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Canadian Judicial Council
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Attention: Mr. Norman Sabourin
Executive Director and Senior General Counsel,
Canadian Judicial Council

Via Facsimile: 613.288.1575
Email: nsabourin@judicom.gc.ca
Email: info@cjc-ccm.gc.ca

October 26, 2012

Re: Joint petition to the Justice Minister for a Parliamentary Inquiry

Dear Sir:

My name is Kari Simpson. On August 24, 2012 I sent to the Canadian Judicial Council (CJC), via both email and facsimile, a written request for information concerning Madam Justice Mary Marvyn Koenigsberg. To date, I have had no response. (I enclose a copy for your convenience.)

I would like an explanation as to why my correspondence hasn't been answered or even acknowledged.

I am also sending (for informational purposes only) a summary brief of the events involving Madam Justice Koenigsberg, the late former Chief Justice of the Supreme Court of British Columbia (and former member of the CJC) Donald Brenner, The Rt. Hon. Chief Justice and Chairwoman of the CJC Beverley McLachlin, and the justices of the 2008 Supreme Court of Canada.

I am sure that you will, upon review of the summary brief, understand that these allegations are of such a notorious nature that it would be impossible for the CJC to establish the threshold required to satisfy the public's trust and confidence in

investigating this matter. The issues of reasonable apprehension of (institutional) bias, bias, and conflict of interest is indisputable, and can not be overcome by any measure of logical persuasion.

The existence of the CJC, and its stated purpose, confirm my lawful entitlement to have my complaint heard, and the conduct of justices named therein investigated. The merits of my case overwhelmingly satisfy the test. Clearly, my rights must not only be protected, but also exercised; however, regrettably I am not aware of any provision in CJC policy that gives constructive instruction in a unique situation like this, a matter where it appears the CJC has, or ought to have acted. Therefore, as the *Constitution Act* recognizes the supremacy of Parliament in matters relating to the better administration of justice—and assigns lawful responsibility to Parliament to investigate the administration of justice in Canada, I suggest that in the interest of justice, and to prevent the administration of justice from falling into further disrepute, that we jointly petition the Justice Minister to convene a Parliamentary inquiry into this matter.

For the purpose of your consideration of this request, you should also be aware that I am informed about the proceedings involving the CJC's inquiry into the matter involving Assistant Chief Justice Lori Douglas. I have obtained, in addition to other information, a copy of the affidavit sworn by Sarah Whitmore and filed in the Federal Court in support of judicial review—one of three separate actions for judicial review, I am advised. The details therein can only be described as a procedural circus, and a monumental waste of tax-payers' money that only serves to lower the estimation of judges and lawyers in the eyes of Canadians.

I trust that after your review of this information, you will agree that while the events of fraud, corruption, defamation, obstruction of justice, violation of my rights and defilement of the judicial machinery isn't as carnally salacious as the Douglas matter, they are in fact far more serious and damaging to the administration of justice; and when proven true, they will deliver a certain death blow to the theory that judges can be trusted to police themselves.

It would be a fruitless campaign to convince any reasonably-minded Canadian that the allegations I assert could be heard by an unbiased investigator or panel of the CJC's choosing—not when the CJC itself is alleged to be culpable. Further, I am certain that matters will be raised involving investigations into the conduct of Koenigsberg J., to which the CJC may or may not have been party. I fear the allegations I make are a no-win situation either way for the CJC.

It is impossible, in this circumstance, for the CJC to contemplate investigation. I am entitled to have my complaint heard. I am entitled to have that complaint examined by an investigator with clean hands, and with no fear of bias nor apprehension of bias. My proposal, if acted upon by the Minister, will satisfy the duty of the State to provide me with a venue for such investigation.

If you have any other suggestion as to how we can remedy this serious matter, please advise me and I will give it due consideration.

In closing, I believe that the interests of the Canadian people are best served by a Parliamentary Inquiry into this matter. It is my hope that the first and foremost consideration of the honourable members of the CJC and the Canadian courts will be to identify the obvious failings of the judicial system as it is now constructed, and to implement the changes needed to ensure that better safeguards are established so as to warrant the trust and confidence of civil Canadians in the administration of justice.

Please be advised that the summary brief enclosed is not to be considered a complaint; it is only provided to you as a factual outline that demonstrates not only the scandalous and unlawful conduct of the justices named therein but also the perceived and real conflicts of interest and bias of the CJC in this matter.

I will be providing a copy of this correspondence to the Minister. Following is the proposed wording of our joint petition. Please advise me at your earliest convenience as to whether or not you agree to my proposal. I also look forward to receiving an explanation why my previous letter has been ignored—along with the answers to my simple query.

Yours sincerely,



Kari D. Simpson

Encl: Summary Brief of Simpson v Mair et al & WIC Radio v Simpson
Correspondence to CJC (August 24, 2012)

Copied and distributed generally to Canadians, judicial and other legal associations and their members, public interest groups and associations, the Prime Minister, Minister of Justice, elected representatives, members of the Senate and media.

***Truth will always make an appearance,
sometimes she just waits for a bigger stage to be built.
RoadKillRadio.com is now built.***

**The Honourable Robert Douglas Nicholson
Minister of Justice and Attorney General of Canada
284 Wellington Street
Ottawa, Ontario K1A 0H8**

Dear Sir:

Whereas it is recognized that Canadians require those duty bound through Judicial Oath and Office to uphold the **Rule of Law** do so honourably. Further, that while public confidence and trust in the administration of justice is fundamentally crucial to the establishment and maintenance of a civil society, it can not be ignored that this trust and confidence in our courts is diminished.

Whereas a case has been presented to the Canadian Judicial Council that alleges conduct on behalf of certain Justices, the CJC and some CJC members, that are of such serious and scandalous consequence, that any investigation engaged in by the CJC would incite a reasonable apprehension of (institutional) bias and alarm and further erode the public's trust in the administration of justice in Canada.

Therefore we, Mrs. Kari Simpson on behalf of Canadians and Mr. Norman Sabourin on behalf of the CJC, jointly petition you to convene a Parliamentary Inquiry into the allegations alleged to herein by Kari D. Simpson in matters relating to ***Kari Simpson v. Rafe Mair & WIC Radio Ltd.*** and ***WIC Radio Ltd. & Rafe Mair v. Kari Simpson*** and the conduct of certain justices, certain Judicial Offices and the Canadian Judicial Council. The allegations of misconduct, unlawful activity and cover-up are ***not*** limited to the following:

In the matter of Simpson v. Mair & CKNW, Justice Mary Marvyn Koenigsberg:

1. Failed to adhere to the ethical guidelines establish for judges by the Canadian Judicial Council;
2. Failed to disqualify herself from a matter she was not qualified to preside over;
3. Engaged in the unlawful act of fraudulent conveyance as defined by the BC Statute and in doing so violated the requirement to be a judge of "good behaviour" and breached the Constitution Act;
4. Defamed the Plaintiff;
5. Failed to adhere to the Rules of the BC Supreme Court;
6. Manufactured evidence;

7. Violated the Constitution Rights of the Plaintiff to a fair and impartial hearing;
8. Tainted other cases that she presided over;
9. Has brought the administration of justice into disrepute;
10. All other matters involving Koenigsberg J. that arise from this investigation.

In the matter of WIC v Simpson, The Honourable Chief Justice Beverley McLachlin:

1. Knew or ought to have known as Chief Justice, and Chief administrator of the Canadian courts and as Chairwoman of the CJC that the antics of Justice Koenigsberg fatally tainted any and all judicial determinations made by Koenigsberg J. and appears to have **wilfully** engaged in “**covering-up**” or “**shielding**” Koenigsberg J. from public account;
2. Has full knowledge of these events and having the judicial authority to remedy the situation, knowing full well that the judgement of the lower court should be voided, has failed to demonstrate judicious leadership thus defiling the entire judicial machinery and tainting all within it;
3. Knew or ought to have known prior to hearing and/or releasing the SCC decision in **WIC Radio v. Simpson** and/or the decision as to whether or not to grant a Re-hearing that the trial judgement of Koenigsberg J. was fatally compromised and failed to inform Kari Simpson or her counsel of such facts;
4. Defamed Kari Simpson and has grossly assaulted her reputation, violated her rights as a Canadian and has caused irreparable harm to her;
5. In her capacity as Chief Justice and Chief administrator of the Canadian courts, continues to allow publication of hateful, vile and defamatory statements made by Rafe Mair, Koenigsberg J. and further elaborated upon and endorsed by the justices of the 2008 SCC on judicial data sites, the World Wide Web and other places despite knowing they are lies;
6. In her capacity as Chief Justice and Chief Administrator of the Canadian courts continues to allow the SCC decision in **WIC Radio v. Simpson** to be relied upon in the lower courts despite having full knowledge that the case is fatally flawed, cannot be relied upon and should be voided;
7. That by failing to put an end to the **WIC Radio v. Simpson** farce the Chief Justice is bringing the administration of justice into irreparable dispute;
8. In her capacity as Chief Justice and a presiding judge in **WIC Radio v. Simpson**, McLachlin failed to verify the facts and with bias adopted the provably false declarations of Mr. Burnett, Rafe Mair and WIC Radio’s counsel;

9. Knowingly violated Kari Simpson's right to a fair hearing by modifying the legal test, moving the goal posts and then pronouncing judgement based on the modified test thus denying Simpson the right to know the legal test she was required to satisfy;
10. Engaged in conduct that exceeded the lawful boundaries of her judicial powers. There is no provision in law that empowers a judge of any court to deny a Plaintiff the right to know the legal test she is required to meet. This is indisputable;
11. All other matters involving CJ McLachlin that arise through this investigation.

In the Matter of the Canadian Judicial Council (CJC):

1. Engaged in conduct that raises a reasonable apprehension of (institutional) bias or bias by refusing to answer simple questions about whether or not the CJC participated in any form of investigation or cover-up involving the conduct of Koenigsberg J. or other matters relating to her suitability as a judge or had any knowledge thereof;
2. The CJC knew, or ought to have known, about the unlawful conduct of Koenigsberg J. as numerous judges and lawyers were aware of the antics, including CJC member, the late Donald Brenner CJ, who presided over hearings involving Koenigsberg J. in the Supreme Court of British Columbia. Court documents prove he had full knowledge of the events relating to the fraudulent conveyance of Koenigsberg's home and her financial support of her spouse, a man who, according to court documents engaged in campaigns of lies, vilification, defamation, promotion of hatred and religious intolerance. The same fact pattern Rafe Mair, the Defendant in Simpson v Mair et al. engaged in. The same fact pattern that CJC member and then Chief Justice Donald Brenner assigned Koenigsberg J. to preside over;
3. The CJC knew or ought to have known that Koenigsberg J. was not qualified to preside over the Simpson v Mair matter or any other as she could not be considered to be a judge of "good behaviour" and should have been advised of such by Brenner CJ and others who were aware of these facts;
4. According to a land registry title search on or about July 14, 2008, Koenigsberg J. applied to register, as "joint tenant," a property identified as being located in the Prince George region of British Columbia, a region referred to for land titles that include Smithers. The "Smithers" court registry now identifies Koenigsberg J. as a judge of their court. Six months after Koenigsberg purchases the Smithers property, the Hon. Rob Nicholson in his capacity as Justice Minister announces, in a news release issued on January 23, 2009, that Koenigsberg J. has "elected" to

sit as a supernumerary judge. It is justifiable and reasonable under these circumstances to consider that the "judiciary" engaged in some form of unreported investigation to persuade and/or convince Koenigsberg J. to abandon a prime judicial seat on the Vancouver Bench, with a nice home located minutes away, and "elect" to become a "Supernumerary Judge" in the beautiful, but cold north. It is reasonable to consider that the CJC had notice, information and participated in some role in the vacating of Koenigsberg's J. seat as a justice on the Vancouver Bench and failed to advise affected parties of her wrongdoing or report these matters to the Canadian public. Instead choosing to cover-up the misconduct and shield the judge from public scrutiny;

5. Equally scandalous is the scenario that the CJC pleads ignorance of the matters involving Koenigsberg J. and former CJC member Donald Brenner CJ and it can be proven that the justices privy to the facts determined to circumvent notifying the CJC;
6. In this case the CJC failed tragically in its purported mandate;
7. All other matters involving the CJC that arise through this investigation.

Matters involving the 2008 Supreme Court of Canada Justices:

1. Knew or ought to have known prior to hearing and/or releasing the SCC decision in WIC Radio v. Simpson and/or the decision as to whether or not to grant a Re-hearing that the trial judgement of Koenigsberg J. was fatally compromised and failed to inform Kari Simpson or her counsel of such facts;
2. Failed to verify the facts and with bias adopted the provably false declarations of Mr. Burnett, Rafe Mair and WIC Radio's counsel;
3. Defamed Kari Simpson and grossly assaulted her reputation and imposed irreparable harm to her reputation;
4. Knowingly violated Kari Simpson's right to a fair hearing by modifying the legal test and pronouncing judgement based on the modified test thus denying Simpson the right to know the legal test she was required to satisfy;
5. Engaged in conduct that exceeded the lawful boundaries of their judicial powers. There is no provision in law that empowers a judge of any court to deny a Plaintiff the right to know the legal test required. This is indisputable;
6. All other matters that arise through this investigation.

***In matters related to the Office of Chief Justice of the British Columbia
Supreme Court and the duties and obligations of the late Donald
Brenner:***

1. Brenner CJ knew or ought to have known that sitting in judgement of his own judge would be viewed as a conflict and all judgements flowing tainted with the stain of reasonable apprehension of bias.
2. All matters that arise from this investigation as to the duties and obligations of the Office of Chief Justice

Signed this 26th day of
October, 2012



Mrs. Kari D Simpson

Signed this ____ day of
_____, 2012

Mr. Norman Sabourin