

Jim Taylor, 1300 Sixth Street, Okanagan Centre, BC V4V 2H7
tel: 250-766-2571 e-mail: rewrite@shaw.ca

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No doubt many people felt that justice had been done, when Sub-Lt. Jeffrey Paul Delisle pleaded guilty to three charges of selling security information to a foreign power.

The charges claimed that Delisle, an intelligence officer in the Canadian Navy, had been selling information to the Russians for over four years. The Russians allegedly paid him \$3000 a month for his services.

As reported in the Ottawa *Citizen*, defence lawyer Mike Taylor said Delisle decided, “There’s no good reason to simply put on a show for the public, to go through the motion when, in my estimation, the outcome was clear...

“He’s just wants to move forward, he wants to get it done, put it behind him, accept his responsibility and have the court deal with it,” Taylor said.

Delisle will be sentenced next January.

Hang on a minute. A guilty plea may be good for Delisle. He can get on with what’s left of his life.

And a guilty plea may be good for the court system. As countless episodes of Law and Order have demonstrated, a guilty plea saves the court from going through interminable procedural wrangling that drags on and on and offers endless opportunities for a miscreant to get off on a minor technicality.

But a guilty plea is not necessarily good for justice. A guilty plea may put a stop to one person’s crimes, like murder or mugging. It does nothing to prevent systemic crime, corporate crime, or political corruption.

A guilty plea means the case is closed. Any evidence that would have been presented is now sealed.

We will never know – unless Delisle volunteers to spill the beans – who his contacts were, what he told them, how he gathered his information, if he had any accomplices, what flaws in the system he exploited to gather that information...

The same thing happened at the B.C. Rail trial, two years ago.

Campaigning in 2001, Gordon Campbell promised never to sell B.C. Rail, 2330 km of rail line running from Vancouver through Squamish to the central and northern interior of the province.

And it's true, he didn't actually sell Canada's third-largest railway. He leased it. To Canadian National Railways. For 990 years. Which is 42 years longer than the elapsed history of England since William the Conqueror invaded in 1066.

For \$1.1 million. With tax breaks and refunds, actually around \$500 million. Less than two years' of the railway's revenues at the time.

Then the RCMP, while investigating a drug ring, heard of potentially shady dealings by government agents. (I'm simplifying the saga considerably.)

The RCMP raided the legislature in 2003, and took away truckloads of documents.

The provincial government appointed a Special Prosecutor, William Berardino, and paid him \$10.7 million to investigate the case. Then the government spent the seven years trying to make sure that the prosecution team they appointed could not use those government documents to prosecute the alleged criminals because disclosure might implicate the government ministers responsible for bringing the guilty to justice.

Did you follow all that? Does it sound as if the government might have had a conflict of interest?

Because of all the preliminary jousting, mostly hidden behind a publication ban, the actual trial didn't start until May 17, 2010.

Five months later, two of the defendants – David Basi and Robert Virk – unexpectedly entered guilty pleas to reduced charges. A third defendant, Aneal Basi, had his charges dropped.

Slam! Case closed!

It's over. The crooks have been found guilty. All's well that ends well.

Except that the evidence under oath that might have been revealed by cabinet ministers or senior civil servants never got brought into the open. Boxes of documents were sealed, perhaps forever.

And the massive legal bills run up by the defendants' legal team, estimated at \$6 million, were picked up by the government too.

Nope, I'm not satisfied. The whole thing smacks of cover-up.

I think the question of whether three scapegoats received their punishment is almost irrelevant. The question is not whether they were guilty or innocent, but who pulled their strings? Were they really acting alone? On whose behalf were they negotiating?

Much the same kind of unanswered questions, you might note, as apply to Delisle's guilty plea.

Negotiating a guilty plea is not the same thing as justice.

Justice requires more than simply exacting a figurative pound of flesh. It requires making changes to ensure that the offence won't happen again.

With simple crimes like murder, for example, some states execute the offender, thus guaranteeing that he (usually he) cannot repeat his offence.

But that solution doesn't work in social systems. Punishing Delisle will not preclude other breaches of security. Punishing Basi and Virk will not prevent corruption in government circles.

Justice requires opening, cleaning out, and treating festering wounds.

In that context, a guilty plea is a cop out.

Jim Taylor is an Okanagan Centre author and freelance journalist. His column appears Sundays. He can be reached at rewrite@shaw.ca