



**SUPREME COURT OF CANADA DECIDES AGAINST HEARING FRANK PAUL INQUIRY APPEAL  
BY CRIMINAL JUSTICE BRANCH**

***Commission of Inquiry Prepares to Resume Hearings***

**FOR IMMEDIATE RELEASE**

**8 April 2010**

**Vancouver** – The Supreme Court of Canada announced today that it will not hear an appeal brought by the BC Ministry of Attorney General, arising from the Frank Paul Inquiry. This brings to a conclusion litigation launched by the Ministry of Attorney General.

The Frank Paul Inquiry, headed by retired BC Supreme Court Justice William H. Davies, Q.C., was announced by the provincial government to examine the facts and policy issues arising from the death of Frank Paul. Mr. Paul, a Mi'kmaq from New Brunswick, was removed from the Vancouver Police Department lockup at about 8:30 p.m. on December 5, 1998, and was left in a nearby alley by a police officer. His body was found in the alley early the next morning. An autopsy concluded he had died from hypothermia due to exposure/alcohol intoxication.

Commissioner Davies issued an interim report in March, 2009, examining the responses of four bodies, the Vancouver Police Department, the Coroners Service, the Office of the Police Complaint Commission, and the BC Ambulance Service. The fifth body named in the Commission's Terms of Reference, the Criminal Justice Branch of the Ministry of Attorney General, challenged the Commissioner's ability to review the conduct of Crown prosecutors in considering the Frank Paul case.

The Commissioner is pleased that the legal uncertainty respecting the participation of the Criminal Justice Branch is resolved. Commissioner Davies stated, "We will move now to set hearing dates for the completion of the Commission's work. I anticipate that we will receive full co-operation from the Criminal Justice Branch. The Commission will announce the new hearing dates once we can determine the availability of witnesses and their lawyers."

The interim report released by Commissioner Davies may be obtained from the Commission of Inquiry's website [www.frankpaulinquiry.ca](http://www.frankpaulinquiry.ca)

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