



October 24, 2012

Honourable Shirley Bond
Minister of Justice and Attorney General
PO BOX 9044 Stn Prov Govt
Victoria BC V8W 9E2

VIA FAX: 250 387-1866

Dear Attorney General Bond:

I write to you on behalf of the B.C. Civil Liberties Association concerning the injury of Robert Wright. Mr. Wright suffered a serious and disabling brain injury following or during an interaction with the Terrace RCMP. The case was assigned to the New Westminister Police Department for independent investigation.

Our office has been contacted by Heather Prisk, wife of Robert Wright. Mrs. Prisk advises us that she was contacted by the investigating officer of the New Westminister Police Department who told her that he had concluded his investigation, that the investigation had recommended charges, but that the Regional Crown had declined to approve the charges against one or more RCMP officers.

Given the tight timelines, we have been unable to verify this information independently. However, we are extremely concerned that the local Regional Crown may have, in fact, been assigned to review the charges recommended by the New Westminister Police Department.

As you are aware, Crown Counsel in Northern B.C. must work closely with RCMP officers on a regular basis in prosecuting criminal offences. Small regional centres in the North mean repeated exposures to, and working relationships with, individual police officers and departments. As you are also aware, in the Robert Dziekanski Inquiry, Frank Paul Inquiry and the Paul Boyd case, decisions made by local Crown Counsel in relation to charges against police officers have been challenged as insufficiently grounded in the available evidence, and contrary to the public interest.

Without taking a position on Crown Counsel decisions in any of these cases, and without commenting on the particular Crown Counsel who made the decision in this case, our office is gravely concerned that assigning this task to a Regional Crown is not sufficiently independent. Our goal should remain ensuring the public does not lose confidence in the Crown, and in police accountability in the province, even if the Crown decides not to proceed in a highly controversial case like this one. Such decisions must be made independently, and transparently.

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We urge you to refer this case to a special prosecutor independent of the provincial Crown office to review the file and determine whether or not charges are appropriately laid in this matter.

Again, we take no position on whether or not charges are properly laid in this matter or not, as we do not have access to the investigative file and the evidence gathered by investigators. However, we are well aware of increasing public skepticism around decisions made by the Crown not to proceed with charges in police-related incidents, and we do not make the recommendation to retain the services of a private prosecutor lightly.

Independent review by an independent prosecutor, along with full transparency in any decision not to charge (including release of any related video, medical information, and police reports) is the only way to preserve public confidence in a difficult matter such as this.

We urge you to act quickly and decisively in this matter to protect public confidence in our public institutions.

Thank you advance for your consideration.

Yours truly,

A handwritten signature in black ink, appearing to read "Lindsay M. Lyster". The signature is fluid and cursive, written over the printed name.

Lindsay Lyster
President