
Missing Women Commission of Inquiry

Ruling on Participation – Ms. Marion Bryce

The Honourable Wally Oppal, Q.C.

Commissioner

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Ruling on Participation for Ms. Marion Bryce

August 18, 2011

1. Background

In a letter dated August 16, 2011, Mr. Irwin Nathanson, QC requested standing on behalf of his client Ms. Marion Bryce. Ms. Bryce's daughter, Patricia Johnson, was last seen in Vancouver's Downtown Eastside in 2001. First degree murder charges were laid against Mr. Pickton with respect to Ms. Johnson and ultimately stayed.

2. The Criteria for Participation in Evidentiary Hearings

In my ruling of May 2, 2011 (the "Ruling"), I set out the test for participation. The test for participation is set out s. 11(4) of the Public Inquiry Act. There are three factors to be considered:

- a. Whether, and to what extent, the person's interests may be affected by the findings of the commission,
- b. Whether the person's participation would further the inquiry,
- c. Whether the person's participation would contribute to the fairness of the inquiry.

Formal participation in the Commission's evidentiary hearings has been limited to those persons or groups who demonstrate that they meet the test for participation with respect to Terms of Reference 4(a) and (b).

3. Applicant Accepted as Full Participant

Ms. Marion Bryce is the mother of Patricia Johnson, a victim of Pickton. I previously granted standing to eight families, as represented by Mr. Ward¹, whose next of kin were victims of Pickton. Like those families, Ms. Bryce may have a direct and personal interest in the Commission's findings. I believe Ms. Bryce will contribute to a meaningful examination of the conduct of the missing women investigation, particularly the initiation of the investigations. It is my belief that Ms. Bryce may be in a position to provide evidence with respect to:

¹ Since the Ruling, Mr. Ward has been retained by five additional families. In a letter dated May 27, 2011 Mr. Ward informed the Commission he had been retained by the families of Jacqueline Murdock and Angela Williams. In a subsequent letter dated July 6, 2011 the Commission was informed that families of Brenda Wolfe, Andrea Joesbury and Elsie Sabastian had also retained Mr. Ward as counsel for the hearings.

- Ms. Johnson's disappearance
- Ms. Bryce's search for her daughter
- the initial report of Ms. Johnson's disappearance to the police
- the information Ms. Bryce provided to the police about her missing daughter; and
- the conduct of the investigation.

In this way, Ms. Bryce's participation will contribute to the fairness of the inquiry.

Ms. Bryce meets the test for participation and therefore granted Full Participant rights as defined in my earlier Ruling.

In short, Full Participants may participate in all phases of the evidentiary hearings and exercise all rights of participation in those hearings, including cross examining witnesses and making submissions. They will also be granted access to the documents disclosed to the Commission.

A handwritten signature in blue ink, appearing to read "Wally T. Oppal", is written over a solid black horizontal line.

Wally T. Oppal, QC

Commissioner