

**Ministry of the  
Attorney General**

Criminal Law Policy Branch  
(Criminal Law Division)

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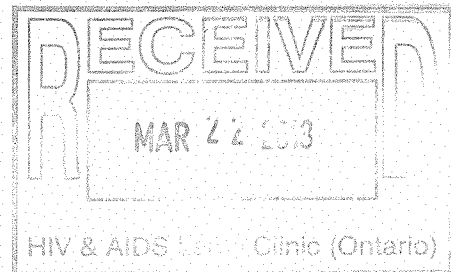
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**Ministère du  
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March 21, 2013

Ryan Peck, Barrister and Solicitor  
Co-Chair, Ontario Working Group on Criminal Law & HIV Exposure  
c/o HIV & AIDS Legal Clinic (Ontario)  
65 Wellesley Street East, Suite 400  
Toronto, Ontario  
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Dear Mr. Peck:

It was a pleasure to meet with you and your colleagues on January 15, 2013. Thank you very much for providing me with your recommendations on prosecutorial guidelines entitled "*Consultation on Prosecutorial Guidelines for Ontario Cases Involving Non-disclosure of Sexually Transmitted Infections: Community Report and Recommendations to the Attorney General of Ontario – June 2011.*" We understand that this is a very high priority for you.

These materials, together with the reference bibliography included in your letter of February 4<sup>th</sup>, 2013, are helpful and informative. Currently we are in the process of carefully reviewing all of the information provided by you. The review is ongoing, and if there are other recommendations or research materials that you would like us to consider, I would be pleased to receive them. We are, however, not in a position to provide timelines to you on our deliberations.

Your letter notes that you have been discussing the possibility of prosecutorial guidelines with the Ministry for three years. As you may recall, a decision was made that the Ministry would wait for the Supreme Court of Canada's decision in *Mabior* before further consideration of prosecutorial guidance.

The *Mabior* decision, released in October 2012, did clarify the law in a number of areas. These issues are very significant to the Ministry and we are working diligently to ensure that all appropriate factors are being considered.

Thank you again for sharing your views on these important matters.

Yours truly,

A handwritten signature in black ink, appearing to read "Mary Nethery".

Mary Nethery, Director  
Criminal Law Policy Branch