



2019 ANNUAL REPORT

On the Use of Electronic Surveillance

Section 195(5) of the *Criminal Code* requires the Attorney General of each province to prepare an annual report relating to the interception of private communications. This information is derived from reports submitted by police agencies in British Columbia between January 1, 2019, and December 31, 2019, and is reported according to the year that the authorization was obtained, pursuant to section 186 or 188 of the *Criminal Code*; the year that the warrant was obtained, pursuant to section 487.01 of the *Criminal Code*; or the year that the interception occurred, pursuant to section 184.4 of the *Criminal Code*.

Section 195(1) of the *Criminal Code*

The agents and peace officers, specially designated in writing by the Attorney General for the purposes of sections 185 and 188, who applied for authorizations are named in Appendices A and B.

Section 195(2) of the *Criminal Code*

(a) The number of applications made for authorizations:

	2018	2019	Total
s. 185	8	12	20
s. 188	0	0	0
s. 487.01	6	9	15

(b) The number of applications made for renewals of authorizations:

	2018	2019	Total
s. 185	0	0	0
s. 188	0	0	0
s. 487.01	0	0	0

(c) The number of authorizations granted:

	2018	2019	Total
s. 185	8	12	20
s. 188	0	0	0
s. 487.01	6	9	15

The number of authorizations granted subject to terms and conditions:

	2018	2019	Total
s. 185	8	12	20
s. 188	0	0	0
s. 487.01	6	9	15

- (d) The number of persons identified in an authorization against whom proceedings were commenced at the instance of the Attorney General of British Columbia in respect of:

- (i) an offence specified in an authorization:

2018	2019	Total
5	0	5

- (ii) an offence other than an offence specified in the authorization, but in respect of which an authorization may be given:

2018	2019	Total
1	0	1

- (iii) an offence in respect of which an authorization may not be given:

2018	2019	Total
0	0	0

- (e) The number of persons not identified in an authorization against whom proceedings were commenced at the instance of the Attorney General of British Columbia, 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, in respect of:

- (i) an offence specified in an authorization:

2018	2019	Total
0	0	0

- (ii) an offence other than an offence specified in the authorization, but in respect of which an authorization may be given:

2018	2019	Total
0	0	0

- (iii) an offence in respect of which an authorization may not be given:

2018	2019	Total
0	0	0

- (f) The average period for which authorizations were given and for which renewals were granted:

	2018	2019	Average
s. 185	60 days	60 days	60 days
s. 188	n/a	n/a	n/a
s. 487.01	60 days	60 days	60 days

- (g) The number of authorizations that, by virtue of one or more renewals, were valid for more than:

	2018	2019	Total
60 days	0	0	0
90 days	0	0	0
180 days	0	0	0
240 days	0	0	0

- (h) The number of notifications given, pursuant to section 196:

	2018	2019	Total
	153	20	173

Fifty-one of these notification letters were returned to the Ministry of Attorney General, undelivered.

- (i) The offences in respect of which authorizations were given, specifying the number of authorizations given in respect of each of those offences (*Criminal Code* offences, unless otherwise specified as *Controlled Drugs and Substances Act*):

Offence	2018	2019	Total
99(1) Firearms trafficking	0	4	4
215(1)(a) Failure to provide necessities of life for child under 16 years	3	0	3
219(1) Criminal negligence, showing wanton or reckless disregard for life or safety	3	0	3
235 Murder	6	20	26
239(1)(a.1) Attempt murder, firearm used	1	0	1
240 Accessory after the fact to murder	3	3	6
268 Aggravated assault	3	0	3
464 Counsel to commit offence	0	2	2
465 Conspiracy to commit offence	0	2	2
465(1)(a) Conspiracy to commit murder	1	4	5

- (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:

	2018	2019	Total
Permanent residence	14	16	30
Temporary residence	0	0	0
Commercial premises	5	0	5
Vehicle	13	20	33
Cellular	5	1	6
Miscellaneous ¹	5	1	6

- (k) A general description of the methods of interception involved in each interception under an authorization²:

	2018	2019	Total
Telecommunication	23	18	41
Microphone	51	16	67
Video	14	0	14
Tracking	0	2	2
Cellular/Blackberry	41	11	52

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

2018	2019	Total
Unknown	Unknown	Unknown

- (m) The number of criminal proceedings commenced at the instance of the Attorney General of British Columbia in which private communications obtained by interception under an authorization were adduced in evidence:

2018	2019	Total
6	0	6

and the number of proceedings that resulted in a conviction:

2018	2019	Total
3	0	3

¹ Descriptions included: body packs and devices.

² The number of installations reported for each method of interception.

- (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 British Columbia as a result of the investigation.

2018	2019	Total
0	0	0

Section 195(2.1) of the *Criminal Code*

- (a) The number of interceptions made pursuant to section 184.4.

Year	2019
Total	1146

- (b) The number of parties to each intercepted private communication against whom proceedings were commenced in respect of the offence that the police officer sought to prevent in intercepting the private communication or in respect of any other offence that was detected as a result of the interception.

Year	2019
Total	12

- (c) The number of persons who were not parties to an intercepted private communication but whose commission or alleged commission of an offence became known to a police officer as a result of the interception of a private communication, and against whom proceedings were commenced in respect of the offence that the police officer sought to prevent in intercepting the private communication or in respect of any other offence that was detected as a result of the interception.

Year	2019
Total	0

- (d) The number of notifications given in 2015, pursuant to section 196.1.

Year	2019
Total	8

Three of these notification letters were returned to the Ministry of Attorney General, undelivered.

- (e) The offences in respect of which interceptions were made and any other offences for which proceedings were commenced as a result of an interception, as well as the number of interceptions made with respect to each offence:

Offence		Total
235(1)	Murder	2
279(1)	Kidnapping	3
279(2)	Unlawful confinement	2
465(1)(a)	Conspiracy to commit murder	2

- (f) A general description of the methods of interception used for each interception:

Method	Total
Telecommunication	19
Microphone	1

- (g) The number of persons arrested whose identity became known to a police officer as a result of an interception.

Year	2019
Total	0

- (h) The number of criminal proceedings commenced in which private communications obtained by interception were adduced in evidence and the number of those proceedings that resulted in a conviction.

Year	2019
Total	0

- (i) The number of criminal investigations in which information obtained as a result of the interception of a private communication was used even though the private communication was not adduced in evidence in criminal proceedings commenced as a result of the investigations.

Year	2019
Total	0

- (j) The duration of each interception³ and the aggregate duration of all the interceptions related to the investigation of the offence that the police officer sought to prevent in intercepting the private communication.

Investigation	Number of Interceptions	Aggregate Duration of All Interceptions (h:mm:ss)
Investigation A	70	2:58:00
Investigation B	567	0:23:52
Investigation C	309	3:07:25
Investigation D	Details not yet provided	4:09:00
Investigation E	200	1:19:00
Aggregate duration of all interceptions		11 hrs 57 min 17 sec

Section 195(3)(a) of the *Criminal Code*

- (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.

2018	2019	Total
0	0	0

³ See Appendix C

Section 195(3)(b) of the *Criminal Code*

Interception of private communications, pursuant to the provisions of Part VI of the *Criminal Code*, is an essential element for the investigation, detection, prevention and prosecution of offences in Canada. Often the police obtain information through the interception of private communications that they could not have received by any other means. New information may also trigger additional investigations. Due to the serious nature of invasions of privacy, there are statutory safeguards to ensure that abuses do not take place. Generally, the interception of private communications must only be done with the authorization of a Justice of the Supreme Court. When the police require an authorization, a designated Crown counsel reviews the application to ensure it complies with the appropriate laws. Designated senior police officers may, in cases of emergencies, directly apply to the court for an authorization. The application is brought before a justice or judge, who will grant the authorization if it is in the best interests of the administration of justice and the application meets other criteria, as set out in Part VI of the *Criminal Code*. The authorizations are valid for a specific period of time, and must be renewed by a Justice if they are required for a longer period of time. In certain circumstances, a police officer may intercept private communications without judicial authorization if the interception is immediately necessary to prevent an offence that would cause serious harm to any person or to property, as set out in Part VI of the *Criminal Code*.

Appendix A

Section 195(1)(a) requires that the agents who made application for an authorization pursuant to section 185 of the *Criminal Code* be named in the annual report. They are as follows:

Joel Gold

William J. Hilderman

Peter Hogg

Andrew MacDonald

Paul Sandhu

Mark Sheardown

David Sim

Appendix B

Section 195(1)(b) requires that the peace officers who made application for an authorization pursuant to section 188 of the *Criminal Code* be named in the annual report. They are as follows:

None

Appendix C

The duration of each interception made pursuant to section 184.4:

Investigation A – see below
Investigation B – see below
Investigation C – see below
Investigation D – details not yet provided
Investigation E – see below

Investigation A:

Session	Duration
20	0:00:01
19	0:00:21
18	0:00:36
17	0:00:37
16	0:00:06
15	0:00:30
14	0:00:00
13	0:00:00
12	0:00:00
11	0:00:05
10	0:00:00
9	0:00:44
8	0:00:11
7	0:04:09
6	0:00:43
5	0:00:38
4	0:00:00
3	0:00:00
2	0:00:00
1	0:00:15

Session	Duration
37	0:25:48
36	0:25:50
35	0:32:40

34	0:32:42
33	0:07:11
32	0:02:43
31	0:02:46
30	0:04:24
29	0:00:27
28	0:00:11
27	0:00:13
26	0:00:31
25	0:00:34
24	0:03:53
23	0:03:54
22	0:00:47
21	0:00:29
20	0:00:30
19	0:00:33
18	0:00:36
17	0:00:32
16	0:00:34
15	0:00:34
14	0:00:38
13	0:00:12
12	0:00:13
11	0:00:34
10	0:00:37

9	0:00:32
8	0:00:37
7	0:00:31
6	0:00:35
5	0:00:05
4	0:00:07
3	0:01:11
2	0:00:03
1	0:00:29

Session	Duration
13	0:00:01
12	0:00:26
11	0:02:05
10	0:02:09
9	0:01:02
8	0:01:09
7	0:01:03
6	0:01:42
5	0:02:10
4	0:02:10
3	0:00:02
2	0:00:52
1	0:00:06

Investigation B:

Session	Duration	408	0:00:14	366	0:00:00
449	0:00:00	407	0:00:00	365	0:00:00
448	0:00:00	406	0:00:00	364	0:00:00
447	0:00:00	405	0:00:05	363	0:00:00
446	0:00:00	404	0:00:06	362	0:00:00
445	0:00:00	403	0:00:07	361	0:00:00
444	0:00:00	402	0:00:05	360	0:00:00
443	0:00:00	401	0:00:12	359	0:00:00
442	0:00:00	400	0:00:00	358	0:00:00
441	0:00:00	399	0:00:00	357	0:00:00
440	0:00:00	398	0:00:00	356	0:00:00
439	0:00:00	397	0:00:00	355	0:00:00
438	0:00:00	396	0:00:00	354	0:00:00
437	0:00:00	395	0:00:00	353	0:00:00
436	0:00:00	394	0:00:00	352	0:00:00
435	0:00:00	393	0:00:00	351	0:00:00
434	0:00:00	392	0:00:00	350	0:00:00
433	0:00:00	391	0:00:00	349	0:00:00
432	0:00:00	390	0:00:00	348	0:00:00
431	0:00:13	389	0:00:00	347	0:00:00
430	0:00:00	388	0:00:00	346	0:00:00
429	0:00:00	387	0:00:00	345	0:00:00
428	0:00:00	386	0:00:00	344	0:00:00
427	0:00:00	385	0:00:00	343	0:00:00
426	0:00:00	384	0:00:00	342	0:00:00
425	0:00:00	383	0:00:00	341	0:00:00
424	0:00:00	382	0:00:00	340	0:00:00
423	0:00:00	381	0:00:00	339	0:00:00
422	0:00:00	380	0:00:00	338	0:00:00
421	0:00:00	379	0:00:00	337	0:00:00
420	0:00:00	378	0:00:00	336	0:00:00
419	0:00:00	377	0:00:00	335	0:00:00
418	0:00:00	376	0:00:00	334	0:00:00
417	0:00:00	375	0:00:00	333	0:00:00
416	0:00:00	374	0:00:00	332	0:00:00
415	0:00:00	373	0:00:00	331	0:00:00
414	0:00:00	372	0:00:00	330	0:00:00
413	0:00:00	371	0:00:00	329	0:00:00
412	0:00:00	370	0:00:00	328	0:00:00
411	0:00:00	369	0:00:00	327	0:00:00
410	0:00:00	368	0:00:00	326	0:00:00
409	0:00:00	367	0:00:00	325	0:00:00

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13	0:00:29
12	0:00:00
12	0:00:06
12	0:00:21
12	0:00:08
11	0:00:24

11	0:00:00
11	0:00:08
11	0:00:06
10	0:00:12
10	0:00:00
10	0:00:07
10	0:00:06
9	0:00:00
9	0:00:15
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3	0:00:36
3	0:00:07
3	0:00:00
3	0:01:37
3	0:00:57
2	0:00:00
2	0:00:36
2	0:00:00
2	0:00:57
2	0:00:17

1	0:00:04
1	0:00:03

1	0:00:07
1	0:00:04

1	0:00:05
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Investigation C:

Session	Duration
1	00:00:06
2	00:00:00
3	00:00:31
4	00:00:23
5	00:05:16
6	00:00:29
7	00:00:21
8	00:00:18
9	00:00:15
10	00:00:00
11	00:00:33
12	00:02:56
13	00:00:00
14	00:00:00
15	00:00:00
16	00:00:00
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18	00:00:00
19	00:00:00
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21	00:00:00
22	00:00:00
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25	00:00:00
26	00:00:00
27	00:00:00
28	00:00:00
29	00:00:00
30	00:00:30
31	00:00:22
32	00:00:13
33	00:00:10
34	00:00:00
35	00:01:43
36	00:00:00
37	00:00:00
38	00:00:00
39	00:00:00
40	00:00:21
41	00:00:19
42	00:00:03

43	00:02:40
44	00:00:32
45	00:00:23
46	00:00:13
47	00:00:02
48	00:00:30
49	00:00:22
50	00:00:33
51	00:00:32
52	00:01:11
53	00:00:28
54	00:00:22
55	00:00:12
56	00:00:04
57	00:00:11
58	00:00:03
59	00:00:15
60	00:00:00
61	00:02:38
62	00:00:50
63	00:00:00
64	00:01:58
65	00:01:55
66	00:00:05
67	00:00:04
68	00:06:24
69	00:06:20
70	00:00:00
71	00:00:07
72	00:00:03
73	00:00:00
74	00:00:20
75	00:00:19
76	00:00:00
77	00:00:29
78	00:00:22
79	00:00:27
80	00:00:23
81	00:02:42
82	00:02:41
83	00:00:32
84	00:00:30
85	00:06:03

86	00:00:07
87	00:00:03
88	00:01:03
89	00:01:00
90	00:00:12
91	00:00:01
92	00:00:05
93	00:00:04
94	00:03:30
95	00:00:09
96	00:00:01
97	00:01:46
98	00:00:28
99	00:00:48
100	00:00:00
101	00:00:11
102	00:00:12
103	00:00:06
104	00:00:00
105	00:00:00
106	00:00:00
107	00:04:09
108	00:04:07
109	00:00:15
110	00:00:06
111	00:00:00
112	00:00:00
113	00:04:54
114	00:04:53
115	00:01:06
116	00:00:38
117	00:01:40
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119	00:00:45
120	00:00:13
121	00:00:10
122	00:00:13
123	00:00:07
124	00:01:15
125	00:00:34
126	00:00:22
127	00:12:09
128	00:06:21
129	00:06:05
130	00:00:05
131	00:00:03
132	00:00:04
133	00:00:03
134	00:00:00

135	00:00:00
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137	00:00:00
138	00:00:00
139	00:00:00
140	00:00:00
141	00:00:23
142	00:00:22
143	00:00:00
144	00:00:23
145	00:00:00
146	00:00:00
147	00:00:18
148	00:00:06
149	00:00:00
150	00:00:04
151	00:00:03
152	00:00:03
153	00:00:03
154	00:00:00
155	00:00:00
156	00:00:00
157	00:00:00
158	00:00:24
159	00:00:00
160	00:00:26
161	00:00:00
162	00:00:18
163	00:00:00
164	00:00:00
165	00:00:22
166	00:00:00
167	00:00:00
168	00:00:00
169	00:00:00
170	00:00:00
171	00:00:00
172	00:00:22
173	00:00:00
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175	00:00:22
176	00:00:26
177	00:00:00
178	00:00:00
179	00:00:00
180	00:00:00
181	00:00:00
182	00:00:25
183	00:00:25

184	00:00:02
185	00:00:14
186	00:00:11
187	00:00:35
188	00:00:31
189	00:03:55
190	00:03:53
191	00:01:32
192	00:01:31
193	00:00:28
194	00:00:21
195	00:00:11
196	00:00:03
197	00:06:32
198	00:00:06
199	00:00:25
200	00:00:22
201	00:04:46
202	00:00:19
203	00:00:17
204	00:00:18
205	00:00:17
206	00:00:30
207	00:00:29
208	00:00:23
209	00:00:08
210	00:00:05
211	00:13:42
212	00:13:36
213	00:00:03
214	00:00:04
215	00:00:27
216	00:00:21
217	00:02:28
218	00:00:09
219	00:00:00
220	00:00:00
221	00:00:12
222	00:00:07
223	00:00:03
224	00:00:04
225	00:00:04
226	00:00:00
227	00:00:00
228	00:00:00
229	00:00:00
230	00:00:00
231	00:00:05
232	00:00:00

233	00:00:00
234	00:00:04
235	00:00:00
236	00:00:00
237	00:00:05
238	00:00:07
1	00:00:08
2	00:00:00
3	00:00:00
4	00:00:00
5	00:00:00
6	00:00:00
7	00:00:00
8	00:00:00
9	00:00:00
10	00:00:00
11	00:00:00
12	00:00:00
13	00:00:00
14	00:00:00
15	00:00:00
16	00:00:00
17	00:00:00
18	00:00:00
19	00:00:00
20	00:00:00
21	00:00:00
22	00:00:00
23	00:00:00
24	00:00:00
25	00:00:00
26	00:00:00
27	00:00:00
28	00:00:00
1	00:00:07

Session	Duration
1	00:00:05

Session	Duration
1	00:00:08
2	00:00:00
3	00:00:00
4	00:00:02
5	00:00:04

Session	Duration
1	00:00:08

2	00:00:00
3	00:00:00
4	00:00:00
5	00:00:00
6	00:00:03
7	00:00:02
8	00:00:00
9	00:00:00
10	00:00:00
11	00:00:00
12	00:00:09
13	00:00:05
14	00:00:00
15	00:00:23
16	00:00:27
17	00:00:00
18	00:00:00
19	00:00:00

20	00:00:00
21	00:00:00
22	00:00:00
23	00:00:00
24	00:00:00
25	00:00:00
26	00:00:00
27	00:00:00
28	00:00:00
29	00:00:00
30	00:00:00
31	00:00:00
32	00:00:00
33	00:00:00
34	00:00:00
35	00:00:00
36	00:00:00

Investigation E:

Session	Duration
1	0:00:12
2	0:00:00
3	0:00:00
4	0:00:09
5	0:00:05
6	0:00:09
7	0:00:05
8	0:00:00
9	0:00:11
10	0:00:05
11	0:00:00
12	0:00:00
13	0:00:00
14	0:00:00
15	0:00:00
16	0:00:00
17	0:00:31
18	0:00:00
19	0:01:48
20	0:01:47
21	0:00:47

22	0:00:07
23	0:00:10
24	0:00:05
25	0:01:41
26	0:01:40
27	0:00:36
28	0:00:07
29	0:00:30
30	0:00:00
31	0:00:31
32	0:00:00
33	0:00:35
34	0:00:24
35	0:00:25
36	0:00:25
37	0:00:33
38	0:00:32
39	0:00:00
40	0:00:00
41	0:00:00
42	0:00:00
43	0:04:07

44	0:00:44
45	0:00:00
46	0:00:00
47	0:00:05
48	0:00:00
49	0:00:00
50	0:00:00
51	0:00:00
52	0:00:06
53	0:01:02
54	0:00:00
55	0:00:00
56	0:00:00
57	0:00:00
58	0:00:23
59	0:00:23
60	0:00:36
61	0:00:36
62	0:00:35
63	0:00:34
64	0:00:05
65	0:00:04
66	0:00:00
67	0:00:20
68	0:00:21
69	0:00:24
70	0:00:25
71	0:00:07
72	0:00:06
73	0:00:00
74	0:00:29
75	0:00:28
76	0:00:39
77	0:00:38
78	0:00:13
79	0:00:12
80	0:00:28
81	0:00:26
82	0:00:00
83	0:00:16

84	0:00:16
85	0:00:18
86	0:00:18
87	0:00:33
88	0:00:32
89	0:00:05
90	0:00:05
91	0:00:34
92	0:00:33
93	0:00:26
94	0:00:25
95	0:00:34
96	0:00:33
97	0:00:00
98	0:00:00
99	0:00:06
100	0:00:05
101	0:00:05
102	0:00:32
103	0:00:05
104	0:00:07
105	0:00:05
106	0:00:36
107	0:00:37
108	0:00:22
109	0:00:23
110	0:00:07
111	0:00:05
112	0:00:33
113	0:15:03
114	0:00:28
115	0:00:28
116	0:00:29
117	0:00:21
118	0:00:08
119	0:00:05
120	0:01:06
121	0:01:06
122	0:00:00
123	0:00:32

124	0:00:32
125	0:00:33
126	0:01:23
127	0:00:28
128	0:00:28
129	0:00:06
130	0:00:06
131	0:00:41
132	0:00:32
133	0:00:06
134	0:00:05
135	0:00:41
136	0:00:20
137	0:00:19
138	0:00:21
139	0:00:00
140	0:00:00
141	0:00:32
142	0:00:33
143	0:00:30
144	0:00:29
145	0:00:18
146	0:00:19
147	0:00:22
148	0:00:22
149	0:00:00
150	0:00:30
151	0:00:29
152	0:00:00
153	0:00:00
154	0:00:00
155	0:00:00
156	0:00:07
157	0:00:08
158	0:00:06
159	0:00:07
160	0:00:14
161	0:00:07
162	0:00:00
163	0:00:00

164	0:00:00
165	0:00:00
166	0:00:15
167	0:00:00
168	0:00:00
169	0:00:08
170	0:00:05
171	0:00:06
172	0:00:00
173	0:00:05
174	0:00:00
175	0:00:06
176	0:00:06
177	0:00:05
178	0:00:05
179	0:00:05
180	0:00:06
181	0:00:00

Session	Duration
1	0:00:05
2	0:00:06
3	0:00:26
4	0:00:07
5	0:00:00
6	0:00:11
7	0:00:29
8	0:00:12
9	0:00:06
10	0:00:15
11	0:00:06
12	0:00:06
13	0:00:01
14	0:00:11
15	0:00:42
16	0:00:07
17	0:04:48
18	0:00:10
19	0:00:08