



# MEDIA STATEMENT

## CRIMINAL JUSTICE BRANCH

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June 18, 2009

09-07

### Special Prosecutor Appointed

**Victoria** - The Criminal Justice Branch of the Ministry of Attorney General today announced that an independent Special Prosecutor, Gail Barnes, has been appointed to take conduct of a prosecution of 3 young persons, one of whom is the child of a British Columbia Judge. In accordance with the provisions of the Youth Criminal Justice Act the names of the young persons or other information that would identify the young persons may not be published.

An Information charging the three young persons was sworn and filed in Youth Justice Court in North Vancouver on June 12, 2009. A court appearance in the matter is scheduled for June 22, 2009. The charges alleged include criminal harassment, robbery, assault and uttering threats.

Ms. Barnes, a senior Vancouver lawyer, was appointed on June 16, 2009 by Robert W.G. Gillen, Q.C. the Assistant Deputy Attorney General for the Criminal Justice Branch. Ms. Barnes' mandate is to conduct an independent review of the existing charges based on the Report to Crown Counsel submitted in connection with events alleged to have occurred in April and May of 2009 and make the charging decision she deems appropriate in the independent exercise of her prosecutorial discretion. If Ms. Barnes is of the opinion that a prosecution is warranted she will conduct the prosecution and any subsequent appeal.

Special Prosecutors are appointed under the *Crown Counsel Act* when there is a significant potential for real or perceived improper influence in the exercise of prosecutorial responsibilities, including charge assessment. The decision of a Special Prosecutor is final subject only to receiving written directions from the Attorney General, the Deputy Attorney General or the Assistant Deputy Attorney General for the Criminal Justice Branch. In such an event, those directions must be published in the B.C. Gazette.

As this matter is now before the court, it would not be appropriate to comment further on the circumstances of the case at this time.

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