



MEDIA STATEMENT

CRIMINAL JUSTICE BRANCH

Friday, 2 February 2007

07-01

APPOINTMENT OF SPECIAL PROSECUTOR ANNOUNCED

Victoria – The Criminal Justice Branch of the Ministry of Attorney General today announced the appointment of Harold Rusk as an independent Special Prosecutor concerning a police investigation into allegations of possible misconduct on the part of certain members of the West Vancouver Police Department.

Mr. Rusk, a senior Victoria lawyer, was appointed on January 18, 2007, by Robert W.G. Gillen, Q.C., the Assistant Deputy Attorney General for the Criminal Justice Branch. The appointment was made following a request for a Special Prosecutor from Chief Constable Paul Battershill of the Victoria Police Department who is supervising the ongoing police investigation.

Mr. Rusk's mandate as the Special Prosecutor includes:

- offering such independent legal advice as the police investigators may require during the course of their investigation;
- conducting an independent charge assessment based on any investigation report the police may submit to him;
- providing the Assistant Deputy Attorney General with a written report setting out his charge assessment decision; and
- if in his view a charge is warranted, conducting the prosecution and any subsequent appeal.

The Assistant Deputy Attorney General for the Criminal Justice Branch appoints Special Prosecutors pursuant to the *Crown Counsel Act* when there is a significant potential for real or perceived improper influence in the administration of criminal justice.

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The decisions of Special Prosecutors are final subject only to receiving written directions from the Attorney General, Deputy Attorney General or Assistant Deputy Attorney General for the Criminal Justice Branch. In such an event, those directions must be made public by publishing them in the Gazette.

As this investigation is still underway it would not be appropriate to comment any further at this time.

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