



MEDIA STATEMENT

CRIMINAL JUSTICE BRANCH

May 2, 2013

13-10

Appointment and Decision of Special Prosecutor Announced

Victoria – The Criminal Justice Branch of the Ministry of Justice announced today that a Special Prosecutor, Christopher M. Considine, QC, has approved a charge of theft under \$5000.00, contrary to section 334(b) of the *Criminal Code*, against Sgt. Derek N. Brassington of the Royal Canadian Mounted Police. An Information charging Sgt. Brassington was sworn May 1, 2013 in British Columbia Provincial Court in Vancouver. A first appearance in the matter has been scheduled in Vancouver at 2:00 p.m. on May 7, 2013

Mr. Considine, a senior Victoria lawyer, was appointed by Assistant Deputy Attorney General M. Joyce DeWitt-Van Oosten, QC on April 24, 2013 to review the results of an investigation by the Burnaby RCMP into an off duty incident alleged to have occurred in Burnaby on March 30, 2013.

Sgt. Brassington has a connection to an ongoing high profile prosecution being conducted by the Criminal Justice Branch. Given that, and also taking into account that Mr. Considine was appointed as a Special Prosecutor in relation to an earlier investigation that resulted in charges against Sgt. Brassington, Ms. DeWitt-Van Oosten concluded it was necessary to appoint a Special Prosecutor to avoid any potential for real or perceived improper influence in the administration of criminal justice in the new matter. Mr. Considine was given a mandate to:

- Conduct an independent charge assessment review of the Report to Crown Counsel submitted by the investigative agency and make the charging decision he deemed appropriate in the exercise of his independent prosecutorial discretion;
- Offer such legal advice as is necessary to the police in the event that further investigation by them is required;
- Conduct the prosecution and any subsequent appeal should he conclude that a prosecution was warranted.

As a charge has been approved and the matter is now before the Court, the Criminal Justice Branch and the Special Prosecutor are not able to release additional information or comment further at this time. In accordance with the mandate granted, Mr. Considine will continue to have independent conduct of this prosecution.

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Branch Vision

Courageous, Fair and Efficient – A Prosecution Service that has the Confidence of the Public.

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