



May 26, 2016

**VIA EMAIL**

Owen Rees  
Conway Baxter Wilson LLP  
401-1111 Prince of Wales Drive  
Ottawa, ON  
K2C 3T2

Dear Mr. Rees:

**Re: Justice Camp Inquiry and the Relevance of Errors of Law**

I write in reply to the new points raised in Ms Hickey's letters dated May 24, 2016.

Ms Hickey writes that "the Alberta Court of Appeal determined that there were errors of law," "the Inquiry Committee is not in a position to overrule the Alberta Court of Appeal," and the Alberta Court of Appeal was the "appropriate forum for addressing errors of law." In fairness, Justice Camp had no standing at the Court of Appeal and Mr. Wagar was not present. The Court of Appeal did not appoint *amicus* to argue Wagar's position or defend the acquittal. It relied on the Crown's factum and "portions" of the trial transcript. It stated that Justice Camp's reasons "gave rise to doubts" about his understanding of the law, but did not identify the errors as it was required to do. It also said Justice Camp "misapprehended the evidence" – a ground of appeal unavailable to the Crown on an appeal from acquittal and not argued in the Crown's factum. I note as well that Ms Hickey recently advised a proposed intervener (the law professor group) that she intends to put their letter before the Committee. The letter alleges errors of law.

My suggestion that the Committee exclude legal errors as a basis for finding misconduct was intended to avoid the need for me to develop the foregoing arguments at the hearing and focus the hearing instead on the portion of Justice Camp's conduct reflected in paragraphs 2 through 6 of the Notice of Allegations. If the Committee agrees the hearing should be so focused, it can provide particulars clarifying the limits of the Allegations.

Yours very truly,

Frank Addario

cc: Marjorie A. Hickey, QC