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BC Rail: the great disappearing act

Patrick Brown

BC Supreme Court Justice Anne MacKenzie has ordered that all the evidence disclosed by the Crown to the Defence in the BC Rail case be destroyed or returned to the RCMP for destruction. In the same week, former Premier Gordon Campbell resigned as a member of the provincial legislature, and longtime RCMP Commissioner Gary Bass retired.

Very little of the evidence has been released to the public. The trial, which had the potential to reveal the entire story of how BC Rail was sold to CN for a purported \$1 billion, was cut short when Dave Basi and Bobby Virk, two ministerial assistants, pleaded guilty to charges that they provided confidential evidence to one of the bidders; they received a payment of some \$6 million, purportedly (there's that word again) to cover their legal bills.

The trial was stopped just before former cabinet ministers were to testify. The evidence to be destroyed, which was provided to the Defence only after many years of delay and obfuscation by the government, would have been the basis for cross-examination of government officials.

The \$1 billion purported BC Rail price include CN's purchase of purported corporate income tax deductions said to be generated by BC Rail in its years as a Crown corporation. Neither CN nor Revenue Canada has revealed whether in fact they have been claimed. If they have been, the net cost of BC Rail to CN would have been significantly reduced.

The accumulated evidence might have been used in any public enquiry into the BC Rail sale; but incoming Premier Christy Clark has ruled out any such enquiry. The public will never know, only suspect.

Destruction of the evidence by the RCMP will also close the book on questions raised about the role of the RCMP in the investigation of the BC Rail sale—the original 'legislature raids'. The retirement of Gary Bass will close an uncomfortable chapter in BC's RCMP history.

And the resignation of Gordon Campbell, MLA, will end four-and-a-half months of tidying up since he first announced his intention to resign as premier in last November.. ☞

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