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October 8, 2002

H. Benjamin Casson Q.C (AB)
Acting Police Complaint Commissioner
#900 – 1111 Melville Street
Vancouver, B.C., V6E 3V6
By Fax: 604-660-2385

Mr. Casson:

Re: **File: OPCC 0681**
Request for Public Hearing Re: Death of Anthony Dawson

I have received a copy of your letter dated August 28, 2002 addressed to my lawyer, Adrian Brooks. I must say that I am very disappointed. I did have high hopes that perhaps the old boys club would have been set aside and that each case would be reviewed in detail. I ask you to review my sons' file again and to allow us to have a public hearing. The following are a few of the reasons:

In your letter to Mr. Brooks, you state that there will be no public hearing for my sons' death. You state that *"In reviewing the files, I concentrated on two information sources i.e., the Investigation Report by the Victoria Major Crime Unit of the R.C.M.P. and the transcripts of proceedings before the Regional Coroner."*

In reviewing these two files you must have come across the fact that the R.C.M.P. officer that was conducting the investigation was denied the right to interview the Victoria City police officers involved in the death of my son.

You went on to say: *"In the transcripts, I focused on the testimony of witnesses who observed events involving members of the Victoria City Department and Anthony Dawson which occurred on August 11, 1999."*

You will then recall that one of the witnesses had stated that Anthony was punched so hard by one of the police officers that it sickened her. You will also recall that eight witnesses, with no motive to lie, give their version and a police officer with a motive to lie denying the witnesses statements. How can we have faith in a process that will attempt to sweep the witnesses statements under the rug and cling to the police statements? Where is the equality?

You then went on to state: *"In reaching my conclusions in this matter, I posed, for myself, four questions:*

1. *Is there any information or evidence to suggest that a member or members of the Victoria Police Department exhibited, or were motivated by, racist attitudes toward Anthony Dawson?*

We contend that there is and as we were assured at the Inquest, all of our questions and concerns in that matter would be raised in a public hearing. We were told that a public hearing was the proper arena in which to shed more light on this subject as the inquest was not the proper arena in which to discuss this.

2. *Is there any information or evidence to suggest that the Victoria Police Department or the investigators who prepared the Investigation Report by the Victoria Major Crimes Section, through their investigations into this matter, attempted to cover-up events in order to avoid placing blame on members of the Victoria Police Department?*

We contend that there is such evidence. To name only a few areas, I bring your attention to the "Critical Incident Report" that should have been filed upon the death of my son by the police officers involved. Not only was this not done, but the police lawyers made absolutely no reference to this report at all and left it up to the public (through our lawyer) to come across this report. Even when this report was named at the inquest, the police lawyers attempted to downplay its importance by stating that it is under review, making no reference to the fact, that while it may be under review, that such a report was to have been filed. Why was this information not offered?

Another point is that of the handcuffs: Each and every police officer stated that they could not clearly state whose handcuffs were placed on Anthony as they were all the same. Yet the public, (through our lawyer) had to wade through more cover-up maze to discover that indeed, all police handcuffs have serial numbers on them in order to identify whose handcuffs were used. Why was this information not offered?

Why did the police make no attempt to locate witnesses despite being informed of my sons' death?

The R.C.M.P. Special Investigation Unit issued a report finding no fault with the Victoria City Police Officers involved in the death of my son. This report was plastered all throughout the media, but never once did that Investigator offer the information that he was denied the right to interview the police officers in question. How can you do an Independent Thorough Investigation, if you cannot interview the people involved?

3. *Did the Coroners' Inquest provide a reasonable and unrestricted opportunity for the Regional Coroner, the Coroner's Jury, Counsel for the Regional Coroner and interested parties (through Counsel) to adduce and test evidence particularly as it related to events involving members of the Victoria Police Department and Anthony Dawson?*

We vehemently contend that it did not. Many, many, questions that our lawyer raised in trying to determine what happened to my son were met with responses either by the Coroner stating that the Inquest was not the proper arena to ask those questions; or by the police lawyers advising the Coroner that our lawyers' questions would be better answered at a Public Hearing. The Inquest raised more questions and did not answer any of the questions we originally had.

4. *If the Coroner's Inquest did provide that opportunity, did the evidence as to the conduct of members of the Victoria Police Department, taken as a whole, indicate misconduct to justify ordering a public hearing?*

The Coroner's Inquest did not provide a level opportunity to have our questions answered, rather, it uncovered even more questions of a cover up and racist actions.


We conclude that:

1. Racism is a factor in my sons' death;
2. There is an attempt at a cover-up;
3. The Coroner's Inquest did not allow for public exposure to the circumstances preceding Anthony's death and did not provide an unrestricted opportunity for interested parties to elicit any evidence of misconduct on the part of members of the Victoria Police Department.
4. Considered as a whole, the evidence of witnesses as to their observations of events involving member of the Victoria Police Department and Anthony Dawson, along with the Victoria Police Department's attempt to cover up the Critical Incident Report; and the handcuffs, to name only a few does indeed justify the need for a public hearing.

You are in a tough position sir, you must keep your colleagues in mind, and you must weigh the reports that you are given. We are asking for a public hearing into the death of Anthony Dawson on August 11, 1999 in Victoria, B.C. This is a subject that no police department wants to address, but if we don't we will only ensure that this type of mistreatment will carry on.

The entire theory of these procedures is to have a completely open process, but we are far from that. I ask again that you review the entire case and that you call for a public hearing. As Sergeant Batershill has taken it upon himself to issue unsolicited public statements about welcoming the civil suit, I have no choice but to copy this letter to the media.

Yours truly,



Nancy Dawson
Anthony Dawson's Mother