



Office of the Chair

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Cabinet du Président

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FEB 07 2008

Mr. Murray Mollard
Executive Director
British Columbia Civil Liberties Association
550-1188 West Georgia Street
Vancouver, BC V6E 4A2

FEB 14 2008

Dear Mr. Mollard:

**RE: BCCLA v. A.G. of Canada et al. (Court file T-1295-07)
(Complaints regarding alleged improper disclosure by RCMP of its
criminal investigation into a possible leak in the Income Trust matter)
Our File: 2007-0216**

I am in receipt of your letter dated January 28, 2008, in which you request a copy of the RCMP's investigation report on my Chair-initiated complaint into this matter in order to enable you to provide me with your submissions. As you rightly acknowledge, the *RCMP Act* does not provide for the public release of the RCMP's investigation report.

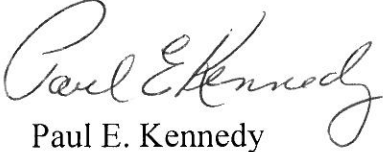
Clearly, this case raises an interesting public policy issue on which I welcome input from the BCCLA. Where the public disclosure of a police investigation may have an impact upon the democratic process and may call into question public confidence in the independence of the police, there arises two potentially conflicting public interests. On the one hand, there is the independence of the police in the lawful conduct of their duties, and, on the other, the importance of a fair electoral process free from any improper interference. I invite your views on

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whether one of these interests should supersede the other. Alternatively, if neither takes precedence, I would appreciate suggestions as to how to reconcile the two interests when they come into conflict. Should you wish to make submissions on this important public policy issue, please submit them to me by Friday, March 7, 2008.

For your information, we have just received the RCMP's investigation report into my complaint.

Sincerely,


Paul E. Kennedy