

Royal Canadian Mounted Police
Commissioner



Gendarmerie royale du Canada
Commissaire

Guided by Integrity, Honesty, Professionalism, Compassion, Respect and Accountability

Les valeurs de la GRC reposent sur l'intégrité, l'honnêteté,
le professionnalisme, la compassion, le respect et la responsabilisation

APR 29 2014

Mr. Charlie Angus
Member of Parliament
House of Commons
900 La Promenade Building
Ottawa, Ontario
K1A 0A6

Dear Mr. Angus,

This will acknowledge your letter of April 24, 2014, concerning our investigation of Mr. Nigel Wright.

You reference and quote from my recent letter to the Editor of the Citizen newspaper with respect to the same matter. The purpose I had in writing that letter was to try to correct some quarters of the media who have questioned – unfairly and unjustifiably in my view - the independence of the RCMP. I wrote that letter at my kitchen table on the Easter weekend, just as I am writing you this letter from my desk. Nobody screens or approves my correspondence just as no one screens or approves what I do during the course of my duties. This ongoing questioning of our operational independence is quite confounding for me, I have to tell you.

Years ago the RCMP developed a policy for the handling of, and communications around, sensitive investigations. The Commission for Public Complaints Against the RCMP made the very sensible recommendation that we develop such a policy following the "Income Trust" investigation of 2005. The fundamental and underlying principle of this policy flows from the understanding that sensitive criminal investigations in and around governments can, if not properly managed, give rise to misunderstandings of fact which can have consequences well beyond the scope of the investigation.

.../2

Our duty here at the RCMP is to do our work impartially, professionally and as quickly as the circumstances permit. As I said in my letter: without fear, favour or affection. This is our standard in all our investigations.

I will however agree with you and say that Canadians should be informed of the work we have done here and the rationale behind concluding this particular aspect of our investigation. I am confident they will be informed since we have documented very precisely why and on what basis we have elected not to bring criminal charges against Mr. Wright. Unfortunately this cannot happen now, when other work remains to be done. I can't tell you precisely when it will be except to say that it shouldn't be very long.

While I'm at it, permit me to point out that in your letter you alternatively refer to "...the decision to drop the charges against Mr. Wright...", and "...the decision to end the investigation into the actions of Mr. Wright..." While I'm sure your selection of words was largely innocent you must understand that Mr. Wright was never charged with any offence and so the RCMP did not decide to drop charges. The RCMP decided not to bring charges after we thoroughly and completely investigated the matter. Illustrative perhaps of the complexity of these situations and the need for precision around these sensitive matters.

It may be useful to review the ordinary chronology of a typical investigation. Where we suspect or become aware of some alleged illicit activity we have a duty to investigate. We investigate by talking to people, looking for and seizing relevant evidence and collecting information. Of course we need to assess the reliability, probity and ultimately the admissibility of this evidence so we can make a determination whether there is a basis to charge someone. The statutorily established threshold for a peace officer to charge someone is a "reasonable" belief that someone has committed a criminal offence. Criminal offences have many elements to them that must be established to that same threshold level.

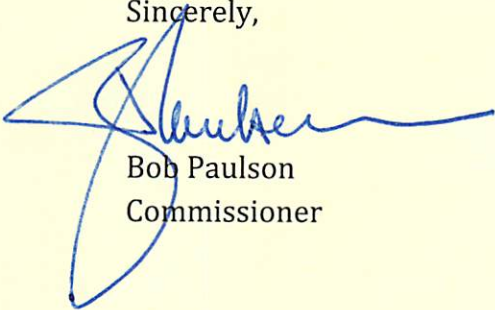
In complex cases the police will consult extensively with the prosecution service of jurisdiction. This consultation will assist the police at assessing the nature and quality of the evidence available to a given case but ultimately the decision to bring a charge or not remains with the investigator or investigative team.

Once a charge is sworn, the prosecution service will have to determine if the prosecution will continue. They do so on the basis of an analysis of the likelihood of conviction and a consideration of the public interest. In large complex cases pre-charge consultation with Crown prosecutors and post-charge police support of the prosecution are vital and require constant attention and servicing for this team approach to succeed.

So all to say the process is an elaborate one and one where – as you've noted in commenting on the RCMP's ITO in this case – an extensive investigative record is built and retained so that decisions and investigative steps taken can be understood in a transparent and accountable way.

I trust this will be helpful Mr. Angus even though I haven't specifically answered your questions. In the meantime I would ask again for your patience as the process plays itself out, knowing that the information you seek will ultimately be available for review.

Sincerely,

A handwritten signature in blue ink, appearing to read "Bob Paulson", with a large, stylized flourish extending to the left and bottom.

Bob Paulson
Commissioner