



MEDIA STATEMENT

CRIMINAL JUSTICE BRANCH

December 21, 2010

10-22

Decision of Special Prosecutor Announced

Victoria - The Criminal Justice Branch of the Ministry of Attorney General today announced that independent Special Prosecutor Kris S. Pechet has approved a charge of Theft Under \$5000.00 against Mathew Paul Moller, who is the adult son of a British Columbia judge. An information charging Mr. Moller was sworn in Prince Rupert Provincial Court on November 30, 2010. The first appearance in the matter is scheduled for January 10, 2011 in Prince Rupert.

Mr. Pechet, a senior New Westminster lawyer, was appointed on November 24, 2010 by Assistant Deputy Attorney General Robert W.G. Gillen, QC following receipt of an investigative report from the R.C.M.P. in relation to an incident alleged to have occurred at a Canada Safeway store in Prince Rupert on October 13, 2010. Given that the subject of the report was a close relative of a member of the judiciary, Mr. Gillen concluded that it was appropriate that a Special Prosecutor be appointed to review the matter.

Mr. Pechet's mandate included:

- Conducting an independent charge review of the Report to Crown Counsel submitted by the R.C.M.P. and making the charging decision he deemed appropriate in the exercise of his independent prosecutorial discretion;
- Offering such legal advice as was necessary to the police in the event that further investigation by them was required;
- Providing a written report to the Assistant Deputy Attorney General, with the results of his review and the reasons for his decision;
- If in his view a prosecution was warranted, conducting the prosecution and any subsequent appeal.

Mr. Pechet subsequently reported that he had concluded that a charge of Theft Under \$5000 should be laid against Mr. Moller. In keeping with the mandate granted, Mr. Pechet will now continue with the prosecution.

As this matter is now before the Court it is not appropriate to release additional information at this time.

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