

SG-Solicitor General

Referral Slip

Tue, Feb 18, 2014 9:24 AM

| | | |
|-----------------------|------|-----------------------|
| Action: Filing | Due: | Log ID: 498995 |
|-----------------------|------|-----------------------|

| | | | | |
|--|---------------------------------------|--|---|------------|
| <div style="border: 1px solid black; width: 300px; height: 100px; margin: 5px;"> <div style="position: absolute; top: 10px; left: 10px; transform: rotate(-90deg);">S S</div> </div> | Type: | E-Mail | Written: | 2014/01/25 |
| | Office: | SG-Solicitor General | Received: | 2014/01/27 |
| | Entered By: | angethom | Interim Rsp: | |
| | Sign By: | | Signed/Sent: | |
| | Batch: | | Closed: | |
| | File No.: | | | |
| | <input type="checkbox"/> Confidential | <input type="checkbox"/> Frequent Writer | <input type="checkbox"/> Elected Official | |
| | Email: | | | |

Phone:

Fax:

Addressed To: SG

Drafter:

Issue:

MLA:

X-Ref:

Elect Dist:

Other Info:

Copied to:

| |
|---|
| Subject |
| I am all for forfeiture of big gang profits and property (after conviction...); however, it appears that the scope of B.C. policy has been illogically, if not illegally, broadened. From what I read, it is going after people's property on the thinnest and often legally questionable grounds and from small potatoes. The examples in the G&B article demonstrate needless prosecution in borderline situations. |

Referrals

| | | | |
|----------------------------|--------------------|---------|-------------------|
| From: SG-Solicitor General | Sent: 2014/01/27 | Rcvd: | Status: Completed |
| To: SG-Solicitor General | Due: | Active: | State: |
| Action: Filing | Cmpltd: 2014/01/27 | | |
| From: SG-Solicitor General | Sent: 2014/01/27 | Rcvd: | Status: Sent |
| To: CSCP-ADM | Due: | Active: | State: |
| Action: Filing | Cmpltd: | | |

From Notes:

2014/01/27T11:38 Email notification for CSCP-ADM to Sarah.Campbell@gov.bc.ca; bcc:Angella.Thompson@gov.bc.ca

Thompson, Angella N JAG:EX

From: Minister, JAG JAG:EX
Sent: Monday, January 27, 2014 10:37 AM
To: Thompson, Angella N JAG:EX
Subject: FW: Civil Forfeiture policies

Hi Angella,

Information please - many thanks,

Candice

-----Original Message-----

From: Ives, Andrew JAG:EX
Sent: January-27-14 10:32 AM
To: Minister, JAG JAG:EX
Subject: RE: Civil Forfeiture policies

Information thanks

-----Original Message-----

From: Minister, JAG JAG:EX
Sent: January-27-14 10:12 AM
To: Ives, Andrew JAG:EX
Subject: FW: Civil Forfeiture policies

Hi Andrew,

Action please
Many thanks,

Candice

-----Original Message-----

From: ^S
Sent: January-25-14 8:55 AM
To: Minister, JAG JAG:EX
Subject: Civil Forfeiture policies

To the Honourable Suzanne Anton
Attorney General and Minister of Justice Government of British Columbia

Dear Honourable Anton,

I am deeply disturbed after reading an article on civil forfeiture in today's Globe and Mail (Sat 25 Jan '13, section S, p.1).

I am all for forfeiture of big gang profits and property (after conviction...); however, it appears that the scope of B.C. policy has been illogically, if not illegally, broadened. From what I read, it is going after people's property on the thinnest and often legally questionable grounds and from small potatoes. The examples in the G&B article demonstrate needless prosecution in borderline situations.

I suggest the Civil Forfeiture Office pull in its horns and strictly observe the letter and spirit of what civil forfeiture should mean.

Guilty until proven innocent should not be part of our legal culture.

There is way too much concern already about real and imagined government incursions into our Charter rights (privacy being one example).

Thank you for your attention,

s.22

SG-DSG

Referral Slip

Tue, Feb 18, 2014 9:02 AM

| | | |
|-----------------------|------|-----------------------|
| Action: Filing | Due: | Log ID: 499027 |
|-----------------------|------|-----------------------|

| | | | |
|--|---------------------------------------|--|---|
| <div style="border: 1px solid black; height: 100px; width: 100%; position: relative;"> s.22 </div> | Type: E-Mail | Written: 2014/01/27 | |
| | Office: SG-Solicitor General | Received: 2014/01/28 | |
| | Entered By: angethom | Interim Rsp: | |
| | Sign By: | Signed/Sent: | |
| | Batch: | Closed: | |
| | File No.: | | |
| | <input type="checkbox"/> Confidential | <input type="checkbox"/> Frequent Writer | <input type="checkbox"/> Elected Official |
| | Email: | | |

Phone:

Fax:

Addressed To: SG

Drafter:

Issue:

MLA:

X-Ref:

Elect Dist:

Other Info:

Copied to:

Subject

I am very concerned about the reach of the civil forfeiture office after reading about the cases described by Sunny Dhillon in last Saturday's Globe & Mail.

Referrals

| | | | |
|----------------------------|--------------------|---------|-------------------|
| From: SG-Solicitor General | Sent: 2014/01/28 | Rcvd: | Status: Completed |
| To: SG-Solicitor General | Due: | Active: | State: |
| Action: Filing | Cmpltd: 2014/01/28 | | |

| | | | |
|----------------------------|------------------|---------|--------------|
| From: SG-Solicitor General | Sent: 2014/01/28 | Rcvd: | Status: Sent |
| To: CSCP-ADM | Due: | Active: | State: |
| Action: Filing | Cmpltd: | | |

From Notes::

2014/01/28T15:41 Email notification for CSCP-ADM to Sarah.Campbell@gov.bc.ca; bcc:Angella.Thompson@gov.bc.ca

Thompson, Angella N JAG:EX

From: Minister, JAG JAG:EX
Sent: Tuesday, January 28, 2014 9:06 AM
To: Thompson, Angella N JAG:EX
Subject: FW: Civil forfeiture

Good Morning Angella,

Information please - many thanks,

Candice

-----Original Message-----

From: Ives, Andrew JAG:EX
Sent: January-28-14 9:05 AM
To: Minister, JAG JAG:EX
Subject: RE: Civil forfeiture

Information thanks

-----Original Message-----

From: Minister, JAG JAG:EX
Sent: January-28-14 9:01 AM
To: Ives, Andrew JAG:EX
Subject: FW: Civil forfeiture

Hi Andrew,

Action please - many thanks,

Candice

-----Original Message-----

From: ^s
Sent: January-27-14 7:33 PM
To: Minister, JAG JAG:EX
Subject: Civil forfeiture

Dear Ms Anton

I am very concerned about the reach of the civil forfeiture office after reading about the cases described by Sunny Dhillon in last Saturday's Globe & Mail.

Mr. Lloydsmith was subjected to an illegal police raid, has not been convicted of any crime, yet stands to lose his house because he was growing marijuana plants? Mr. & Mrs. Jang, despite being hard-working small-business owners, are forced to give up some of the equity in their home because their tenant was growing marijuana? And people choose to settle because they cannot afford to fight the civil forfeiture machine? This hardly sounds like organized crime to me. These actions definitely do not serve the public interest.

I can see how you might find this office attractive: it punishes 'criminals' and is a real cash cow for the province. But its application appears to be unconstitutional. This law-abiding citizen wonders just how far police will go in seizing property for minor offenses.

I urge you to read this New Yorker article to see just how bad things can get:

http://www.newyorker.com/magazine/2012/09/12/120912fa_fact_stillman?currentPage=all

And if you think that it won't happen here, I suggest that it already has. I urge you to investigate this office and to limit its reach.

Yours truly

s.22

OPINION-EDITORIAL

Due process followed to ensure crime doesn't pay

By Suzanne Anton
Minister of Justice

Feb. 5, 2014
(739 words)

Eight years ago, our government took a significant step forward to help ensure crime doesn't pay in B.C. Those people who previously benefited from the proceeds of crime or unlawful activity all of a sudden had consequences beyond possibly facing criminal charges.

B.C.'s civil forfeiture office takes referrals from police departments around the province and targets these ill-gotten gains. While some have recently questioned whether this process is fair, or if it inappropriately targets people found not criminally responsible, I can assure you that the office takes a number of measures to ensure due diligence is done before accepting a referral, and then again before any forfeiture proceedings are initiated.

There are four criteria the office uses to decide whether to move forward on a file: is there sufficient evidence? Is this action in the interests of justice? Is this in the public interest? And finally, they do a cost benefit analysis. In certain cases, they will make the decision to risk losing money if it is important to the community.

Within this process, there are two sets of internal reviews of the evidence by separate sets of lawyers in the office. The Supreme Court of Canada has upheld the constitutionality of the law across the country. But neither of those arguments mean that we have carte blanche to swoop in and seize property. There are other significant checks and balances in place to ensure fairness. In fact, while police may put a hold on the property during proceedings, it isn't forfeited to government until a settlement is reached on our terms, or until a case is won in court – both of which must be approved by a judge.

As regular practice – and as with any program – we always work to ensure there aren't unintended consequences. During the administrative forfeiture process, we go to lengthy measures to notify people that we are making an application to have their property forfeited, including sending them mail directly and posting a newspaper ad in their local paper. To dispute this process, it only costs that person \$0.65 – the cost of a stamp to mail their sworn affidavit back to us.

We don't accept every referral from police, but the few times we have chosen to proceed on a case and lost, we pay the court cases of the defendant. While an adverse ruling only happens in about one per cent of the cases we pursue, that fact speaks favourably towards the stringent process that we have in place to decide which files are worthy to pursue. It also speaks to the

fairness of the court process where, clearly, one applicant shouldn't be successful 100 per cent of the time.

That said, in the vast majority of cases, not only are we successful, but the cases also have a clear public benefit. Take for example the armoured vehicle forfeited from a major figure in organized crime in our province. This person was later targeted in an assassination plot outside a Kelowna casino and was later arrested during a high-profile drug bust in the Philippines.

In another example, the CFO successfully achieved forfeiture of a problem house in a family neighbourhood in Victoria that police had visited 206 times over the course of eight years, including raids by tactical teams that turned up weapons and drugs. The CFO met with the neighbours, took affidavits from them about how their lives had been negatively impacted and was then able to successfully negotiate a settlement to facilitate the removal of the problem from the neighbourhood as quickly as possible.

Overall, by proceeding under the rule of law, by ensuring the four conditions are met before proceeding on any case, and by fulfilling all the checks and balances in place with oversight from the courts, we are making British Columbia safer. Not only are we taking away these proceeds, but we are returning it to those who need it the most, who can most effectively use it for good, or who have been personally impacted by the crime. Specifically, \$11 million in forfeited property and cash has been returned in the form of grants to victims, to communities and to crime prevention organizations.

Now, more than ever, crime in B.C. does not pay. But I can assure you that we will continue to be fair and thoughtful – yet tough – with how the civil forfeiture office pursues proceeds of unlawful activity, wherever it happens in our province.

Hon. Suzanne Anton
Attorney General
Minister of Justice

s.15

JAG:EX

From: s.15 JAG:EX
Sent: Wednesday, January 29, 2014 10:01 AM
To: Tawtel, Phil JAG:EX; s.15 JAG:EX
Subject: RE: Media Request - Globe and Mail

That spreadsheet is up-to-date. It was first added to the catalog in March and is updated monthly.

We have taken on 921 cases
We have forfeited \$3 million

s.15

Civil Forfeiture Office
Ministry of Justice

From: Tawtel, Phil JAG:EX
Sent: Wednesday, January 29, 2014 9:58 AM
To: Pandachuck, Niki GCPE:EX; s.15
Cc: Bertrand, Stuart GCPE:EX
Subject: RE: Media Request - Globe and Mail

s.15 could you please provide the appropriate responses-tks. I'm not clear why the first 3 questions are identical...

Phil Tawtel FCGA
Executive Director | Civil Forfeiture Office
Ministry of Justice | British Columbia

PO Box 9234 Stn Prov Govt, Victoria, BC V8W 9J1
T 250.387.5488
phil.tawtel@gov.bc.ca

From: Pandachuck, Niki GCPE:EX
Sent: Wednesday, January 29, 2014 9:55 AM
To: s.15 AG:EX; Tawtel, Phil JAG:EX; s.15 JAG:EX
Cc: Bertrand, Stuart GCPE:EX
Subject: FW: Media Request - Globe and Mail

Hi Phil/ s.15

Admin forfeiture request from Sunny. He's looking for stats and more detail about what's on this webpage:
<http://www.data.gov.bc.ca/dbc/catalogue/detail.page?config=dbc&P110=recorduid:177825&recorduid=177825&title=Active%20Administrative%20Forfeiture%20Files> (see Q3). Thank you!

Deadline @ 2 pm

Media: [Globe and Mail](#)

Reporter: Sunny Dhillon, 604 631-6619, sdhillon@globeandmail.com

Topic: Administrative Forfeiture

Background: Reporter doing follow up story on article published on weekend about CFO. He is now looking for information about administrative forfeiture.

Questions: Since B.C. introduced administrative forfeiture in 2011, how many administrative forfeiture cases has the Civil Forfeiture Office taken on? How much of the \$41-million it's taken in has come through administrative forfeiture? There is a spreadsheet available on the government website that lists "active" administrative forfeiture cases, though it appears to be from last March and doesn't provide a great deal of context. Any other information you could provide on administrative forfeiture specifically would be appreciated.

Suggested Response:

Since B.C. introduced administrative forfeiture in 2011, how many administrative forfeiture cases has the Civil Forfeiture Office taken on?

- TBD

Since B.C. introduced administrative forfeiture in 2011, how many administrative forfeiture cases has the Civil Forfeiture Office taken on?

- Since the introduction of administrative forfeiture in 2011, the value of administrative forfeiture completed is more than s.13

There is a spreadsheet available on the government website that lists "active" administrative forfeiture cases, though it appears to be from last March and doesn't provide a great deal of context. Any other information you could provide on administrative forfeiture specifically would be appreciated.

- TBD

Niki Pandachuck

Public Affairs Officer
B.C. Ministry of Justice
email: niki.pandachuck@gov.bc.ca
Office: (250) 356-9998
Mobile: (250) 361-8482

s.15

JAG:EX

From: s.15 JAG:EX
Sent: Wednesday, January 29, 2014 10:36 AM
To: Tawtel, Phil JAG:EX; s.15 JAG:EX; Pandachuck, Niki GCPE:EX; Bertrand, Stuart GCPE:EX
Subject: RE: Media Request - Globe and Mail

That spreadsheet is up-to-date. It was first added to the catalog in March and is updated monthly.

We have taken on 921 cases

We have forfeited \$3 million

s.15

Civil Forfeiture Office
Ministry of Justice

From: Tawtel, Phil JAG:EX
Sent: Wednesday, January 29, 2014 9:58 AM
To: Pandachuck, Niki GCPE:EX; s.15
Cc: Bertrand, Stuart GCPE:EX
Subject: RE: Media Request - Globe and Mail

s.15 could you please provide the appropriate responses-tks. I'm not clear why the first 3 questions are identical...

Phil Tawtel FCGA
Executive Director | Civil Forfeiture Office
Ministry of Justice | British Columbia

PO Box 9234 Stn Prov Govt, Victoria, BC V8W 9J1
T 250.387.5488
phil.tawtel@gov.bc.ca

From: Pandachuck, Niki GCPE:EX
Sent: Wednesday, January 29, 2014 9:55 AM
To: s.15 JAG:EX; Tawtel, Phil JAG:EX; s.15 JAG:EX
Cc: Bertrand, Stuart GCPE:EX
Subject: FW: Media Request - Globe and Mail

Hi Phil s.15

Admin forfeiture request from Sunny. He's looking for stats and more detail about what's on this webpage:
<http://www.data.gov.bc.ca/dbc/catalogue/detail.page?config=dbc&P110=recorduid:177825&recorduid=177825&title=Active%20Administrative%20Forfeiture%20Files> (see Q3). Thank you!

Deadline @ 2 pm

Media: Globe and Mail

Reporter: Sunny Dhillon, 604 631-6619, sdhillon@globeandmail.com

Topic: Administrative Forfeiture

Background: Reporter doing follow up story on article published on weekend about CFO. He is now looking for information about administrative forfeiture.

Questions: Since B.C. introduced administrative forfeiture in 2011, how many administrative forfeiture cases has the Civil Forfeiture Office taken on? How much of the \$41-million it's taken in has come through administrative forfeiture? There is a spreadsheet available on the government website that lists "active" administrative forfeiture cases, though it appears to be from last March and doesn't provide a great deal of context. Any other information you could provide on administrative forfeiture specifically would be appreciated.

Suggested Response:

Since B.C. introduced administrative forfeiture in 2011, how many administrative forfeiture cases has the Civil Forfeiture Office taken on?

- TBD

Since B.C. introduced administrative forfeiture in 2011, how many administrative forfeiture cases has the Civil Forfeiture Office taken on?

- Since the introduction of administrative forfeiture in 2011, the value of administrative forfeiture completed is more than s.13

There is a spreadsheet available on the government website that lists "active" administrative forfeiture cases, though it appears to be from last March and doesn't provide a great deal of context. Any other information you could provide on administrative forfeiture specifically would be appreciated.

- TBD

Niki Pandachuck

Public Affairs Officer
B.C. Ministry of Justice
email: niki.pandachuck@gov.bc.ca
Office: (250) 356-9998
Mobile: (250) 361-8482

From: s.15 JAG:EX
Sent: Wednesday, January 29, 2014 10:59 AM
To: Pandachuck, Niki GCPE:EX; Tawtel, Phil JAG:EX; Bertrand, Stuart GCPE:EX
Cc: Bertrand, Stuart GCPE:EX
Subject: RE: Media Request - Globe and Mail

I think you mis-copied the bullet point, but yes that looks okay.

One note on the spreadsheet, the person in justice who was supposed to update it, left his post, and stopped updating it for a few months. However what you see right now is current.

I'm using Dragon NaturallySpeaking. Ironically the only thing it can actually spell right is its own name...

s.15

Civil Forfeiture Office
 Ministry of Justice

From: Pandachuck, Niki GCPE:EX
Sent: Wednesday, January 29, 2014 10:56 AM
To: s.15 JAG:EX; Tawtel, Phil JAG:EX; Bertrand, Stuart GCPE:EX
Cc: Bertrand, Stuart GCPE:EX
Subject: FW: Media Request - Globe and Mail

Thanks s.15 Does this look okay? And how are you typing? Magic?

Since B.C. introduced administrative forfeiture in 2011, how many administrative forfeiture cases has the Civil Forfeiture Office taken on?

- Since B.C. introduced administrative forfeiture in 2011, the Civil Forfeiture Office has taken on 921 administrative forfeiture cases.

Since B.C. introduced administrative forfeiture in 2011, how many administrative forfeiture cases has the Civil Forfeiture Office taken on?

- Since the introduction of administrative forfeiture in 2011, the value of administrative forfeiture completed is \$3 million.

There is a spreadsheet available on the government website that lists “active” administrative forfeiture cases, though it appears to be from last March and doesn’t provide a great deal of context. Any other information you could provide on administrative forfeiture specifically would be appreciated.

- The information on the spreadsheet you’re referencing is current:
<http://www.data.gov.bc.ca/dbc/catalogue/detail.page?config=dbc&P110=recorduid:177825&recorduid=177825&title=Active%20Administrative%20Forfeiture%20Files>
- It was first added to the catalog in March and is updated monthly.

From: s.15 JAG:EX
Sent: January-29-14 10:36 AM
To: Tawtel, Phil JAG:EX; s.15 JAG:EX; Pandachuck, Niki GCPE:EX; Bertrand, Stuart GCPE:EX
Subject: RE: Media Request - Globe and Mail

That spreadsheet is up-to-date. It was first added to the catalog in March and is updated monthly.

We have taken on 921 cases
We have forfeited \$3 million

s.15

Civil Forfeiture Office
Ministry of Justice

From: Tawtel, Phil JAG:EX
Sent: Wednesday, January 29, 2014 9:58 AM
To: Pandachuck, Niki GCPE:EX; s.15
Cc: Bertrand, Stuart GCPE:EX
Subject: RE: Media Request - Globe and Mail

s.15 could you please provide the appropriate responses-tks. I'm not clear why the first 3 questions are identical...

Phil Tawtel FCGA
Executive Director | Civil Forfeiture Office
Ministry of Justice | British Columbia

PO Box 9234 Stn Prov Govt, Victoria, BC V8W 9J1
T 250.387.5488
phil.tawtel@gov.bc.ca

From: Pandachuck, Niki GCPE:EX
Sent: Wednesday, January 29, 2014 9:55 AM
To: s.15 JAG:EX; Tawtel, Phil JAG:EX; s.15 JAG:EX
Cc: Bertrand, Stuart GCPE:EX
Subject: FW: Media Request - Globe and Mail

Hi Phil/ s.15

Admin forfeiture request from Sunny. He's looking for stats and more detail about what's on this webpage:
<http://www.data.gov.bc.ca/dbc/catalogue/detail.page?config=dbc&P110=recorduid:177825&recorduid=177825&title=Active%20Administrative%20Forfeiture%20Files> (see Q3). Thank you!

Deadline @ 2 pm

Media: Globe and Mail

Reporter: Sunny Dhillon, 604 631-6619, sdhillon@globeandmail.com

Topic: Administrative Forfeiture

Background: Reporter doing follow up story on article published on weekend about CFO. He is now looking for information about administrative forfeiture.

Questions: Since B.C. introduced administrative forfeiture in 2011, how many administrative forfeiture cases has the Civil Forfeiture Office taken on? How much of the \$41-million it's taken in has come through administrative forfeiture? There is a spreadsheet available on the government website that lists "active" administrative forfeiture cases, though it appears to be from last March and doesn't provide a great deal of context. Any other information you could provide on administrative forfeiture specifically would be appreciated.

Suggested Response:

Since B.C. introduced administrative forfeiture in 2011, how many administrative forfeiture cases has the Civil Forfeiture Office taken on?

- Since B.C. introduced administrative forfeiture in 2011, the Civil Forfeiture Office has taken on 921 administrative forfeiture cases.

Since B.C. introduced administrative forfeiture in 2011, how many administrative forfeiture cases has the Civil Forfeiture Office taken on?

- Since the introduction of administrative forfeiture in 2011, the value of administrative forfeiture completed is \$3 million.

There is a spreadsheet available on the government website that lists "active" administrative forfeiture cases, though it appears to be from last March and doesn't provide a great deal of context. Any other information you could provide on administrative forfeiture specifically would be appreciated.

- The information on the spreadsheet you're referencing is current:
<http://www.data.gov.bc.ca/dbc/catalogue/detail.page?config=dbc&P110=recorduid:177825&recorduid=177825&title=Active%20Administrative%20Forfeiture%20Files>
- It was first added to the catalog in March and is updated monthly.

Niki Pandachuck

Public Affairs Officer
B.C. Ministry of Justice
email: niki.pandachuck@gov.bc.ca
Office: (250) 356-9998
Mobile: (250) 361-8482

s.15

AG:EX

From: s.15 JAG:EX
Sent: Wednesday, January 29, 2014 2:21 PM
To: Tawtel, Phil JAG:EX
Cc: s.15 JAG:EX
Subject: RE: Media request - Globe and mail

But 2011 is when s.15 started, so technically....

s.15

Civil Forfeiture Office
Ministry of Justice

From: Pandachuck, Niki GCPE:EX
Sent: Wednesday, January 29, 2014 2:19 PM
To: Tawtel, Phil JAG:EX
Cc: s.15 Bertrand, Stuart GCPE:EX
Subject: RE: Media request - Globe and mail

Ack! Thanks Phil. Correcting stat.

From: Tawtel, Phil JAG:EX
Sent: January-29-14 2:19 PM
To: Pandachuck, Niki GCPE:EX
Cc: s.15 Bertrand, Stuart GCPE:EX
Subject: Re: Media request - Globe and mail

CFO started in 2006, not 2011.

Phil Tawtel, Director
Civil Forfeiture Office
BC Ministry of Justice

Sent from iPhone

On 2014-01-29, at 13:28, "Pandachuck, Niki GCPE:EX" <Niki.Pandachuck@gov.bc.ca> wrote:

Great, thank s.15

From: s.15 JAG:EX
Sent: January-29-14 1:28 PM
To: Pandachuck, Niki GCPE:EX; Tawtel, Phil JAG:EX; s.15 JAG:EX
Cc: Bertrand, Stuart GCPE:EX
Subject: RE: Media request - Globe and mail

Good thanks.

From: Pandachuck, Niki GCPE:EX
Sent: Wednesday, January 29, 2014 1:25 PM

To: Tawtel, Phil JAG:EX; s.15
Cc: Bertrand, Stuart GCPE:EX
Subject: FW: Media request - Globe and mail
Importance: High

Hi Phil s.15

Urgent media request from G&M.

Deadline @ asap

Media: [Globe and Mail](#)

Reporter: [Justine Hunter, 250-220-2718, jhunter@globeandmail.com](#)

Topic: [Call for CFO review](#)

Background: Reporter is working today on a "political story" on the Civil Forfeiture Office and she is wondering if she might speak to Minister Anton after Cabinet about whether there is any plan to review the CFO?

Questions: [Are there any plans to review the Civil Forfeiture Office?](#)

Suggested Response:

Statement from Attorney General and Minister of Justice, Suzanne Anton:

•

•

s.13

•

•

Niki Pandachuck
Public Affairs Officer
B.C. Ministry of Justice
email: niki.pandachuck@gov.bc.ca
Office: (250) 356-9998
Mobile: (250) 361-8482

s.15

JAG:EX

From: s.15 JAG:EX
Sent: Thursday, January 30, 2014 12:24 PM
To: s.15 JAG:EX; Tawtel, Phil JAG:EX
Subject: FW: Sunny Dhillon - Globe & Mail call re CFO

s.15

Civil Forfeiture Office
Ministry of Justice

s.15

s.16

JAG:EX

From: s.15 JAG:EX
Sent: Monday, February 3, 2014 11:29 AM
To: Tawtel, Phil JAG:EX; s.15 JAG:EX
Subject: RE: TNO: Government can harm innocent people by seizing property - Gary Mason - Globe and Mail

Interesting , just one note - a dispute does not always lead to civil proceedings

s.15

Civil Forfeiture Office
Ministry of Justice

From: Tawtel, Phil JAG:EX
Sent: Monday, February 3, 2014 11:26 AM
To: Groot, Jeff GCPE:EX
Cc: Cavanaugh, Lynda A JAG:EX
Subject: FW: TNO: Government can harm innocent people by seizing property - Gary Mason - Globe and Mail

Hi Jeff

Lynda has just advised me that Lori/the DM plans to brief MSA shortly on Administrative Forfeiture so she's prepared for any questions from either the Ombudsman or the media. Once you've finalized your IN would you mind providing Lynda and myself with a copy as well-tks.

I'm in Victoria so if there's any need to have me attend in person I'll make myself available-tks.

Phil Tawtel CPA FCGA
Executive Director | Civil Forfeiture Office
Ministry of Justice | British Columbia

PO Box 9234 Stn Prov Govt, Victoria, BC V8W 9J1
T 250.387.5488
phil.tawtel@gov.bc.ca

From: Tawtel, Phil JAG:EX
Sent: Monday, February 3, 2014 9:29 AM
To: s.15 JAG:EX; Groot, Jeff GCPE:EX
Subject: FW: TNO: Government can harm innocent people by seizing property - Gary Mason - Globe and Mail

Hi Jeff

Here's my first pass at the information in your new template (I like the new version).

I'm copying s.15 into this as he's got a good eye for the both the program and the media s.15 -please feel free to add/subtract.

I'm available today to discuss as well-thanks for this Jeff.

Phil Tawtel CPA FCGA
Executive Director | Civil Forfeiture Office
Ministry of Justice | British Columbia

PO Box 9234 Stn Prov Govt, Victoria, BC V8W 9J1
T 250.387.5488
phil.tawtel@gov.bc.ca

From: Groot, Jeff GCPE:EX
Sent: Saturday, February 1, 2014 7:12 PM
To: Tawtel, Phil JAG:EX
Cc: Bates Gibbs, Bonnie GCPE:EX
Subject: RE: TNO: Government can harm innocent people by seizing property - Gary Mason - Globe and Mail

Phil, we're working off a new, simpler template and format for our issues note. You get to be the tester! I just whipped up some msging for MSA and used your info for background. No rush on approving this, but let me know if you think it works.

Monday is totally fine, especially since I used a line about the other provinces having higher dollar thresholds that they can operate under and I know you'll have to get that checked.

Thx!

From: Tawtel, Phil JAG:EX
Sent: Saturday, February 1, 2014 10:23 AM
To: Groot, Jeff GCPE:EX
Cc: Bates Gibbs, Bonnie GCPE:EX
Subject: Re: TNO: Government can harm innocent people by seizing property - Gary Mason - Globe and Mail

Jeff I'd add:

s.13

Phil Tawtel, Director
Civil Forfeiture Office
BC Ministry of Justice

Sent from iPhone

On 2014-02-01, at 10:09, "Tawtel, Phil JAG:EX" <Phil.Tawtel@gov.bc.ca> wrote:

Yes- no problem Jeff.

s.13

s.13

Does this make sense?

s.16

Phil Tawtel, Director
Civil Forfeiture Office
BC Ministry of Justice

Sent from iPhone

On 2014-02-01, at 8:45, "Groot, Jeff GCPE:EX" <Jeff.Groot@gov.bc.ca> wrote:

Hey Phil - msa wanted me to ask you how you would explain admin forfeiture and why it is exempt from the court process if you were asked. I think she likes how you've done on the interviews and would like to be consistent with what she says. Thoughts?

Begin forwarded message:

From: "Today's News Online GCPE:EX" <tno@gov.bc.ca>

Date: February 1, 2014 at 7:22:40 AM PST

Subject: TNO: Government can harm innocent people by seizing property - Gary Mason - Globe and Mail

Government can harm innocent people by seizing property

Globe and Mail

01-Feb-2014

Page S01

By Gary Mason

gmason@globeandmail.com

s. 3

Page 23 redacted for the following reason:

s. 3

TERMS OF USE - This e-mail is a service provided by Today's News Online and is only intended for the original addressee. All content is the copyrighted property of a third party creator of the material. Copying, retransmitting, redistributing, selling, licensing, or emailing the material to any third party or any employee of the Province who is not authorized to access the material is prohibited.

Page 25 redacted for the following reason:

s.14

From: s.15 JAG:EX
Sent: Tuesday, February 4, 2014 9:33 AM
To: Tawtel, Phil JAG:EX; s.15 JAG:EX
Subject: RE: CFO & Liberal caucus

Just for reference....

<http://www.leg.bc.ca/hansard/38th1st/h51027a.htm>

s.15

Civil Forfeiture Office
Ministry of Justice

From: Tawtel, Phil JAG:EX
Sent: Tuesday, February 4, 2014 9:19 AM
To: s.15
Subject: CFO & Liberal caucus

From: Groot, Jeff GCPE:EX
Sent: Tuesday, February 4, 2014 9:10 AM
To: Cavanaugh, Lynda A JAG:EX; Tawtel, Phil JAG:EX
Subject: Fwd: CF

See below. I'm waiting on response. I know Evan and MSA were having a discussion with PO this morning before caucus. Trying to find out if anything has changed.

Begin forwarded message:

From: "Groot, Jeff GCPE:EX" <Jeff.Groot@gov.bc.ca>
Date: February 4, 2014 at 8:28:48 AM PST
To: "Mills, Shane PREM:EX" <Shane.Mills@gov.bc.ca>, "Southern, Evan JAG:EX" <Evan.Southern@gov.bc.ca>
Cc: "Gleeson, Kelly T GCPE:EX" <Kelly.Gleeson@gov.bc.ca>
Subject: RE: CF

In addition, picking apart their comments (mine in red):

"As a principle, I don't have a problem with civil forfeiture," Mr. Hogg said in an interview. "If some of the legislative framework around it has to change, then we should take a look at it. ... There have been some questions about the constitutionality of the law. We have to answer that. I don't think we can hide our heads in the sand."

s.13

s.13

Liberal MLA Ralph Sultan (West Vancouver-Capilano) said he was initially supportive of the legislation. "I thought we were going after bikers," he said in an interview Monday.

s.13

s.13

However, Mr. Sultan raised concerns after a constituent came to him worried that she was about to lose her home - even though she had been acquitted. Mumtaz Ladha was charged with human trafficking and the Civil Forfeiture Office sought to seize her multimillion-dollar home on the grounds that she may have violated the Employment Standards Act.

"She was panicking that the machinery to seize her house wasn't slowing down even though the case [ended without conviction]. So a lot of us wrote letters to the attorney-general, and the civil-forfeiture proceeding was stopped," Mr. Sultan said.

s.13

s.13

He said it is an example of why the law ought to be reviewed. "I think any time the provincial government moves into applying civil remedies to criminal cases, it warrants oversight and review," he said. "By all means, we should take a second look at it."

s.13

s.13

From: Groot, Jeff GCPE:EX
Sent: Tuesday, February 4, 2014 8:21 AM
To: Mills, Shane PREM:EX; Southern, Evan JAG:EX
Cc: Gleeson, Kelly T GCPE:EX
Subject: CF

s.13

s.13

s.13

CKNW Online, 09-Jan-2014 21:17

Woman acquitted of human trafficking will keep her home

s. 3

From: s.15 JAG:EX
Sent: Tuesday, February 4, 2014 10:54 AM
To: s.15 JAG:EX; Tawtel, Phil JAG:EX
Subject: RE: CFO examples for MAS and caucus

CFO 1357 is also an interesting one. \$250k off what appears to be drug or human smuggling.

s.15

Civil Forfeiture Office
Ministry of Justice

From: s.15 JAG:EX
Sent: Tuesday, February 4, 2014 10:37 AM
To: s.15 JAG:EX; Tawtel, Phil JAG:EX
Subject: RE: CFO examples for MAS and caucus

CFO 529 - \$46,750 forfeited from s.22
CFO 846 - \$282,615
CFO 1112 \$82,830 (too large to attach)

My files with serious weapons all seem to be ongoing

s.15

Civil Forfeiture Office
Ministry of Justice

From: s.15 JAG:EX
Sent: Tuesday, February 4, 2014 10:18 AM
To: Tawtel, Phil JAG:EX; s.15 JAG:EX
Subject: RE: CFO examples for MAS and caucus

Ok, s.15 send me two of yours please, thanks.

From: Tawtel, Phil JAG:EX
Sent: Tuesday, February 4, 2014 10:16 AM
To: s.15 JAG:EX
Subject: FW: CFO examples for MAS and caucus
Importance: High

s.15 could you please identify 3 key CFO forfeitures involving gangs/guns/serious drugs and provide a brief bullet point on each for Bonnie.

I'll send you a couple of mine in bullet point form for your consideration-tks.

Phil Tawtel CPA FCGA
Executive Director | Civil Forfeiture Office
Ministry of Justice | British Columbia

PO Box 9234 Stn Prov Govt, Victoria, BC V8W 9J1
T 250.387.5488
phil.tawtel@gov.bc.ca

From: Tawtel, Phil JAG:EX
Sent: Tuesday, February 4, 2014 10:13 AM
To: Groot, Jeff GCPE:EX
Cc: Cavanaugh, Lynda A JAG:EX; Bates Gibbs, Bonnie GCPE:EX
Subject: RE: CFO and caucus

We have at least 300 to pick from but I'd be happy to get 3 quick ones to Bonnie ASAP ☺

Phil Tawtel CPA FCGA
Executive Director | Civil Forfeiture Office
Ministry of Justice | British Columbia

PO Box 9234 Stn Prov Govt, Victoria, BC V8W 9J1
T 250.387.5488
phil.tawtel@gov.bc.ca

From: Groot, Jeff GCPE:EX
Sent: Tuesday, February 4, 2014 10:10 AM
To: Tawtel, Phil JAG:EX; Bates Gibbs, Bonnie GCPE:EX
Cc: Cavanaugh, Lynda A JAG:EX
Subject: RE: CFO and caucus

Evan is going to pitch to MSA.

Beyond that, I think what would be helpful is if Bonnie could work with your staff and get two or three really good, really high level examples of where we've targeted bad guys and won. I'm tired of the four tiny cases the Globe keeps using, so let's give MSA some ammo to hit back on that.

Sound good?

From: Tawtel, Phil JAG:EX
Sent: February-04-14 9:33 AM
To: Groot, Jeff GCPE:EX
Cc: Cavanaugh, Lynda A JAG:EX
Subject: CFO and caucus

Jeff-

I'm not sure if this is an option or not but I'm available to provide program information directly to caucus if this would assist. I understand in the past similar brief information sessions have been provided by Directors to caucus on complex issues.

Phil Tawtel CPA FCGA

Executive Director | Civil Forfeiture Office
Ministry of Justice | British Columbia

PO Box 9234 Stn Prov Govt, Victoria, BC V8W 9J1

T 250.387.5488

phil.tawtel@gov.bc.ca

JAG:EX

From: Groot, Jeff GCPE:EX
Sent: Tuesday, February 4, 2014 4:49 PM
To: Tawtel, Phil JAG:EX; s.15 JAG:EX
Cc: Cavanaugh, Lynda A JAG:EX; Bates Gibbs, Bonnie GCPE:EX
Subject: FOR APPROVAL: op ed on CF
Attachments: CFO - Fairness and due process - OpEd - 04Feb14.docx

Guys – MO wants to put out an op-ed to the Globe from MSA on civil forfeiture. Can you take a look and let me know what you think? Also, I'd like your input on the use of 'we' throughout. It ties in MSA to decisions CFO makes – I don't know if you have issues with that, or if you'd like to keep her separate.

Thx!

JG

From: Cavanaugh, Lynda A JAG:EX
Sent: Tuesday, February 4, 2014 6:44 PM
To: Tawtel, Phil JAG:EX
Cc: Groot, Jeff GCPE:EX; Bates Gibbs, Bonnie GCPE:EX; s.15 JAG:EX
Subject: Re: FOR APPROVAL: op ed on CF

I like it. Phil s.15 do you think it would be helpful to also acknowledge

s.13

s.13

Lynda

On Feb 4, 2014, at 6:25 PM, "Tawtel, Phil JAG:EX" <Phil.Tawtel@gov.bc.ca> wrote:

Hi Jeff

s.15 and I have gone through this for accuracy as we expect this document will be

s.13

Phil Tawtel CPA FCGA
Executive Director | Civil Forfeiture Office
Ministry of Justice | British Columbia

PO Box 9234 Stn Prov Govt, Victoria, BC V8W 9J1
T 250.387.5488
phil.tawtel@gov.bc.ca

From: Groot, Jeff GCPE:EX
Sent: Tuesday, February 4, 2014 5:11 PM
To: Cavanaugh, Lynda A JAG:EX; Tawtel, Phil JAG:EX; s.15 AG:EX
Cc: Bates Gibbs, Bonnie GCPE:EX
Subject: RE: FOR APPROVAL: op ed on CF

Sounds good. I can incorporate those changes when you send any other thoughts!

From: Cavanaugh, Lynda A JAG:EX
Sent: February-04-14 5:01 PM
To: Groot, Jeff GCPE:EX; Tawtel, Phil JAG:EX; s.15 JAG:EX
Cc: Bates Gibbs, Bonnie GCPE:EX
Subject: Re: FOR APPROVAL: op ed on CF

s.13

Lynda

From: Groot, Jeff GCPE:EX
Sent: Tuesday, February 4, 2014 4:49 PM
To: Tawtel, Phil JAG:EX; s.15 JAG:EX
Cc: Cavanaugh, Lynda A JAG:EX; Bates Gibbs, Bonnie GCPE:EX
Subject: FOR APPROVAL: op ed on CF

Guys – MO wants to put out an op-ed to the Globe from MSA on civil forfeiture. Can you take a look and let me know what you think? Also, I'd like your input on the use of 'we' throughout. It ties in MSA to decisions CFO makes – I don't know if you have issues with that, or if you'd like to keep her separate.

Thx!

JG

<CFO - Fairness and due process - OpEd - 04Feb14.docx>

s.15

AG:EX

From: Groot, Jeff GCPE:EX
Sent: Tuesday, February 4, 2014 6:51 PM
To: Tawtel, Phil JAG:EX
Cc: Bates Gibbs, Bonnie GCPE:EX; Cavanaugh, Lynda A JAG:EX; s.15 JAG:EX
Subject: RE: FOR APPROVAL: op ed on CF

Thanks for this. Let's chat in the morning because I just want to be clear on some of the changes and whether it's phrasing or which parts could cause you issues down the road. I'll give you a shout tomorrow!

From: Tawtel, Phil JAG:EX
Sent: Tuesday, February 04, 2014 6:25 PM
To: Groot, Jeff GCPE:EX
Cc: Bates Gibbs, Bonnie GCPE:EX; Cavanaugh, Lynda A JAG:EX; s.15 JAG:EX
Subject: RE: FOR APPROVAL: op ed on CF

Hi Jeff

s.15 and I have gone through this for accuracy as we expect this document will be s.13

s.13

Phil Tawtel CPA FCGA
Executive Director | Civil Forfeiture Office Ministry of Justice | British Columbia

PO Box 9234 Stn Prov Govt, Victoria, BC V8W 9J1 T 250.387.5488
phil.tawtel@gov.bc.ca<<mailto:phil.tawtel@gov.bc.ca>>

From: Groot, Jeff GCPE:EX
Sent: Tuesday, February 4, 2014 5:11 PM
To: Cavanaugh, Lynda A JAG:EX; Tawtel, Phil JAG:EX; s.15 JAG:EX
Cc: Bates Gibbs, Bonnie GCPE:EX
Subject: RE: FOR APPROVAL: op ed on CF

Sounds good. I can incorporate those changes when you send any other thoughts!

From: Cavanaugh, Lynda A JAG:EX
Sent: February-04-14 5:01 PM
To: Groot, Jeff GCPE:EX; Tawtel, Phil JAG:EX; s.15 JAG:EX
Cc: Bates Gibbs, Bonnie GCPE:EX
Subject: Re: FOR APPROVAL: op ed on CF

s.13

Lynda
From: Groot, Jeff GCPE:EX
Sent: Tuesday, February 4, 2014 4:49 PM
To: Tawtel, Phil JAG:EX; s.15 JAG:EX

Cc: Cavanaugh, Lynda A JAG:EX; Bates Gibbs, Bonnie GCPE:EX
Subject: FOR APPROVAL: op ed on CF

Guys - MO wants to put out an op-ed to the Globe from MSA on civil forfeiture. Can you take a look and let me know what you think? Also, I'd like your input on the use of 'we' throughout. It ties in MSA to decisions CFO makes - I don't know if you have issues with that, or if you'd like to keep her separate.

Thx!

JG

s.15

JAG:EX

From: Groot, Jeff GCPE:EX
Sent: Tuesday, February 4, 2014 6:53 PM
To: Cavanaugh, Lynda A JAG:EX; Tawtel, Phil JAG:EX
Cc: Bates Gibbs, Bonnie GCPE:EX; s.15 JAG:EX
Subject: RE: FOR APPROVAL: op ed on CF

We can definitely do that. I think in the original version, I'd done it near the end - talking about the quality of referrals. But we can make sure to reference it.

From: Cavanaugh, Lynda A JAG:EX
Sent: Tuesday, February 04, 2014 6:44 PM
To: Tawtel, Phil JAG:EX
Cc: Groot, Jeff GCPE:EX; Bates Gibbs, Bonnie GCPE:EX; s.15 JAG:EX
Subject: Re: FOR APPROVAL: op ed on CF

I like it. Phil s.15 do you think it would be helpful to also acknowledge s.13

s.13

s.13

Lynda

On Feb 4, 2014, at 6:25 PM, "Tawtel, Phil JAG:EX"
<Phil.Tawtel@gov.bc.ca<<mailto:Phil.Tawtel@gov.bc.ca>>> wrote:

Hi Jeff

s.15 and I have gone through this for accuracy as we expect this document will be s.13

s.13

Phil Tawtel CPA FCGA
Executive Director | Civil Forfeiture Office Ministry of Justice | British Columbia

PO Box 9234 Stn Prov Govt, Victoria, BC V8W 9J1 T 250.387.5488
phil.tawtel@gov.bc.ca<<mailto:phil.tawtel@gov.bc.ca>>

From: Groot, Jeff GCPE:EX
Sent: Tuesday, February 4, 2014 5:11 PM
To: Cavanaugh, Lynda A JAG:EX; Tawtel, Phil JAG:EX; s.15 JAG:EX
Cc: Bates Gibbs, Bonnie GCPE:EX
Subject: RE: FOR APPROVAL: op ed on CF

Sounds good. I can incorporate those changes when you send any other thoughts!

From: Cavanaugh, Lynda A JAG:EX
Sent: February-04-14 5:01 PM
To: Groot, Jeff GCPE:EX; Tawtel, Phil JAG:EX; s.15 JAG:EX

Cc: Bates Gibbs, Bonnie GCPE:EX
Subject: Re: FOR APPROVAL: op ed on CF

s.13

Lynda

From: Groot, Jeff GCPE:EX
Sent: Tuesday, February 4, 2014 4:49 PM
To: Tawtel, Phil JAG:EX; s.15 JAG:EX
Cc: Cavanaugh, Lynda A JAG:EX; Bates Gibbs, Bonnie GCPE:EX
Subject: FOR APPROVAL: op ed on CF

Guys - MO wants to put out an op-ed to the Globe from MSA on civil forfeiture. Can you take a look and let me know what you think? Also, I'd like your input on the use of 'we' throughout. It ties in MSA to decisions CFO makes - I don't know if you have issues with that, or if you'd like to keep her separate.

Thx!

JG
<CFO - Fairness and due process - OpEd - 04Feb14.docx>

From: s.15 AG:EX
Sent: Monday, February 3, 2014 11:29 AM
To: Tawtel, Phil JAG:EX; s.15 JAG:EX
Subject: RE: TNO: Government can harm innocent people by seizing property - Gary Mason - Globe and Mail

Interesting , just one note - a dispute does not always lead to civil proceedings

s.15

Civil Forfeiture Office
Ministry of Justice

From: Tawtel, Phil JAG:EX
Sent: Monday, February 3, 2014 11:26 AM
To: Groot, Jeff GCPE:EX
Cc: Cavanaugh, Lynda A JAG:EX
Subject: FW: TNO: Government can harm innocent people by seizing property - Gary Mason - Globe and Mail

Hi Jeff

Lynda has just advised me that Lori/the DM plans to brief MSA shortly on Administrative Forfeiture so she's prepared for any questions from either the Ombudsman or the media. Once you've finalized your IN would you mind providing Lynda and myself with a copy as well-tks.

I'm in Victoria so if there's any need to have me attend in person I'll make myself available-tks.

Phil Tawtel CPA FCGA
Executive Director | Civil Forfeiture Office
Ministry of Justice | British Columbia

PO Box 9234 Stn Prov Govt, Victoria, BC V8W 9J1
T 250.387.5488
phil.tawtel@gov.bc.ca

From: Tawtel, Phil JAG:EX
Sent: Monday, February 3, 2014 9:29 AM
To: s.15 JAG:EX; Groot, Jeff GCPE:EX
Subject: FW: TNO: Government can harm innocent people by seizing property - Gary Mason - Globe and Mail

Hi Jeff

Here's my first pass at the information in your new template (I like the new version).

I'm copying s.15 into this as he's got a good eye for the both the program and the media- s.15 please feel free to add/subtract.

I'm available today to discuss as well-thanks for this Jeff.

Phil Tawtel CPA FCGA
Executive Director | Civil Forfeiture Office
Ministry of Justice | British Columbia

PO Box 9234 Stn Prov Govt, Victoria, BC V8W 9J1
T 250.387.5488
phil.tawtel@gov.bc.ca

From: Groot, Jeff GCPE:EX
Sent: Saturday, February 1, 2014 7:12 PM
To: Tawtel, Phil JAG:EX
Cc: Bates Gibbs, Bonnie GCPE:EX
Subject: RE: TNO: Government can harm innocent people by seizing property - Gary Mason - Globe and Mail

Phil, we're working off a new, simpler template and format for our issues note. You get to be the tester! I just whipped up some msging for MSA and used your info for background. No rush on approving this, but let me know if you think it works.

Monday is totally fine, especially since I used a line about the

s.16

s.16

Thx!

From: Tawtel, Phil JAG:EX
Sent: Saturday, February 1, 2014 10:23 AM
To: Groot, Jeff GCPE:EX
Cc: Bates Gibbs, Bonnie GCPE:EX
Subject: Re: TNO: Government can harm innocent people by seizing property - Gary Mason - Globe and Mail

Jeff I'd add:

s.13

Phil Tawtel, Director
Civil Forfeiture Office
BC Ministry of Justice

Sent from iPhone

On 2014-02-01, at 10:09, "Tawtel, Phil JAG:EX" <Phil.Tawtel@gov.bc.ca> wrote:

Yes- no problem Jeff.

s.13

s.13

Phil Tawtel, Director
Civil Forfeiture Office
BC Ministry of Justice

Sent from iPhone

On 2014-02-01, at 8:45, "Groot, Jeff GCPE:EX" <Jeff.Groot@gov.bc.ca> wrote:

Hey Phil - msa wanted me to ask you how you would explain admin forfeiture and why it is exempt from the court process if you were asked. I think she likes how you've done on the interviews and would like to be consistent with what she says. Thoughts?

Begin forwarded message:

From: "Today's News Online GCPE:EX" <tno@gov.bc.ca>

Date: February 1, 2014 at 7:22:40 AM PST

Subject: TNO: Government can harm innocent people by seizing property - Gary Mason - Globe and Mail

Government can harm innocent people by seizing property

Globe and Mail

01-Feb-2014

Page S01

By Gary Mason

gmason@globeandmail.com

s. 3

Page 42 redacted for the following reason:

s. 3

TERMS OF USE - This e-mail is a service provided by Today's News Online and is only intended for the original addressee. All content is the copyrighted property of a third party creator of the material. Copying, retransmitting, redistributing, selling, licensing, or emailing the material to any third party or any employee of the Province who is not authorized to access the material is prohibited.

From: Groot, Jeff GCPE:EX
Sent: Monday, February 3, 2014 9:34 AM
To: Tawtel, Phil JAG:EX; s.15 JAG:EX
Subject: RE: TNO: Government can harm innocent people by seizing property - Gary Mason - Globe and Mail

Thanks Phil.

s.15 if you want to make any other edits to this version, go ahead and just fire it back to me.

Thx!

From: Tawtel, Phil JAG:EX
Sent: February-03-14 9:29 AM
To: s.15 JAG:EX; Groot, Jeff GCPE:EX
Subject: FW: TNO: Government can harm innocent people by seizing property - Gary Mason - Globe and Mail

Hi Jeff

Here's my first pass at the information in your new template (I like the new version).

I'm copying s.15 into this as he's got a good eye for the both the program and the media- s.15 -please feel free to add/subtract.

I'm available today to discuss as well-thanks for this Jeff.

Phil Tawtel CPA FCGA
Executive Director | Civil Forfeiture Office
Ministry of Justice | British Columbia

PO Box 9234 Stn Prov Govt, Victoria, BC V8W 9J1
T 250.387.5488
phil.tawtel@gov.bc.ca

From: Groot, Jeff GCPE:EX
Sent: Saturday, February 1, 2014 7:12 PM
To: Tawtel, Phil JAG:EX
Cc: Bates Gibbs, Bonnie GCPE:EX
Subject: RE: TNO: Government can harm innocent people by seizing property - Gary Mason - Globe and Mail

Phil, we're working off a new, simpler template and format for our issues note. You get to be the tester! I just whipped up some msging for MSA and used your info for background. No rush on approving this, but let me know if you think it works.

Monday is totally fine, especially since I used a line about

s.16

s.16

Thx!

From: Tawtel, Phil JAG:EX
Sent: Saturday, February 1, 2014 10:23 AM
To: Groot, Jeff GCPE:EX
Cc: Bates Gibbs, Bonnie GCPE:EX
Subject: Re: TNO: Government can harm innocent people by seizing property - Gary Mason - Globe and Mail

Jeff I'd add:

s.13

Phil Tawtel, Director
Civil Forfeiture Office
BC Ministry of Justice

Sent from iPhone

On 2014-02-01, at 10:09, "Tawtel, Phil JAG:EX" <Phil.Tawtel@gov.bc.ca> wrote:

Yes- no problem Jeff.

s.13

Phil Tawtel, Director
Civil Forfeiture Office
BC Ministry of Justice

Sent from iPhone

On 2014-02-01, at 8:45, "Groot, Jeff GCPE:EX" <Jeff.Groot@gov.bc.ca> wrote:

Hey Phil - msa wanted me to ask you how you would explain admin forfeiture and why it is exempt from the court process if you were asked. I think she likes how you've done on the interviews and would like to be consistent with what she says. Thoughts?

Begin forwarded message:

From: "Today's News Online GCPE:EX" <tno@gov.bc.ca>

Date: February 1, 2014 at 7:22:40 AM PST

Subject: TNO: Government can harm innocent people by seizing property - Gary Mason - Globe and Mail

Government can harm innocent people by seizing property

Globe and Mail

01-Feb-2014

Page S01

By Gary Mason

gmason@globeandmail.com

s. 3

s. 3

TERMS OF USE - This e-mail is a service provided by Today's News Online and is only intended for the original addressee. All content is the copyrighted property of a third party creator of the material. Copying, retransmitting, redistributing, selling, licensing, or emailing the material to any third party or any employee of the Province who is not authorized to access the material is prohibited.

s.15

JAG:EX


From: s.15 AG:EX
Sent: Sunday, February 2, 2014 6:16 PM
To: s.15 JAG:EX; Tawtel, Phil JAG:EX
Subject: Fwd: Google Alert - "civil forfeiture act"

This one has a different tone...

Sent from mobile

Begin forwarded message:

From: Google Alerts <googlealerts-noreply@google.com>
Date: February 2, 2014 at 5:51:20 PM PST
To: s.15 JAG:EX" s.15 @gov.bc.ca>
Subject: Google Alert - "civil forfeiture act"






"civil forfeiture act"

Hourly update · February 3, 2014

NEWS


BC's overzealous cash cow: civil forfeiture

The Globe and Mail - The "Motorcycle Club" is right to challenge the constitutionality of British Columbia's **Civil Forfeiture Act**, a law that allows the police to seize and forfeit ...



[Flag as irrelevant](#)

You have received this email because you have subscribed to **Google Alerts**. [Unsubscribe](#)

 [Receive this alert as RSS feed](#)

[Send Feedback](#)


From: JAG:EX
Sent: Friday, January 31, 2014 5:59 PM
To: s.15 JAG:EX; Tawtel, Phil JAG:EX
Subject: Fwd: Google Alert - "civil forfeiture act"

Property seizure office..?

Sent from mobile

Begin forwarded message:

From: Google Alerts <googlealerts-noreply@google.com>
Date: January 31, 2014 at 5:51:21 PM PST
To: s.15 JAG:EX" <s.15 @gov.bc.ca>
Subject: Google Alert - "civil forfeiture act"






"civil forfeiture act"

Hourly update · February 1, 2014

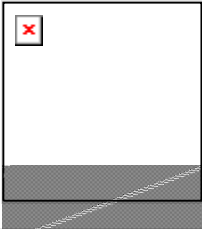
NEWS

BC Justice Minister defends property seizure office amid greater ...

The Globe and Mail - ... Motor Vehicles Act, or Employment Standards Act – have been pursued under the **Civil Forfeiture Act**? Why are the other acts not adequate?



[Flag as irrelevant](#)



You have received this email because you have subscribed to **Google Alerts**. [Unsubscribe](#)

 [Receive this alert as RSS feed](#)

[Send Feedback](#)

From: s.15 JAG:EX
Sent: Thursday, January 30, 2014 12:24 PM
To: s.15 JAG:EX; Tawtel, Phil JAG:EX
Subject: FW: Sunny Dhillon - Globe & Mail call re CFO

s.15

Civil Forfeiture Office
Ministry of Justice

s.16

s.15

JAG:EX

From: s.15 JAG:EX
Sent: Wednesday, January 29, 2014 2:21 PM
To: Tawtel, Phil JAG:EX
Cc: s.15 JAG:EX
Subject: RE: Media request - Globe and mail

But 2011 is when s.15 started, so technically....

s.15

Civil Forfeiture Office
Ministry of Justice

From: Pandachuck, Niki GCPE:EX
Sent: Wednesday, January 29, 2014 2:19 PM
To: Tawtel, Phil JAG:EX
Cc: s.15 JAG:EX; Bertrand, Stuart GCPE:EX
Subject: RE: Media request - Globe and mail

Ack! Thanks Phil. Correcting stat.

From: Tawtel, Phil JAG:EX
Sent: January-29-14 2:19 PM
To: Pandachuck, Niki GCPE:EX
Cc: s.15 JAG:EX; Bertrand, Stuart GCPE:EX
Subject: Re: Media request - Globe and mail

CFO started in 2006, not 2011.

Phil Tawtel, Director
Civil Forfeiture Office
BC Ministry of Justice

Sent from iPhone

On 2014-01-29, at 13:28, "Pandachuck, Niki GCPE:EX" <Niki.Pandachuck@gov.bc.ca> wrote:

Great, thanks s.15

From: s.15 JAG:EX
Sent: January-29-14 1:28 PM
To: Pandachuck, Niki GCPE:EX; Tawtel, Phil JAG:EX; s.15 AG:EX
Cc: Bertrand, Stuart GCPE:EX
Subject: RE: Media request - Globe and mail

Good thanks.

From: Pandachuck, Niki GCPE:EX
Sent: Wednesday, January 29, 2014 1:25 PM

To: Tawtel, Phil JAG:EX; s.15 JAG:EX
Cc: Bertrand, Stuart GCPE:EX
Subject: FW: Media request - Globe and mail
Importance: High

Hi Phil/ s.15

Urgent media request from G&M.

Deadline @ asap

Media: Globe and Mail

Reporter: Justine Hunter, 250-220-2718, jhunter@globeandmail.com

Topic: Call for CFO review

Background: Reporter is working today on a "political story" on the Civil Forfeiture Office and she is wondering if she might speak to Minister Anton after Cabinet about whether there is any plan to review the CFO?

Questions: Are there any plans to review the Civil Forfeiture Office?

Suggested Response:

Statement from Attorney General and Minister of Justice, Suzanne Anton:

-

-

s.13

-

-

Niki Pandachuck

Public Affairs Officer
B.C. Ministry of Justice
email: niki.pandachuck@gov.bc.ca
Office: (250) 356-9998
Mobile: (250) 361-8482

s.15

JAG:EX

From: s.15 JAG:EX
Sent: Wednesday, January 29, 2014 10:36 AM
To: Tawtel, Phil JAG:EX; s.15 JAG:EX; Pandachuck, Niki GCPE:EX; Bertrand, Stuart GCPE:EX
Subject: RE: Media Request - Globe and Mail

That spreadsheet is up-to-date. It was first added to the catalog in March and is updated monthly.

We have taken on 921 cases

We have forfeited \$3 million

s.15

Civil Forfeiture Office
Ministry of Justice

From: Tawtel, Phil JAG:EX
Sent: Wednesday, January 29, 2014 9:58 AM
To: Pandachuck, Niki GCPE:EX; s.15 JAG:EX
Cc: Bertrand, Stuart GCPE:EX
Subject: RE: Media Request - Globe and Mail

s.15 could you please provide the appropriate responses-tks. I'm not clear why the first 3 questions are identical...

Phil Tawtel FCGA
Executive Director | Civil Forfeiture Office
Ministry of Justice | British Columbia

PO Box 9234 Stn Prov Govt, Victoria, BC V8W 9J1
T 250.387.5488
phil.tawtel@gov.bc.ca

From: Pandachuck, Niki GCPE:EX
Sent: Wednesday, January 29, 2014 9:55 AM
To: s.15 JAG:EX; Tawtel, Phil JAG:EX; s.15 JAG:EX
Cc: Bertrand, Stuart GCPE:EX
Subject: FW: Media Request - Globe and Mail

Hi Phil s.15

Admin forfeiture request from Sunny. He's looking for stats and more detail about what's on this webpage:
<http://www.data.gov.bc.ca/dbc/catalogue/detail.page?config=dbc&P110=recorduid:177825&recorduid=177825&title=Active%20Administrative%20Forfeiture%20Files> (see Q3). Thank you!

Deadline @ 2 pm

Media: Globe and Mail

Reporter: Sunny Dhillon, 604 631-6619, sdhillon@globeandmail.com

Topic: Administrative Forfeiture

Background: Reporter doing follow up story on article published on weekend about CFO. He is now looking for information about administrative forfeiture.

Questions: Since B.C. introduced administrative forfeiture in 2011, how many administrative forfeiture cases has the Civil Forfeiture Office taken on? How much of the \$41-million it's taken in has come through administrative forfeiture? There is a spreadsheet available on the government website that lists "active" administrative forfeiture cases, though it appears to be from last March and doesn't provide a great deal of context. Any other information you could provide on administrative forfeiture specifically would be appreciated.

Suggested Response:

Since B.C. introduced administrative forfeiture in 2011, how many administrative forfeiture cases has the Civil Forfeiture Office taken on?

- TBD

Since B.C. introduced administrative forfeiture in 2011, how many administrative forfeiture cases has the Civil Forfeiture Office taken on?

- Since the introduction of administrative forfeiture in 2011, the value of administrative forfeiture completed is more than

s.13

There is a spreadsheet available on the government website that lists "active" administrative forfeiture cases, though it appears to be from last March and doesn't provide a great deal of context. Any other information you could provide on administrative forfeiture specifically would be appreciated.

- TBD

Niki Pandachuck

Public Affairs Officer
B.C. Ministry of Justice
email: niki.pandachuck@gov.bc.ca
Office: (250) 356-9998
Mobile: (250) 361-8482

s.15

JAG:EX

From: s.15 JAG:EX
Sent: Wednesday, January 29, 2014 10:01 AM
To: Tawtel, Phil JAG:EX; s.15 JAG:EX
Subject: RE: Media Request - Globe and Mail

That spreadsheet is up-to-date. It was first added to the catalog in March and is updated monthly.

We have taken on 921 cases
We have forfeited \$3 million

s.15

Civil Forfeiture Office
Ministry of Justice

From: Tawtel, Phil JAG:EX
Sent: Wednesday, January 29, 2014 9:58 AM
To: Pandachuck, Niki GCPE:EX; s.15 JAG:EX
Cc: Bertrand, Stuart GCPE:EX
Subject: RE: Media Request - Globe and Mail

s.15 could you please provide the appropriate responses-tks. I'm not clear why the first 3 questions are identical...

Phil Tawtel FCGA
Executive Director | Civil Forfeiture Office
Ministry of Justice | British Columbia

PO Box 9234 Stn Prov Govt, Victoria, BC V8W 9J1
T 250.387.5488
phil.tawtel@gov.bc.ca

From: Pandachuck, Niki GCPE:EX
Sent: Wednesday, January 29, 2014 9:55 AM
To: s.15 JAG:EX; Tawtel, Phil JAG:EX s.15 JAG:EX
Cc: Bertrand, Stuart GCPE:EX
Subject: FW: Media Request - Globe and Mail

Hi Phil/ s.15

Admin forfeiture request from Sunny. He's looking for stats and more detail about what's on this webpage:
<http://www.data.gov.bc.ca/dbc/catalogue/detail.page?config=dbc&P110=recorduid:177825&recorduid=177825&title=Active%20Administrative%20Forfeiture%20Files> (see Q3). Thank you!

Deadline @ 2 pm

Media: Globe and Mail

Reporter: Sunny Dhillon, 604 631-6619, sdhillon@globeandmail.com

Topic: Administrative Forfeiture

Background: Reporter doing follow up story on article published on weekend about CFO. He is now looking for information about administrative forfeiture.

Questions: Since B.C. introduced administrative forfeiture in 2011, how many administrative forfeiture cases has the Civil Forfeiture Office taken on? How much of the \$41-million it's taken in has come through administrative forfeiture? There is a spreadsheet available on the government website that lists "active" administrative forfeiture cases, though it appears to be from last March and doesn't provide a great deal of context. Any other information you could provide on administrative forfeiture specifically would be appreciated.

Suggested Response:

Since B.C. introduced administrative forfeiture in 2011, how many administrative forfeiture cases has the Civil Forfeiture Office taken on?

- TBD

Since B.C. introduced administrative forfeiture in 2011, how many administrative forfeiture cases has the Civil Forfeiture Office taken on?

- Since the introduction of administrative forfeiture in 2011, the value of administrative forfeiture completed is more than s.13

There is a spreadsheet available on the government website that lists "active" administrative forfeiture cases, though it appears to be from last March and doesn't provide a great deal of context. Any other information you could provide on administrative forfeiture specifically would be appreciated.

- TBD

Niki Pandachuck

Public Affairs Officer
B.C. Ministry of Justice
email: niki.pandachuck@gov.bc.ca
Office: (250) 356-9998
Mobile: (250) 361-8482

s.15

JAG:EX

From: s.15 JAG:EX
Sent: Wednesday, January 29, 2014 9:25 AM
To: Tawtel, Phil JAG:EX; s.15 JAG:EX; Groot, Jeff GCPE:EX
Subject: FW: Google Alert - B.C. Civil Forfeiture Office

[And more](#)

s.15

Civil Forfeiture Office
Ministry of Justice

From: Google Alerts [<mailto:googlealerts-noreply@google.com>]
Sent: Wednesday, January 29, 2014 9:23 AM
To: s.15 JAG:EX
Subject: Google Alert - B.C. Civil Forfeiture Office



B.C. Civil Forfeiture Office

Hourly update · January 29, 2014

NEWS

Cash back: Return of rare coins puts BC civil forfeiture under fire

The Globe and Mail - **B.C.'s Civil Forfeiture Office** was created in 2006 to fight organized crime, but a months-long Globe and Mail investigation has found it now has a wider ...



Flag as irrelevant

You have received this email because you have subscribed to **Google Alerts**. [Unsubscribe](#)



[Receive this alert as RSS feed](#)

[Send Feedback](#)

JAG:EX

From: Taller, Thomas JAG:EX
Sent: Monday, January 27, 2014 12:45 PM
To: Bates Gibbs, Bonnie GCPE:EX
Cc: Tawtel, Phil JAG:EX; s.15 JAG:EX; Lauer, Steve JAG:EX; Hobday, Erin JAG:EX
Subject: Re: Media request - Globe and Mail

I'll see what I can dig up Bonnie.

Thomas

From: Bates Gibbs, Bonnie GCPE:EX
Sent: Monday, January 27, 2014 12:35 PM
To: Taller, Thomas JAG:EX
Cc: Tawtel, Phil JAG:EX; s.15 JAG:EX; Lauer, Steve JAG:EX; Hobday, Erin JAG:EX
Subject: FW: Media request - Globe and Mail

Hi Thomas. In Marcie's absence.

From: Bates Gibbs, Bonnie GCPE:EX
Sent: January-27-14 12:34 PM
To: Tawtel, Phil JAG:EX; s.15 JAG:EX; Mezzarobba, Marcie JAG:EX
Cc: Pandachuck, Niki GCPE:EX; Bertrand, Stuart GCPE:EX; Groot, Jeff GCPE:EX; Gleeson, Kelly T GCPE:EX; Mentzelopoulos, Athana GCPE:EX
Subject: Media request - Globe and Mail

Not sure which side is best to answer this so I am including both CFO and Victims.

Deadline @ asap

Media: [Globe and Mail](#)

Reporter: [Sunny Dhillon, 604 631-6619, sdhillon@globeandmail.com](#)

Topic: [CFO grant distribution](#)

Background: Reporter is doing follow up story on CFO and wants to know more about the grant distribution.

Questions: [Of the approximately \\$11-million that's been handed out in CFO grants, how much has gone to community associations and how much to police?](#)

[Is there a detailed breakdown somewhere that shows where all the grant money has gone?](#)

Suggested Response:

- TBC

Tawtel, Phil JAG:EX

From: JAG:EX
Sent: Thursday, February 6, 2014 3:25 PM
To: Groot, Jeff GCPE:EX; Bertrand, Stuart GCPE:EX
Cc: Tawtel, Phil JAG:EX; Bates Gibbs, Bonnie GCPE:EX; Pandachuck, Niki GCPE:EX; s.15
s.15 JAG:EX
Subject: RE: Media request re Youth

Excellent, thanks

From: Groot, Jeff GCPE:EX
Sent: Thursday, February 6, 2014 3:23 PM
To: Bertrand, Stuart GCPE:EX; s.15 JAG:EX
Cc: Tawtel, Phil JAG:EX; Bates Gibbs, Bonnie GCPE:EX; Pandachuck, Niki GCPE:EX
Subject: RE: Media request re Youth

I'd say let's send him an email with the info and those para's highlighted and then Stu or Bonnie, call him and say that you expect he probably has a case in mind that is critical of us and we thought it was good for him to see that there is clear support among the courts as evidenced by this decision.

From: Bertrand, Stuart GCPE:EX
Sent: February-06-14 3:22 PM
To: s.15 JAG:EX; Groot, Jeff GCPE:EX
Cc: Tawtel, Phil JAG:EX; Bates Gibbs, Bonnie GCPE:EX; Pandachuck, Niki GCPE:EX
Subject: RE: Media request re Youth

Thanks s.15

I let Jeff know about this and he supported this direction. I will let him respond as to how to best deliver the message to Sunny.

From: s.15 JAG:EX
Sent: February-06-14 3:13 PM
To: Bertrand, Stuart GCPE:EX; Groot, Jeff GCPE:EX
Cc: Tawtel, Phil JAG:EX; Bates Gibbs, Bonnie GCPE:EX; Pandachuck, Niki GCPE:EX
Subject: Media request re Youth
Importance: High

Hi Stu,

As mentioned on the phone, I think it may be helpful to send the attached to him. This is a publicly available judgment from the Provincial Court database. The judge does an excellent job of summarizing and explaining the issues. I would highlight in particular the paragraphs below. It may be worth getting him on the phone and walking him through it since we all know where he is going with this angle. Just got your latest email and will respond asap.

[15] The Director submits that the intention of Parliament was to balance the interests of the young person with the interests of society. Accordingly, the YCJA emphasizes rehabilitation of young offenders but, at the same time, endeavours to create a sense of accountability and responsibility in the young person.

That sense of responsibility would be frustrated if the young person were to avoid the impact of civil forfeiture laws for criminal behaviour.

[16] I agree with the submission of the Director

[19] On the facts of the case at bar and to achieve the intention of Parliament, the balance favours granting access to the information in question. As no findings of fact have been made (as the other subsections of s. 119(2) presuppose) the stigma attached to these records is greatly reduced. **At the same time, the public interest in depriving individuals of property gained unlawfully and forfeiting that property for the purposes set out in the *Civil Forfeiture Act* are compelling.**

s.15

Tawtel, Phil JAG:EX

From: Bertrand, Stuart GCPE:EX
Sent: Thursday, February 6, 2014 3:24 PM
To: s.15 JAG:EX; Tawtel, Phil JAG:EX; s.15 JAG:EX
Cc: Pandachuck, Niki GCPE:EX; Bates Gibbs, Bonnie GCPE:EX
Subject: RE: Media Request - CFO and youth - Globe and Mail - Dhillon - 06Feb14

Okay perfect thanks s.15

From: s.15 JAG:EX
Sent: February-06-14 3:22 PM
To: Bertrand, Stuart GCPE:EX; Tawtel, Phil JAG:EX; s.15 JAG:EX
Cc: Pandachuck, Niki GCPE:EX; Bates Gibbs, Bonnie GCPE:EX
Subject: RE: Media Request - CFO and youth - Globe and Mail - Dhillon - 06Feb14

Answer below

From: Bertrand, Stuart GCPE:EX
Sent: Thursday, February 6, 2014 3:10 PM
To: s.15 JAG:EX; Tawtel, Phil JAG:EX; s.15 JAG:EX
Cc: Pandachuck, Niki GCPE:EX; Bates Gibbs, Bonnie GCPE:EX
Subject: Media Request - CFO and youth - Globe and Mail - Dhillon - 06Feb14

Hi guys,

So Sunny has come back with even more questions. He has provided a notice of civil claim for a case and has questions around that.

Deadline @ 4 p.m.

Media: [Globe and Mail](#)

Reporter: [Sunny Dhillon, 604-631-6619, sdhillon@globeandmail.com](#)

Topic: [CFO and youth](#)

Background: Sunny looking specifically at civil forfeiture cases involving defendants who would have been classified as a "young person" under the Youth Criminal Justice Act at the time of the alleged unlawful activity. He notes one of these cases was filed in B.C. Supreme Court a couple of weeks ago, and he has found a few others involving youths as well.

Questions:

I've attached a notice of civil claim that was filed in January to this email. Why would this case not have been handled as administrative forfeiture? Was that the initial plan? Did the defendant contest?

- **There is a pending application for a publication ban with respect to this matter so we will not be commenting further.**

You said “The Supreme Court Rules contain provisions regarding the rights and protections of young persons involved in litigation.” Can you point me to the relevant section? I can’t seem to find it.

- These provisions include Rule 20-2 – Persons Under Disability.
- Rule 20-2 sets out special provisions to ensure that persons under a legal disability are properly represented including:
 - a requirement for the involvement of a litigation guardian who must act through a lawyer on behalf of the person under legal disability; and
 - an enhanced supervisory role for the courts including:
 - Rule 20(2) prevents an application for default judgment without the leave of the court
 - Rule 20(17) requires that all settlement agreements negotiated on behalf of the young person be approved by the court

Also, I just want to be clear on this point: There is nothing in B.C.’s civil forfeiture legislation that affords special protection for youths. They are treated the same and subject to the same penalties as anyone else. Is this correct?

- Civil forfeiture actions, like all civil litigation in British Columbia are governed by the Supreme Court Rules. The Supreme Court Rules contain provisions regarding the rights and protections of young persons involved in litigation including Rule 20-2 which sets out special rights and protections for parties under a legal disability including young persons.
- As an additional protection, the CFO requests a publication ban on all cases involving youth when we apply to the Supreme Court.

Provided earlier today:

The Civil Forfeiture Act does not appear to mention youths. Is this correct? If not, can you point to the section(s) where it does?

- The Civil Forfeiture Act (CFA) does not mention youths.

Should people who would be classified as youths in the criminal justice system be treated any differently when it comes to civil forfeiture cases?

- Records pertaining to the identity of young persons are protected from disclosure under federal legislation. Anyone seeking to access these records must seek the permission of the court. These applications have been made by the Civil Forfeiture Office (CFO) and approved by the British Columbia Provincial Court on a handful of occasions.
- If the CFO is permitted to obtain the records and determines to proceed with a civil forfeiture action, the CFO then makes a special application to the Court to protect the identity of the young person by using only their initials in court documents.
- Civil forfeiture actions, like all civil litigation in British Columbia are governed by the Supreme Court Rules. The Supreme Court Rules contain provisions regarding the rights and protections of young persons involved in litigation.

How many of the cases the office has accepted have involved youths? How many involving youths have been referred?

- We do not track our files according to the age of the persons allegedly involved in the unlawful activity. That being said, a very small percentage of the files referred and accepted to date involve young persons.

Of those youths against whom civil forfeiture cases were launched, how many had been charged criminally for the alleged unlawful activity?

- Please see the above response.

Stuart Bertrand | Public Affairs Officer
Ministry of Justice | Solicitor General Communications Office
Phone: 250-356-6538 | Cell: 778-679-1346

Tawtel, Phil JAG:EX

From: Pandachuck, Niki GCPE:EX
Sent: Wednesday, February 5, 2014 4:02 PM
To: s.15 JAG:EX; Tawtel, Phil JAG:EX; s.15 JAG:EX
Cc: Bertrand, Stuart GCPE:EX
Subject: RE: Media Request - CFO - Globe and Mail - Dhillon - 05Feb14

Yikes. Thanks s.15

From: s.15 JAG:EX
Sent: February-05-14 4:01 PM
To: Pandachuck, Niki GCPE:EX; Tawtel, Phil JAG:EX; s.15 JAG:EX
Cc: Bertrand, Stuart GCPE:EX
Subject: RE: Media Request - CFO - Globe and Mail - Dhillon - 05Feb14

Answers below

As an aside, perhaps he like to speak to the young scamp we took drug money off most recently. He'll have not trouble locating him since he's in jail for murdering a rival drug dealer.

From: Pandachuck, Niki GCPE:EX
Sent: Wednesday, February 5, 2014 3:32 PM
To: Tawtel, Phil JAG:EX; s.15 JAG:EX
Cc: Bertrand, Stuart GCPE:EX
Subject: FW: Media Request - CFO - Globe and Mail - Dhillon - 05Feb14

Hi Phil/ s.15

A new request from Sunny – angle is the Act and young defendants.

Deadline @ 2 p.m. Thursday

Media: [Globe and Mail](#)

Reporter: [Sunny Dhillon, 604-631-6619, sdhillon@globeandmail.com](#)

Topic: [CFO and youth](#)

Background: Sunny looking specifically at civil forfeiture cases involving defendants who would have been classified as a “young person” under the Youth Criminal Justice Act at the time of the alleged unlawful activity. He notes one of these cases was filed in B.C. Supreme Court a couple of weeks ago, and I’ve managed to dig up a few others involving youths as well.

Questions:

The Civil Forfeiture Act does not appear to mention youths. Is this correct? If not, can you point to the section(s) where it does?

- **It does not**

Should people who would be classified as youths in the criminal justice system be treated any differently when it comes to civil forfeiture cases?

- Records pertaining to the identity of young persons are protected from disclosure under federal legislation. Anyone seeking to access these records must seek the permission of the court. These applications have been made by the CFO and approved by the British Columbia Provincial Court on a handful of occasions.
- If the Civil Forfeiture Office is permitted to obtain the records and determines to proceed with a civil forfeiture action, the Civil Forfeiture Office then makes a special application to the Court to protect the identity of the young person by using only their initials in court documents.
- Civil forfeiture actions, like all civil litigation in British Columbia are governed by the Supreme Court Rules. The Supreme Court Rules contain provisions regarding the rights and protections of young persons involved in litigation.

How many of the cases the office has accepted have involved youths? How many involving youths have been referred?

- We do not track our files according to the age of the persons allegedly involved in the unlawful activity. That being said, a very small percentage of the files referred and accepted to date involve young persons.

Of those youths against whom civil forfeiture cases were launched, how many had been charged criminally for the alleged unlawful activity?

- See above response
- And for hopefully the last time – section 18 of the Civil Forfeiture Act is reproduced in super duper large font below with key provisions underlined:

If no conviction or finding of unlawful activity

18 In proceedings under section 3 or 14.11, an unlawful activity may be found to have occurred even if

(a) no person has been charged with an offence that constitutes the unlawful activity, or

(b) a person charged with an offence that constitutes the unlawful activity **was acquitted of all charges in proceedings before a criminal court or the charges are withdrawn or stayed** or otherwise do not proceed.

Niki Pandachuck

Public Affairs Officer
B.C. Ministry of Justice
email: niki.pandachuck@gov.bc.ca
Office: (250) 356-9998
Mobile: (250) 361-8482

Tawtel, Phil JAG:EX

From: Groot, Jeff GCPE:EX
Sent: Tuesday, February 4, 2014 5:10 PM
To: Wanamaker, Lori JAG:EX; Tawtel, Phil JAG:EX; Cavanaugh, Lynda A JAG:EX
Cc: Bates Gibbs, Bonnie GCPE:EX
Subject: FW: Scrum: Anton - civil forfeiture

FYI guys

From: tno@gov.bc.ca [<mailto:tno@gov.bc.ca>]
Sent: February-04-14 5:09 PM
Subject: Scrum: Anton - civil forfeiture

Scrum
Anton scrum - Sunny Dhillon
04-Feb-2014 15:44

Sunny Dhillon: There was a story in the paper today, three Liberal MLAs who were saying that they supported some sort of review of the legislation. I know we just spoke Friday when I last spoke to you. Have you had any sort of change of heart or do you still sort of stand by what you said before or...?

Suzanne Anton: I do.

Dhillon: Yeah.

Anton: Yeah. It's a robust program. I was just getting some numbers from Phil. You've spoken to him, I think, already, haven't you?

Dhillon: Not lately, but before.

Anton: Yeah. So there's been about 2,000 cases referred. Some of them are through the admin forfeiture. Some of them have gone through the full civil forfeiture process.

Dhillon: Sure.

Anton: The vast majority of them have either been settled or they've gone to court and the courts have approved the forfeiture -- not 100%, but the vast majority of them.

Dhillon: Right. So the cases that we've highlighted like [inaudible].

Anton: You've highlighted a couple of cases that are still in court, so I'm not going to comment on them.

Dhillon: Sure.

Anton: Let's let those play out and then see what the result is.

The one case, the house in West Vancouver, that case was dropped as soon as the criminal case ended. The other one was the man with the coins, and the court decided that he should have them back.

So the process works the way it should, which is that the police give the reports to the civil forfeiture office; the civil forfeiture office has a pretty robust process for figuring out whether or not they want to go ahead with them. That's why so many of them are either settled or are in the end approved by the court, because they choose cases which seem to them to be quite strong and in the public interest.

Dhillon: The story today....

Anton: Actually I'm not even going to say quite strong. I'm going to say very strong, and that's why so many of them do go through to conclusion where the item is most often -- not 100% of the time but most often -- forfeited to the government.

Dhillon: The story today, you know, three members of your own team have said they would support a review. The NDP has just sent out another press release saying they support a review. The ombudsperson has said that she is willing to look into this if somebody is willing to come and formally lodge a complaint with her. It does seem as though a lot of people are saying let's take another look at this. But they're all wrong, I guess.

Anton: As the minister in charge of an area, I'm always paying attention to every area in my ministry to make sure it's doing what it should be doing. The civil forfeiture program, as I said, is a good program. I will always be watching, and I'm watching every program that we have.

Dhillon: Sure. Did they come out and say...?

Anton: I am not going to tell you what came out at our caucus meeting.

Dhillon: [Inaudible] mention that now.

Anton: Much as I'd like to tell you everything that we talked about, I'm not going to.

Dhillon: I think I can leave it there, unless there's anything else you want to add.

Anton: No. [zpz, mjag, sss]

[TNO...](#)

This e-mail is a service provided by Government Communications and Public Engagement and is only intended for the original addressee.

Tawtel, Phil JAG:EX

From: Groot, Jeff GCPE:EX
Sent: Tuesday, February 4, 2014 3:33 PM
To: Ryckman, Scott GCPE:EX; GCPE Today's News Online GCPE:EX
Cc: Bates Gibbs, Bonnie GCPE:EX; Tawtel, Phil JAG:EX; Cavanaugh, Lynda A JAG:EX; Wanamaker, Lori JAG:EX
Subject: For transcribing - MSA with Globe and Mail
Attachments: Sunny Dhillon CF.m4a; ATT00001.txt

Folks - Minister Anton with Sunny Dhillon/Globe and Mail RE: civil forfeiture. Can you pls transcribe?

Tawtel, Phil JAG:EX

From: Bertrand, Stuart GCPE:EX
Sent: Thursday, January 30, 2014 12:49 PM
To: s.15 JAG:EX; Tawtel, Phil JAG:EX; s.15 JAG:EX
Cc: Pandachuck, Niki GCPE:EX
Subject: RE: Media Request - CFO Processes - Dhillon - 30Jan14

Thank s.15 I will flip to Police

From: s.15 JAG:EX
Sent: January-30-14 12:45 PM
To: Bertrand, Stuart GCPE:EX; Tawtel, Phil JAG:EX; s.15 JAG:EX
Cc: Pandachuck, Niki GCPE:EX
Subject: RE: Media Request - CFO Processes - Dhillon - 30Jan14

Yes, they police the vast majority of the province. Please ask Police Services for the exact number, Donna probably has it. It's around 70% to my recollection. So no surprise they have a similar proportion of referrals.

Re the second question – not readily available.

From: Bertrand, Stuart GCPE:EX
Sent: Thursday, January 30, 2014 12:42 PM
To: s.15 JAG:EX; Tawtel, Phil JAG:EX; AG:EX
Cc: Pandachuck, Niki GCPE:EX
Subject: Media Request - CFO Processes - Dhillon - 30Jan14

Hey guys,

Some follow up from Sunny regarding referrals. His new question is below. Thank you.

Deadline @ 3 p.m.

Media: [Globe and Mail](#)

Reporter: [Sunny Dhillon, 604-631-6619, sdhillon@globeandmail.com](#)

Topic: [CFO referrals](#)

Background: Reporter is following up on his requests regarding the civil forfeiture program. He is looking for more information about the police referral process. He has been in touch with policing departments, and has obtained CFO policy documents through FOI, but is still looking for more information regarding the referral process.

Questions:

So is it accurate to say the RCMP has referred more files to the Civil Forfeiture Office than any other agency? Is it possible to get a list of the top 5 or top 10 referrers?

- TBD

Previously earlier today:

Is there a specific CFO policy or document that outlines the referral process?

- **This information is available on B.C.'s Open Info website:**
<http://www.openinfo.gov.bc.ca/ibc/search/detail.page?config=ibc&P110=recorduid:3151670&title=FOI%20Request%20-%20PSS-2012-00019>

How many files have been referred by the Vancouver PD, RCMP and the CFSEU?

- **This is an approximate breakdown of the number of files referred by the police agencies you've asked us about:**
 - **Vancouver Police Department (VPD) – 85**
 - **Combined Forces Special Enforcement Unit (CFSEU) – 21**
 - **RCMP – 1,220**

Stuart Bertrand | Public Affairs Officer
Ministry of Justice | Solicitor General Communications Office
Phone: 250-356-6538 | Cell: 778-679-1346

Tawtel, Phil JAG:EX

From: s.15 JAG:EX
Sent: Thursday, January 30, 2014 12:24 PM
To: s.15 JAG:EX; Tawtel, Phil JAG:EX
Subject: FW: Sunny Dhillon - Globe & Mail call re CFO

s.15

Civil Forfeiture Office
Ministry of Justice

s.16

Tawtel, Phil JAG:EX

From: Pandachuck, Niki GCPE:EX
Sent: Thursday, January 30, 2014 11:15 AM
To: s.15 JAG:EX
Cc: Bertrand, Stuart GCPE:EX; Tawtel, Phil JAG:EX
Subject: RE: Media Request - CFO referral process - Globe and Mail - 30Jan14

Thank you!

From: JAG:EX
Sent: January-30-14 11:13 AM
To: Pandachuck, Niki GCPE:EX; s.15 JAG:EX
Cc: Bertrand, Stuart GCPE:EX; Tawtel, Phil JAG:EX
Subject: RE: Media Request - CFO referral process - Globe and Mail - 30Jan14

Yes, the first question was subject of FOI request and was published on the open info website.

<http://www.openinfo.gov.bc.ca/ibc/search/detail.page?config=ibc&P110=recorduid:3151670&title=FOI%20Request%20-%20PSS-2012-00019>

As for 2 – these are all approximations. If he wants us to spend the time to get exact numbers, give him FOI's phone number.

Vancouver – 85
CFSEU – 21
RCMP - 1220

Thanks

From: Pandachuck, Niki GCPE:EX
Sent: Thursday, January 30, 2014 10:53 AM
To: s.15 JAG:EX
Cc: Bertrand, Stuart GCPE:EX; Tawtel, Phil JAG:EX
Subject: FW: Media Request - CFO referral process - Globe and Mail - 30Jan14

s.15

Couple of new Qs from G&M. Phil mentioned to me on the phone that the info Sunny is asking for in the first question is available online – can you provide?

Thanks!

Date/Time: 30/Jan/10:30 a.m.

Deadline @ 3 p.m.

Media: Globe and Mail

Reporter: Sunny Dhillon, 604-631-6619, sdhillon@globeandmail.com

Topic: CFO referrals

Background: Reporter is following up on his requests regarding the civil forfeiture program. He is looking for more information about the police referral process. He has been in touch with policing departments, and has obtained CFO policy documents through FOI, but is still looking for more information regarding the referral process.

Questions:

Is there a specific CFO policy or document that outlines the referral process?

- TBD

How many files have been referred by the Vancouver PD, RCMP and the CFSEU?

- TBD
- Of the more than 1,900 cases police have referred to the program, the CFO has acted on more than 1,400. Of those, about 1,000 are concluded and 550 are ongoing.

Niki Pandachuck

Public Affairs Officer
B.C. Ministry of Justice
email: niki.pandachuck@gov.bc.ca
Office: (250) 356-9998
Mobile: (250) 361-8482

Tawtel, Phil JAG:EX

From: Lauer, Steve JAG:EX
Sent: Monday, January 27, 2014 2:13 PM
To: Bates Gibbs, Bonnie GCPE:EX s.15 JAG:EX; Taller, Thomas JAG:EX; Tawtel, Phil JAG:EX
Cc: Pandachuck, Niki GCPE:EX
Subject: RE: For approval: Media request - Globe and Mail

Looks good

From: Bates Gibbs, Bonnie GCPE:EX
Sent: Monday, January 27, 2014 2:12 PM
To: s.15 AG:EX; Lauer, Steve JAG:EX; Taller, Thomas JAG:EX; Tawtel, Phil JAG:EX
Cc: Pandachuck, Niki GCPE:EX
Subject: RE: For approval: Media request - Globe and Mail

Thanks s.15 We will make the change. Everyone else okay with the messaging?

From: s.15 JAG:EX
Sent: January-27-14 2:10 PM
To: Bates Gibbs, Bonnie GCPE:EX; Lauer, Steve JAG:EX; Taller, Thomas JAG:EX; Tawtel, Phil JAG:EX
Subject: RE: For approval: Media request - Globe and Mail

This is okay with me except the bottom bullet. If it was approved by this office in the past, I apologize on behalf of the office. That does not appear in the Act. The rest of the bullet is fine if you remove that and start with "The police cannot..."

From: Bates Gibbs, Bonnie GCPE:EX
Sent: Monday, January 27, 2014 1:53 PM
To: Lauer, Steve JAG:EX; Taller, Thomas JAG:EX; Tawtel, Phil JAG:EX; s.15 AG:EX
Subject: For approval: Media request - Globe and Mail

We've added in the information per your emails. Can you please approve before we send to MO?

Deadline @ asap

Media: [Globe and Mail](#)

Reporter: [Sunny Dhillon, 604 631-6619, sdhillon@globeandmail.com](#)

Topic: [CFO grant distribution](#)

Background: Reporter is doing follow up story on CFO and wants to know more about the grant distribution.

Questions: [Of the approximately \\$11-million that's been handed out in CFO grants, how much has gone to community associations and how much to police?](#)

[Is there a detailed breakdown somewhere that shows where all the grant money has gone?](#)

Suggested Response:

Is there a detailed breakdown somewhere that shows where all the grant money has gone?

- While a breakdown of the distribution of grants since inception of CFO in 2006 is not readily available, a detailed breakdown of grants for 2012-13 can be found online here:
<http://www.pssg.gov.bc.ca/crimeprevention/shareddocs/CFO-2012-13-grant-recipients.pdf>
- In 2012-13, more than \$1 million was distributed to address local crime issues, youth crime, violence against women and family violence, bullying, human trafficking, and sexual exploitation. Of this \$1 million, approximately \$99,000 went to police training and equipment.

Of the approximately \$11-million that's been handed out in CFO grants, how much has gone to community associations and how much to police?

- Typically, the distribution of grants to community associations and police is about a 90-10 ratio on a year by year basis. For example, in 2011-12 approximately \$500,000 was provided to police while \$4.5 million was distributed to community associations.
- It's important to note that there is no link between the value of referrals from a particular police agency and the funding that goes back to that agency's jurisdiction.
- s.13 police cannot pursue a case with civil forfeiture as the goal – criminal charges must be the primary concern, and civil forfeiture is a separate, secondary consideration.

Niki Pandachuck

Public Affairs Officer
B.C. Ministry of Justice
email: niki.pandachuck@gov.bc.ca
Office: (250) 356-9998
Mobile: (250) 361-8482

Tawtel, Phil JAG:EX

From: s.15 JAG:EX
Sent: Wednesday, January 29, 2014 2:21 PM
To: s.15 AG:EX; Tawtel, Phil JAG:EX
Subject: RE: Media request - Globe and mail

Thats when i count from

From: s.15 JAG:EX
Sent: Wednesday, January 29, 2014 2:21 PM
To: Tawtel, Phil JAG:EX
Cc: s.15 JAG:EX
Subject: RE: Media request - Globe and mail

But 2011 is when s.15 started, so technically....

s.15

Civil Forfeiture Office
Ministry of Justice

From: Pandachuck, Niki GCPE:EX
Sent: Wednesday, January 29, 2014 2:19 PM
To: Tawtel, Phil JAG:EX
Cc: s.15 JAG:EX; Bertrand, Stuart GCPE:EX
Subject: RE: Media request - Globe and mail

Ack! Thanks Phil. Correcting stat.

From: Tawtel, Phil JAG:EX
Sent: January-29-14 2:19 PM
To: Pandachuck, Niki GCPE:EX
Cc: JAG:EX; Bertrand, Stuart GCPE:EX
Subject: Re: Media request - Globe and mail

CFO started in 2006, not 2011.

Phil Tawtel, Director
Civil Forfeiture Office
BC Ministry of Justice

Sent from iPhone

On 2014-01-29, at 13:28, "Pandachuck, Niki GCPE:EX" <Niki.Pandachuck@gov.bc.ca> wrote:

Great, thanks s.15

From: s.15 JAG:EX
Sent: January-29-14 1:28 PM
To: Pandachuck, Niki GCPE:EX; Tawtel, Phil JAG:EX; s.15 JAG:EX

Cc: Bertrand, Stuart GCPE:EX
Subject: RE: Media request - Globe and mail

Good thanks.

From: Pandachuck, Niki GCPE:EX
Sent: Wednesday, January 29, 2014 1:25 PM
To: Tawtel, Phil JAG:EX; s.15 JAG:EX
Cc: Bertrand, Stuart GCPE:EX
Subject: FW: Media request - Globe and mail
Importance: High

Hi Phil/ s.15

Urgent media request from G&M.

Deadline @ asap

Media: Globe and Mail

Reporter: Justine Hunter, 250-220-2718, jhunter@globeandmail.com

Topic: Call for CFO review

Background: Reporter is working today on a "political story" on the Civil Forfeiture Office and she is wondering if she might speak to Minister Anton after Cabinet about whether there is any plan to review the CFO?

Questions: Are there any plans to review the Civil Forfeiture Office?

Suggested Response:

s.13

Niki Pandachuck

Public Affairs Officer
B.C. Ministry of Justice
email: niki.pandachuck@gov.bc.ca
Office: (250) 356-9998
Mobile: (250) 361-8482

Tawtel, Phil JAG:EX

From: s.15 JAG:EX
Sent: Wednesday, January 29, 2014 3:53 PM
To: Pandachuck, Niki GCPE:EX; Tawtel, Phil JAG:EX; s.15 JAG:EX
Cc: Bertrand, Stuart GCPE:EX; Bates Gibbs, Bonnie GCPE:EX
Subject: RE: URGENT: Media request - Globe and mail

That works for me, thanks Niki.

From: Pandachuck, Niki GCPE:EX
Sent: Wednesday, January 29, 2014 3:48 PM
To: s.15 JAG:EX; Tawtel, Phil JAG:EX; s.15 AG:EX
Cc: Bertrand, Stuart GCPE:EX; Bates Gibbs, Bonnie GCPE:EX
Subject: FW: URGENT: Media request - Globe and mail
Importance: High

s.15 – New second line – please see below.

Deadline @ asap

Media: [Globe and Mail](#)

Reporter: [Justine Hunter, 250-220-2718, jhunter@globeandmail.com](#)

Topic: [Call for CFO review](#)

Background: Reporter is working today on a “political story” on the Civil Forfeiture Office and she is wondering if she might speak to Minister Anton after Cabinet about whether there is any plan to review the CFO?

Questions: [Are there any plans to review the Civil Forfeiture Office?](#)

s.13

Niki Pandachuck

Public Affairs Officer
B.C. Ministry of Justice
email: niki.pandachuck@gov.bc.ca
Office: (250) 356-9998
Mobile: (250) 361-8482

Tawtel, Phil JAG:EX

From: Gleeson, Kelly T GCPE:EX
Sent: Wednesday, January 29, 2014 8:52 PM
To: Tawtel, Phil JAG:EX; Groot, Jeff GCPE:EX
Cc: Ives, Andrew JAG:EX; Southern, Evan JAG:EX; Lalonde, Jarett JAG:EX; Cavanaugh, Lynda A JAG:EX; Wanamaker, Lori JAG:EX; Bates Gibbs, Bonnie GCPE:EX; s.15 JAG:EX
Subject: Re: Globe story

Good work

Sent from my BlackBerry 10 smartphone on the TELUS network.

From: Tawtel, Phil JAG:EX
Sent: Wednesday, January 29, 2014 8:34 PM
To: Groot, Jeff GCPE:EX
Cc: Ives, Andrew JAG:EX; Southern, Evan JAG:EX; Lalonde, Jarett JAG:EX; Cavanaugh, Lynda A JAG:EX; Wanamaker, Lori JAG:EX; Bates Gibbs, Bonnie GCPE:EX; s.15 :EX; Gleeson, Kelly T GCPE:EX
Subject: Re: Globe story

Thanks Jeff- very (unexpected) positive story. Appreciate the work you and your team did managing the responses.

Phil Tawtel, Director
Civil Forfeiture Office
BC Ministry of Justice

Sent from iPhone

On 2014-01-29, at 20:07, "Groot, Jeff GCPE:EX" <Jeff.Groot@gov.bc.ca> wrote:

Here it is. Very good and hopefully shuts down all this debate: <http://m.theglobeandmail.com/news/british-columbia/civil-forfeiture-process-working-fine-as-is-anton-insists/article16600342/?service=mobile>

MacLeod, Peggy JAG:EX

From: Steenvoorden, Tom JAG:EX
Sent: Wednesday, February 19, 2014 2:57 PM
To: MacLeod, Peggy JAG:EX
Subject: FW: Media Request - Globe and Mail - Babine (Worksafe - Police MOU)

Tom Steenvoorden
Senior Manager, Public Safety Initiatives
Policing and Security Branch (Victoria)
Ministry of Justice
tel: 250.387.0076
cell: 250.217.6847

From: Steenvoorden, Tom JAG:EX
Sent: Thursday, January 23, 2014 1:11 PM
To: Sitter, Donna GCPE:EX
Subject: Re: Media Request - Globe and Mail - Babine (Worksafe - Police MOU)

I am about 15 minutes away. Ask Allison or Marika if they can dig it up if you cannot wait.

From: Sitter, Donna GCPE:EX
Sent: Thursday, January 23, 2014 01:08 PM
To: Steenvoorden, Tom JAG:EX
Cc: Holmes, Kjerstine L JAG:EX
Subject: FW: Media Request - Globe and Mail - Babine (Worksafe - Police MOU)

Just spoke with Clayton – I need the MOU right away – just going to say what it generally involves. Can you send it to me?

DS
Office - 250-387-3520
BB s.17

From: Pecknold, Clayton JAG:EX
Sent: Thursday, January 23, 2014 1:04 PM
To: Sitter, Donna GCPE:EX
Subject: Re: Media Request - Globe and Mail - Babine (Worksafe - Police MOU)

Yes.

From: Sitter, Donna GCPE:EX
Sent: Thursday, January 23, 2014 13:02
To: Pecknold, Clayton JAG:EX
Subject: RE: Media Request - Globe and Mail - Babine (Worksafe - Police MOU)

Can I call you on your cell

DS
Office - 250-387-3520

From: Pecknold, Clayton JAG:EX
Sent: Thursday, January 23, 2014 1:01 PM
To: Sitter, Donna GCPE:EX; Clark, Perry JAG:EX
Cc: Holmes, Kjerstine L JAG:EX; Steenvoorden, Tom JAG:EX; Groot, Jeff GCPE:EX; Indridson, Ian GCPE:EX
Subject: Re: Media Request - Globe and Mail - Babine (Worksafe - Police MOU)

We don't own the document Donna. Do we if we are not a signatory?

Also why don't we describe the agreement to justice rather than just duck the question.

From: Sitter, Donna GCPE:EX
Sent: Thursday, January 23, 2014 12:59
To: Pecknold, Clayton JAG:EX; Clark, Perry JAG:EX
Cc: Holmes, Kjerstine L JAG:EX; Steenvoorden, Tom JAG:EX; Groot, Jeff GCPE:EX; Indridson, Ian GCPE:EX
Subject: RE: Media Request - Globe and Mail - Babine (Worksafe - Police MOU)

Thanks will change to reflect.

DS
Office - 250-387-3520
BB - s.15

From: Pecknold, Clayton JAG:EX
Sent: Thursday, January 23, 2014 12:59 PM
To: Clark, Perry JAG:EX; Sitter, Donna GCPE:EX
Cc: Holmes, Kjerstine L JAG:EX; Steenvoorden, Tom JAG:EX; Groot, Jeff GCPE:EX; Indridson, Ian GCPE:EX
Subject: Re: Media Request - Globe and Mail - Babine (Worksafe - Police MOU)

s.13

From: Clark, Perry JAG:EX
Sent: Thursday, January 23, 2014 12:53
To: Sitter, Donna GCPE:EX
Cc: Pecknold, Clayton JAG:EX; Holmes, Kjerstine L JAG:EX; Steenvoorden, Tom JAG:EX; Groot, Jeff GCPE:EX; Indridson, Ian GCPE:EX
Subject: Re: Media Request - Globe and Mail - Babine (Worksafe - Police MOU)

I have no concerns with this response

Sent from my iPhone

On 2014-01-23, at 12:49 PM, "Sitter, Donna GCPE:EX" <Donna.Sitter@gov.bc.ca> wrote:

Hi – Can one of you please review – it is a very tight deadline and would like to get it to Justine as soon as possible. The info comes from Tom

DS
Office - 250-387-3520
BB - s.15

From: Schollen, Tasha GCPE:EX
Sent: Thursday, January 23, 2014 11:59 AM
To: Sitter, Donna GCPE:EX; Groot, Jeff GCPE:EX; Heiman, Carolyn GCPE:EX; Mulholland, Lauren GCPE:EX
Cc: Indridson, Ian GCPE:EX; Schollen, Tasha GCPE:EX; Funk, Richelle GCPE:EX; DeLuca, Lori GCPE:EX; Keenan, Jason GCPE:EX; Currie, David GCPE:EX; Bertrand, Stuart GCPE:EX
Subject: Media Request - Globe and Mail - Babine (Worksafe - Police MOU)

Hi Donna – tight deadline on this one. Justine is filing story today.

Date/Time: 23/Jan/11:40am

Deadline @ 2pm

Media: Globe and Mail

Reporter: Justine Hunter, 250-220-2718

Topic: Babine – WorkSafeBC – Police MOU

Background: Reporter is doing a story on Babine and wants to focus on what is going to change going forward now that this MOU is in the works between WorkSafe BC and RCMP and BC Chiefs of Police that sets out who handles what during an investigation such as Babine.

Reporter has asked all three organizations for a copy of the MOU. They are telling her that they want to wait for John Dyble to release his investigative results first.

She does have a copy of an RCMP document that details what RCMP did in the course of the investigation.

Questions: Can reporter get a copy of the MOU? What does it say? What stage of signoff is it at? Is there any money attached to it? (there's mention of police training) What has changed or been done to prevent a repeat of Babine? Apparently the investigation wasn't handled properly – what should have happened?

Suggested Response:

s.13

Tasha Schollen | Media Relations and Issues Manager
Solicitor General Communications Office | Ministry of Justice
Phone: 250-387-5009 | Cell: 250-889-1121

Campbell, Sarah JAG:EX

From: Cavanaugh, Lynda A JAG:EX
Sent: Tuesday, February 4, 2014 6:44 PM
To: Tawtel, Phil JAG:EX
Cc: Groot, Jeff GCPE:EX; Bates Gibbs, Bonnie GCPE:EX; s.15 JAG:EX
Subject: Re: FOR APPROVAL: op ed on CF

I like it. Phil s.15 do you think it would be helpful to also acknowledge s.13

s.13

Lynda

On Feb 4, 2014, at 6:25 PM, "Tawtel, Phil JAG:EX" <Phil.Tawtel@gov.bc.ca> wrote:

Hi Jeff

s.15 and I have gone through this for accuracy as we expect this document will be

s.13

Phil Tawtel CPA FCGA
Executive Director | Civil Forfeiture Office
Ministry of Justice | British Columbia

PO Box 9234 Stn Prov Govt, Victoria, BC V8W 9J1
T 250.387.5488
phil.tawtel@gov.bc.ca

From: Groot, Jeff GCPE:EX
Sent: Tuesday, February 4, 2014 5:11 PM
To: Cavanaugh, Lynda A JAG:EX; Tawtel, Phil JAG:EX; s.15 JAG:EX
Cc: Bates Gibbs, Bonnie GCPE:EX
Subject: RE: FOR APPROVAL: op ed on CF

Sounds good. I can incorporate those changes when you send any other thoughts!

From: Cavanaugh, Lynda A JAG:EX
Sent: February-04-14 5:01 PM
To: Groot, Jeff GCPE:EX; Tawtel, Phil JAG:EX; s.15 JAG:EX
Cc: Bates Gibbs, Bonnie GCPE:EX
Subject: Re: FOR APPROVAL: op ed on CF

s.13

Lynda

From: Groot, Jeff GCPE:EX
Sent: Tuesday, February 4, 2014 4:49 PM
To: Tawtel, Phil JAG:EX; s.15 JAG:EX
Cc: Cavanaugh, Lynda A JAG:EX; Bates Gibbs, Bonnie GCPE:EX
Subject: FOR APPROVAL: op ed on CF

Guys – MO wants to put out an op-ed to the Globe from MSA on civil forfeiture. Can you take a look and let me know what you think? Also, I'd like your input on the use of 'we' throughout. It ties in MSA to decisions CFO makes – I don't know if you have issues with that, or if you'd like to keep her separate.

Thx!

JG

<CFO - Fairness and due process - OpEd - 04Feb14.docx>

Campbell, Sarah JAG:EX

From: Cavanaugh, Lynda A JAG:EX
Sent: Monday, February 3, 2014 11:39 AM
To: Groot, Jeff GCPE:EX; Tawtel, Phil JAG:EX
Cc: Campbell, Sarah JAG:EX
Subject: FW: TNO: Government can harm innocent people by seizing property - Gary Mason - Globe and Mail
Attachments: Civil Forfeiture - Admin forfeiture - IN - 2Feb14.docx

...and – am OK with the content of the note, approved.

From: Groot, Jeff GCPE:EX
Sent: Monday, February 3, 2014 11:31 AM
To: Tawtel, Phil JAG:EX
Cc: Cavanaugh, Lynda A JAG:EX
Subject: RE: TNO: Government can harm innocent people by seizing property - Gary Mason - Globe and Mail

s.13

Lynda, what time is the briefing? I'll send up the IN once you ok the bullet and I'll probably dial in or pop over for that briefing.

From: Tawtel, Phil JAG:EX
Sent: February-03-14 11:26 AM
To: Groot, Jeff GCPE:EX
Cc: Cavanaugh, Lynda A JAG:EX
Subject: FW: TNO: Government can harm innocent people by seizing property - Gary Mason - Globe and Mail

Hi Jeff

Lynda has just advised me that Lori/the DM plans to brief MSA shortly on Administrative Forfeiture so she's prepared for any questions from either the Ombudsman or the media. Once you've finalized your IN would you mind providing Lynda and myself with a copy as well-tks.

I'm in Victoria so if there's any need to have me attend an in person I'll make myself available-tks.

Phil Tawtel CPA FCGA
Executive Director | Civil Forfeiture Office
Ministry of Justice | British Columbia

PO Box 9234 Stn Prov Govt, Victoria, BC V8W 9J1
T 250.387.5488
phil.tawtel@gov.bc.ca

From: Tawtel, Phil JAG:EX
Sent: Monday, February 3, 2014 9:29 AM
To: s.15 JAG:EX; Groot, Jeff GCPE:EX
Subject: FW: TNO: Government can harm innocent people by seizing property - Gary Mason - Globe and Mail

Hi Jeff

Here's my first pass at the information in your new template (I like the new version).

I'm copying s.15 into this as he's got a good eye for the both the program and the media- s.15 -please feel free to add/subtract.

I'm available today to discuss as well-thanks for this Jeff.

Phil Tawtel CPA FCGA
Executive Director | Civil Forfeiture Office
Ministry of Justice | British Columbia

PO Box 9234 Stn Prov Govt, Victoria, BC V8W 9J1
T 250.387.5488
phil.tawtel@gov.bc.ca

From: Groot, Jeff GCPE:EX
Sent: Saturday, February 1, 2014 7:12 PM
To: Tawtel, Phil JAG:EX
Cc: Bates Gibbs, Bonnie GCPE:EX
Subject: RE: TNO: Government can harm innocent people by seizing property - Gary Mason - Globe and Mail

Phil, we're working off a new, simpler template and format for our issues note. You get to be the tester! I just whipped up some msging for MSA and used your info for background. No rush on approving this, but let me know if you think it works.

Monday is totally fine, especially since I used a line about the

s.16

s.16

Thx!

From: Tawtel, Phil JAG:EX
Sent: Saturday, February 1, 2014 10:23 AM
To: Groot, Jeff GCPE:EX
Cc: Bates Gibbs, Bonnie GCPE:EX
Subject: Re: TNO: Government can harm innocent people by seizing property - Gary Mason - Globe and Mail

Jeff I'd add:

s.13

Phil Tawtel, Director
Civil Forfeiture Office
BC Ministry of Justice

Sent from iPhone

On 2014-02-01, at 10:09, "Tawtel, Phil JAG:EX" <Phil.Tawtel@gov.bc.ca> wrote:

Yes- no problem Jeff.

s.13

Does this make sense?

s.16

Phil Tawtel, Director
Civil Forfeiture Office
BC Ministry of Justice

Sent from iPhone

On 2014-02-01, at 8:45, "Groot, Jeff GCPE:EX" <Jeff.Groot@gov.bc.ca> wrote:

Hey Phil - msa wanted me to ask you how you would explain admin forfeiture and why it is exempt from the court process if you were asked. I think she likes how you've done on the interviews and would like to be consistent with what she says. Thoughts?

Begin forwarded message:

From: "Today's News Online GCPE:EX" <tno@gov.bc.ca>

Date: February 1, 2014 at 7:22:40 AM PST

Subject: TNO: Government can harm innocent people by seizing property - Gary Mason - Globe and Mail

Government can harm innocent people by seizing property
Globe and Mail

01-Feb-2014
Page S01
By Gary Mason

gmason@globeandmail.com

s. 3

TERMS OF USE - This e-mail is a service provided by Today's News Online and is only intended for the original addressee. All content is the copyrighted property of a third party creator of the material. Copying, retransmitting, redistributing, selling, licensing, or emailing the material to any third party or any employee of the Province who is not authorized to access the material is prohibited.

Pages 97 through 98 redacted for the following reasons:

s.13

Campbell, Sarah JAG:EX

From: Cavanaugh, Lynda A JAG:EX
Sent: Monday, February 3, 2014 11:36 AM
To: Groot, Jeff GCPE:EX; Tawtel, Phil JAG:EX
Cc: Campbell, Sarah JAG:EX
Subject: RE: TNO: Government can harm innocent people by seizing property - Gary Mason - Globe and Mail

It's between 1 and 3, don't know when they will get to CFO, but told Lori we would be on standby. Sarah, can you see if you can get a better idea when the item is up, and offer to have a conf call for that with me, phil and jeff on the line.

From: Groot, Jeff GCPE:EX
Sent: Monday, February 3, 2014 11:31 AM
To: Tawtel, Phil JAG:EX
Cc: Cavanaugh, Lynda A JAG:EX
Subject: RE: TNO: Government can harm innocent people by seizing property - Gary Mason - Globe and Mail

s.13

Lynda, what time is the briefing? I'll send up the IN once you ok the bullet and I'll probably dial in or pop over for that briefing.

From: Tawtel, Phil JAG:EX
Sent: February-03-14 11:26 AM
To: Groot, Jeff GCPE:EX
Cc: Cavanaugh, Lynda A JAG:EX
Subject: FW: TNO: Government can harm innocent people by seizing property - Gary Mason - Globe and Mail

Hi Jeff

Lynda has just advised me that Lori/the DM plans to brief MSA shortly on Administrative Forfeiture so she's prepared for any questions from either the Ombudsman or the media. Once you've finalized your IN would you mind providing Lynda and myself with a copy as well-tks.

I'm in Victoria so if there's any need to have me attend an in person I'll make myself available-tks.

Phil Tawtel CPA FCGA
Executive Director | Civil Forfeiture Office
Ministry of Justice | British Columbia

PO Box 9234 Stn Prov Govt, Victoria, BC V8W 9J1
T 250.387.5488
phil.tawtel@gov.bc.ca

From: Tawtel, Phil JAG:EX
Sent: Monday, February 3, 2014 9:29 AM
To: s.15 JAG:EX; Groot, Jeff GCPE:EX
Subject: FW: TNO: Government can harm innocent people by seizing property - Gary Mason - Globe and Mail

Hi Jeff

Here's my first pass at the information in your new template (I like the new version).

I'm copying s.15 into this as he's got a good eye for the both the program and the media- s.15 -please feel free to add/subtract.

I'm available today to discuss as well-thanks for this Jeff.

Phil Tawtel CPA FCGA
Executive Director | Civil Forfeiture Office
Ministry of Justice | British Columbia

PO Box 9234 Stn Prov Govt, Victoria, BC V8W 9J1
T 250.387.5488
phil.tawtel@gov.bc.ca

From: Groot, Jeff GCPE:EX
Sent: Saturday, February 1, 2014 7:12 PM
To: Tawtel, Phil JAG:EX
Cc: Bates Gibbs, Bonnie GCPE:EX
Subject: RE: TNO: Government can harm innocent people by seizing property - Gary Mason - Globe and Mail

Phil, we're working off a new, simpler template and format for our issues note. You get to be the tester! I just whipped up some msging for MSA and used your info for background. No rush on approving this, but let me know if you think it works.

Monday is totally fine, especially since I used a line about the

s.16

s.16

Thx!

From: Tawtel, Phil JAG:EX
Sent: Saturday, February 1, 2014 10:23 AM
To: Groot, Jeff GCPE:EX
Cc: Bates Gibbs, Bonnie GCPE:EX
Subject: Re: TNO: Government can harm innocent people by seizing property - Gary Mason - Globe and Mail

Jeff I'd add:

s.13

Phil Tawtel, Director
Civil Forfeiture Office
BC Ministry of Justice

Sent from iPhone

On 2014-02-01, at 10:09, "Tawtel, Phil JAG:EX" <Phil.Tawtel@gov.bc.ca> wrote:

Yes- no problem Jeff.

s.13

Does this make sense?

s.16

Phil Tawtel, Director
Civil Forfeiture Office
BC Ministry of Justice

Sent from iPhone

On 2014-02-01, at 8:45, "Groot, Jeff GCPE:EX" <Jeff.Groot@gov.bc.ca> wrote:

Hey Phil - msa wanted me to ask you how you would explain admin forfeiture and why it is exempt from the court process if you were asked. I think she likes how you've done on the interviews and would like to be consistent with what she says. Thoughts?

Begin forwarded message:

From: "Today's News Online GCPE:EX" <tno@gov.bc.ca>

Date: February 1, 2014 at 7:22:40 AM PST

Subject: TNO: Government can harm innocent people by seizing property - Gary Mason - Globe and Mail

Government can harm innocent people by seizing property
Globe and Mail

01-Feb-2014
Page S01
By Gary Mason

gmason@globeandmail.com

s. 3

TERMS OF USE - This e-mail is a service provided by Today's News Online and is only intended for the original addressee. All content is the copyrighted property of a third party creator of the material. Copying, retransmitting, redistributing, selling, licensing, or emailing the material to any third party or any employee of the Province who is not authorized to access the material is prohibited.

Campbell, Sarah JAG:EX

From: Cavanaugh, Lynda A JAG:EX
Sent: Sunday, February 2, 2014 9:38 PM
To: Tawtel, Phil JAG:EX
Subject: Re: CFO News for 03 FEB: exec meeting

Thanks Phil.

Lynda

From: Tawtel, Phil JAG:EX
Sent: Sunday, February 2, 2014 9:34 PM
To: Cavanaugh, Lynda A JAG:EX
Cc: Campbell, Sarah JAG:EX; Groot, Jeff GCPE:EX
Subject: CFO News for 03 FEB: exec meeting

Hi Lynda

The Globe and Mail continues to write Comment pieces against the CFO-this particular one recommending endorsing the Hells Angels action against the CFO.

I plan to work with Jeff on Monday morning to update our Admin Forfeiture speaking notes for MAS and will provide you with a copy as well.

Phil Tawtel, Director
Civil Forfeiture Office
BC Ministry of Justice

Sent from iPhone

Begin forwarded message:



"civil forfeiture act"

Hourly update · February 3, 2014

NEWS

BC's overzealous cash cow: civil forfeiture

The Globe and Mail - The "Motorcycle Club" is right to challenge the constitutionality of British Columbia's **Civil Forfeiture Act**, a law that allows the police to seize and forfeit ...



Flag as irrelevant

You have received this email because you have subscribed to **Google Alerts**. [Unsubscribe](#)



[Receive this alert as RSS feed](#)

[Send Feedback](#)

Campbell, Sarah JAG:EX

From: Cavanaugh, Lynda A JAG:EX
Sent: Friday, January 31, 2014 3:12 PM
To: Groot, Jeff GCPE:EX; Tawtel, Phil JAG:EX
Cc: Bates Gibbs, Bonnie GCPE:EX
Subject: RE: Globe and Mail Online: B.C. Justice Minister defends property seizure office amid greater scrutiny

Solid support from MSA!

From: Groot, Jeff GCPE:EX
Sent: Friday, January 31, 2014 3:09 PM
To: Tawtel, Phil JAG:EX; Cavanaugh, Lynda A JAG:EX
Cc: Bates Gibbs, Bonnie GCPE:EX
Subject: FW: Globe and Mail Online: B.C. Justice Minister defends property seizure office amid greater scrutiny

FYI

From: tno@gov.bc.ca [<mailto:tno@gov.bc.ca>]
Sent: January-31-14 3:07 PM
Subject: Globe and Mail Online: B.C. Justice Minister defends property seizure office amid greater scrutiny

Globe and Mail Online
Sunny Dhillon
31-Jan-2014 14:53

s. 3

TNO...

This e-mail is a service provided by Government Communications and Public Engagement and is only intended for the original addressee. All content is the copyrighted property of a third party creator of the material. Copying, retransmitting, redistributing, selling, licensing, or emailing the material to any third party or any employee of the Province who is not authorized to access the material is prohibited.