



Commission of Inquiry Respecting the Death of Donald Dunphy

October 21, 2016

Mr. Andrew Abbass

Dear Mr. Abbass:

Re: Application for Standing in the Commission of Inquiry Respecting the Death of Donald Dunphy

I have now had an opportunity to further consider your Application for Standing and have decided that you will not be granted standing as you do not meet the criteria set out in Section 5(2) of the *Public Inquiries Act, 2006* SNL 2006 C. P-38.1, as amended. Section 5(2) states as follows:

- 5(2) A commission shall determine whether a person may participate in an inquiry, and how he or she may participate, after considering
- (a) whether the person's interests may be adversely affected by the findings of the commission;
 - (b) whether the person's participation would further the conduct of the inquiry; and
 - (c) whether the person's participation would contribute to the openness and fairness of the inquiry.

I have concluded that you are not a person whose interests would be adversely affected by the findings of the Commission. I have also concluded that your participation would not add to the openness or fairness of the inquiry any more than any other member of the public. It is arguable that your participation may further the conduct of the inquiry but I have concluded that it is not necessary for you to be granted party status in order for this to be achieved. Rather, Commission counsel will be in touch with you to schedule an interview to obtain more information from you

with a view to determining if your evidence will be required as a witness during the hearing phase of the Commission.

I wish to thank you for your interest in the Commission's work.

Yours truly,

A handwritten signature in blue ink that reads "Leo Barry". The signature is written in a cursive style with a large, prominent "L" and "B".

Leo Barry
Commissioner