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House arrest conditions tightened for Dave Basi

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Dave Basi, already under house arrest after pleading guilty to breach of trust charges, has had his sentencing conditions tightened with an order that he wear an electronic monitoring device for six months.

British Columbia Associate Chief Justice Anne MacKenzie made the order on Monday after hearing that Mr. Basi had violated his sentencing conditions by leaving his house to give a television interview on Oct. 19.

Last month, Mr. Basi, a former ministerial aide in the Liberal administration, was convicted of breach of trust for leaking confidential government information related to the \$1-billion privatization of BC Rail in 2003.

He was sentenced, along with his colleague Bob Virk, to two years less a day under house arrest, with provision that he could leave home to go to work, grocery shopping or to take out his children.

But Crown lawyer Andrea Mackay told court that, the day after he was sentenced, Mr. Basi left his home to go to Mr. Virk's house to do a television interview.

Ms. Mackay said that was a breach of his conditions and asked that he be subject to electronic monitoring and that each Monday he be required to meet with a supervisor to outline his plans for the coming week.

Defence lawyer Michael Bolton said that in the immediate aftermath of the case "there was enormous media attention" and Mr. Basi had been bombarded with calls from reporters.

One media caller asked Mr. Basi to come to Mr. Virk's house for an interview, and "he foolishly agreed to that," without thinking it through.

"It's a minor breach," Mr. Bolton said.

"The media interview constituted a breach," Judge MacKenzie said, addressing Mr. Basi as he stood in court. "You understand, sir, that these are onerous conditions and

they are very serious conditions and you will be brought back to court [for any violations]."

After saying he understood, Mr. Basi was sentenced.

He said outside court his phone had been "going crazy" that day with interview requests from the media, and on the spur of the moment he agreed to go to Mr. Virk's house. "I never realized I could get into such trouble for speaking to the media," he said.

Outside court, Mike Geoghegan, a Victoria-based political consultant and friend of Mr. Basi, said that although going to Mr. Virk's house was a breach of sentencing conditions, Mr. Basi had done so with the best of intentions.

"He gave this interview at a time when there was tremendous demand from the public for information on why this case was shut down," Mr. Geoghegan said.

He said Mr. Basi wants the public to have access to information related to his case and will be fighting to retain possession of massive files of government material the defence obtained through disclosure.

"Those documents may shed some light [on the BC Rail privatization deal]. ... Dave Basi is passionate about not seeing those documents returned [to the government]," he said.

Mr. Basi declined comment on the issue, saying the fate of the documents is the focus of legal discussions.