



20 September 2007

[Address]

Dear Sir or Madam:

I am writing further to your complaint of March 2007 regarding the conduct of the Honourable Peter Leask of the Supreme Court of British Columbia.

In accordance with the *Complaints Procedures* of the Council, I referred your complaint to the Honourable Richard Scott, Chief Justice of Manitoba and Chairperson of the Judicial Conduct Committee of the Council. After reviewing this matter, Chief Justice Scott has asked me to provide you with this response.

Your complaint is, essentially, that Justice Leask engaged in inappropriate conduct during the trial of *Regina v. Glen Hehn* held on 13 March 2007. During that trial, Justice Leask used coarse language during his exchanges with counsel. The language used was widely reported in the media at the time.

Given the seriousness of this matter, Chief Justice Scott asked Justice Leask to provide comments. Justice Leask indicated that he truly regretted his use of language during the trial. He agreed that his conduct was improper and did tarnish the reputation of the Court and of the judiciary. He pointed out that he had immediately recognized the gravity of his actions by issuing a public apology and indicating he would never repeat such an error in future.

Chief Justice Scott agrees that Justice Leask's use of language was entirely improper. He expressed his concern to Justice Leask about his conduct. Specifically, he advised Justice Leask that his language was offensive, that it brought discredit on the judiciary and showed disrespect toward the Court. Chief Justice Scott reminded Justice Leask that judges must, at all times, ensure that civility and decorum prevail in the courtroom and that judges must lead by example.

In light of the judge's clear and unequivocal public apology, however, and his undertaking that this type of behaviour would not occur again, Chief Justice Scott has determined that the judge's conduct was not so egregious as to render him incapable of continuing to serve as a judge. Accordingly, Chief Justice Scott, after formally expressing his concerns to Justice Leask, has determined that no further action is necessary. He has therefore instructed me to close the file by providing you with this letter.

Yours sincerely,

[ORIGINAL SIGNED BY]

Norman Sabourin
Executive Director and General Counsel