



MEDIA STATEMENT

CRIMINAL JUSTICE BRANCH

March 17, 2008

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CRIMINAL JUSTICE BRANCH LAUNCHES JUDICIAL REVIEW

Victoria - The Criminal Justice Branch today announced that it has filed a Petition to the Supreme Court of British Columbia asking for a judicial review of the ruling of Commissioner William H. Davies, Q.C. in the Frank Paul Inquiry requiring individual Crown Counsel to testify in relation to their charge approval decisions. The application was filed in the BC Supreme Court registry in Vancouver this morning.

Crown Counsel perform a judicial function in assessing the sufficiency of evidence in criminal matters. Prosecutorial independence is a vital protection for all citizens because it means prosecutions will be based on a fair, impartial review of the evidence and not be subject to improper pressures from any person or group.

The ruling opens the door for government, special interest groups and others to put pressure on Crown prosecutors to proceed with criminal charges in circumstances where it is not warranted. Pressure would lead to a chilling effect on the charge approval process, have an adverse impact on prosecution services across Canada and increase the danger of wrongful convictions.

The Criminal Justice Branch recognizes the importance of the Frank Paul Inquiry and will continue to offer its support and commitment to assisting the Commission in the policy and procedure phases. The Branch will continue to offer details of the procedure followed in this case, the timeliness of its decisions and the objectivity of the decisions as it has since this Commission commenced.

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