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Re: Your e-mail dated June 4, 2009 (#365558)**From: AG LSB CSD Mail AG:EX (AGLSBCSDMail@gov.bc.ca)****Sent: June 15, 2009 12:00:21 PM****To: anthonyjasichllb@hotmail.com****Attachments:**

365558 Incoming.pdf (601.3 KB)

Windows Live Mail icon

Anthony Jasich
E-mail: anthonyjasichllb@hotmail.com

Your e-mail of June 4, 2009, concerning a legal dispute involving Mr. Harold Gaffney, has been forwarded to me for response on behalf of the Attorney General and the Deputy Attorney General.

It is my understanding that Mr. Gaffney's concerns are related to the discharge of bankruptcy of Ms. Sheila Gaffney. I also understand that Mr. Gaffney raised this matter before the Supreme Court of British Columbia and subsequently in the Court of Appeal for British Columbia and the Supreme Court of Canada.



Many people write to this ministry believing that the Attorney General can intervene in private legal matters and bring about the outcome they would like to see. But that is not something the Attorney General can do. It is the role of the judiciary to make decisions in legal disputes brought before the courts. Both parties to a dispute are entitled to a decision made by an independent judiciary. This also means that the Attorney General has no role in reviewing specific decisions of the court. The Attorney General has no authority to review a judicial decision for the purpose of determining whether it is right or wrong, nor can he change a judgment or order a new trial. Such powers rest only with appellate courts, including, in certain circumstances, the Supreme Court of Canada.

With respect to the allegations of criminal wrongdoing made in your correspondence, I note that you have addressed your e-mail to the RCMP and the Commissioner for Public Complaints against the RCMP. This ministry does not authorize criminal investigations or otherwise direct the police. Whenever an individual has reason to believe that someone has been involved in criminal activity, the proper course of action is for that individual to report his or her allegations to the police, as you have done. If the police determine that an investigation is warranted, they will conduct one. They are also in the best position to determine whether a particular allegation involves a criminal matter or one to be addressed through civil law.

Further, the Attorney General does not have a mandate to investigate complaints about police actions or decisions. Anyone who is not satisfied with the way a complaint about an RCMP member is handled at the detachment level has the option of filing a formal complaint with the Commission for Public Complaints Against the RCMP. The Commission is a civilian body, independent of the RCMP, and has jurisdiction to investigate complaints against RCMP members. The government does not become involved in this complaint review process.

Regarding your complaints about certain lawyers involved in this matter, the Law Society of British Columbia has jurisdiction to investigate complaints about lawyers. Due to provincial law protecting your privacy, I have not forwarded your e-mail to the Law Society. However, you may wish to contact them at the following address:

Law Society of British Columbia
845 Cambie Street

Vancouver BC V6B 4Z9
Telephone: 604-669-2533
Toll-free: 1-800-903-5300
Facsimile: 604-669-5232

To request information about the Law Society complaints and discipline process, you can send an e-mail message to: professionalconduct@lsbc.org. You may also wish to visit the official Law Society Web site at: www.lawsociety.bc.ca.

In regard to your concerns about actions taken by the Canadian Imperial Bank of Commerce, the federal Office of the Superintendent of Financial Institutions (OSFI) is the primary regulator of federally chartered financial institutions and federally administered pension plans. OSFI supervises and regulates all banks, and all federally incorporated or registered trust and loan companies, insurance companies, cooperative credit associations, fraternal benefit societies and pension plans. You can contact the OSFI at the following address:

Office of the Superintendent of
Financial Institutions Canada
255 Albert Street
Ottawa ON K1A 0H2

Toll free: 1-800-385-8647
Facsimile: 613-990-5591
E-mail: extcomm@osfi-bsif.gc.ca
Internet: www.osfi-bsif.gc.ca

Complaints about banks may also be directed to the Ombudsman for Banking Services and Investments at: 1-888-451-4519 or: www.bankingombudsman.com <<http://www.bankingombudsman.com/>> .

Thank you for writing.

Sincerely,

Richard J. M. Fyfe
Assistant Deputy Attorney General

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