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RCMP REPORT: AUTHORIZATIONS TO INTERCEPT PRIVATE COMMUNICATIONS 2012-2016

Total Audio and Video Intercept Authorizations Given and Renewed = 28,001 – Total Convictions = 570

Letter from RCMP Commissioner to Minister of Public Safety dated April 13, 2017 – PS ATIP File: A-2018-00372

SUMMARY OF FIVE YEARS OF INTERCEPTS OF PRIVATE COMMUNICATIONS 2012-2016

Total Audio and Video Intercept Authorizations Given and Renewed = 28,001

Total Proceedings Commenced = 677

Total Number of Charges = 826

Total Number of Convictions = 570

Criminal Code section 185(1): Sets out the procedure for the procedure and criteria for granting authorizations to intercept private communications.

Criminal Code section 184.4: Authorizes warrantless interception of private communications in exigent circumstances where the authorization could not be obtained with reasonable diligence, there are reasonable grounds to believe that interception is necessary to prevent an unlawful act and would cause serious harm and one of the parties to the communication is the person who would commit the unlawful act or is the intended victim.

Criminal Code section 195: Requires an annual report on the number and content of applications made for authorizations to intercept private communications under section 185(1) to be tabled in Parliament.

Criminal Code section 196: Provides that those persons, whose private communications have been intercepted pursuant to an authorization, be notified that they may have been the object of such an interception.

Royal Canadian Mounted Police
Commissioner



Gendarmerie royale du Canada
Commissaire

Guided by Integrity, Honesty, Professionalism, Compassion, Respect and Accountability

Les valeurs de la GRC reposent sur l'intégrité, l'honnêteté,
le professionnalisme, la compassion, le respect et la responsabilisation

APR 13 2017

The Honourable Ralph Goodale, P.C., M.P.
Minister of Public Safety and
Emergency Preparedness
269 Laurier Avenue West
Ottawa, Ontario
K1A 0P8

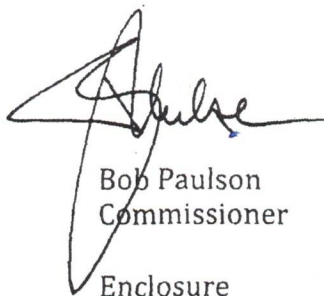
Dear Mr. Goodale:

Pursuant to section 195 of the *Criminal Code*, please find enclosed statistics relevant to the RCMP that are to be tabled before Parliament.

As you are aware, these statistics are to be combined with those of the other police agencies that report their information directly to the Police and Law Enforcement Policy Directorate of Public Safety Canada.

Of note, new accountability measures were implemented for section 184.4 (Immediate Interception-Imminent Harm), which resulted in changes to section 195 (Annual Report). There have been no such interceptions initiated by the RCMP since its inception.

Yours sincerely,


Bob Paulson
Commissioner
Enclosure

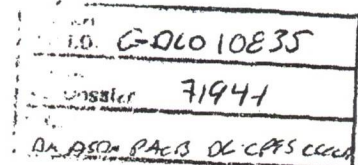
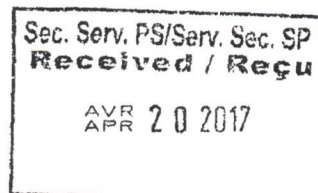


TABLE 1 APPLICATIONS FOR AUTHORIZATIONS AND RENEWALS

	2012	2013	2014	2015	2016
AUDIO S. 185 C.C.	61	62	47	32	25
VIDEO S. 487.01 C.C.	31	33	34	17	44
RENEWALS S. 186 C.C.	0	0	0	0	1
EMERGENCY AUDIO S. 188 C.C.	0	0	1	0	0
EMERGENCY VIDEO S. 487.01 C.C.	0	0	1	0	0
REFUSALS – VIDEO S.487.01 C.C.	0	0	0	0	0
TOTAL GRANTED	92	95	83	49	37

**TABLE 2 THE NUMBER OF AUTHORIZATIONS/VIDEO WARRANTS
GRANTED WITH TERMS AND CONDITIONS**

	2012	2013	2014	2015	2016
AUDIO S. 185 C.C.	61	61	46	31	25
VIDEO S. 487.01 C.C.	31	33	34	17	11
EMERGENCY AUDIO S. 188 C.C.	0	0	1	0	0
EMERGENCY VIDEO S. 487.01 C.C.	0	0	1	0	0
RENEWALS S. 186 C.C.	0	0	0	0	1
TOTAL GRANTED	92	94	82	48	37

**TABLE 3 THE TOTAL PERIOD FOR WHICH AUTHORIZATIONS WERE
GIVEN AND FOR WHICH RENEWALS THEREOF WERE**

STATUTE	TYPE OF OFFENCE	2012	2013	2014	2015	2016
CRIMINAL CODE	False statements S.153	3	0	0	0	0
	Smuggling S.159	2	2	0	0	0
	Providing or collecting property for certain activities S.83.02	4	0	4	0	0
	Providing, making available, etc. property or services for terrorist activities S.83.03	0	0	2	4	2
	Using or possessing property for terrorist purposes S.83.04	0	0	2	0	0
	Participation in the activity of terrorist group S.83.18	30	18	30	18	8
	Facilitating terrorist activities S.83.19	8	4	14	13	2
	Commission of an offence for a terrorist group S.83.2	28	15	9	5	0
	Instructing to carry out activity for a terrorist group S.83.21	0	0	8	6	2
	Instructing to carry out terrorist activity S.83.22	0	2	0	4	0
	Leaving or attempting to leave Canada to participate in activity of terrorist group S.83.181	0	0	20	12	4
	Leaving Canada to facilitate terrorist activity S.83.191	0	0	6	2	2

Leaving Canada to commit an offence that is terrorist activity S83.202	0	0	2	1	0
Advocating or promoting the commission of terrorism offences S.83.221	0	0	0	2	0
Weapons Trafficking S.99	2	0	6	0	0
Possession for the Purpose of Weapons Smuggling S.100	1	0	6	0	0
Importing or Exporting knowing it is unauthorized S.103	1	0	0	0	0
Bribery S.120	2	0	6	0	0
Breach of trust S.122	1	5	6	0	3
Obstructing justice S.139	4	0	0	0	0
Escape and being at large without excuse S. 145	0	0	0	4	0
Keeping Gaming or Betting House S.201(1)	3	0	0	0	0
Engage in bookmaking S.202	7	0	0	0	0
Procuring S.212	0	4	2	0	0
Murder S.235	0	2	0	1	0
Trafficking in persons S. 279.01	0	4	0	0	0
Hostage taking S. 279.1	0	0	2	2	0
Robbery S.344	0	0	0	0	0
Extortion S.346	2	0	0	0	0
Possession of Property Obtained by Crime S.354	30	48	27	11	14

	Possession of property obtained by the commission of an offence S.355	5	0	6	0	0
	Fraud S.380	2	9	0	0	0
	Arson S.434	2	0	0	0	0
	Laundering Proceeds of Counterfeit Money S.462.31	24	38	26	8	12
	Attempted Conspiracy S.463	21	27	42	10	3
	Counseling Conspiracy S.464	21	26	41	10	4
	Conspiracy S.465	61	75	68	40	34
	Participating in Activities of a Criminal Organization S.467.11	11	20	8	0	3
	Commission of an Offence for Criminal Organization S.467.12	16	20	12	6	3
	Instructing Commission of an Offence for a Criminal Organization S.467.13	6	15	12	0	3
CONTROLLED DRUGS & SUBSTANCES ACT	Trafficking in a narcotic S.5(1)	39	50	36	21	20
	Possession of a narcotic for purpose of trafficking S.5(2)	39	52	40	23	22
	Importing a narcotic S.6(1)	26	46	22	23	17
	Production S.7	13	10	1	3	0
CORRUPTION OF FOREIGN PUBLIC OFFICIALS ACT	Bribing a Foreign Public Official S.3	0	0	0	0	0

EXCISE ACT	Unlawful Manufactured tobacco products without license S.214	0	6	0	0	0
	Unlawful possession of tobacco product S.216	4	1	0	1	0
	Falsifying or destroying records S.219	0	0	0	0	0
	Possession of property obtained by excise offenses S.230	2	1	0	0	0
IMMIGRATION REFUGEE PROTECTION ACT	Organizing Entry Into Canada S.117	0	6	0	0	0
	Trafficking in Persons S.118	0	4	0	0	0
	Counseling Misrepresentation S.126	0	4	0	0	0
EXPORT & IMPORT PERMITS ACT	Export or attempt to export S.13	1	0	0	0	0
SECURITY OF INFORMATION ACT	Communicating safeguarded information S.16	0	0	0	0	0
	Breach of trust with respect of safeguarded information S.18	0	0	0	0	0
	Use of trade secret for the benefit of foreign economic entity S.19	1	0	0	0	0
	Preparatory acts S.22	0	0	0	0	0
	Conspiracy, attempts, etc. S.23	0	0	0	0	0

**TABLE 6 A DESCRIPTION OF ALL CLASSES OF PLACES SPECIFIED IN
AUTHORIZATIONS AND THE NUMBER OF AUTHORIZATIONS
IN WHICH EACH OF THOSE CLASSES OF PLACES WAS**

	2012	2013	2014	2015	2016
Residence (Permanent)	23	17	9	17	8
Residence (Temporary)	0	2	1	7	2
Commercial Premises	10	9	3	7	0
Vehicles	10	9	7	14	7
Other	27	26	18	15	9

**TABLE 7 A GENERAL DESCRIPTION OF THE METHODS OF
INTERCEPTION INVOLVED IN EACH INTERCEPTION UNDER
AN AUTHORIZATION**

	2012	2013	2014	2015	2016
Telecommunication	449	301	244	461	224
Microphone	69	60	148	76	33
Video	12	27	21	44	31
Other	11	11	3	37	47

**TABLE 8 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:**

	2012	2013	2014	2015	2016
Offence Specified in Authorization	146	95	73	37	19
Offence for which an authorization may be given but not specified in the authorization	25	36	28	14	3
Offence for which no authorization may be given	36	31	20	3	3

**TABLE 9 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:**

	2012	2013	2014	2015	2016
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Offence Specified in Authorization	77	77	56	9	24
Offence for which an authorization may be given but not specified in the authorization	8	47	11	4	3
Offence for which no authorization may be given	20	9	14	1	2

TABLE 10 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

	2012	2013	2014	2015	2016
Number of Charges	108	245	160	17	17
Number of Convictions	85	204	66	12	N/A

TABLE 11 THE NUMBER OF CRIMINAL INVESTIGATIONS IN WHICH INFORMATION OBTAINED AS A RESULT OF THE INTERCEPTION OF A PRIVATE COMMUNICATION UNDER THE 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 INVESTIGATION

	2012	2013	2014	2015	2016
Number of Charges	133	73	36	10	27
Number of Convictions	113	68	22	0	N/A

DESIGNATED AGENTS

Designated agents, in 2016, who made applications in accordance with subsections 185(1) and 487.01(1) of the *Criminal Code*:

- ANDREOPOULOS, Tom
- BAILEY, Karen
- BROWN, Andrew
- CURLISS, Douglas George
- FROESS, Ernest
- LAPOINTE, Pierre
- MAGAS, Erin
- PEARSON, Jeffrey
- PUDDINGTON, Brian G.
- SCHERMBRUCKER, David
- SHAIKH, Sarah
- SONLEY, Roderick
- STREETER, Jeremy

Persons Charged (Summary)

18-Jan-17

Year	Authorizations			Persons Identified and Charged for Offence			Not Identified but Charged for Offence		
	Total	No. Charged	Ratio	Specified	Other_Auth	Other_NoAuth.	Specified	Other_Auth.	Other_NoAuth.
2012	46	197	4.28	143	25	36	58	6	20
2013	28	134	4.79	94	36	31	77	47	9
2014	20	67	3.35	73	28	20	56	11	14
2015	15	17	1.13	37	14	3	9	1	1
2016	7	0	0.00	19	3	3	24	3	2

Page 71

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est retenue en vertu des articles**

69(1)(e), 69(1)(g) re (a)

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Page 72

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69(1)(e), 69(1)(g) re (a), 69(1)(g) re (d)

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Page 73

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69(1)(d)

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69(1)(a)

**of the Access to Information
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