

## **APPLY TO PARTICIPATE IN THE DESMOND FATALITY INQUIRY**

Wednesday, March 27, 2019 (Halifax, NS) – Persons interested in participating in the upcoming Fatality Inquiry into the deaths of Lionel Desmond, Shanna Desmond, Aaliyah Desmond, and Brenda Desmond can now apply to the presiding judge for standing.

To be considered, applications must be submitted to the Inquiry by 4:30 p.m. (AST) on Monday, April 29, 2019. The Participation (Standing) Hearings will begin in Guysborough on Tuesday, May 21, 2019.

Interested parties are encouraged to review the Terms of Reference for the Inquiry and consult with a lawyer before applying. Both the Terms of Reference and the application form are available on the Inquiry website at [www.desmondinquiry.ca](http://www.desmondinquiry.ca).

Applicants and their counsel, if they are represented, are expected to attend the Participation (Standing) Hearings to answer any questions that Judge Warren Zimmer may have about their application. Applicants will also be permitted to briefly explain why they should be allowed to participate in the Inquiry.

Interested persons can submit their application by:

**Email:** Scan your completed form and email it to [desmondinquiry@courts.ns.ca](mailto:desmondinquiry@courts.ns.ca)

**Fax:** Print your completed form and fax it to 902-863-7479, attention Elise Levangie

**Mail:** Mail your completed form to:

**Desmond Fatality Inquiry  
Antigonish Justice Centre  
11 James St.  
Antigonish, N.S.  
B2G 1R6**

The Participation (Standing) Hearings will be held at the Guysborough Municipal Building, 33 Pleasant St., Guysborough, N.S.

Following the hearings in May, Judge Zimmer will decide who will be permitted to participate in the Inquiry and any limitations. Applicants will be notified, and the decisions will be posted on the Inquiry website.

It is anticipated that the Judge will meet with the parties and counsel to discuss the Rules of Procedure prior to the disclosure period commencing. The Inquiry expects to start hearing evidence in September. Once the evidentiary hearings are underway, the Inquiry will be in session on weekdays, generally starting at 9:30 a.m. until approximately 4:30 p.m. A tentative schedule for the upcoming week of proceedings will be posted on the Inquiry website every Friday.

## **Background on the Fatality Inquiry**

On Jan. 3, 2017, the bodies of Lionel Desmond, a veteran of the war in Afghanistan, his wife Shanna, their 10-year-old daughter Aaliyah, and Mr. Desmond's mother Brenda, were found in a home in Upper Big Tracadie, Guysborough County. It is believed that Mr. Desmond took the lives of his family members, before he took his own life.

Nova Scotia's Chief Medical Examiner, Dr. Matt Bowes, reviewed the circumstances of the deaths and recommended to the Minister of Justice that an inquiry be held under the province's [Fatality Investigations Act](#).

A recommendation under Sec. 26 of the Act requires the Minister to order that an inquiry be held. With that order, the Chief Judge of the Provincial and Family Courts of Nova Scotia appoints a Judge to conduct the inquiry and make recommendations on any issues identified in the order of the Minister.

The Inquiry's mandate is to determine the circumstances under which these deaths occurred, as well as some specific issues, including, but not limited to whether Lionel Desmond and his family had access to the appropriate mental health and domestic violence intervention services leading up to their deaths.

At the conclusion of the proceedings, Judge Zimmer will file a written report with the Provincial Court containing his findings and recommendations. His report will not contain any findings of legal responsibility. A copy of the report will be provided to the Minister of Justice.

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