



MEDIA STATEMENT

CRIMINAL JUSTICE BRANCH

September 8, 2014

14-20

Decision of Special Prosecutor

Victoria – The Criminal Justice Branch (CJB), Ministry of Justice, announced today that independent Special Prosecutor David Butcher, QC has approved charges under the British Columbia *Election Act* against a corporation and two individuals. The charges arise out of conduct that is alleged to have occurred during the Port Moody-Coquitlam provincial by-election in 2012. The Chief Electoral Officer for British Columbia has given his written consent to the prosecution, as provided for under section 252 of the *Election Act*.

Charges were sworn today in British Columbia Provincial Court (Vancouver) against Brian Ashly Bonney, Mark Robertson, and *0750837 B.C. Ltd. dba Mainland Communications*, under Court file number 235780. A copy of the sworn Information is attached to this Media Statement. A first appearance date has been scheduled for October 14, 2014 in Vancouver.

On August 29, 2013, at the request of the Royal Canadian Mounted Police (RCMP), Assistant Deputy Attorney General M. Joyce DeWitt-Van Oosten, QC appointed Mr. Butcher as an independent Special Prosecutor to assist with an investigation arising out of matters addressed in the *Review of the Draft Multicultural Strategic Outreach Plan*, as well as alleged infractions of the *Election Act*. The Branch announced the appointment of Mr. Butcher in September 2013, after police advised that making the appointment public would not jeopardize the investigation.

On September 5, 2014, Mr. Butcher advised CJB that he had approved charges against the above noted individuals and corporation. The evidence in support of these charges was gathered during the course of the investigation for which Mr. Butcher has been providing assistance in the form of legal advice to investigators.

Within the context of his mandate as a Special Prosecutor, Mr. Butcher has had ongoing communication with investigators since his appointment, and has received material from the investigators for his review and consideration. As in other investigations, the nature and content of these communications, and the Special Prosecutor's ongoing deliberations, remain confidential. The investigation is continuing.

The Special Prosecutor does not expect to receive the final results of the continued investigation until early 2015. Once the investigation is complete and Mr. Butcher has reviewed the whole of the material provided by police, he will release the results of any decisions that he

Branch Vision

Courageous, Fair and Efficient – A Prosecution Service that has the Confidence of the Public.

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Criminal Justice Branch
Ministry of Justice

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makes. Those decisions will be publicly announced through a Media Statement developed in consultation with CJB.

In the meantime, Mr. Butcher has concluded that it is appropriate to proceed with the specific charges that were sworn today. Mr. Butcher will have conduct of the associated prosecution.

Mr. Butcher has approved the release of this statement and its content. As there is now an active prosecution before the court, and the remainder of the police investigation continues, neither the CJB nor the Special Prosecutor is able to release additional information at this time.

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Criminal Justice Branch
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To learn more about B.C.'s criminal justice system visit the British Columbia Prosecution Service website at:

<http://www.ag.gov.bc.ca/prosecution-service/>

INFORMATION / DÉNONCIATION

Court Identifier: 2040: PRA
Court File Number: 235780
Type Reference:
Inf. Seq Number: 1
Agency File Number: RFD:13-6497

DNA: SOR: K File:

CANADA:

PROVINCE OF BRITISH COLUMBIA
PROVINCE DE LA COLOMBIE-BRITANNIQUE

This is the information of / Les présentes constituent la dénonciation de **Len Van Marck**, a / un(e) **Peace Officer** (the "Informant" / le "Dénonciateur") of / de **Surrey**, British Columbia / Colombie-Britannique.

The informant says that the informant has reasonable and probable grounds to believe and does believe that / Le dénonciateur déclare qu'il a des motifs raisonnables et probables et croit effectivement que

Count 1

0750837 BC Ltd. dba Mainland Communications, Brian Ashly BONNEY, and Mark ROBERTSON, between the 22nd day of February, 2012, and the 19th day of April, 2012, at or near Vancouver and Port Moody, and elsewhere, in the Province of British Columbia, did make a political contribution, to wit, the services of Sepideh Sarrafpour, to Dennis Marsden, by directing Sepideh Sarrafpour to work on the campaign of Dennis Marsden in the 2012 Port Moody-Coquitlam by-election, without disclosing to Terry Hawes, the financial agent for Dennis Marsden, the information that Terry Hawes was required by s. 190 of the Election Act, R.S.B.C. 1996, c. 106, as amended, to record, and did thereby contravene s. 186(1)(b) of the Election Act, R.S.B.C. 1996, c. 106, as amended, and did thereby commit an offence contrary to s. 263(1)(d) of the Election Act.

Count 2

0750837 BC Ltd. dba Mainland Communications, Brian Ashly BONNEY, and Mark ROBERTSON, between the 22nd day of February, 2012, and the 19th day of April, 2012, at or near Vancouver and Port Moody, and elsewhere, in the Province of British Columbia, did make a political contribution with the services of another, to wit, the services of Sepideh Sarrafpour, to Dennis Marsden, by directing Sepideh Sarrafpour to work on the campaign of Dennis Marsden in the 2012 Port Moody-Coquitlam by-election, and did thereby contravene s. 186(1)(d) of the Election Act, R.S.B.C. 1996, c. 106, as amended, and did thereby commit an offence contrary to s. 263(1)(d) of the Election Act.

INFORMATION / DÉNONCIATION

Court Identifier: **2040: PRA**
Court File Number: **235780**
Type Reference:
Inf. Seq Number: **1**
Agency File Number: **RFD:13-6497**

DNA: SOR: K File:

CANADA:

PROVINCE OF BRITISH COLUMBIA
PROVINCE DE LA COLOMBIE-BRITANNIQUE

Count 3

0750837 BC Ltd. dba Mainland Communications, Brian Ashly BONNEY, and Mark ROBERTSON, between the 22nd day of February, 2012, and the 19th day of April, 2012, at or near Vancouver and Port Moody, and elsewhere, in the Province of British Columbia, did incur an election expense not authorized by s. 193 of the Election Act, R.S.B.C. 1996, c. 106, as amended, to wit, the services of Sepideh Sarrafpour, by directing Sepideh Sarrafpour to work on the campaign of Dennis Marsden in the 2012 Port Moody-Coquitlam by-election, and did thereby commit an offence contrary to s. 263(1)(f) of the Election Act.

THE INFORMATION SWORN ON **SEPTEMBER 8, 2014** CONTAINS A TOTAL OF 3 COUNTS ON 2 PAGES.

SWORN BEFORE ME / ASSERMENTÉ DEVANT MOI
ON / CE **8TH** DAY OF / JOUR DE **SEPTEMBER, 2014**
AT / À **VANCOUVER**
BRITISH COLUMBIA / COLOMBIE-BRITANNIQUE

J. Statton 2014.09.08 14:11:16
-07'00'

A JUSTICE OF THE PEACE IN AND FOR THE
PROVINCE OF BRITISH COLUMBIA /
UN JUGE DE PAIX DANS ET POUR LA
PROVINCE DE LA COLOMBIE-BRITANNIQUE

Other Signer
Mon Sep 8 2014 14:10:05 

SIGNATURE OF INFORMANT /
SIGNATURE DU DÉNONCIATEUR

Brian Ashly BONNEY, Mark ROBERTSON, 0750837 B.C. Ltd.:
Summons

PROCESS / ACTE DE PROCÉDURE ISSUED

J. Statton 2014.09.08 14:13:52
-07'00'

A JUSTICE OF THE PEACE IN AND FOR THE
PROVINCE OF BRITISH COLUMBIA /
UN JUGE DE PAIX DANS ET POUR LA
PROVINCE DE LA COLOMBIE-BRITANNIQUE