

Transcript of the Remarks by
Chief Justice J. Derek Green
On the Passing of Ronald Noseworthy, Q.C.,
Member of the Bar of Newfoundland and Labrador

Court of Appeal
St. John's, NL
June 21, 2016

The Chief Justice:

Before commencing the regular business of Court this morning, I want to take the opportunity to record the passing, after a short battle with cancer, of Ronald Noseworthy, Q.C. a prominent senior member of the Bar who died this past Saturday, June 18, 2016 after nearly 50 years of practice at the Bar. Ron's funeral will take place tomorrow.

I have known Ron ever since our undergraduate days at Memorial University. Ron was very well-known and very much involved in campus life as a university student serving on the Council of the Student's Union amongst other organizations. He attended Osgoode Hall Law School where he also made his mark. He was well-known and respected at Osgoode and that was reflected in the fact that many of his fellow law students, who ultimately practiced in Ontario, referred many Atlantic-related files to him over the years.

Ron loved the law and was a real student of it. He believed in the rule of law and how the law could be used to help people in practical situations. When he became passionate about a case, nothing could shake him from pursuing what he felt were his client's rights to the point where he would continue *pro bono* with many files that he felt deserved representation. This was in a true tradition of the Bar.

He was also a student of the law. He believed in clarity and certainty and was often troubled when he perceived that the Courts got the matter wrong (even in cases that he was not involved in) or just did not express themselves clearly enough. He did not shy away from telling me and other Judges of his views in this regard when we encountered each other outside of the Courtroom, but he always did it in a respectful way and with a teasing smile on his face.

He thought a lot about the positions that he advanced in Court. He was prepared to think "outside the box", as we say, to advance points of a novel nature or points from a new perspective. This Court's jurisprudence on, amongst other things, reconsideration and

amendment of decisions effectively finds its genesis in the arguments that Ron made in this Court in the 1980s and 1990s. As is well known, he was a frequent advocate in the Court of Appeal.

In recent years, Ron suffered from a number of afflictions which he battled courageously and with optimism. He was fortunate to have friends and colleagues who stuck by him and provided assistance and encouragement. Thomas O'Reilly, Q.C. and Noel Clarke, Q.C. come to mind in this regard and I am sure there were many others.

Ron Noseworthy's contribution to the law and the administration of justice in this province has been significant and he will be missed.

To his children, Andrea, Peter and David and the extended members of his family, I extend condolences on behalf of the Judges and the staff of the Court. I direct that a transcript of these remarks be made and provided to the family.