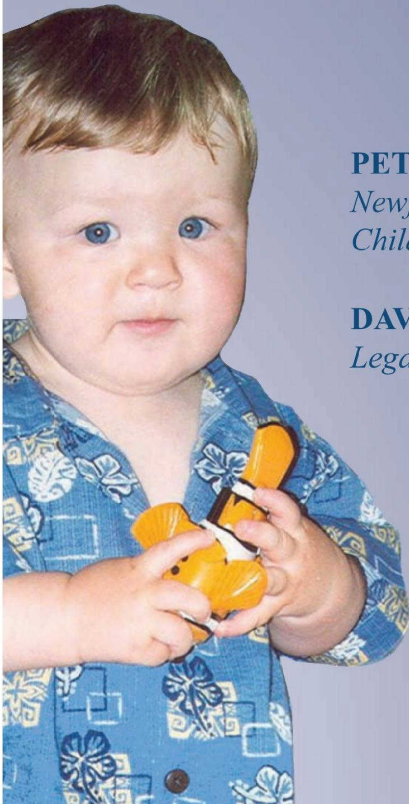


# Turner

## Review and Investigation

September 2006



**PETER H. MARKESTEYN, M.D., F.C.A.P.**  
*Newfoundland and Labrador  
Child and Youth Advocate's Delegate*

**DAVID C. DAY, Q.C.**  
*Legal Counsel*

---

Volume III

---



**Office of the Child and Youth Advocate**  
PROVINCE OF NEWFOUNDLAND AND LABRADOR

**ACKNOWLEDGEMENT**

I acknowledge receipt on September 15, 2006 of Dr. Peter H. Markesteyn's Findings resulting from his Review and Investigation of the circumstances surrounding the death of Zachary Turner in 2003.

I have determined that the Findings of Dr. Peter H. Markesteyn should be published in their entirety. No alterations to the style, factual content, grammar, spelling or format have been made. The only changes to the Report (listed below) relate to the correction of Zachary Andrew Turner's date of birth and legal name, the deletion of names of the surviving children of Dr. Shirley Turner, the deletion of four references to the school attended by the children of Dr. Shirley Turner, and the deletion of the names of three identified professionals to conform with Dr. Markesteyn's expressed "no name, no blame" approach employed throughout his Findings.

*Darlene Neville*

Darlene Neville  
Child and Youth Advocate

---

Zachary Andrew Turner's Date of Birth

Vol. I, Page i, Dedication – changed to July 18, 2002

Zachary Andrew Turner's Legal Name

Vol. I, Page 56 – Changed to Zachary Andrew Turner  
Vol. I, Page 78 – Changed to Zachary Andrew Turner  
Vol. I, Page 342 – Changed to Zachary Andrew Turner  
Vol. I, Page 357 – Changed to Zachary Andrew Turner  
Vol. III, Page A.7 – Changed to Zachary Andrew Turner

Surviving Children of Dr. Shirley Turner

Vol. II, Page 217, Footnote 29 – Name deleted; younger daughter substituted  
Vol. II, Page 219, Footnote 40 – Name deleted; younger daughter substituted  
Vol. III, Page A.83 – Name deleted; older son substituted  
Vol. III, Page A.99 – Name deleted; older son substituted  
Vol. III, Page A.108(b) – Names deleted; older son and older daughter  
substituted

School Attended by Children of Dr. Shirley Turner

Vol. I, Page 91 – Name of school deleted; [...] substituted  
Vol. I, Page 238 – Name of school deleted; [...] substituted  
Vol. I, Page 262 – Name of school deleted; [...] substituted  
Vol. I, Page 269 – Name of school deleted; [...] substituted

Names of Professionals

Vol. I, pp. 457-459, 461-465 – Names of 2 Police Officers deleted; [...] substituted  
Vol. III, Page A.84 – Name of Social Worker Supervisor deleted; [...] substituted

# Turner

---

## Review and Investigation

---

September 2006

**PETER H. MARKESTEYN, M.D., F.C.A.P.**

*Newfoundland and Labrador*

*Child and Youth Advocate's Delegate*

**DAVID C. DAY, Q.C.**

*Legal Counsel*

---

## Volume III

---

© 2006, by Government of Newfoundland and Labrador  
St. John's, NL A1B 4J6  
www.gov.nl.ca

No part of this publication may be reproduced, stored in retrieval system or transmitted in any form or by any means without the prior written consent of the publisher.

---

**Library and Archives Canada Cataloging In Publication**

Findings of Turner Review and Investigation / by Dr. Peter H. Markesteyn, Delegate of Child and Youth Advocate of Newfoundland and Labrador, and David C. Day, Q.C.

ISBN 1-55146-289-3

1. Child Welfare - Newfoundland and Labrador. 2. Child Death Review - Newfoundland and Labrador. 3. Child and Youth Advocate - Newfoundland and Labrador

I. Markesteyn, Peter H.	II. Day, David C.	III. Title
[pending]	[pending]	[pending]

---

Volumes One, Two and Three of the Findings of the Turner Review and Investigation, by Dr. Peter H. Markesteyn, M.D., F.C.A.P. and David C. Day, Q.C. are accessible, electronically, at the website of the Office of the Child and Youth Advocate: [www.ChildAndYouthAdvocate.nl.ca](http://www.ChildAndYouthAdvocate.nl.ca)

## Table of Contents Appendices

---

### APPENDIX A

---

1.	Letter appointing Delegate of Child and Youth Advocate, and stating Delegate's terms of reference, dated 17 May 2005.....	A.3
2.	Letter of transmittal of Delegate's Findings to Child and Youth Advocate, dated 15 September 2006.....	A.5
3.	Genealogy – Shirley Jane Turner.....	A.7
4.	<i>Child and Youth Advocate Act</i> , Statutes of Newfoundland and Labrador 2001, chapter C-12.01.....	A.9
5.	<i>Child, Youth and Family Services Act</i> , Statutes of Newfoundland and Labrador 1998, chapter C-12.1 (as amended): analysis, and sections 1-49; 62-66; 75-76.....	A.27
6.	Report of Child, Youth and Family Services, Health and Community Services, St. John's Region, to Minister of Department of Health and Community Services, with covering letter dated 08 September 2003.....	A.71
7.	Report of Child, Youth and Family Services, Health and Community Services, St. John's Region, to Executive Director of Health and Community Services, St. John's Region, with covering letter dated 08 September 2003.....	A.87
8.	Statement of Interest - Peter H. Markesteyn, M.D., F.C.A.P.....	A.101
9.	Statement of Interest - David C. Day, Q.C.....	A.105
10.	Risk Assessment.....	A.111

---

### APPENDIX B

---

#### Maps and Photographs

1.	Dr. Andrew David Bagby (1973-2001).....	B.147
2.	Road map showing Corner Brook, Deer Lake, Parsons Pond, Portland Creek, Daniels Harbour, and Eddie's Cove East, Newfoundland.....	B.148



*Table of Contents Appendix*

---

3.	Road map showing Council Bluffs, Iowa (in left lower quarter of map) and Sac City, Iowa (in left upper quarter of map) .....	B.149
4.	Road map showing central part of continental United States, including Council Bluffs and Stuart, Iowa (in left upper quarter of map); Chicago and South Bend, Illinois (in upper centre of map), Cleveland, Ohio and Pittsburg, Pennsylvania (in right upper quarter of map).....	B.150
5.	Road map showing Pittsburg, Latrobe, Keystone State Park, and Saltsburg, Pennsylvania (in centre of map).....	B.151
6.	Photo of day-parking lot in Keystone State Park, Pennsylvania including location where deceased, Dr. Andrew David Bagby, and his motor vehicle were found on 06 November 2001 .....	B.152
7.	Road map of Avalon Peninsula, showing St. John's, Manuels, Long Pond, Foxtrap, and Kelligrews, Newfoundland.....	B.153
8.	Road map of portion of Town of Conception Bay South, showing parts of Kelligrews, Foxtrap and Long Pond, Newfoundland .....	B.154
9.	Legend to aerial photographs of portions of Kelligrews and Foxtrap areas of Town of Conception Bay South .....	B.155
10.	Aerial photograph of portions of Kelligrews and Foxtrap areas of Town of Conception Bay South, including Job's Road, Kelligrews where motor vehicle operated by Dr. Shirley Turner found abandoned on 18 August 2003 .....	B.156
11.	Aerial photograph of coastal road from Kelligrews to Foxtrap.....	B.157
12.	Aerial photograph of Foxtrap Marina .....	B.158
13.	Surface photograph of part of coastal road from Kelligrews to Foxtrap.....	B.159
14.	Surface photograph of Job's Road showing motor vehicle which was abandoned by Dr. Shirley Turner in early morning of 18 August 2003. (Roof of Kelligrews man's duplex residence is centre of photograph.).....	B.160

*Table of Contents Appendix*

---

15.	Surface photograph of side of Foxtrap Marina building showing the two entrances on side of building (to right of photograph) and entrance to main wharf of Foxtrap Marina (to left of photograph); taken from area of picnic tables behind Marina building. ....	B.161
16.	Surface photograph of entrance to main wharf of Foxtrap Marina (to the right is part of Sea Quest building located beside Foxtrap Marina building, which is not shown).....	B.162
17.	Surface photograph of end of main wharf of Foxtrap Marina and (in left of upper quarter of photograph) Manuels Beach .....	B.163
18.	Surface photograph of Manuels Beach (left of photograph, taken from end of main wharf of Foxtrap Marina) .....	B.164
19.	Aerial photograph of coastline from Foxtrap Marina to Manuels Beach .....	B.165
20.	Surface photograph of the portion of Manuels Beach where bodies of Dr. Shirley Turner and Zachary Turner found, separately, beside boulders in centre of photograph. ..	B.166
21.	Shoes worn by Dr. Shirley Turner on early morning of 18 August 2003, showing “outer” exterior aspect of each shoe. ....	B.167
22.	Shoes worn by Dr. Shirley Turner on early morning of 18 August 2003, showing “inner” exterior aspect of each shoe. ....	B.168



