

**Ministry of the
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MAY 17 2013

Mr. Ryan Peck
Barrister and Solicitor
Co-Chair, Ontario Working Group on Criminal Law & HIV Exposure
65 Wellesley Street East, Suite 400
Toronto, Ontario
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Dear Mr. Peck:

Thank you for your letter of May 7, 2013, in which you request a further meeting to discuss the content and orientation of prosecutorial guidance material in relation to HIV and STI exposure.

As you are aware, the Criminal Law Division has met with representatives of the Ontario Working Group on Criminal Law and HIV Exposure (CLHE) on a number of occasions to discuss both the need for guidance, and also the proposed content. Most recently in January of 2013 you met with the Director of the Criminal Law Policy Branch and following that meeting provided materials for her consideration.

I appreciate that this is a matter of considerable concern to you and the members of the Ontario Working Group on Criminal Law and HIV Exposure. I assure you that the Criminal Law Division has thoroughly considered the material you have provided and understands your position. The Criminal Law Division is reviewing all of the material you have provided us, considering the applicable law and policy considerations, and will develop policy which is consistent with the legal principles established by the Supreme Court of Canada in *R. v. Mabior* and *R. v. D.C.*

As I indicated in my letter of April 30, 2013, we do not anticipate conducting any further external consultations or having further meetings. If you have additional information which you would like considered, the Ministry would be pleased to receive it. Please forward any material to the attention of Howard Leibovich, Director, Crown Law Office—Criminal by May 31, 2013.

Yours truly,

James L. Cornish
Assistant Deputy Attorney General
Criminal Law Division