



MEDIA STATEMENT

CRIMINAL JUSTICE BRANCH

Monday, February 26, 2007

07-03

Regina v. Thomas Ellison

VICTORIA – Today the Criminal Justice Branch of the Ministry of Attorney General announced that it will not proceed with an appeal from acquittals nor will it appeal the sentence imposed in the prosecution of Thomas Ellison.

On January 11, 2007 the Criminal Justice Branch initiated a provisional appeal in relation to acquittals on 5 counts of gross indecency in this matter. The Crown filed its appeal as a way of preserving its appellate remedies in this case, based on the available information at the time.

From the outset the complainants were made aware of the provisional nature of the appeal and that a comprehensive assessment would again take place once the sentencing had completed and all the relevant information was available.

Senior prosecutors with the Branch have recently completed a comprehensive assessment of this case. The assessment revealed that both the Crown and Mr. Ellison had potential avenues of appeal. The prospect of protracted litigation and a potential retrial with respect to all counts were very significant issues that warranted consideration. Furthermore, there would be no assurance that the pursuit of litigation in this matter would result in additional convictions or that, even if additional convictions were registered, that this would result in a sentence materially different from the sentence Mr. Ellison is currently serving.

Having considered all the circumstances, including Mr. Ellison's decision to not initiate any appeal, the Branch determined it is not in the public interest to continue with the appeal from acquittals or initiate a sentence appeal in this case. Therefore, the convictions already entered against Mr. Ellison and the sentence imposed on him for those offences will stand. The decision is a principled and appropriate one in all of the circumstances of this matter.

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Crown Counsel met with the complainants to canvass their views prior to arriving at this decision, and subsequently contacted them to explain the reasoning for the decision.

In arriving at this decision, Crown Counsel consulted with senior members of the Vancouver Police Department. They agree with and support the Crown's decision to bring an end to these criminal court proceedings.

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