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Document ID:

Investigation: DUNPHY – 2015-376186

Document Title

Doc Description

How Received

When Received

Date

Document Type:

Document Summary:

Letter from Andrew BOLAND to Justice David RICHE.

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Vetting

☐

Submitted/Recommended/Approved By

Date 2015-11-30

Number ID	Category	Reason
54	T	
BOLAND, Andrew	P	
RICHE, David	P	



Royal
Canadian
Mounted
Police

Gendarmerie
royale
du
Canada

Security Classification/Designation
Classification/désignation sécuritaire

Protected "A"

Criminal Operations Branch
P.O. Box 9700
St. John's, NL
A1A 3T5

Your File Votre

Our File Votre

2015376186

April 9, 2015

Justice David Riche (Retired)

██████████ Crescent

St. John's, NL



Dear Justice Riche:

Re: RCMP Investigation into Fatal Shooting of Donald Dunphy by a Member of the RNC

We are seeking your services to provide independent observation of a criminal investigation being conducted by the Royal Canadian Mounted Police, Newfoundland and Labrador. The RCMP Major Crimes Unit is investigating the circumstances surrounding the shooting death of Mr. Donald Dunphy by a member of the Royal Newfoundland Constabulary, which occurred in Mr. Dunphy's home in the community of Mitchell's Brook, NL on April 5, 2015.

In the interest of transparency and public confidence, we ask that you engage with the investigative team as an independent observer impartial of influence and/or interference. You will have unfettered access to all aspects of the criminal investigation. As outlined in the attached terms of reference, we are asking that you complete a written report regarding your observations of the independence and thoroughness of the investigation.

Your primary contact person for this matter will be Inspector Patrick Cahill, Officer in Charge, "B" Division Major Crimes Unit at # ██████-6193.

All costs incurred during the course of your work will be the responsibility of "B" Division RCMP as per the Personal Service Agreement.

Sincerely,

Andrew Boland, Chief Superintendent
Criminal Operations Officer
Royal Canadian Mounted Police
Newfoundland & Labrador

**TERMS OF REFERENCE
INDEPENDENT OBSERVER'S ROLE IN INVESTIGATION**

The Independent Observer:

- a. Will be briefed by the lead investigator in charge of the investigation or a delegate at the onset of the investigation.
- b. Will submit his report as and when appropriate to the Commanding Officer/delegate to ensure impartiality, fairness and transparency in the investigative process.
- c. Will accompany the designated contact member within the RCMP to observe the investigation as directed by the lead investigator in charge of the investigation.
- d. May monitor witness interviews with the consent of the lead investigator in charge of the investigation and the written consent of the person being interviewed. In the case of a young person, the Youth Criminal Justice Act applies.
- e. Will respect the confidentiality of the investigation, briefings and the identity of witnesses and suspects.
- f. Will not disseminate any information or documentation provided during the investigation.
- g. Will ensure that if he becomes aware of any potential witnesses and/or evidence he will notify the lead investigator.
- h. Will be provided regular briefings as mutually agreed upon once the initial investigation is complete.

Independent Observer

Date

RCMP Representative

Date