



Commission of Inquiry Into the
Wrongful Conviction of David Milgaard
Honourable Mr. Justice Edward P. MacCallum, Commissioner

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April 11, 2005

All Media Outlets

Re: Request for Partial Publication Ban

During the week of April 18, 2005 I intend to call five witnesses who were victims of assaults in 1968 – 1970. In 1971, Mr. Fisher was convicted of the sexual assault of three of the witnesses and indecent assault with respect to a fourth witness. Each of the witnesses has asked that their name and identity not be published by the media.

Prior to calling these witnesses, I will be asking the Commissioner to ban the publication, other than by way of the official record, of the names or images of the five assault victims. The ban will be limited to their names and images, and all other aspects of their evidence may be published.

During the questioning of these and other witnesses, counsel will be referring to the assault victims by name. The names of the assault victims are also contained in a number of the exhibit documents. We will not be removing their names from the official record (transcript and exhibits). I appreciate that each witnesses' name will be in the public domain (through the Commission website). This disclosure is difficult to avoid. The witnesses' primary concern is to avoid publication of their name and image in the T.V., print and radio media.

The purpose of this letter is to provide the media with advance notice of my intention to seek a partial publication ban. If any media outlet has any concerns or questions with respect to the requested ban, please contact Candace Congram at (306) 933-8310. I expect to request the publication ban on Thursday, April 13, 2005. If any media outlet wishes to make submissions to the Commissioner with respect to the requested ban please contact Candace Congram or me by 5:00 p.m. on Wednesday, April 13, 2005.

Yours truly

DOUG HODSON
Commission Counsel

DCH/mjt