



# Annual Report

## on the Use of Electronic Surveillance

As Required  
Under Section 195  
of the *Criminal Code*



2003

Published under the authority of the  
Honourable A. Anne McLellan, P.C., M.P.,  
Solicitor General of Canada  
(Deputy Prime Minister and Minister of Public Safety and Emergency Preparedness)

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**ANNUAL REPORT ON THE USE OF ELECTRONIC SURVEILLANCE**  
**2003**  
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Part VI of the *Criminal Code* sets out procedures for the law enforcement community to obtain judicial authorization to conduct electronic surveillance of private communications to assist in criminal investigations. These procedures are to be carried out in such a way as to ensure that the privacy of individuals is respected as much as possible during the surveillance.

As a measure of accountability, section 195 of the *Criminal Code* requires the Solicitor General of Canada<sup>1</sup> to prepare and present to Parliament an annual report on the use of electronic surveillance under Part VI for offences that may be prosecuted by or on behalf of the Attorney General of Canada. In particular, the annual report must include the following information:

- the number of applications made for authorizations, or for renewal of authorizations;
- the number of applications that were granted, that were granted subject to terms and conditions, and that were refused;
- the number of persons identified in an authorization who were charged for various offences;
- the number of persons not identified in an authorization who were arrested or charged for various offences, because they became known to peace officers<sup>2</sup> as a result of authorized surveillance;
- the average time for which authorizations were issued and for which renewals were granted;
- the number of authorizations valid for more than 60, 120, 180, and 240 days;
- the number of notifications given to people who had private communications intercepted;
- the offences for which authorizations were granted;
- a description of the classes of places set out in authorizations, and the number of authorizations granted for each class of place;
- a general description of the methods of interception used; and
- the number of proceedings in which intercepted communications were entered as evidence, or in which information from intercepted communications is used but the communication itself is not entered as evidence.

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<sup>1</sup> As of December 12, 2003, the Solicitor General of Canada has a new title which is styled as the Deputy Prime Minister and Minister of Public Safety and Emergency Preparedness. Since the *Criminal Code* does not yet reflect the new name, this report will continue to refer to the Solicitor General of Canada until the necessary legislative changes have been made.

<sup>2</sup> A “peace officer” is defined in section 2 of the *Criminal Code* and includes police officers.

The 2003 Annual Report covers a five-year period from 1999 to 2003. The Report includes new statistics for the period of January 1, 2003 to December 31, 2003, and updates the figures for the years 1999 to 2002.

The 2003 Annual Report is organized in the following manner:

- **Section I** is the introduction to the report.
- **Section II** provides an overview of the procedures and processes set out in Part VI of the *Criminal Code*. Information on section 487.01 of the *Criminal Code* is also provided as the law enforcement community can obtain authority to conduct video surveillance by applying for a ‘general’ warrant pursuant to this section.
- **Section III** presents the statistical information that must be included in each annual report pursuant to subsections 195(2) and 195(3) of the *Criminal Code*.
- **Section IV** provides a general assessment of the importance of electronic surveillance for the investigation, detection, prevention, and prosecution of offences as required by paragraph 195(3)(b) of the *Criminal Code*.
- **Appendix “A”** provides a list of the designated agents of the Solicitor General of Canada who made an application for an authorization under sections 185 and/or 487.01 of the *Criminal Code*.
- **Appendix “B”** lists peace officers designated by the Solicitor General of Canada who made an application for an authorization under sections 188 and/or 487.01 of the *Criminal Code*.

As indicated in Section I, Part VI of the *Criminal Code* sets out procedures for the law enforcement community to obtain judicial authorization to conduct electronic surveillance to assist in criminal investigations.

Peace officers can only obtain this authorization to intercept private communications for certain offences, which are listed in section 183 of the *Criminal Code*. These offences include serious offences such as facilitating terrorist activity, weapons trafficking, child pornography, child abductions, drug trafficking, and organized crime offences.

Part VI also sets out the requirements that must be met to successfully apply for an authorization to intercept private communications. These requirements include:

- Only the Solicitor General of Canada, or persons specially designated by the Solicitor General of Canada, may make an application for an authorization with regard to offences that may be prosecuted by or on behalf of the Attorney General of Canada.
- Before an application to intercept private communications is made to a judge, the Solicitor General of Canada or a designated person must be satisfied that the offence is serious enough to warrant the application, and that there is insufficient evidence to prove the offence without the authorization. The designated person is also responsible for ensuring that all matters relating to the application comply with the law.
- The person making the application must include a sworn affidavit. The affidavit must include information such as the facts the designated person is relying on to justify the need for an authorization, details about the offence, and the names and addresses of the persons whose private communications would be intercepted (section 185).
- Before an authorization is issued, the judge hearing the application must be satisfied that it would be in the best interests of the administration of justice to authorize the electronic surveillance. Except in the case of some specific offences, such as terrorism, the judge must also be satisfied that other investigative procedures have been tried and failed, that other investigative procedures are unlikely to succeed, or that there is an urgency such that other investigative procedures are impractical. The judge may impose terms and conditions on the authorization, including conditions to ensure that the privacy of individuals is respected as much as possible during the surveillance (section 186).

Generally, authorizations are not issued for a period of time longer than 60 days (paragraph 186(4)(e)). However, designated persons may apply to a judge to have the authorization renewed, which extends the period of time during which they can lawfully conduct electronic surveillance. Before the judge may renew the authorization, he or she must be satisfied that the same circumstances that applied to the original application for authorization still apply (subsection 186(6)).

Provisions also exist for designated persons to obtain authorizations in emergency situations. Under section 188 of the *Criminal Code*, a designated person may apply to a judge for an authorization if the urgency of the situation requires interception of private communications, but there is not enough time to use the regular application process to obtain an authorization. An authorization issued in these circumstances may be issued for a period of up to thirty-six hours, and the judge may impose terms and conditions.

In addition to applying for an authorization to intercept private communications under Part VI, peace officers may apply to a judge for a ‘general’ warrant under section 487.01 of the *Criminal Code*. This section enables the issuance of a warrant for the use of any device or investigative technique that is not contemplated elsewhere in the *Criminal Code* or any other Act of Parliament. For example, this type of warrant would allow peace officers to carry out video surveillance of a person in circumstances where the person has a reasonable expectation of privacy. As with other judicial authorizations, certain requirements must be met before a warrant can be issued. In the case of warrants issued pursuant to section 487.01, these requirements include:

- The judge must be satisfied by information provided under oath and in writing (i.e. a sworn affidavit) that there are reasonable grounds to believe that an offence has been or will be committed, and that information about the offence can be obtained by conducting video surveillance.
- The judge must be satisfied that it is in the best interests of the administration of justice to issue the warrant.
- There must be no other provision in the *Criminal Code* or any other Act of Parliament that would provide for a warrant, authorization or order to allow the intended video surveillance to be carried out.
- The judge may also impose terms or conditions on the warrant, including conditions to ensure that the privacy of individuals is respected as much as possible during the surveillance.



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**APPLICATIONS FOR AUTHORIZATIONS AND RENEWALS**

Paragraphs 195(2)(a) and (b) of the *Criminal Code* require statistics relating to:

(a) the number of applications made for authorizations;

(b) the number of applications made for renewal of authorizations;

**TABLE 1**

TYPE OF APPLICATION MADE	NUMBER OF APPLICATIONS				
	1999	2000	2001	2002	2003
<b>Audio</b> S.185 C.C.	150	160	137	136	87
<b>Video</b> S.487.01 C.C.	6	12	9	24	4
<b>Renewals</b> S.186 C.C.	7	4	1	15	1
<b>Emergency audio</b> S.188 C.C.	4	2	0	2	3
<b>Emergency video</b> S.487.01 C.C.	0	0	0	0	0
<b>TOTAL</b>	<b>167</b>	<b>178</b>	<b>147</b>	<b>177</b>	<b>95</b>

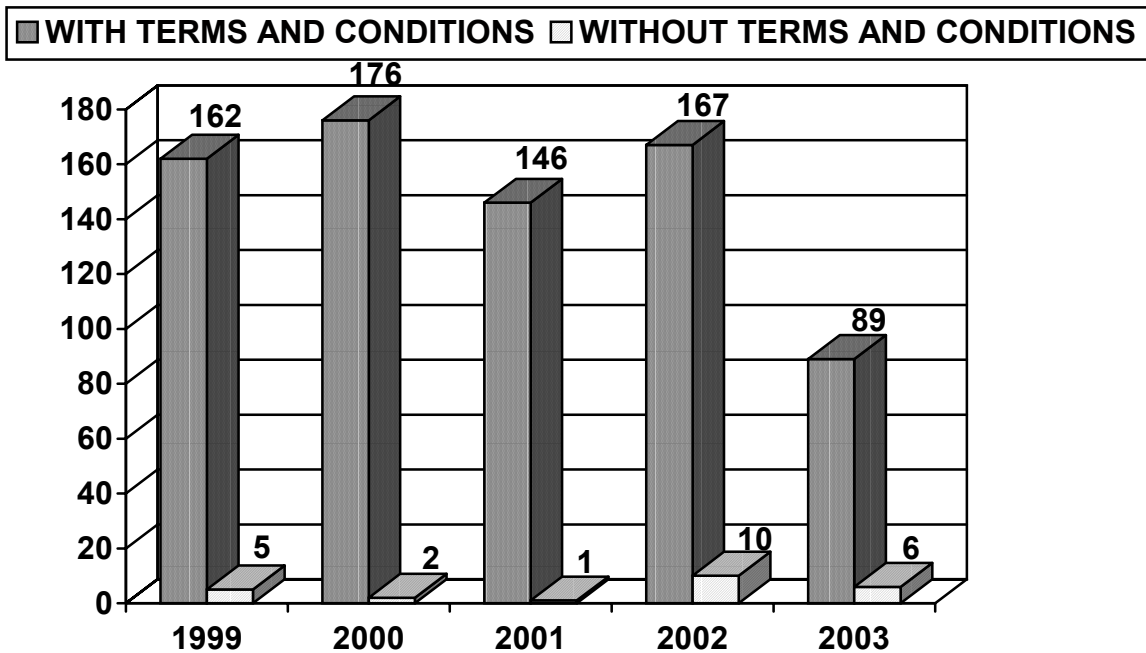
Table 1 presents the number of applications made for audio and video authorizations and renewals each year for the five-year period 1999 to 2003. The data is categorized by the three types of applications for which authorizations may be granted: audio and video applications (maximum duration sixty days) and renewals thereof pursuant to subsections 185(1), 186(6) and section 487.01 of the *Criminal Code* and emergency applications (maximum duration 36 hours) pursuant to subsection 188(1) and section 487.01 of the *Criminal Code*.

Paragraph 195(2)(c) of the *Criminal Code* requires information relating to:

- (c) the number of applications referred to in paragraphs (a) and (b) that were granted, the number of those applications that were refused and the number of applications referred to in paragraph (a) that were granted subject to terms and conditions;

**NOTE: NO APPLICATION FOR AN AUTHORIZATION OR A RENEWAL HAS BEEN REFUSED FOR THE PERIOD 1999-2003.**

FIGURE 1



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**PERIOD FOR WHICH AUTHORIZATIONS AND RENEWALS GRANTED**

Paragraph 195(2)(f) of the *Criminal Code* requires information relating to:

- (f) the average period for which authorizations were given and for which renewals thereof were granted;**

**TABLE 2**

TYPE OF AUTHORIZATION	AVERAGE PERIOD OF TIME VALID				
	1999	2000	2001	2002	2003
Audio S.185 C.C. (days)	60.0	57.4	60.0	58.1	51.8
Video S.487.01 C.C. (days)	60.0	57.9	60.0	60.0	60.0
Emergency audio S.188 C.C. (hours)	36.0	36.0	0.0	36.0	36.0
Emergency video S.487.01 C.C. (hours)	0.0	0.0	0.0	0.0	0.0

Although authorizations may be valid for a period of up to sixty days, this does not necessarily mean interceptions are made during the entire period. For example, sufficient evidence may be obtained as a result of the authorization to prove the offence and to lay charges prior to the expiration of the authorization.

Paragraph 195(2)(g) of the *Criminal Code* requires information relating to:

- (g) the number of authorizations that, by virtue of one or more renewals thereof, were valid for more than sixty days, for more than one hundred and twenty days, for more than one hundred and eighty days and for more than two hundred and forty days;**

**TABLE 3**

RENEWAL PERIOD (DAYS)	NUMBER OF AUTHORIZATIONS RENEWED				
	1999	2000	2001	2002	2003
61-120	3	2	1	7	1
121-180	2	1	0	1	0
181-240	0	0	0	0	0
241 or more	0	0	0	1	0
<b>TOTAL RENEWALS</b>	<b>5</b>	<b>3</b>	<b>1</b>	<b>9</b>	<b>1</b>

The categories in Table 3 are mutually exclusive. For example, an authorization valid for a period of sixty days which was renewed for a further sixty days is counted in the category 61-120 days, and an authorization of sixty days coupled with three sixty-day renewals would be counted in the 181-240 category.

## OFFENCES SPECIFIED IN AUTHORIZATIONS

Paragraph 195(2)(i) of the *Criminal Code* requires information relating to:

- (i) the offences in respect of which authorizations were given, specifying the number of authorizations given in respect of each of those offences;

TABLE 4

STATUTE	TYPE OF OFFENCE	NUMBER OF AUTHORIZATIONS				
		1999	2000	2001	2002	2003
<i>Controlled Drugs and Substances Act*</i>	Trafficking 5(1)	145	152	124	131	72
	Possession of a narcotic for the purpose of trafficking 5(2)	134	139	124	124	65
	Importing and exporting 6(1)	83	94	80	83	41
	Possession for the purpose of exporting 6(2)	6	6	6	3	2
	Production 7	33	47	46	39	27
	Possession of property obtained by designated substance offences 8	129	130	116	27	1
	Laundering proceeds of designated substance offences 9	111	103	83	22	0
<i>Narcotic Control Act*</i>	Trafficking 4(1)	7	1	N/A	N/A	N/A
	Possession for purpose of trafficking 4(2)	7	N/A	N/A	N/A	N/A
	Importing and exporting 5(1)	7	N/A	N/A	N/A	N/A
	Possession of property obtained by certain offences 19.1	N/A	N/A	N/A	N/A	N/A
	Laundering proceeds of certain offences 19.2	N/A	N/A	N/A	N/A	N/A

\* The *Controlled Drugs and Substances Act* was brought into force on May 14, 1997, replacing the *Narcotic Control Act* and Parts III and IV of the *Food and Drugs Act*. However, data reported for 1999 and 2000 indicate that in rare circumstances, authorizations have specified offences under the *Narcotic Control Act*.

TABLE 4 (Continued)

STATUTE	TYPE OF OFFENCE	NUMBER OF AUTHORIZATIONS				
		1999	2000	2001	2002	2003
<i>Export and Import Permits Act</i>	Export or attempt to export 13	0	0	0	0	1
	Import or attempt to import 14	0	0	0	0	0
<i>Customs Act</i>	False statements 153	6	3	4	4	3
	Smuggling/attempt to smuggle goods into Canada 159	12	4	10	8	4
	Possession of property obtained by smuggling 163.1	12	2	6	4	0
	Laundering proceeds of smuggling 163.2	8	2	2	2	0
<i>Competition Act</i>	Deceptive marketing 52.1	0	0	3	0	0
<i>Excise Act</i>	Possession of property obtained by excise offences 126.1	10	2	5	2	1
	Laundering proceeds of excise offences 126.2	11	2	2	1	0
	Unlawful distillation 158	0	0	1	0	0
	Unlawful selling of spirits 163	12	4	6	2	0
	Unlawful packaging or stamping 233(1)	0	0	0	0	0
	Unlawful possession or sale of manufactured tobacco or cigars 240(1)	9	2	3	3	2
<i>Explosives Act</i>	Manufacture, use, sell, possession, etc., of explosives 6	0	0	0	0	1
<i>Immigration Act</i>	Organizing entry into Canada 94	1	9	3	5	0

TABLE 4 (Continued)

	TYPE OF OFFENCE	NUMBER OF AUTHORIZATIONS				
		1999	2000	2001	2002	2003
<i>Criminal Code</i>	Forgery of passport 57	1	0	0	0	0
	Using Explosives 81	0	0	1	0	2
	Possessing explosives 82	0	0	0	0	2
	Possession of a prohibited weapon 90	0	3	1	0	0
	Importing or Exporting of prohibited weapon* 95	N/A	N/A	N/A	N/A	N/A
	Possession of weapons obtained by commission of offence 96	0	0	0	1	0
	Weapons trafficking 99	0	0	1	3	0
	Possession for the purpose of weapons smuggling 100	0	0	1	1	0
	Obstructing justice 139	0	0	2	2	0
	Escape, etc. 145(1)	0	0	0	1	0
	Keeping a bawdy house... 210(1)	0	0	0	2	0
	Procuring 212	0	0	0	0	1
	Murder 235	2	9	6	26	10
	Attempted murder 239	2	0	1	5	2
	Uttering death threats 264.1	2	3	2	1	0
	Assault with a weapon or causing bodily harm 267	3	0	2	0	1
	Aggravated assault 268	3	0	4	1	3
	Unlawfully causing bodily harm 269	1	3	0	0	0
	Kidnapping 279	1	0	0	1	1
	Abduction 283	1	0	0	0	0
	Theft 334	2	2	1	2	0
	Theft, forgery, etc., of credit card 342	1	2	0	0	0
	Robbery 344	2	1	0	5	1
	Extortion 346	0	2	2	9	0
	Criminal interest rate 347	0	2	0	0	0
	Break and enter 348	1	0	2	0	1
	Possession of property obtained by crime 354	12	6	4	88	51
	Forgery 367	1	0	0	0	0
	Uttering forged document 368	2	0	0	0	0
	Possession of instruments of forgery 369	0	0	2	0	0

\*This section was repealed on December 1, 1998, with the implementation of the *Firearms Act*.

TABLE 4 (Continued)

STATUTE	TYPE OF OFFENCE	NUMBER OF AUTHORIZATIONS				
		1999	2000	2001	2002	2003
<i>Criminal Code</i>	Fraud 380	0	3	4	3	0
	Fraudulent manipulation of stock exchange transactions 382	0	0	1	0	0
	Intimidation of justice system participant or journalist 423.1	0	0	0	2	0
	Mischief 430	0	0	0	2	2
	Arson – disregard for human life 433	2	3	0	2	1
	Arson – damage to property 434	0	1	1	0	1
	Making counterfeit money 449	0	0	3	0	1
	Buying, receiving, possessing or importing counterfeit money 450	1	0	3	0	1
	Uttering counterfeit money 452	1	0	3	0	0
	Laundering proceeds of counterfeit money 462.31	11	7	10	70	46
	Attempts, accessories 463	28	16	20	15	13
	Counselling 464	27	16	18	8	13
	Conspiracy 465	155	162	138	155	77
	Participating in Criminal Organization 467.1	25	11	5	6	0
	Participating in activities of a criminal organization 467.11	0	0	2	24	15
	Commission of an offence for a criminal organization 467.12	0	0	0	10	8
Instructing commission of an offence for a criminal organization 467.13	0	0	0	9	8	

Most authorizations granted to agents of the Solicitor General of Canada provide for the use of electronic surveillance in relation to more than one offence. A typical example of such an authorization would be in relation to sections 5 (trafficking), 6 (importing and exporting), and 7 (production) of the *Controlled Drugs and Substances Act* and conspiracy under section 465 of the *Criminal Code* to commit these offences. Table 4 represents the number of times specific offences were identified in authorizations granted to agents of the Solicitor General of Canada. For example, of the 167 authorizations granted in 1999, 145 of these authorizations specifically provided for the use of electronic surveillance in connection with trafficking a narcotic, 134 for possession for the purpose of trafficking, etc.

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**CLASSES OF PLACES AND METHODS OF INTERCEPTION**

Paragraph 195(2)(j) of the *Criminal Code* requires information relating to:

- (j) a description of all classes of places specified in authorizations and the number of authorizations in which each of those classes of places was specified;**

**TABLE 5**

CLASS OF PLACE	NUMBER OF AUTHORIZATIONS				
	1999	2000	2001	2002	2003
Residence (permanent)	129	150	43	70	28
Residence (temporary)	3	7	5	11	3
Commercial Premises	39	27	23	33	11
Vehicles	17	24	17	36	19
Other	75	104	38	40	26

Paragraph 195(2)(k) of the *Criminal Code* requires information relating to:

- (k) a general description of the methods of interception involved in each interception under an authorization;**

**TABLE 6**

METHOD OF INTERCEPTION	NUMBER OF INTERCEPTIONS				
	1999	2000	2001	2002	2003
Telecommunication	1097	1367	852	1069	270
Microphone	87	108	103	133	57
Video	44	28	14	35	2
Other	96	115	59	222	116
<b>TOTAL</b>	<b>1324</b>	<b>1618</b>	<b>1028</b>	<b>1459</b>	<b>445</b>

It should be noted that the data reported for 2003 will likely rise in future reports as data updates are received.



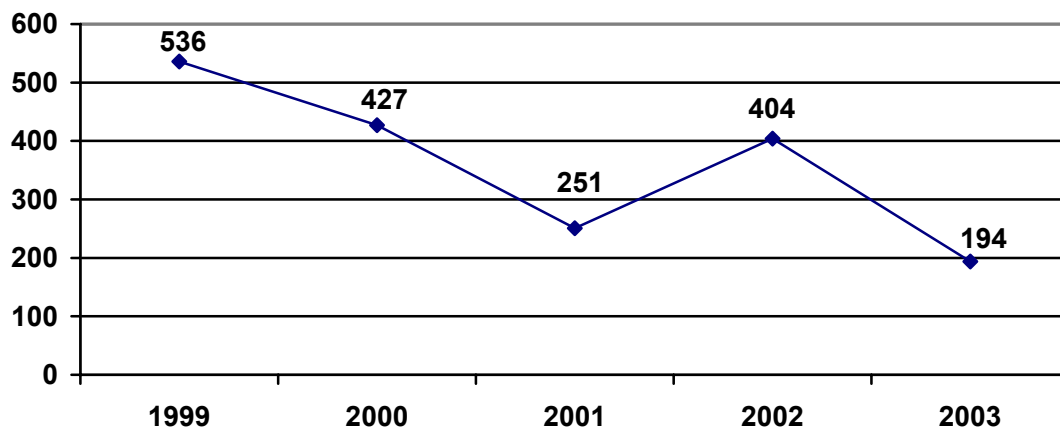
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LEGAL PROCEEDINGS, USE OF INTERCEPTED MATERIAL AND DISPOSITION

Paragraph 195(2)(l) of the *Criminal Code* requires information relating to:

- (l) the number of persons arrested whose identity became known to a peace officer as a result of an interception under an authorization;

FIGURE 2



It should be noted that the data reported for 2003 will likely rise in future reports as data updates are received.

Paragraph 195(2)(d) of the *Criminal Code* requires information relating to:

- (d) the number of persons identified in an authorization against whom proceedings were commenced at the instance of the Attorney General of Canada in respect of:
- (i) an offence specified in the authorization,
  - (ii) an offence other than an offence specified in the authorization but in respect of which an authorization may be given, and
  - (iii) an offence in respect of which an authorization may not be given;

TABLE 7

CATEGORY OF OFFENCE	NUMBER OF PERSONS AGAINST WHOM PROCEEDINGS WERE COMMENCED (IDENTIFIED IN AUTHORIZATION)				
	1999	2000	2001	2002	2003
Offence specified in authorization	340	304	212	236	130
Offence for which an authorization may be given but not specified in the authorization	33	20	13	101	10
Offence for which no authorization may be given	42	39	11	26	10

Paragraph 195(2)(e) of the *Criminal Code* requires information relating to:

(e) the number of persons not identified in an authorization against whom proceedings were commenced at the instance of the Attorney General of Canada in respect of:

- (i) an offence specified in such an authorization,
- (ii) an offence other than an offence specified in such an authorization but in respect of which an authorization may be given, and
- (iii) an offence other than an offence specified in such an authorization and for which no such authorization may be given,

and whose commission or alleged commission of the offence became known to a peace officer as a result of an interception of a private communication under an authorization.

TABLE 8

CATEGORY OF OFFENCE	NUMBER OF PERSONS AGAINST WHOM PROCEEDINGS WERE COMMENCED (NOT IDENTIFIED IN AUTHORIZATION)				
	1999	2000	2001	2002	2003
Offence specified in authorization	153	99	103	156	46
Offence for which an authorization may be given but not specified in the authorization	38	7	4	75	6
Offence for which no authorization may be given	23	10	13	43	7

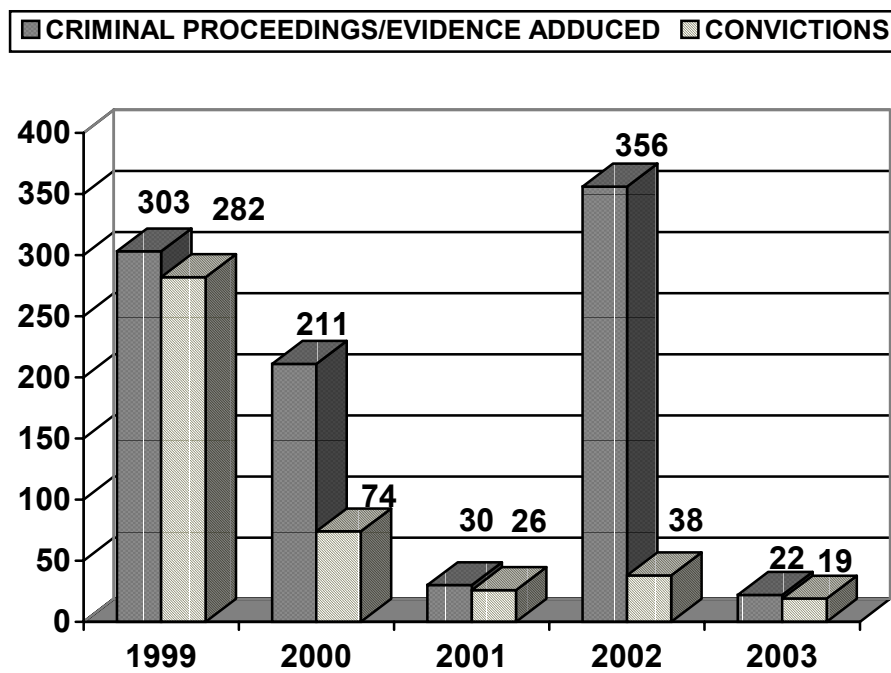
Tables 7 and 8 contain information relating to the number of persons charged for all types of offences, including *Criminal Code* offences. Moreover, the three categories of offences are not treated as being mutually exclusive, and persons charged with more than one category of offence are counted more than once. Therefore, one cannot add the columns in Tables 7 and 8 to obtain the total number of persons. It should be noted that the data reported for 2003 will likely rise in future reports as data updates are received.

Tables 7 and 8 are interrelated. Table 7 provides information on the number of persons identified in an authorization charged with specific categories of offences, i.e., an offence specified in the authorization, an offence other than an offence specified in such an authorization but in respect to which an authorization may be given, or an offence other than an offence specified in such an authorization and for which no such authorization may be given. Table 8 provides similar information on persons not identified in an authorization, but charged as a result of information from the authorized interception.

Paragraph 195(2)(m) of the *Criminal Code* requires information relating to:

- (m) the number of criminal proceedings commenced at the instance of the Attorney General of Canada in which private communications obtained by interception under an authorization were adduced in evidence and the number of those proceedings that resulted in a conviction;

FIGURE 3

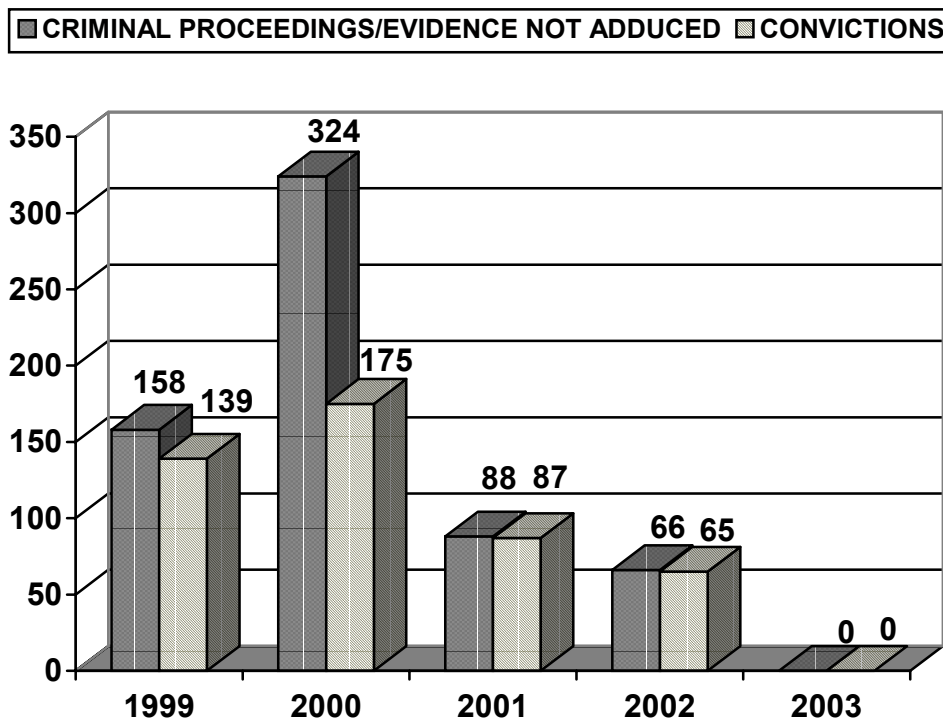


It should be noted that the data reported for 2003 will likely rise in future reports as data updates are received.

Paragraph 195(2)(n) of the *Criminal Code* requires information relating to:

- (n) the number of criminal investigations in which information obtained as a result of the interception of a private communication under an authorization was used although the private communication was not adduced in evidence in criminal proceedings commenced at the instance of the Attorney General of Canada as a result of the investigations;

FIGURE 4



It should be noted that the data reported for 2003 will likely rise in future reports as data updates are received.

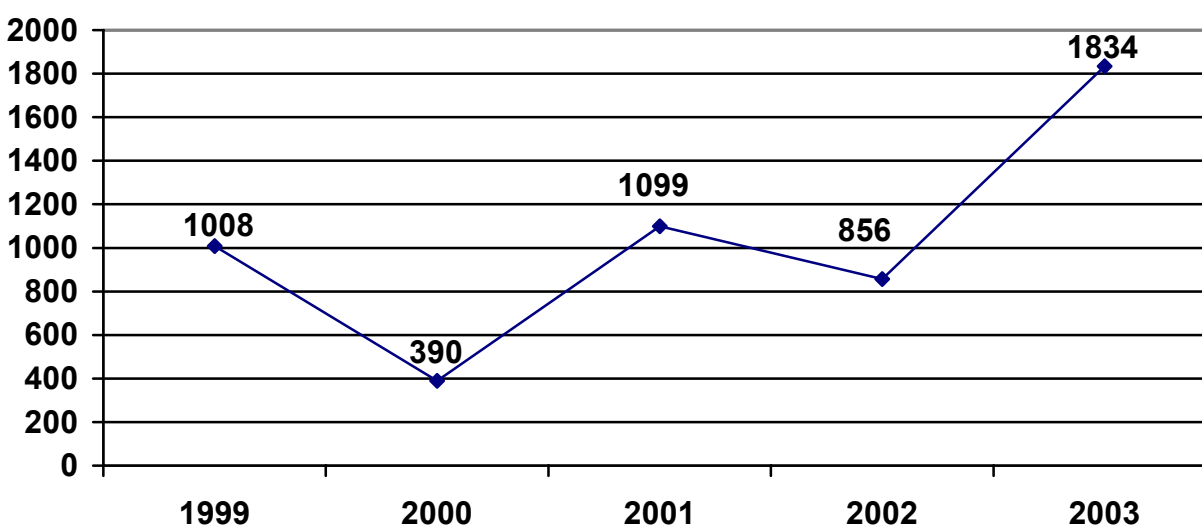
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**NOTIFICATIONS**

Pursuant to subsection 196(1) of the *Criminal Code*, the Solicitor General of Canada is required to notify in writing the person who was the object of the interception. Furthermore, paragraph 195(2)(h) requires that the Annual Report of the Solicitor General of Canada provide:

**(h) the number of notifications given pursuant to section 196;**

**FIGURE 5**



Notification is served on those persons identified in the authorization who were actually under electronic surveillance. There is therefore a significant difference in the number of persons named in authorizations and the number of persons notified. Another factor which contributes to this difference is that notification may be delayed for up to three years if the investigation is in relation to a criminal organization and is continuing.

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**PROSECUTIONS FOR UNLAWFUL INTERCEPTIONS AND UNLAWFUL DISCLOSURE**

Paragraph 195(3)(a) of the *Criminal Code* requires that the Annual Report provide information relating to:

- (a) the number of prosecutions commenced against officers or servants of Her Majesty in right of Canada or members of the Canadian Forces for offences under section 184 or section 193;**

No such prosecutions have been initiated for the period 1999 to 2003.

Subsection 184(1) of the *Criminal Code*, with a number of specific exceptions, makes it an offence for a person to willfully intercept a private communication by means of an electromagnetic, acoustic, mechanical or other device. Subsection 193(1), with similar specific exceptions, makes it an offence to disclose private communications that are lawfully intercepted, or to disclose the existence of such intercepted communications.

Paragraph 195(3)(b) of the *Criminal Code* requires that the Annual Report provide:

**(b) a general assessment of the importance of interception of private communications for the investigation, detection, prevention and prosecution of offences in Canada.**

### **INVESTIGATION**

The lawful interception of private communications is a vital tool used by law enforcement agencies in the investigation of criminal activities of organized crime groups, especially with respect to the trade of illicit drugs. The statistics presented in Section III of this report indicate that the majority of authorizations issued are in relation to the offence of trafficking in a controlled substance.

### **DETECTION**

The illegal activities of organized criminal groups would remain largely undetected were it not for the active investigation of the police. Offences such as money laundering, smuggling and drug trafficking present serious threats to the safety and stability of Canadian communities, and the lawful interception of private communications provides a means for the police to detect, and consequently investigate, the commission of such offences.

### **PREVENTION**

The use of electronic surveillance in investigations has led to numerous drug seizures, leading to a reduction in the amount of illicit drugs and crime associated with their abuse. Without this crucial tool, the ability of the law enforcement community to prevent crimes and ensuing social harm would be seriously hindered.

### **PROSECUTION**

Investigations of the activities of organized crime groups are increasingly complex and sometimes difficult to prove in a court of law. The use of electronic surveillance often provides strong evidence against those accused of being involved in illegal activities, increasing the likelihood of conviction. The prosecution of such offenders increases public confidence in the criminal justice system and contributes to public safety by holding such persons responsible for their actions.



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**CASE EXAMPLE**

In May 2003, the Royal Canadian Mounted Police, Greater Toronto Area Drug Section, concluded the criminal investigation of a major international drug trafficking network. Five people in the Greater Toronto Area were arrested and multiple charges of conspiracy to import a controlled substance into Canada were laid. Simultaneous arrests were made in Columbia, where two people were charged with similar conspiracy charges, including the captain of a large ocean-going yacht, which was used to traffic the illegal drugs. The investigation involved the use of audio surveillance and the sharing of intelligence with the Department of Administrative Security in Colombia, the Organismo de Investigación Judicial in Costa Rica, the Agencia Federal de Investigación in Mexico, the United States Drug Enforcement Administration, and the US-led Joint Inter-Agency Task Force. The drug trafficking network allegedly conspired to import significant amounts of cocaine into the Canadian market through Vancouver using the yacht. Approximately 1,360 kilograms of cocaine were seized and the captain of the yacht was arrested in international waters eleven hundred miles southwest of Costa Rica. This was the fifth largest single seizure of cocaine in Canadian history, which represented a street value of \$136 million Canadian. It was also the largest seizure in the last ten years where the major players of a criminal organization have been successfully linked to the seizure and have been brought before the courts. As a result of the integrated efforts of law enforcement partners, the investigation successfully dismantled this drug trafficking network at its highest levels internationally, removed the ability of a well-established criminal organization to use another country as a staging ground for drug trafficking, and prevented a sizable supply of cocaine from reaching Canadian communities. The success of this operation was an important step forward in the international fight against organized crime and drug trafficking.

Designated Agents who made applications in accordance with subsections 185(1) and 487.01(1) of the *Criminal Code*, as required by paragraph 195(1)(a) of the *Criminal Code*:

C. Bélanger  
R. Benoit  
M. Bertrand  
B. Boyd  
H. Connolly  
K. Gorman  
J. Gormley  
J. Iaona  
S. Kovacevich  
J. M. Loncaric  
A. Meghani  
B. Mercier  
T. Nadon  
E. Neufeld  
H. O'Connell  
M. O'Malley  
J. C. Randall  
E. M. Reid  
J. Richardson  
L. Rose  
P. Roy  
R. Roy  
B. L. Veldhuis  
M. Vien  
K. Ward  
T. Zuber

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Designated Peace Officer who made applications in accordance with subsections 188(1) and 487.01(1) of the *Criminal Code*, as required by paragraph 195(1)(b) of the *Criminal Code*:

Armand La Barge

