

# HALCO

**HIV & AIDS Legal Clinic Ontario**

65 Wellesley Street East, Suite 400, Toronto, Ontario M4Y 1G7

December 13, 2011

Honourable John Gerretsen  
Attorney General  
Ministry of the Attorney General  
McMurtry-Scott Building  
720 Bay Street, 11<sup>th</sup> Floor  
Toronto, ON M7A 2S9

Dear Minister Gerretsen:

**Re: HIV & the criminal law**

Please accept this letter on behalf of the HIV & AIDS Legal Clinic Ontario and the Canadian HIV/AIDS Legal Network.

Both organizations welcome, and commend, your decision to withdraw Ontario's interventions in the *R. v. Mabior* and *R. v. D.C.* matters at the Supreme Court of Canada. We respect and appreciate the principled approach that you have taken at such an early stage in your tenure as Attorney General.

We, along with the Ontario Working Group on Criminal Law & HIV Exposure (CLHE), in which we participate, very much look forward to working with your Ministry over the coming months on the development of prosecutorial guidance for Crown prosecutors handling allegations of HIV non-disclosure. We are confident that your Ministry will again take a principled approach and ensure that the guidance will be consistent with current medical and scientific research, as well as support medical, public health and community efforts to prevent HIV transmission and provide support, care and treatment to those living with HIV.


We will be in touch in early 2012 to further discuss the development of said guidance.

We wish you and your family a wonderful holiday season and a very happy and healthy New Year.

Sincerely,

**HIV & AIDS Legal Clinic Ontario**

per:



**Ryan Peck**  
Barrister & Solicitor  
Executive Director