

**Remarks of Chief Justice Deborah E. Fry
On the passing of Donald A. MacBeath Q.C.
A Senior Member of the Law Society
Court of Appeal, Duckworth St., St. John's, NL
April 1, 2021**

The Chief Justice of Newfoundland and Labrador:

I would like to take the opportunity to recognize Donald A. MacBeath Q.C., a senior member of the Law Society of Newfoundland and Labrador who passed away suddenly on Friday, September 18, 2020 at the age of 70 years. MacBeath Q.C. graduated from the University of New Brunswick with a B.A. in 1971 and an LL.B in 1974.

Don will be deeply missed by his wife of 42 years, Mary McCarthy; son Alex; mother Betty MacBeath (née Anderson); sisters Bonnie MacBeath, Margo (Allen) Beers; sisters-in-law Jeannette (Vic) Lundrigan, Genevieve (Keith Roberts) McCarthy, Bernadette (Craig) Squires; brothers-in-law John (Nora) McCarthy, Thomas (Rita) McCarthy, Robert (Donia) McCarthy, Hugo (Karen) McCarthy; and a large circle of family & friends in New Brunswick and Newfoundland and Labrador.

The legal profession also marks the passing of this very senior well-respected member of the Bar. Don MacBeath was called to the Bar of Newfoundland and Labrador on March 7, 1975 and entered on the Barrister's Roll as #384. He was appointed a Queen's Counsel on February 20, 2000.

MacBeath Q.C. was appointed a Master and Taxing Officer of the Supreme Court of NL, served as a Bencher of the Law Society of NL, President of the Atlantic Provinces Trial Lawyers Association, and provided mentorship to countless members of the legal community. He was awarded the Gordon M. Sterling Distinguished Service Award by the Law Society of NL in 2015 for his contributions to the legal profession.

Don was steadfast in his advocacy for his clients and his community. He was known as an advocate for what was just and right. He often accepted cases from clients who desperately needed access to justice even though he knew from the outset that these clients had no means to pay his fees. He pursued these files with the same high level of dedication and commitment as he gave to all his clients. His advocacy was recognized in written reasons of this Court on April 29, 2014 describing him as "counsel, a senior lawyer acting in the best traditions of the bar, who undertook his client's expeditious representation on appeal without any guarantee (or perhaps even realistic prospect) of payment."

Don served his community as well as his profession. He was President of the Burin Peninsula Chamber of Commerce, Chair of the Burin Peninsula Health Care Centre Board, Chair of the Burin Peninsula Health Care Foundation, Founding Member of the Grand Meadows Golf Course, and Chair of Marystown Community Living Foundation. He was a master of

Newfoundland and Labrador history and culture, and could often be found on stage performing in a traditional Newfoundland play or as a mummer on some doorstep.

Don was described as a man who never backed down from a challenge-in fact, he thrived on challenges. This is why he signed up to join his son, Alex, across the pond to take a university course. In fact, he enrolled in the same course so they could see who would get the better mark. He was a storyteller with a great sense of humour and a dry wit, who loved a game of golf and a glass of fine wine.

On behalf of my colleagues at the Court of Appeal, I wish to extend our sincere condolences to the family on their loss of Donald MacBeath Q.C. The Bench and the Bar will miss him.

I direct that a transcript of these remarks be prepared and sent to his family.