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## BC Prosecution Service clarifies role of Special Prosecutor

**Victoria** – In light of recent public comments, the BC Prosecution Service (BCPS) wishes to clarify the role of Special Prosecutors appointed to advise and assist police in the conduct of investigations.

Special Prosecutors are appointed when the Assistant Deputy Attorney General (ADAG) considers it in the public interest, taking into account any significant potential for real or perceived improper influence in the administration of criminal justice. This may include, for example, a case involving a senior public official, such as a Cabinet Minister or Member of the Legislative Assembly.

Typically, when the police or another investigative agency is investigating such a case, they will ask the ADAG to appoint a Special Prosecutor to provide them with any legal advice they may require during the course of their investigation. Once appointed, the Special Prosecutor assumes the role of Crown Counsel for the case, exercising their professional expertise and prosecutorial discretion independent from government and the BC Prosecution Service.

A Special Prosecutor does not control, supervise, or direct the investigation. It is for the investigators to independently decide whom to investigate, how to conduct the investigation, and what evidence to gather and secure. In doing so they may, from time to time, seek legal advice and assistance from the appointed Special Prosecutor.

The BCPS policy on Special Prosecutors and a related information sheet can be found at:

[www2.gov.bc.ca/assets/gov/law-crime-and-justice/criminal-justice/prosecution-service/crown-counsel-policy-manual/spe-1.pdf](http://www2.gov.bc.ca/assets/gov/law-crime-and-justice/criminal-justice/prosecution-service/crown-counsel-policy-manual/spe-1.pdf)

[www2.gov.bc.ca/assets/gov/law-crime-and-justice/criminal-justice/prosecution-service/information-sheets/role-special-prosecutors.pdf](http://www2.gov.bc.ca/assets/gov/law-crime-and-justice/criminal-justice/prosecution-service/information-sheets/role-special-prosecutors.pdf)

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