



SEP 22 2005

Mr. Anthony J. Jasich, LL.B.  
403 - 567 Lonsdale Avenue  
North Vancouver BC V7M 2G6

Dear Mr. Jasich:

I am writing in reply to your letter dated August 19, 2005, concerning Mr. Martin K. Wirick and Mr. Jonathan L. Oldroyd, former members of the Law Society of British Columbia who have allegedly committed criminal wrongdoing. I am advised that you have also written to the Honourable John Les, Minister of Public Safety and Solicitor General, and I am responding on his behalf.

I note your concerns that neither Mr. Wirick nor Mr. Oldroyd has been charged with an offence under the *Criminal Code*. As Attorney General, it would not be appropriate for me to comment on an ongoing police investigation or a criminal case. The police have the jurisdiction and discretion to investigate, independently of Crown. If the police determine that an investigation is warranted, they will conduct one. If the police determine that there is sufficient evidence to warrant a criminal charge, they will forward a report to Crown recommending that a charge be laid. Crown counsel review the report and decide whether the evidence will support the charge and whether a prosecution is in the public interest.

As Attorney General, I do not have a mandate to intervene in this established process. Each component of the justice system is independent of the other, in order to provide checks and balances within the system and to prevent perceived political interference.

You have forwarded to me a copy of your May 20, 2004 letter to Chief of Police Mr. Jamie Graham of the Vancouver Police Department, in which you express concerns about the length of time involved in the investigation of Mr. Wirick. I can confirm that you took proper action in making your concerns known to Mr. Graham.

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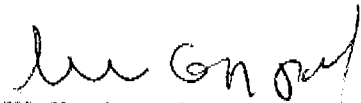
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I also note your concerns that Mr. Wirick and Mr. Oldroyd have committed breaches of, inter alia, Section 3 of the *Legal Profession Act*, and your reference to a staff member of the Law Society having stated that Mr. Wirick did not personally profit from his fraud. As you know, the Law Society is self-governing. It is completely independent of government and has the right and responsibility to administer the *Legal Profession Act*, including those provisions related to the governance and discipline of lawyers practicing in this province. Any concerns you have with respect to the Law Society's administration of its statutory powers and responsibilities should be directed to the Society.

The matters involving Mr. Wirick and Mr. Oldroyd may come before the court, and therefore I cannot comment further on them.

Thank you for writing and for your kind comments on my appointment as Attorney General.

Sincerely,



Wally Oppal  
Attorney General and  
Minister Responsible for Multiculturalism

pc: The Honourable John Les