



MEDIA STATEMENT

CRIMINAL JUSTICE BRANCH

December 1, 2009

09-09

Charge Approved Against Cpl. Benjamin Montgomery Robinson

Victoria - The Criminal Justice Branch of the Ministry of Attorney General today announced that a charge of Attempting to Obstruct Justice has been laid against RCMP Corporal Benjamin Montgomery Robinson under section 139 of the *Criminal Code*, in connection with a Delta Police Department investigation into a two vehicle collision in Delta on October 25, 2008. Cpl. Robinson is scheduled to make a first appearance in Provincial Court in Surrey on December 8, 2009.

Cpl. Robinson, who was off duty at the time, was driving a vehicle that collided with a motorcycle being driven by 21 year old Orion Hutchinson. Mr. Hutchinson was killed in the collision.

Following a detailed analysis of the results of a comprehensive police investigation, the Criminal Justice Branch has concluded that no *Criminal Code* driving related charges will be laid against Corporal Robinson. In particular, the Branch charge assessment standard was not met for offences of Impaired Driving Causing Death, Driving with a Blood Alcohol Content over the Legal Limit and Causing an Accident Resulting in Death, or Dangerous Driving Causing Death.

Senior prosecutors with the Branch have concluded that the available evidence does not establish to the criminal standard of proof beyond a reasonable doubt, that at the time of the collision Cpl. Robinson had a blood alcohol level over the legal limit, that his ability to operate a motor vehicle was impaired by alcohol or that he was operating his vehicle in a dangerous manner within the meaning of the *Criminal Code*.

The charge of Attempting to Obstruct Justice is based on alleged actions of Cpl. Robinson on October 25, 2008 after the collision. As this matter is now before the court it is not appropriate for the Criminal Justice Branch to comment further on the circumstances at this time.

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