIRMAN

ASSOCIATE CHIEF JUSTICE LAWRENCE A. POITRAS
COMMISSIONER

THE HONOURABLE
MR. JUSTICE GREGORY THOMAS EVANS
COMMISSIONER

April 14, 1987

FOR IMMEDIATE RELEASE

Contact: M. Lois Dyer
Commission Executive Secretary
(902) 424-4800 (Office)
(902) 429-2875 (Home)

Chief Justice T. Alexander Hickman, Chairman of the Royal Commission on the Donald Marshall, Jr., Prosecution, announced today the Commission's public hearings, tentatively set for 12 May have been re-scheduled for 9 September.

The decision to postpone was made because of the uncertainty surrounding the payment of legal fees for some participants granted standing. Also, some counsel have requested more time to prepare for the public hearings once the matter of funding has been resolved.

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The Commission has received formal requests to hear submissions on the question of funding legal fees for participants. A hearing for this purpose has been set for 13 May in Halifax and will be open to the public.

C. J. Hickman

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

March 13, 1987

FOR IMMEDIATE RELEASE

Contact: M. Lois Dyer
Commission Executive Secretary
(902) 424-4800 (Office)
(902) 429-2875 (Home)

The Honourable Chief Justice T. Alexander Hickman, Chairman of the Royal Commission on the Donald Marshall, Jr., Prosecution, announced in Halifax today that fourteen applications for standing had been received by the Commission.

Thirteen have been granted full standing or observer status.

MORE MORE MORE

Applicants who have been granted full standing will have the right to be present, cross-examine witnesses, and present a final submission. Applicants who have been granted observer status will have the right to be present, to ask Commission Counsel to direct questions to witnesses, and to make oral and/or written submissions to the Commission at the conclusion of the hearings.

The following have been granted full standing: John F. MacIntyre; Royal Canadian Mounted Police; City of Sydney Police Commission; William Urquhart; Oscar Nathaniel Seale; Department of the Attorney General, Province of Nova Scotia, and the Attorney General of Nova Scotia; Donald Marshall, Jr.; Correctional Service of Canada - National Parole Board; Union of Nova Scotia Indians; Black United Front of Nova Scotia; and, the late Donald C. MacNeil, Q.C.

The following have been granted observer status: Police Association of Nova Scotia; and, Nova Scotia Branch, Canadian Bar Association.

The applicant denied standing is a student who is entitled to attend the public hearings.

Hearings will be held in Sydney and Halifax, Nova Scotia. The first hearing will take place in Sydney at Saint Andrew's Church Hall on Bentinck Street on 12 May, 1987.

All hearings are open to the public.

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

March 13, 1987

FACT SHEET

Contact: M. Lois Dyer
Commission Executive Secretary
(902) 424-4800 (Office)
(902) 429-2875 (Home)

TITLE

Royal Commission on the Donald Marshall, Jr., Prosecution

ADDRESS

Maritime Centre, Suite 1026, 1505 Barrington Street, Halifax,
Nova Scotia, B3J 3K5

MORE - MORE MORE

PHONE NUMBER

(902) 424-4800

CHAIRMAN

Chief Justice T. Alexander Hickman - Chief Justice of the Trial
Division, Supreme Court of Newfoundland

COMMISSIONERS

Associate Chief Justice Lawrence A. Poitras - Associate Chief
Justice of the Superior Court of Quebec

The Honourable Mr. Justice Gregory Thomas Evans - Retired Chief
Justice of the Supreme Court of Ontario

CO-COUNSELS

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COMMISSION EXECUTIVE SECRETARY

M. Lois Dyer, B.A., LL.B.

PURPOSE OF THE ROYAL COMMISSION

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The Commission will investigate the circumstances of the prosecution, conviction and subsequent acquittal of Donald Marshall, Jr. with a view to making recommendations to ensure such a situation does not occur again.

In the course of the investigation, the Commission will be looking into the administration of criminal justice in Nova Scotia. The Commission is directed to make appropriate recommendations to the Government of Nova Scotia.

The Commission is not a court and cannot make any binding decisions which could affect the rights or interests of individuals. Recommendations made by the Royal Commission may or may not be accepted by the Provincial Government.

TYPES OF STANDING

Applicants who have been granted full standing will have the right to be present, cross-examine witnesses, and present a final submission, according to the Rules of Procedure established before the hearings begin.

Applicants granted observer status may be present, ask Commission Counsel to direct questions to witnesses, and make oral and/or written submissions to the Commission at the conclusion of the hearings.

LOCATION OF HEARINGS

Sydney, Nova Scotia - Saint Andrew's Church Hall - Bentinck Street.

Halifax, Nova Scotia - Location TBA.

DATES

First hearing - Sydney, Nova Scotia - 12 May, 1987

MEDIA CONTACT PROTEM

M. Lois Dyer

Commission Executive Secretary

(902) 424-4800 (Office)

(902) 429-2875 (Home)

FULL STANDING

The following have been granted full standing:

MORE MORE MORE

John F. MacIntyre;

Royal Canadian Mounted Police;

City of Sydney Police Commission;

William Urquhart;

Oscar Nathaniel Seale;

Attorney General of Nova Scotia and the Department of the
Attorney General and all present and former employees of the
Department and former Attorneys General;

Donald Marshall, Jr.;

Correctional Service of Canada - National Parole Board
(Department of Solicitor General of Canada);

Union of Nova Scotia Indians;

Black United Front of Nova Scotia; and,

The late Donald C. MacNeil, Q.C.

MORE MORE MORE

OBSERVER STATUS

The following have been granted observer status:

Police Association of Nova Scotia; and,

Nova Scotia Branch, Canadian Bar Association.

DENIED STANDING

The following have been denied standing:

William Dove, student.

KEY DATES

04 to 14 February, 1987 - Advertisements - Applications For Standing. Published in all Nova Scotia newspapers during period.

09 March, 1987 - Final date for application for standing.

13 March, 1987 - Announcement of those granted standing.

12 May, 1987 - Hearings open in Sydney Nova Scotia.

MORE MORE MORE

ADVERTISEMENTS - APPLICATIONS FOR STANDING

Attached

LIEUTENANT GOVERNOR'S WARRANT

Attached

PUBLIC ACCESS

All hearings are open to the public.

**ROYAL COMMISSION ON ALL MATTERS RELATED TO
THE DEATH OF SANDFORD WILLIAM SEALE AND THE
CRIMINAL PROSECUTION OF DONALD MARSHALL, JR.**

NOVA SCOTIA

APPLICATIONS FOR STANDING

Persons wishing to apply for standing to be heard by the Royal Commission on the Donald Marshall, Jr. Prosecution during the public hearings of the Commission are requested to apply in writing on or before the 9th day of March, 1987.

The application should include the following:

1. Full name of applicant.
2. Address and telephone number of applicant.
3. Full statement of reasons for application for standing.

The Commission may request further representations from any applicant for standing. Following the closing date, the Commission will determine to whom standing will be granted for the purposes of the public hearings.

Copies of the Terms of Reference of the Commission may be obtained upon request.

Please direct all correspondence and queries to:

ROYAL COMMISSION ON THE DONALD MARSHALL, JR. PROSECUTION
1505 Barrington Street, Suite 1026
Halifax, Nova Scotia
B3J 3K5
Attention: Commission Secretary
Telephone: (902) 424-4800

AVIS

**LA COMMISSION ROYALE CONCERNANT LA MORT
DE SANDFORD WILLIAM SEALE ET LA POURSUITE
CRIMINELLE CONTRE DONALD MARSHALL, JR.**

NOUVELLE-ECOSSE

DEMANDES DE STATUT DEVANT LA COMMISSION

Toute demande de statut devant la Commission royale, lors de ses audiences publiques, doit être présentée par écrit avant le 9 mars 1987.

Les demandes doivent comprendre ce qui suit:

1. Les nom et prénoms de l'intéressé.
2. Son adresse et son numéro de téléphone.
3. Un exposé des motifs de la demande.

La Commission peut exiger d'autres renseignements de l'intéressé.

Après la date limite, la Commission détermine les personnes qui ont un statut devant la Commission lors des audiences publiques.

Un exemplaire du mandat de la Commission est disponible sur demande.

Veillez adresser toute correspondance et toute demande à:

**COMMISSION ROYALE SUR LA POURSUITE CRIMINELLE
CONTRE MONSIEUR DONALD MARSHALL, JR.**

Cabinet 1026

1505 rue Barrington

Halifax (Nouvelle-Ecosse)

B3J 3K5

A l'attention du Secrétaire de la Commission

téléphone: (902) 424-4800



BY HIS HONOUR
THE HONOURABLE ALAN R. ABRAHAM, C.D.
LIEUTENANT GOVERNOR OF NOVA SCOTIA



TO: THE HONOURABLE MR. JUSTICE T. ALEXANDER HICKMAN
THE HONOURABLE MR. JUSTICE LAWRENCE A. POITRAS
THE HONOURABLE MR. JUSTICE GREGORY THOMAS EVANS

G R E E T I N G:

WHEREAS it is deemed expedient to cause inquiry to be made into and concerning the public matters hereinafter mentioned in relation to which the Legislature of Nova Scotia may make laws;

NOW KNOW YE THAT I have thought fit, by and with the advice of the Executive Council of Nova Scotia, to appoint, and do hereby appoint you:

THE HONOURABLE MR. JUSTICE T. ALEXANDER HICKMAN
THE HONOURABLE MR. JUSTICE LAWRENCE A. POITRAS
THE HONOURABLE MR. JUSTICE GREGORY THOMAS EVANS

to be, during pleasure, Our Commissioners under the Public Inquiries Act to constitute a Commission under the Chairmanship of the Honourable Mr. Justice T. Alexander Hickman with power to inquire into, report your findings, and make recommendations to the Governor in Council respecting the investigation of the death of Sandford William Seale on the 28th-29th day of May, A.D., 1971; the charging and prosecution of Donald Marshall Jr., with that death; the subsequent conviction and sentencing of Donald Marshall Jr., for the non-capital murder of Sandford William Seale for which he was subsequently found to be not guilty; and such other related matters which the Commissioners consider relevant to the Inquiry;

The Governor in Council is further pleased to:

(1) AUTHORIZE the payment to the Commissioners for expenses for travel, reasonable living expenses and other disbursements necessarily incurred in the Inquiry, in accordance with the provisions of the Judges Act, R.S.C. 1970, as amended;

(2) DIRECT the Commissioners to retain the services of legal counsel and such other technical, secretarial and clerical personnel who, in the opinion of the Commissioners are required for the purposes of the Inquiry, at remunerations as shall be approved by Management Board and authorize the Commissioners to approve for payment reasonable expenses for travel, accommodation, meals and other disbursements necessarily incurred by such personnel for the purposes of the Inquiry;

(3) DIRECT the Commissioners to arrange for suitable facilities, recording and transcribing equipment and such other administrative matters which, in their opinion, are necessary for the purpose of the Inquiry and authorize the Commissioners to approve for payment any costs incurred in respect to the foregoing matters;

(4) ORDER that remuneration, costs and expenses payable in respect to the Inquiry shall be paid out of the Consolidated Fund of the Province;

(5) ORDER that the Commissioners may adopt such rules, practices and procedures for the purposes of the inquiry as they, from time to time, may consider necessary for the proper conduct of the Inquiry, and may vary such rules, practices and procedures from time to time as they consider necessary and appropriate for the purposes of the Inquiry;

(6) DIRECT the Commissioners to report their findings and recommendations in the matter of their Inquiry to the Governor in Council.

GIVEN under my hand and Seal at Arms
at the City of Halifax this 28th day
of October in the year of Our Lord
one thousand nine hundred and
eighty-six and in the thirty-fifth
year of Her Majesty's reign.


PROVINCIAL SECRETARY