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FIRST NATIONS LEADERSHIP COUNCIL

News Release

FOR IMMEDIATE RELEASE
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First Nations Leadership Council welcomes BC Supreme Court decision regarding evidence in the Frank Paul Inquiry

COAST SALISH TERRITORY/VANCOUVER, B.C. – The First Nations Leadership Council is pleased with today's decision by Mr. Justice Melnick in the Supreme Court of BC to provide the Commissioner in the Frank Paul Inquiry the full ability to review Criminal Justice Branch (CJB) documents pertaining to the Paul case and if necessary, require individuals who were with the CJB at the time of Mr. Paul's death to give evidence.

In his decision, Mr. Justice Melnick states;

However, in my view, in the narrow and possibly unique circumstances here, if the written expression of the will of the Lieutenant Governor in Council and of the Attorney General has not been effective in waiving both Crown immunity and solicitor-client privilege, then the result is manifestly unfair to the public in general and to a significant group of interested citizens, namely the Aboriginal population and the Paul family.

The Aboriginal population and the Paul family placed their trust in the Crown, as represented by the Government of British Columbia and the Attorney General, to provide them with the truth about the events surrounding the death of Mr. Paul. From what was said to me by counsel at this hearing, they have confidence in the Commissioner. Is there an honourable way out of this impasse for everyone? I have concluded that the answer lies in the concept of the honour of the Crown.

The First Nations Leadership Council is calling on the Attorney General of BC and the Criminal Justice Branch to immediately act on this decision and allow William Davies, Commissioner of the Frank Paul Inquiry immediate access to all pertinent documents and witnesses and allow him to conclude his inquiry.

Frank Joseph Paul, a Mi'kmaq man, died of hypothermia in December 1998 shortly after being released by the Vancouver police department into an east Vancouver alley.

The First Nations Summit, Union of BC Indian Chiefs, BC Assembly of First Nations and other BC Aboriginal organizations have always believed that the surviving family and relatives of Mr. Paul deserve to know exactly how and why Mr. Paul died, as does the B.C. public. We have clearly maintained that the unusual circumstances surrounding his death require further investigation which includes the full disclosure of all pertinent evidence and testimony in the case.

The First Nations Leadership Council ultimately hopes the on-going public inquiry will provide recommendations on provincial policing practices involving, and relating to First Nations and Aboriginal peoples, as well as reconciliation measures between First Nations and the Crown in the area of policing.

The First Nations Leadership Council is comprised of the political executives of the BC Assembly of First Nations, First Nations Summit, and the Union of BC Indian Chiefs.

The Council works together to politically represent the interests of First Nations in British Columbia and develop strategies and actions to bring about significant and substantive changes to government policy that will benefit all First Nations in British Columbia.

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