

## Terms of Reference

The Attorney General recommends:

1. That the Lieutenant Governor in Council constitute and appoint the Right Honourable Antonio Lamer a Commissioner, by Commission under the Great Seal, pursuant to the *Public Inquiries Act*
  - (a) to inquire into the conduct of the investigation into the death of Catherine Carroll, and the circumstances surrounding the resulting criminal proceedings commenced against Gregory parsons for the murder of Catherine Carroll.
  - (b) to inquire into the conduct of the investigation into the death of Brenda Young, and the circumstances surrounding the resulting criminal proceedings commenced against Randy Druken for the murder of Brenda Young.
  - (c) to advise on whether, in the circumstances of his case, Randy Druken should receive financial compensation from Government and if so, the appropriate amount of such compensation.
  - (d) to inquire into why Ronald Dalton's Appeal of his murder conviction in the death of Brenda Dalton took eight years before it was brought on for a hearing in the Newfoundland Court of Appeal.
  - (e) to advise on whether Ronald Dalton should receive financial compensation from Government for the eight years in which he awaited the perfection of his Appeal, and if so, the appropriate amount of such compensation.
2. That the Right Honourable Antonio Lamer have the power to summon witnesses, and to require the witnesses to give evidence orally or in writing upon oath or affirmation, and to produce the documents and things that may be considered necessary to the full investigation of the matters referred to in the commission and have all the powers of an "investigating body" under the *Public Investigations Evidence Act*, RSNL 1990, c. P-39.
3. That the Lieutenant-Governor in Council be authorized to engage the services of the counsel, accountants, engineers, technical advisors, or other experts, clerks, reporters and assistants that may be considered necessary to help the Commissioner in the inquiry.
4. That the Right Honourable Antonio Lamer report his findings on these matters, including any findings respecting practices or systematic issues that may have contributed to or influenced the course of the investigation or resulting prosecution in the case of Gregory Parsons and Randy Druken, or in the case of Ronald Dalton, the length of time before the hearing of his Appeal, and make such recommendations as he considers advisable relating to the current administration of criminal justice in the Province of Newfoundland and Labrador.

5. That the Right Honourable Antonio Lamer perform his duties without expressing any conclusion or recommendation regarding the civil or criminal responsibility of any person or organization and without permitting the enquiry to become a retrial of Gregory Parsons, Randy Druken or Ronald Dalton.
6. That the Right Honourable Antonio Lamer complete this Inquiry and deliver his final report containing his findings, conclusions and recommendations to the Attorney General on or before December 31, 2004 and give the Attorney General such interim reports as he considers appropriate to address urgent matters in a timely fashion in a form appropriate for release to the public which release will be subject to the *Freedom of Information Act*, RSNL 1990, C. F-25 and other relevant laws.
7. That to the extent the Right Honourable Antonio Lamer considers advisable he rely on any transcript or record of pre-trial, trial or appeal proceedings before any Court in relation to the proceedings and prosecution and on such other related materials as he considers relevant to his duties.
8. That reasonable legal fees that may be incurred from time to time to assist Gregory Parsons, Randy Druken and Ronald Dalton during those phases of the Inquiry relevant to each, should standing at the inquiry be granted, in an amount and under such terms as may be determined by the Deputy Attorney General in accordance with the existing policies and practices of the Government of Newfoundland and Labrador, the account of which will be subject to taxation by a taxation or judicial officer appointed by the Right Honourable Antonio Lamer.