



MEDIA STATEMENT

CRIMINAL JUSTICE BRANCH

January 18, 2013

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Special Prosecutor's Work on Bountiful – Status Update

Victoria - On January 17, 2012, then Assistant Deputy Attorney General Robert W.G Gillen, QC appointed Peter Wilson, QC as a Special Prosecutor in connection with an investigation into potential offences involving individuals associated with the community of Bountiful.

The appointment was made pursuant to a Direction provided by the Attorney General, the Honourable Shirley Bond, under s.5 of the *Crown Counsel Act*. There has been considerable media attention about this matter and the Criminal Justice Branch considers it in the public interest to provide a status update.

Mr. Wilson's initial mandate included:

- Offering such legal advice as is necessary to the police in their continuing investigation;
- If a Report to Crown Counsel is forwarded to him as a result of that investigation, conducting an independent charge assessment based on that report, the materials assembled by the Criminal Justice Branch and any other information that the investigating officers may provide to him for his consideration;
- Making the charging decision he deems appropriate in the exercise of his independent prosecutorial discretion;
- As part of any charge assessment, considering, if the evidence supports it, the possible prosecution of sexual exploitation and other alleged offences against minors by individuals associated with the community of Bountiful, from the early 1980s to the present.

On January 31, 2012, Mr. Wilson's mandate as a Special Prosecutor was expanded by Mr. Gillen to include consideration of polygamy related offences and he was authorized to:

- Conduct an independent assessment of any investigative report which may be submitted by the Royal Canadian Mounted Police, as well as any other information that may be provided by the Criminal Justice Branch or the investigating officers, concerning potential offences contrary to the polygamy provisions of the *Criminal Code*; and

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- Make the charging decision he deems appropriate in the exercise of his independent prosecutorial discretion.

The police investigation remains ongoing and includes an extensive review of a very substantial amount of information. While police have consulted the Special Prosecutor on issues that have arisen during the investigation, to date no Report to Crown Counsel has yet been submitted for his review on possible charges.

Police and prosecutors exercise separate and independent functions. While they work cooperatively within the criminal justice system in British Columbia, neither is subject to the supervision or direction of the other.

Police exercise independent discretion in deciding when a Report to Crown Counsel will be forwarded for charge assessment purposes. Once that occurs, the prosecutor responsible for the case conducts an independent review of the file to determine whether or not charges will be approved.

Given that this matter involves an ongoing police investigation in which Mr. Wilson may be called upon to conduct a charge assessment, it would not be appropriate for Mr. Wilson to publicly comment on or discuss any specifics at this time.

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