



# MEDIA STATEMENT

## CRIMINAL JUSTICE BRANCH

Tuesday, 02 September, 2008

08-13

### APPOINTMENT OF SPECIAL PROSECUTOR ANNOUNCED

**Victoria** – The Criminal Justice Branch of the Ministry of Attorney General today announced the appointment of Ian Donaldson Q.C. as an independent Special Prosecutor concerning a Saanich Police department investigation into an allegation of an assault relating to Sgt. George Chong of the Victoria Police department.

On Monday, August 25, 2008 the Branch approved one charge of assault against George Chong in relation to an off-duty incident in Victoria on June 22, 2008. On Thursday, August 28, 2008 the Victoria Police department issued a media release advising the public of the charge. On Friday, August 29, 2008, the Branch received information that George Chong is the brother of the Honourable Ida Chong, Minister of Technology, Trade and Economic Development and Minister Responsible for the Asia-Pacific Initiative. The Branch was not aware of this relationship prior to receiving this information.

Given Ms. Chong's senior position in government as a Cabinet Minister and her relationship to the Accused, the Criminal Justice Branch determined it was appropriate to appoint an Independent Special Prosecutor pursuant to the **Crown Counsel Act**.

Mr. Donaldson, a senior Vancouver lawyer, was formally appointed as an independent Special Prosecutor on September 2, 2008 by Robert W.G. Gillen Q.C., the Assistant Deputy Attorney General for the Criminal Justice Branch. Mr. Donaldson's mandate as Special Prosecutor includes:

- Conducting an independent charge re-assessment based on the evidence contained in the Report to Crown Counsel submitted by the Saanich Police department, or any other information that police investigators may submit to him;
- Offering such legal advice as is necessary to the police in the event that further investigation by them is required;

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- 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.

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 BC Gazette.

As this matter is with the Special Prosecutor, it would not be appropriate to comment any further at this time.

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