



January 7, 2011

Dr. Moira Stilwell

VIA EMAIL: moira.stilwell.mla@leg.bc.ca

Dear Dr. Stilwell:

RE: BC Liberal Party Leadership Platform

Congratulations on your decision to run for leadership of the BC Liberal Party. The B.C. Civil Liberties Association is Canada's foremost civil liberties organization, has many members and supporters throughout the province and has dedicated itself to its fundamental mission of promoting education, understanding and respect for civil liberties and human rights here and throughout Canada. We are therefore most interested to learn your position on issues important to our organization and have therefore prepared a survey of questions that we are circulating to all leadership candidates, for both parties, for the purposes of educating the public on the positions of the various candidates on civil liberties-related issues. We will not be endorsing any candidates, but rather publishing the compiled responses without editorial comment except to thank and acknowledge those candidates who choose to participate. If there are any other issues pertaining to civil liberties and human rights in British Columbia and Canada that you wish to address, please feel free to include a further concise statement of your position, as you think appropriate.

With regard to the survey questions, we encourage you to answer with a simple "Yes" or "No" to ensure that interested members of the public clearly understand your position.

Police accountability

1. Will you end the system of police investigating police in B.C., as recommended by both the Braidwood and Davies Commissions and as endorsed by the Solicitor General's office in 2010?
2. Will you introduce a system where special prosecutors will be appointed to make decisions on whether or not police officers should be criminally charged in cases of police-involved deaths?
3. Will you direct the appointment of a special prosecutor to review the decision on the appropriateness of criminal charges in the following cases: Ian Bush, Kevin St. Arnaud, Clayton Alvin Willey, Frank Paul, Robert Dziekanski, Paul Boyd, and Gerald Chenery?
4. Will you make the office of Chief Coroner an independent officer of the legislature like the province's police complaints commissioner, auditor and ombudsperson to ensure that investigations of the deaths of British Columbians are free from political interference?

5. Will you demand that any Chief Coroner appointments be medically trained and qualified doctors with appropriate background experience and not former police officers or persons from other backgrounds?
6. Do you support the creation of regional police forces?
7. Will you ensure that the audit of RCMP services that the government has prepared is released prior to any decision made concerning a further contract for services with the RCMP?
8. Will you ensure that there is a full and open public discussion and debate concerning the form of any new contract for services with the RCMP prior to it being entered into?

Open and transparent governance

9. Will you implement the recommendations of the Information and Privacy Commissioner of British Columbia provided to the Special Committee to Review the Freedom of Information and Protection of Privacy Act in their entirety? For this question, if the answer is no, please indicate whether you would implement some (and identify which ones) or none at all.
10. Will you revise the rules of the Legislature to eliminate provisions for deemed debate and passage of bills and require instead that all legislation be given a full opportunity for debate and that each stage of legislation be voted upon?

Drug policy

11. Do you support Vancouver's safe injection site?
12. Do you support the introduction of more safe injection sites in Vancouver and other centres where injection drug use overdose deaths and HIV and Hepatitis transmission rates warrant such facilities in B.C.?
13. Will you implement widespread treatment of people addicted to drugs or alcohol, where treatment may include providing those individuals with measured and monitored doses of those drugs, as recommended in the North American Opiate Medication Initiative, and as implemented in Seaton House in Toronto?
14. Will you implement detox on demand for people addicted to drugs and alcohol, preventing them from waiting days, weeks or months for access to treatment?
15. Do you support provincial licensing of compassion clubs for distribution of medical marijuana to approved individuals suffering from conditions ameliorated by medical marijuana?
16. Will you eliminate the ability of municipalities to prohibit the growing of medical marijuana by individuals licensed to possess and grow medical marijuana?
17. Will you eliminate the ability of municipalities to use building, health, fire and other inspection programs as a pretext for criminal drug law enforcement?
18. Will you eliminate the ability of municipalities to do as the City of Mission has done and impose heavy "inspection fees" and other charges

purportedly in relation to property inspection programs, but in reality as ancillary measures to criminal drug law enforcement?

Health

19. Do you support the right of individuals to choose to die with dignity?
20. Will you provide for appropriate legislation, relying on the exclusive provincial jurisdiction over health matters, and establish rules for legal assisted suicide in British Columbia?
21. As leader, will you provide amendments to legislation concerning eHealth that would allow a patient to control how his or her personal health information is stored, and who can access that information in an easily understood, intuitive and proactive way?

Administration of justice and access to justice

22. As leader, will you take steps to restore the funding of Legal Aid to the levels of funding available in the year 2000?
23. Will you repeal the impaired driving and high speed driving amendments to the Motor Vehicle Act passed in 2010 which purported to make those offences regulatory matters administered by the police and the Superintendent of Motor Vehicles and removed due process protections, including the right of cross-examination, the presumption of innocence and the right to have a fair trial before an impartial judge?
24. Will you eliminate the current high vacancy levels and promptly appoint the full complement of provincial judges as provided for in the Provincial Court Act and ensure adequate funding for the needs of that court to hear cases in a prompt and efficient manner?
25. Will you eliminate court fees in civil cases, including those for starting court proceedings, bringing motions and having trials heard?
26. Will you enact anti-SLAPP legislation to protect the rights of British Columbians to speak freely, demonstrate and protest, without fear of retaliatory litigation by others for so doing?
27. Will you enact legislation to protect free speech rights of British Columbians on the internet, including those who host a blog, chat forum, message board or other facility for the free exchange of thoughts, comments, ideas and opinions?

Sex work


28. Given the recent court decision in Ontario that struck down the prohibition on activities surrounding prostitution (communication, bawdy house rules), will you be proactive in ensuring women and men involved in sex work will be protected pursuant to the province's exclusive jurisdiction over health and worker safety matters by providing for appropriate, protective regulations to protect sex workers from exploitation, ensure safe workplaces and offer comprehensive education and retraining programs for sex workers who wish to exit that occupation?

As noted at the outset, if there are any other matters relating to civil liberties or human rights that you wish to address, please provide a concise statement of your position on those.

Thank you for taking the time to provide your position on these issues. We would appreciate a response by January 31, 2011, in order that we may assemble and publish the information provided by you and by the other candidates.

We look forward to hearing where you stand, as will our supporters and the public at large.

Yours truly,

A handwritten signature in black ink, appearing to read "R. Holmes", with a long, sweeping flourish extending to the right.

Robert D. Holmes
President