

THE KNYAZEV CASE: A REVIEW AND RECOMMENDATIONS

Summary

The tragic death of Catherine MacLean who, on January 27, 2001, was struck by a car driven by Andrei Knyazev, a Russian diplomat, in an accident that also caused serious injuries to Catherine Doré, shocked all Canadians as well as the foreign diplomatic community in Canada. In the aftermath of the tragedy, it became apparent that Mr. Knyazev had been investigated for a series of drinking and driving and other traffic offences, a pattern of behaviour that the Department's record-keeping and accountability/reporting relationships did not enable it to discern.

As a result, the Minister asked the Deputy Minister to examine urgently the policies, practices and procedures followed by the Department in the case of criminal misconduct by diplomats, particularly instances of driving while impaired, in cases where the authorities of the sending state fail to take adequate measures to ensure behaviour in accordance with Canadian laws.

In conducting this examination, the Department has carried out a thorough review of all its of existing policies, procedures and records. In addition, officials have interviewed and consulted current and former employees of the Department, principally from the Office of Protocol, as well as representatives of the police forces involved and the Crown Attorney's office.

The inquiry led to the discovery of shortcomings in the policy framework under which the Office of Protocol operated to achieve promptly and fully the results required in the few cases of serious impaired driving offences, and to detect cases through appropriate information and control mechanisms in order to enable the Department to intervene early. A number of steps are being taken to revise policies and procedures and, in particular, to improve the communications and mutual understanding between the Office of the Chief of Protocol and police forces in Canada to help prevent a tragedy similar to that of January 27. These steps are being developed in consultation and co-operation with the diplomatic community, the police forces and provincial authorities.

In addition, the Department has initiated a thorough review of all instances of misbehaviour and alleged criminal conduct by foreign diplomats based in Canada that were brought to its attention over the past five years. While the Department cannot take responsibility for the individual behaviour of anyone, diplomats included, the review of the Department's records does not reveal current patterns of behaviour that are cause for concern or that could be potentially injurious to Canadians. However, given the range of the cases and the need for full consultation with federal, provincial and municipal authorities, more time is required to formulate in writing a detailed policy to replace the informal procedures that have been followed to date.

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