
Matter Of Compensation In R. v. Baltovich**NEWS**

January 13, 2010

After careful consideration of the factors relating to this matter, the Attorney General has concluded that the payment of financial compensation is not appropriate in this case. The Attorney General is convinced that, at every stage in this case, the Crown and police acted with integrity and in the best interests of the administration of justice.

A number of factors are taken into consideration to determine if a case is sufficiently rare and unusual to warrant financial compensation. These include the specific facts of this case, the Court of Appeal's decision, and the *Federal-Provincial-Territorial Guidelines for Compensation for Wrongfully Convicted and Incarcerated Persons*.

Mr. Baltovich was convicted of second-degree murder at his first trial. On April 22, 2008, as a result of a number of developments in the case, including evidentiary issues and changes in the case law, the Crown determined there was no longer a reasonable prospect of conviction. The Crown was therefore duty-bound to discontinue the prosecution, which it did by calling no evidence at the new trial. As a result, the jury returned a verdict of not guilty and an acquittal was entered.