

Federal Court



Cour fédérale

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VERSION 1A

Date: 20170925

Docket: DES-4-17

Citation: 2017 FC 838

Ottawa, Ontario, September 25, 2017

PRESENT: The Honourable Mr. Justice Gleeson

BETWEEN:

ATTORNEY GENERAL OF CANADA

Applicant

and

ALI OMAR ADER

Respondent

AMENDED JUDGMENT AND REASONS

I. Introduction

[1] The Attorney General of Canada brings this Application pursuant to section 38.04 of the *Canada Evidence Act*, RSC 1985, c C-5 [CEA] seeking an order confirming the statutory prohibition of disclosure of sensitive or potentially injurious information in the prosecution of

Ali Omar Ader. Mr. Ader is a citizen of Somalia who has been charged with the criminal offence of hostage-taking contrary to section 279.1(2) of the *Criminal Code*. The charge arises out of the kidnapping of a Canadian freelance journalist in Somalia in 2008.

[2] The Application has been heard *in camera* and *ex parte*. The Court has appointed an *amicus curiae*, Mr. Ian Carter, who has participated in the proceedings.

II. History of the Proceedings

[3] In August 2008, Ms. Amanda Lindhout, a Canadian citizen, and Mr. Nigel Brennan, a citizen of Australia, were abducted in Somalia where they were working as freelance journalists. The Crown alleges the hostage-takers sought the payment of a ransom and the pair was held until November 2009, a total of 15 months in captivity. Mr. Ader is alleged to have acted as the negotiator for the hostage-taking group and to have used several aliases in the course of the alleged offence including: (a) Ali ADEER; (b) Adam; (c) Adan; (d) And; (e) Adan Nur SAID (a.k.a. SIYAD); (f) Adan Abdulle OSMAN; (g) Cali Cummar ADEER; and (h) A/Salah Farah Nur.

[4] A Royal Canadian Mounted Police [RCMP] investigation (Project Slype) was commenced with the Australian Federal Police [AFP] in response to the kidnapping and a number of other Canadian agencies were involved. There was close cooperation and the sharing of information with Australian authorities. The evidence indicates that the focus of the RCMP investigation between August 2008 and November 2009 was the release of Ms. Lindhout. [REDACTED] foreign law enforcement, [REDACTED] also contributed to efforts to secure

Ms. Lindhout's release by sharing information with their Canadian partner agencies. [REDACTED]

[REDACTED]

[5] The RCMP investigation continued subsequent to Ms. Lindhout's release. It was this ongoing investigation that resulted in the 2015 arrest of Mr. Ader in Ottawa. Mr. Ader is currently in custody awaiting trial. His trial is scheduled to commence on October 2, 2017, before the Superior Court of Justice of Ontario in Ottawa.

[6] In pursuing the prosecution of Mr. Ader, the Public Prosecution Service of Canada [PPSC] is required to disclose all relevant information in its possession and control, subject to any lawful privilege (*R. v Stinchcombe*, [1991] 3 SCR 326, 68 CCC (3d) 1 [*Stinchcombe*] at pages 338-39, and 343). On November 30, 2016, the PPSC provided notice to the Attorney General that it believed sensitive or potentially injurious information, as defined in section 38 of the *CEA*, was contained in 29 documents that were subject to PPSC's disclosure obligations. In March 2017, the Attorney General authorized the disclosure of information in 8 of the 29 documents.

[7] On April 28, 2017, the Attorney General commenced this application seeking an order confirming the prohibition of disclosure of information in the 21 remaining documents. On May 5, 2017, Justice Simon Noël ordered that Ali Omar Ader be named as a respondent, that the Notice of Application be so amended and that a copy of the Amended Notice of Application be served on Mr. Ader or his counsel in the underlying criminal proceeding.

[8] On May 11, 2017, the PPSC served the Attorney General with a second notice pursuant to section 38 of the *CEA*. This second notice resulted in the Attorney General identifying an additional 385 documents as containing sensitive or potentially injurious information that should be protected from disclosure. The initial 21 documents were filed with this Court on May 11, 2017. The remaining 385 documents were filed on June 29, 2017.

[9] On May 17, 2017, Justice Noël appointed Mr. Ian Carter as *amicus curiae* for the purpose of assisting the court in the performance of its obligations under section 38 of the *CEA*. On June 26, 2017, having been assigned to this case by the Chief Justice, I issued an order establishing a schedule to prepare for the hearing of the application. Due to the volume of the information involved and the short time remaining before the scheduled commencement of the respondent's criminal trial, I ordered that counsel for the Attorney General and the *amicus* engage in a pre-hearing review of all documents for the purpose of narrowing the section 38 claims.

[10] Prior to being provided access to the protected documents the *amicus* was permitted to communicate with the parties, including the respondent, to gain an understanding of the parties' areas of interest and to assist with the review of the documents. In a public hearing involving Mr. Ader's counsel on June 29, 2017, his counsel advised the Court that some of the anticipated defences were known to the PPSC. [REDACTED]

[REDACTED]

[REDACTED]

[11] In the course of the public hearing on June 29, 2017, I offered Mr. Ader's counsel the opportunity to be heard in an *in camera* and *ex parte* hearing. After consideration, Mr. Ader's counsel requested the hearing for the purpose of providing an overview of the defence theory of the case to assist the Court and the *amicus* in assessing the potential relevance of the information subject to the section 38 claim. This *in camera* and *ex parte* hearing took place in the presence of the *amicus* on July 10, 2017. The understanding gained in the course of this hearing proved to be of value when applying the third step of the test articulated in *Ribic v Canada (Attorney General)*, 2003 FCA 246, [2005] 1 FCR 33 [*Ribic*], addressed later in these reasons.

[12] An *in camera* and *ex parte* hearing was held in Ottawa on August 28 and 30, 2017. The Attorney General filed five top secret affidavits in support of the application for non-disclosure. The affiants each represent a department or agency that has identified information to be protected from disclosure. Three of the affiants provided *viva voce* evidence on August 28, 2017. The three witnesses were subject to cross-examination by the *amicus*. The Attorney General prepared written submissions after the hearing of the evidence and the *amicus* relied on previously filed submissions in making his oral submissions. Oral submissions were heard on August 30, 2017.

A. *The documents*

[13] In addition to the RCMP, the Canadian Security Intelligence Service [CSIS or the Service], the Communications Security Establishment [CSE], Global Affairs Canada [GAC], and the Department of National Defence and Canadian Armed Forces [DND] were involved in the Canadian response to the kidnapping.

[14] As a result of their involvement, each of these agencies has identified information to be protected from disclosure. Various forms of harm or injury have been identified and relied on to justify protecting the information. The different harms have been assigned a colour code. The colour coding scheme is set out in the June 28, 2017 affidavit of Andrea De Bruyne. In the documents, the information over which redactions have been claimed is marked in a see-through readable format colour that corresponds to the identified harm or injury.

[15] In many cases, the information is subject to overlapping claims. In those cases, the information is highlighted in each of the colours that correspond to the claimed harm. Claims advanced by agencies and departments are identified in the affidavit of the agency or departmental affiant.

[16] In the course of the pre-hearing review, the *amicus* and counsel for the Attorney General reached a common view on a number of the claimed redactions. They have grouped the documents as follows:

A. Group 1:

- i. Group 1(a) documents are documents where counsel for the Attorney General and the *amicus* have reached the common view that the claimed redactions are not contentious as originally filed and the prohibition on disclosure should be confirmed;

ii. Group 1(b) documents contain claimed redactions where counsel for the Attorney General and the amicus have reached the common view that some of the claimed redactions are not contentious and the prohibition on disclosure should be confirmed but there are other redactions in the document where agreement has not been reached;

B. Group 2 documents contain claims that have been revised in the course of the pre-hearing review directed by this Court and counsel for the Attorney General and the *amicus* have reached the common view that the revised claims are not contentious, but there are other redactions in the documents where agreement has not been reached;

C. Group 3 documents are those documents where some or all of the redactions claimed remain in dispute and counsel for the Attorney General and the *amicus* have advanced their respective positions on each of these claims.

[17] The Attorney General has also lifted a significant number of the initially claimed redactions in the course of this proceeding. Where there are multiple claims over the same information the lifting of one redaction does not remove the section 38 claim. However, where the lifting of redactions by the Attorney General has resulted in there being no remaining claim over information this has been reflected in the decision column of the chart attached at Amended Annex “B” and the information ordered disclosed.

[18] To assist the Court in the balancing of interests as required at step three of the *Ribic* analysis, the *amicus* characterized redacted information according to its potential value in the underlying proceeding. In doing so, information has been categorized as being “non-contentious” where the *amicus* is of the opinion it is of minimal value. Where he is of the view that information could be of some potential value he has characterized the information as “relevant,” and where he has categorized the information as being of greater potential value he has characterized it as “highly relevant.” To avoid any confusion with the concept of relevance as understood in *Stinchcombe*, I have chosen to replace the *amicus*’ use of the terms “relevant” and “highly relevant” with the terms “some potential value,” and “greater potential value,” respectively.

III. Legal Framework

[19] Section 38 of the *CEA* establishes a procedure whereby information relating to international relations, national defence and national security may be protected from disclosure before a court, person or body with the jurisdiction to compel the production of information. In such a circumstance, notice is to be given to the Attorney General (section 38.01) who may at any time authorize disclosure of all or part of the information (section 38.03). Where the Attorney General does not authorize disclosure or enter into an agreement (section 38.031), the Attorney General may seek an order confirming the prohibition on disclosure before the Federal Court (section 38.04).

[20] The relevant provisions of the *CEA* (sections 38, 38.01, 38.03, 38.031, 38.04, 38.06, 38.07, 38.11 and 38.14) are reproduced in Annex “A” for ease of reference. In addition, references to section 38 in this judgment encompass sections 38 to 38.15 of the *CEA*.

IV. Issues

[21] The issue raised in this application is whether, with respect to each of the claims to protect information:

A. the prohibition on disclosure should be confirmed pursuant to subsection 38.06(3) of the *CEA*;

B. the information should be disclosed subject to the imposition of conditions to limit the injury to international relations, national defence or national security pursuant to subsection 38.06(2) of the *CEA*; or

C. the information should be disclosed pursuant to subsection 38.06(1) of the *CEA*.

V. The Law

[22] In assessing the nature of an order to be made pursuant to section 38.06, the Court engages a three step process as set out in *Ribic*. In considering the information the Attorney General seeks to protect the Court must: (1) determine the information’s relevance in the underlying proceeding; (2) determine whether the disclosure of the information would be

injurious to international relations, national defence or national security; and (3) where the evidence is both relevant and injurious, determine whether the public interest in disclosure is outweighed by the public interest in protecting the information. The party seeking disclosure bears the onus of demonstrating relevance (*Ribic* at para 17). Where relevance is established the onus then shifts to the Attorney General to demonstrate injury (*Ribic* at para 20). In the third and final step, the onus shifts back to the party seeking disclosure to demonstrate that the public interest favours disclosure (*Ribic* at para 21).

[23] In this case, where the underlying proceeding is a criminal prosecution, relevance is to be determined on the basis of whether the information “is relevant or not in the usual and common sense of the Stinchcombe rule, that is to say in the case at bar information, whether inculpatory or exculpatory, that may reasonably be useful to the defence” (*Ribic* at para 17).

[24] In the weighing of interests in the third and final step of the *Ribic* test, mere relevancy is insufficient to tip the balance in favour of disclosure. Rather the information must be assessed on a case by case basis and in doing so the Court is to consider those factors it determines necessary in the circumstances (*Canada (Attorney General) v Khawaja*, 2007 FC 490, (2007) 312 FTR 217 [*Khawaja*] at para 93). Relevant factors, identified in *Khan v Canada (Minister of Citizenship and Immigration)*, [1996] 2 FC 316 (TD) , (1996) 1 FTR 81 [*Khan*] at para 26 and endorsed in *Khawaja* at paras 74 and 93 include:

A. the nature of the public interest sought to be protected by confidentiality;

- B. whether the evidence in question will probably establish a fact crucial to the defence;
- C. the seriousness of the charge or issues involved;
- D. the admissibility of the documentation and the usefulness of it;
- E. whether the party seeking disclosure has established that there are no other reasonable ways of obtaining information; and
- F. whether the disclosure sought amounts to general discovery or a fishing expedition.

[25] In considering this application, I am not undertaking a judicial review of the Attorney General's decision to prohibit disclosure of information. Rather, I am required "to make [my] own decision as to whether the statutory ban ought to be lifted or not and issue an order accordingly" (*Ribic* at para 15).

[26] The threshold for relevance in the *Stinchcombe* sense is low. The Attorney General concedes that all of the information that is the subject of this application satisfies that threshold and is relevant in the context of Mr. Ader's criminal prosecution.

VI. Analysis

A. *Non-contentious claims*

[27] As noted above, the *amicus* and counsel for the Attorney General have engaged in discussions for the purposes of narrowing the claims that are contentious. They agree that in 242 of the 406 documents in issue, the information subject to the section 38 claim would be of minimal value in the criminal proceeding and are not contentious (the Group 1(a) documents referred to above). There are a further 130 documents that contain non-contentious claims (the Group 1(b) and Group 2 documents).

[28] All of the claims advanced by DND and GAC have been identified as non-contentious. The DND role in responding to the kidnapping appears to have been limited. In the course of this proceeding only a single section 38 claim relating to DND (concerning the identity of a member of the Canadian Special Operations Forces Command) has been maintained.

[29] The GAC involvement was more substantial. The information GAC has identified for non-disclosure relates to the Government of Canada's policy of not paying ransom to terrorists, the identity of third parties that had provided information to GAC, and Canadian assessments of foreign government officials, operations and policies.

[30] Beyond the DND and GAC claims, the remaining non-contentious claims relate to information that the Attorney General submits could variously reveal or negatively impact: (1) areas or persons of interest to intelligence and security agencies; (2) intelligence-gathering capabilities and techniques; (3) operational activities [REDACTED] (4) relationships with

foreign agencies; (5) [REDACTED]
[REDACTED] (6) relationships with foreign governments; (7) the identities of
employees; (8) internal procedures and methods; or (9) [REDACTED]
[REDACTED]
[REDACTED]

[31] I have reviewed each of these claims for non-disclosure.

[32] I am satisfied that the redactions that have been identified as non-contentious satisfy the low threshold for relevance in the *Stinchcombe* context. I am also satisfied that the information contained in the non-contentious redactions falls within the section 38 definitions of sensitive and potentially injurious information and that disclosure would be injurious to international relations, national defence or national security.

[33] Moving to the third step of the *Ribic* test, and turning my mind to the factors that may be of assistance to the Court when weighing the competing interests, I share the view of the *amicus* and counsel for the Attorney General that the information would be of minimal value in the underlying criminal proceeding. I consider this factor to be determinative. The public interest in protecting the information far outweighs any interest favouring disclosure. The Attorney General's prohibition on disclosure as it relates to the non-contentious claims in group 1(a), 1(b), and 2 documents is confirmed. This is reflected in the decision column of Amended Annex "B".

B. *Claims related to the RCMP*

[34] Some of the information that is the subject of this application was shared with the RCMP by a number of foreign agencies, including the Australian Federal Police [AFP]. Disclosure had been refused on the basis that it would be harmful to national security absent the consent of the originating foreign agency: such disclosure would violate what has been referred to in this proceeding as the “originator control principle” or “third party rule”. The principle is addressed in greater detail below but it is “not a principle of law and it is not absolute ...[i]ts application in each case must be scrutinized and actual risk of harm to the national interest established.” (*Canada (Attorney General) v Al Malki*, 2010 FC 1106, [2012] 2 FCR 508 at para 133).

[35] Much of the information that originated with the AFP is contained in officers’ notes and RCMP reporting documents and has been identified by the *amicus* as being of greater potential value in the underlying criminal prosecution. Much of it relates to the relationship between Mr. Ader and a Mr. Salad and a Mr. Osoble.

[36] At the hearing, counsel for the Attorney General advised the Court that the majority of the section 38 claims that had been advanced on the basis that the information had been shared with the RCMP by the AFP had been lifted. The RCMP affiant, Chief Superintendent Parsons, provided oral evidence at the hearing regarding the lifting of the claims. He testified that there are in effect cultural distinctions as between police agencies and intelligence agencies and these distinctions impact on how breaches of the third party rule may be viewed. He noted that police officers, unlike the intelligence community, are accustomed to having the “fruits of [their] endeavours” reviewed publicly. He noted that, in this case, the RCMP sought consent to disclose late in the process from the Australian Federal Police and that there had not been a refusal of

disclosure but rather a non-response. Chief Superintendent Parsons testified that he had personally undertaken a review of the section 38 claims relating to the RCMP just prior to the hearing to ensure the best possible disclosure was provided. His evidence was to the effect that he considered the absence of a refusal to disclose, his experience as a police officer, the informal circumstances in which information was exchanged and his view that not all breaches of the third party rule are the same (some are less serious than others). He concluded that AFP information assessed as being of potential value in the underlying criminal proceeding could be disclosed.

[37] In lifting a significant number of the RCMP's section 38 claims, the majority of the information relating to Mr. Salad and Mr. Osoble will be disclosed. The remaining RCMP claims that are in issue relate to third party information. The claims have been considered and the interests weighed as described in the analysis below.

C. *The remaining claims*

[38] As noted above, the relevance of the information the Attorney General has identified for non-disclosure is not in dispute. My consideration of the remaining claims will therefore focus on the second and third steps of the *Ribic* analysis: (1) would injury result from disclosure and (2) the weighing or balancing of the competing interests in disclosure versus non-disclosure where the information is determined to be injurious.

- (1) Would injury result to national security, national defence or international relations as a result of disclosure?

[39] In assessing the potential for injury I must be satisfied, on a reasonableness standard that the opinion of the Attorney General that injury would result rests on a factual foundation that has been established in the evidence. In making this determination, the Attorney General's assessment of potential injury is to be given considerable weight; it is not the role of the Court to second guess or substitute its opinion for that of the Attorney General (*Khawaja* at paras 63–65, citing *Ribic* at paras 18-20).

[40] The affidavits filed by representatives of the RCMP, CSIS, CSE, DND and GAC address the nature of the potential injury disclosure would cause. My focus is on the evidence as it relates to the contested section 38 claims over CSE and CSIS information. In respect of those contested claims, the CSE and CSIS affiants have stated that disclosure of the information would [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

(a) *Would information that [REDACTED] be injurious?*

[41] [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[44] [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[45] [REDACTED] the CSIS affiant, described the Service’s relationships with a variety of international police and intelligence agencies. He too noted that Canada as a net importer of intelligence relies heavily on these relationships to obtain intelligence that would not otherwise be available. He stated that information is exchanged with foreign agencies subject to an express and/or implicit understanding that neither the information nor its source will be disclosed beyond the recipient: he refers to this as the “third party rule”. He stated that to disclose the source or

[48] The jurisprudence reflects the importance of the originator control principle or the third party rule to the proper functioning of police and intelligence agencies, and that a failure on the part of the Government of Canada to protect such information could have significant consequences for Canada's existing relationships and its ability to enter into new arrangements. (*Canada (Attorney General) v Commission of Inquiry into the Actions of Canadian Officials in relation to Maher Arar*, 2007 FC 766, (2007) 316 FTR 279 [Arar] at para 77, *Canada (Attorney General) v Al Telbani*, 2014 FC 1050, [Telbani] at para 62).

[49] When assessing injury, efforts undertaken to obtain consent are to be considered. The requirement to seek consent was canvassed by Justice Yves de Montigny in *Telbani*, at paras 72 and 73. In reviewing the relevant jurisprudence, Justice de Montigny states that any obligation to make "reasonable efforts" to seek consent prior to a finding of injury had been qualified in more recent jurisprudence:

73. More recently, this Court somewhat qualified that obligation. In *Arar* (at paras 75 and 94), Justice Noël stated that he was of the opinion that it was not appropriate to draw a negative conclusion from the fact that the Attorney General did not seek consent from a foreign agency to disclose information, given the fact that such authorization would likely have been refused based on the evidence in the record. Justice Mosley found that the failure to make inquiries of foreign agencies regarding the disclosure of their information was not fatal but could be taken into consideration and could undermine a privilege claim, especially when the information appears innocuous on its face. In *Almalki*, he nonetheless accepted the Attorney General's submissions to the effect that it would be futile to ask certain countries to consent to the disclosure of their information.

[50] [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[51] While each of the section 38 claims have been assessed on a case by case basis, I am satisfied that the Attorney General's evidence demonstrates a significant public interest in not disclosing [REDACTED]

[REDACTED] Similarly, there is a significant public interest in protecting from public disclosure [REDACTED]

[REDACTED] The second step in the *Ribic* test has been satisfied in respect of this information.

(b) *Would disclosure of information [REDACTED] CSE be injurious?*

[52] [REDACTED] stated that CSE's general involvement in responding to the Lindhout kidnapping is not information that is being protected. [REDACTED]

[REDACTED]

[REDACTED]

[53] [REDACTED]

[54] Again, I am satisfied that the Attorney General's evidence demonstrates that the information the Attorney General seeks to protect under this head of injury would, if disclosed, be injurious to Canada's national security interests.

(c) *Would information [REDACTED] be injurious?*

[55] In his evidence, ██████████ stated that the fact that the Service was involved as part of the Government of Canada response to Ms. Lindhout's kidnapping is not protected. However, the Service is seeking to protect information ██████████
██████████
██████████ evidence was to the effect that disclosure of the information could reveal the nature and extent of information collected by the Service. This information would be of significance to an informed reader as it could reveal the effort undertaken and the degree or absence of success. Similarly it would identify areas of Service interest, and capabilities and methods of operation and investigation. The disclosure of this information could compromise ongoing and future investigations, and negatively impact information sharing and cooperation with foreign agencies.

[56] ██████████ also acknowledged that the information in this case dated back to 2008 and 2009 but his evidence was that passage of time should not be determinative of the question of injury. He stated that investigations in the national security field can be lengthy, that individuals who cease to be of interest at one point may come to the attention of the Service again in the future, ██████████
██████████

[57] Having considered ██████████ evidence, I am satisfied that step 2 of the *Ribic* test has been satisfied and disclosure of information that would reveal Service ██████████
██████████ would be injurious to Canada's national security interests.

[REDACTED]

[60] [REDACTED]

[61] As I understand the evidence of [REDACTED]

[62] In this specific circumstance, and I limit my conclusion to this situation only, I am satisfied that disclosing the fact that [REDACTED]

[REDACTED] I am also satisfied that the evidence demonstrates that it is reasonable to conclude that the disclosure of information [REDACTED] would also be injurious to national security, again satisfying the second step of the *Ribic* analysis. [REDACTED]

[63] Having concluded that the information in the contested section 38 claims is information that if disclosed would be injurious to national security, national defence or international relations I will now move to step 3 in the *Ribic* analysis.

D. *Does the public interest in disclosure outweigh by the public interest in protecting the information?*

[64] Balancing the competing interests at step 3 of the *Ribic* test, particularly where the underlying proceeding is a criminal prosecution is a difficult task (*Ribic* para 13). As stated in para 22 of *Ribic*:

22. Balancing the competing interests at stake requires the application of a more stringent test than the usual relevancy rule. Otherwise, as evidenced by the appellant's position, relevant sensitive information would always be disclosed to the detriment of international relations, national defence or national security. It means in effect no balancing at all. This is what this Court said in the civil case of *Jose Pereira E Hijos, S.A. et al. v. The Attorney General of Canada*, 2002 FCA 470, where Stone J.A., in relation to former sections 37 and 38 of the Act, wrote at paragraphs 17 and 18:

Thus, whether a question is relevant in the context of a section 37 and 38 determination is not to be viewed in the narrow sense of whether it is relevant to an issue pleaded, but rather to its relative importance in proving the claim or in defending it.

I respectfully agree with the Motions Judge, at paragraph 28, that "the information which the plaintiffs seek to obtain will not establish a fact crucial to the plaintiffs' case". As I read his reasons, this was a significant factor in determining whether the importance of disclosure was outweighed by the importance of protecting the specified public interest.

The Court considered the factors enumerated in *R. v. Kahn*, [1996] 2 F.C. 316 (F.C.T.D.): the nature of the public interest sought to be

protected by confidentiality, the seriousness of the charge or issues involved, the admissibility of the documentation and the usefulness of it, whether there were other reasonable ways of obtaining the information, whether the disclosure sought amounted to general discovery or a fishing expedition and whether the information will probably establish a fact crucial to the defence. Obviously, the last two factors impose a higher threshold than simple relevancy.

[65] On the other hand, and as recognized by Justice de Montigny in *Telbani* at para 70, the originator control principle or third party rule is similarly not determinative in the balancing process:

[70] As important as the third party rule might be, however, it cannot be absolute. There is no statutory basis for that “rule”, and the mere fact that a foreign agency did not relieve the Service (or any other Canadian agency) of its confidentiality obligation cannot suffice, on its own, to conclude that the disclosure of information thus obtained would be injurious to national security. Other factors must be considered, including the fact that the information in question was subsequently disclosed and is now in the public domain, as well as the passage of time. There must also [be] consideration for how the sharing of information, both quantitative and qualitative, with a foreign agency might be important for Canada. My colleague, Justice Noël, stated the following in *Arar* (at para 80):

When determining whether disclosure will cause harm, it is also important to consider the nature of Canada’s relationship with the law enforcement or intelligence agency from which the information was received. It is recognized that certain agencies are of greater importance to Canada and thus that more must be done to protect our relationship with them. Consequently, care must be taken when considering whether to circumvent the third party rule in what concerns information obtained from our most important allies.

[66] The *amicus* has argued that in weighing the competing interests at stage 3 of the *Ribic* analysis, it is not necessary that the respondent demonstrate the evidence would be able to

establish innocence. Rather the respondent must demonstrate that the evidence could be of assistance in raising a reasonable doubt. He submits that the information identified as being of some or greater potential greater value in the underlying proceeding is not peripheral: it is not information that pre-dates the offence, and is “directly related to the commission of the offences and, [REDACTED] He submits that the information should be disclosed or summarized. In the alternative he argues, relying on the Supreme Court of Canada’s decision in *R v Ahmad*, 2011 SCC 6, [2011] 1 SCR 110 that the Court should order the trial judge be notified of the nature of the undisclosed information and be entitled to review the documents in their entirety for the purposes of section 38.14 of the *CEA*.

[67] The argument in favour of disclosure relies, at least in part, on the form of the information. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] The argument for disclosure implies that the nature of the information, [REDACTED]

[REDACTED] is sufficient to conclude the interest in disclosure outweighs the interest in non-disclosure. I disagree. To accept this view would require one to accept that neither the content of the information nor other relevant factors or circumstances play a role in the weighing exercise.

This is inconsistent with the principle reflected in *Khan* and the decision in *Khawaja* where Justice Mosley states at paras 92 and 93:

[92] Though a certain level of deference is owed to the decision of the Attorney General not to disclosure [*sic*] certain information, as evidenced by the approach that is taken by the Court in the second step of the section 38.06 test outlined above, it is equally

clear that Parliament has tasked the Federal Court with the responsibility of balancing the competing public interests, subject to the override clause found in section 38.13. as was described recently by Chief Justice Lufty in *Kjawaja*, the three part test set out in *Ribic* in fact “establishes a balanced and nuanced approach to assessing disclosure”: above, at para. 46.

[93] Taking all of the above into account, I endorse the approach taken by Justice Blanchard in *Ribic v. Canada (Attorney General)*, 2003 FCT 10 and Justice Lemieux in *Kempo*. A case by case approach is the most appropriate approach to be taken under subsection 38.06(2) when the balancing step of the test is engaged, and the Court is free to consider those factors it deems necessary in the circumstances including but not limited to those noted by the Federal Court of Appeal in *Hijos*, at paras 16, citing *Khan* at para. 26.

[68] I have identified and considered the following factors and circumstances in weighing the competing interests in respect of the contested section 38 claims:

- (1) the nature of the injury contemplated should the information be disclosed to include a consideration of the passage of time;
- (2) the seriousness of the offence charged;
- (3) the nature of the defence to be advanced;
- (4) the unique nature of the information, or its availability from another source;
- (5) the likelihood of admissibility in a criminal proceeding of the information in the form it exists; and
- (6) whether the identified value of the information is speculative.

[69] In considering the nature of the anticipated injury arising from disclosure, the injuries have been identified and discussed earlier in these reasons. The injuries however arise in respect of [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] This has weighed heavily upon the balance but has not been determinative.

[70] In considering the seriousness of the charge it is unquestionable that the charge Mr. Ader is facing is serious. Hostage taking contrary to section 279.1(2) of the *Criminal Code* is an indictable offence punishable by life imprisonment.

[71] When considering the nature of the defence to be advanced, I have had the benefit, as noted above, of the information provided by Mr. Ader's counsel. It is not my role as the section 38 judge to assess the availability or merits of a defence in a criminal proceeding and I will not embark on any such consideration. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[72] In a few very limited instances where I have been unable to conclude with a high degree of certainty that information is not unique or where the information may be of particular value, I have included this information in a short summary. The summary is set out in the Decision column of Amended Annex “B”. The summary reflects a number of pieces of information but does not attribute the information to any specific document, source or capability. In this way, I believe that information that is potentially unique and of value in the criminal proceeding will be disclosed while minimizing the injury to national security. In other very limited instances, I have ordered that redactions be lifted either because disclosure of the information will not, in my view, result in harm or the interest in disclosure outweighs the potential harm. Again, these findings are reflected in the decision column of Amended Annex “B”.

[73] Unlike the situation in *Telbani*, where Justice de Montigny concluded that there was “not only relevant information but potentially extremely significant information” to be found in the protected information, I have not identified any such information in this case. To put it another

way, having carefully considered the redacted information that remains in issue I am unable to conclude that the non-disclosure of the information could materially affect the outcome of the underlying criminal proceeding.

[74] Mr. Carter very ably argued that evidence that is of value or of relevance is not evidence that in and of itself establishes a fact or defence. Rather it is pieces of information that when woven together establish or support facts that will in turn support elements which may ultimately underpin a defence. He described this as a mosaic similar to the mosaic effect that is sometimes argued as a ground to not disclose information. I take no issue with Mr. Carter's articulation of relevance and the difficulty created in trying to assess the value of specific pieces of information. However, Justice Mosley concluded in *Khawaja* at para 136 that "by itself the mosaic effect will usually not provide sufficient reason to prevent disclosure of what would otherwise appear to be an innocuous piece of information." I believe the same to be true in reverse. The fact that information may be of some value would normally be insufficient absent something more to tilt the balance in favour of disclosure where the interests in non-disclosure are significant, as they are here. As noted above however in the balancing of the interests, in Amended Annex "B" I have ordered the disclosure of some information in a form that minimizes the injury to national security.

[75] In some cases, the information has been identified as being of some value because it may support a third party records application for disclosure from uninterested third parties. In seeking third party disclosure in a criminal proceeding, the applicant bears the burden of demonstrating that the documents being sought are likely relevant to the proceeding. That burden has been

described as significant but not onerous (*R v McNeil*, 2009 SCC 3, [2009] 1 SCR 66 at para 29).

Mr. Carter takes the position that where protected information suggests that there may be additional information [REDACTED] that does not form part of the disclosure package, this information needs to be disclosed because it may form the basis for a third party disclosure application. In my opinion this is somewhat speculative.

[76] Mr. Carter points to *R v. Alizadeh*, 2013 ONSC 7540 [*Alizadeh*] as supporting his position. In *Alizadeh* an initial third party records application to bring CSIS documents before the court was refused on the basis that the “likely relevant” threshold had not been satisfied. Following that decision some information was disclosed that was argued to be inconsistent with evidence in an affidavit seeking a warrant. On this basis, and on reconsideration the Judge concluded the likely relevant threshold was satisfied. In my view, these facts are readily distinguishable from the circumstance here and *Alizadeh* is of no assistance. Information from which one might infer the possibility of further records which in turn might satisfy the “likely relevant” standard in the third party records application is speculative. The speculative nature of the identified value of information for this purpose has been given some weight.

[77] In considering non-disclosure of [REDACTED] [REDACTED] there have been no submissions made as to how or to what degree this information may be of value in the criminal proceeding and it is not evident that the information would be of value. The Attorney General on the other hand has demonstrated the injuries contemplated from disclosure and, as noted above, I am satisfied that disclosure of [REDACTED] [REDACTED] would be injurious in the specific

circumstances of this case. I am of the opinion that the balance weighs in favour of the non-disclosure of this information.

[78] The remaining issue to be addressed is the *amicus*' position that where disclosure to the Respondent is not otherwise ordered, this Court should make an order providing the trial judge access to the section 38 information for the purposes of section 38.14 of the *CEA*.

[79] The *amicus*' position assumes that without such an order, the trial judge will be unable to assess the impact of non-disclosure on Mr. Ader's fair trial interests. For the reasons that follow, I decline to make the requested order.

[80] In *Ahmad*, the Supreme Court of Canada addressed the constitutional validity of the section 38 process. The Court ultimately concluded that section 38 was constitutionally valid in creating a scheme to balance the potential conflict between the two fundamental obligations of preventing the disclosure of information that could pose a threat to national security, national defence or international relations, and the prosecution of individuals accused of offences against Canadian law. In finding the scheme constitutional, the Court found that section 38 does not prevent a trial judge from protecting an accused's fair trial rights, stating at para 65:

What is essential for constitutional purposes is that the criminal courts retain the ability to ensure that every person who comes before them as the subject of a criminal prosecution receives a fundamentally fair trial. What is recognized in both s. 24(1) of the *Charter* and s. 38.14 of the *CEA* is that sometimes the only way to avoid an "[un]fair" trial is to have no trial at all. As we have explained, through s. 38.14 and the *Charter*, the criminal court trial judge possesses the means to safeguard the accused's fair trial rights.

[81] The Supreme Court also held that the public interest in protecting fair trial rights may only be served where the trial judge has an adequate understanding of the nature of the withheld information to exercise the powers contained in section 38.14 (*Ahmad* at para 33). The Court also noted that the section 38 scheme was flexible and that there were options available to ensure a trial judge was provided access to information necessary to determine fair trial rights (*Ahmad* at para 44).

[82] The issue then is whether the trial judge is in possession of sufficient information to assess the impact of non-disclosure on an accused's fair trial interests.

[83] In this case, the trial judge will have access to the disclosed information and the publicly known involvement of the security agencies that seek to protect information in this application. The trial judge will also have access to the information that is to be disclosed as the result of the Attorney General having lifted section 38 claims in many documents, and the information otherwise ordered disclosed or summarized in the course of this proceeding. In addition, Amended Annex "B", which identifies each of the documents dealt with in this application and summarizes the manner in which the redactions have been addressed, has been drafted with the intent of it being publicly available. I have ordered that Amended Annex "B" be provided to the Respondent and Amended Annex "B" can in turn be made available to the trial judge at the option of the parties.

[84] There will be instances where a section 38 judge will conclude that information beyond that made publically available or otherwise ordered disclosed will be necessary to allow a trial

judge to assess fair trial interest. In those cases the flexibility of the section 38 process that was highlighted in *Ahmad* can be leveraged to make disclosure available to the trial judge (as was done in *Khawaja*). In my view this is not one of those cases. The information identified as being of value in the criminal proceeding is, as I indicated above, often not unique and does not reflect information, as was the case in *Telbani*, that is potentially extremely significant but not disclosed. I am of the opinion that further disclosure is not warranted for the purposes of section 38.14.

[85] In coming to this conclusion, I hasten to add that the determination of what is or is not sufficient for the purposes of protecting an accused's fair trial rights is exclusively within the purview of the trial judge. If the trial judge concludes that there is insufficient information available to determine if non-disclosure has materially affected trial fairness then, as contemplated in *Ahmad*, the trial judge may so advise the Crown, and seek "further and better disclosure" from the Attorney General at that time (*Ahmad* at paras 51 and 52). This process will provide the Attorney General with the opportunity to respond to specific concerns through further disclosure, relying on section 38.03 of the *CEA*. In this regard I agree with the oral submissions of the Attorney General, an order of disclosure for the purposes of section 38.14 at this point and based on my assessment of the information is premature.

VII. Conclusion

[86] In the course of this proceeding, the *amicus* has submitted that the Court should communicate, or allow the *amicus* to communicate, to the Respondent that he may wish to consider certain courses of action. I have chosen to decline the invitation to do so. I agree with




the position of counsel for the Applicant, that it is not the role of this Court to advise or guide counsel in the conduct of a proceeding.

[87] I would like to thank counsel for the Attorney General and the *amicus*, Mr. Carter, for their commendable efforts and diligence in dealing with this Application. The large volume of material, tight timelines and the summer holiday period combined to present significant challenges and I am grateful for the efforts made on the part of all involved.

[88] The Application is granted in part. The Attorney General's prohibition on disclosure is confirmed to the extent set out in Amended Annex "B". Where, as reflected in Amended Annex "B", the prohibition on disclosure has not been confirmed, information has been summarized, or where prohibitions on disclosure have been lifted in the course of this proceeding the information shall be disclosed to the Respondent by the Attorney General through the Office of the Director of Public Prosecutions for Canada.

AMENDED JUDGMENT

THIS COURT’S JUDGMENT is that:

1. The Application is granted in part;
2. Disclosure of information in respect of which the Attorney General has applied to this Court is authorized in the form set out in Amended Annex “B”;
3. The prohibition on disclosure of any information not authorized to be disclosed in Amended Annex “B” is confirmed;
4. 


5. This Judgment and Reasons and the attached Amended Annex “B” will be released to the Applicant on the date of the signing of this judgment, pursuant to paragraph 38.02(2)(b) of the *Canada Evidence Act*;
6. If no appeal has been brought by the Applicant upon the expiry of the initial appeal period or at any time earlier the Applicant decides that no appeal will be brought, the Applicant shall provide the information authorized for disclosure as set out in Amended Annex “B” to the Office of the Director of Public Prosecutions for Canada for the purpose of disclosure to the Respondent;

7. The *amicus curiae* appointed to assist the Court in this matter may have access to the Judgment and Reasons, including Amended Annex “B”, at the Federal Court’s secure facility in Ottawa;
8. The Applicant in consultation with the *amicus curiae* shall propose redactions to this Judgment and Reasons for disclosure to the Respondent not later than ten (10) days after the expiry of the initial appeal period or at any time earlier should the Applicant decide that no appeal will be brought;
9. This Judgment, with paragraph 4 above redacted, together with the attached Amended Annex “B”, will be released to the Respondent on the expiry of the appeal period accorded the Applicant under subsection 38.09 of the *Canada Evidence Act* if no appeal is brought by the Applicant during that period, or at any time earlier should the Applicant decide that no appeal will be brought;
10. For greater certainty, the Attorney General shall have ten (10) days following the day on which this Judgment is made to appeal and the period during which the Respondent may bring an appeal, as provided in subsection 38.09, shall be considered to run from the date of disclosure to the Respondent of the information authorized for disclosure or such further time as the Federal Court of Appeal may consider appropriate;
11. This Judgment and Reasons shall not form part of the public record of these proceedings;

12. The *ex parte* Court records relating to the hearing of this Application shall be kept in a location to which the public has no access; and,

13. There is no order as to costs.

"Patrick Gleeson"

Judge

ANNEX “A”

Canada Evidence Act,
RSC, 1985, c C-5

**International Relations and National
Defence and National Security**

Definitions

38 The following definitions apply in this section and in sections 38.01 to 38.15.

[...]

potentially injurious information means information of a type that, if it were disclosed to the public, could injure international relations or national defence or national security. (renseignements potentiellement préjudiciables)

[...]

sensitive information means information relating to international relations or national defence or national security that is in the possession of the Government of Canada, whether originating from inside or outside Canada, and is of a type that the Government of Canada is taking measures to safeguard. (renseignements sensibles)

Notice to Attorney General of Canada

38.01 (1) Every participant who, in connection with a proceeding, is required to disclose, or expects to disclose or cause the disclosure of, information that the participant believes is sensitive information or potentially injurious information shall, as soon as possible, notify the Attorney General of Canada in writing of the possibility of the disclosure, and of the nature, date and place of the proceeding.

Loi sur la preuve au Canada,
LRC (1985), ch C-5

**Relations internationales et défense et
sécurité nationales**

Définitions

38 Les définitions qui suivent s’appliquent au présent article et aux articles 38.01 à 38.15.

[...]

renseignements potentiellement préjudiciables Les renseignements qui, s’ils sont divulgués, sont susceptibles de porter préjudice aux relations internationales ou à la défense ou à la sécurité nationales. (potentially injurious information)

[...]

renseignements sensibles Les renseignements, en provenance du Canada ou de l’étranger, qui concernent les relations internationales ou la défense ou la sécurité nationales, qui se trouvent en la possession du gouvernement du Canada et qui sont du type des renseignements à l’égard desquels celui-ci prend des mesures de protection. (sensitive information)

Avis au procureur général du Canada

38.01 (1) Tout participant qui, dans le cadre d’une instance, est tenu de divulguer ou prévoit de divulguer ou de faire divulguer des renseignements dont il croit qu’il s’agit de renseignements sensibles ou de renseignements potentiellement préjudiciables est tenu d’aviser par écrit, dès que possible, le procureur général du Canada de la possibilité de divulgation et de préciser dans l’avis la nature, la date et le lieu de l’instance.

During a proceeding

(2) Every participant who believes that sensitive information or potentially injurious information is about to be disclosed, whether by the participant or another person, in the course of a proceeding shall raise the matter with the person presiding at the proceeding and notify the Attorney General of Canada in writing of the matter as soon as possible, whether or not notice has been given under subsection (1). In such circumstances, the person presiding at the proceeding shall ensure that the information is not disclosed other than in accordance with this Act.

Notice of disclosure from official

(3) An official, other than a participant, who believes that sensitive information or potentially injurious information may be disclosed in connection with a proceeding may notify the Attorney General of Canada in writing of the possibility of the disclosure, and of the nature, date and place of the proceeding.

During a proceeding

(4) An official, other than a participant, who believes that sensitive information or potentially injurious information is about to be disclosed in the course of a proceeding may raise the matter with the person presiding at the proceeding. If the official raises the matter, he or she shall notify the Attorney General of Canada in writing of the matter as soon as possible, whether or not notice has been given under subsection (3), and the person presiding at the proceeding shall ensure that the information is not disclosed other than in accordance with this Act.

Au cours d'une instance

(2) Tout participant qui croit que des renseignements sensibles ou des renseignements potentiellement préjudiciables sont sur le point d'être divulgués par lui ou par une autre personne au cours d'une instance est tenu de soulever la question devant la personne qui préside l'instance et d'aviser par écrit le procureur général du Canada de la question dès que possible, que ces renseignements aient fait ou non l'objet de l'avis prévu au paragraphe (1). Le cas échéant, la personne qui préside l'instance veille à ce que les renseignements ne soient pas divulgués, sauf en conformité avec la présente loi.

Avis par un fonctionnaire

(3) Le fonctionnaire — à l'exclusion d'un participant — qui croit que peuvent être divulgués dans le cadre d'une instance des renseignements sensibles ou des renseignements potentiellement préjudiciables peut aviser par écrit le procureur général du Canada de la possibilité de divulgation; le cas échéant, l'avis précise la nature, la date et le lieu de l'instance.

Au cours d'une instance

(4) Le fonctionnaire — à l'exclusion d'un participant — qui croit que des renseignements sensibles ou des renseignements potentiellement préjudiciables sont sur le point d'être divulgués au cours d'une instance peut soulever la question devant la personne qui préside l'instance; le cas échéant, il est tenu d'aviser par écrit le procureur général du Canada de la question dès que possible, que ces renseignements aient fait ou non l'objet de l'avis prévu au paragraphe (3) et la personne qui préside l'instance veille à ce que les renseignements ne soient pas divulgués, sauf en conformité avec la présente loi.

Military proceedings

(5) In the case of a proceeding under Part III of the National Defence Act, notice under any of subsections (1) to (4) shall be given to both the Attorney General of Canada and the Minister of National Defence.

Exception

(6) This section does not apply when

(a) the information is disclosed by a person to their solicitor in connection with a proceeding, if the information is relevant to that proceeding;

(b) the information is disclosed to enable the Attorney General of Canada, the Minister of National Defence, a judge or a court hearing an appeal from, or a review of, an order of the judge to discharge their responsibilities under section 38, this section and sections 38.02 to 38.13, 38.15 and 38.16;

(c) disclosure of the information is authorized by the government institution in which or for which the information was produced or, if the information was not produced in or for a government institution, the government institution in which it was first received; or

(d) the information is disclosed to an entity and, where applicable, for a purpose listed in the schedule.

Exception

(7) Subsections (1) and (2) do not apply to a participant if a government institution referred to in paragraph (6)(c) advises the participant that it is not necessary, in order to prevent disclosure of the information referred to in that paragraph, to give notice to the Attorney

Instances militaires

(5) Dans le cas d'une instance engagée sous le régime de la partie III de la Loi sur la défense nationale, les avis prévus à l'un des paragraphes (1) à (4) sont donnés à la fois au procureur général du Canada et au ministre de la Défense nationale.

Exception

(6) Le présent article ne s'applique pas :

a) à la communication de renseignements par une personne à son avocat dans le cadre d'une instance, si ceux-ci concernent l'instance;

b) aux renseignements communiqués dans le cadre de l'exercice des attributions du procureur général du Canada, du ministre de la Défense nationale, du juge ou d'un tribunal d'appel ou d'examen au titre de l'article 38, du présent article, des articles 38.02 à 38.13 ou des articles 38.15 ou 38.16;

c) aux renseignements dont la divulgation est autorisée par l'institution fédérale qui les a produits ou pour laquelle ils ont été produits ou, dans le cas où ils n'ont pas été produits par ou pour une institution fédérale, par la première institution fédérale à les avoir reçus;

d) aux renseignements divulgués auprès de toute entité mentionnée à l'annexe et, le cas échéant, à une application figurant en regard d'une telle entité.

Exception

(7) Les paragraphes (1) et (2) ne s'appliquent pas au participant si une institution gouvernementale visée à l'alinéa (6)c) l'informe qu'il n'est pas nécessaire, afin d'éviter la divulgation des renseignements visés à cet alinéa, de donner un avis au

General of Canada under subsection (1) or to raise the matter with the person presiding under subsection (2).

procureur général du Canada au titre du paragraphe (1) ou de soulever la question devant la personne présidant une instance au titre du paragraphe (2).

Schedule

(8) The Governor in Council may, by order, add to or delete from the schedule a reference to any entity or purpose, or amend such a reference.

Annexe

(8) Le gouverneur en conseil peut, par décret, ajouter, modifier ou supprimer la mention, à l'annexe, d'une entité ou d'une application figurant en regard d'une telle entité.

[...]

[...]

Authorization by Attorney General of Canada

38.03 (1) The Attorney General of Canada may, at any time and subject to any conditions that he or she considers appropriate, authorize the disclosure of all or part of the information and facts the disclosure of which is prohibited under subsection 38.02(1).

Autorisation de divulgation par le procureur général du Canada

38.03 (1) Le procureur général du Canada peut, à tout moment, autoriser la divulgation de tout ou partie des renseignements ou des faits dont la divulgation est interdite par le paragraphe 38.02(1) et assortir son autorisation des conditions qu'il estime indiquées.

Military proceedings

(2) In the case of a proceeding under Part III of the National Defence Act, the Attorney General of Canada may authorize disclosure only with the agreement of the Minister of National Defence.

Instances militaires

(2) Dans le cas d'une instance engagée sous le régime de la partie III de la Loi sur la défense nationale, le procureur général du Canada ne peut autoriser la divulgation qu'avec l'assentiment du ministre de la Défense nationale.

Notice

(3) The Attorney General of Canada shall, within 10 days after the day on which he or she first receives a notice about information under any of subsections 38.01(1) to (4), notify in writing every person who provided notice under section 38.01 about that information of his or her decision with respect to disclosure of the information.

Notification

(3) Dans les dix jours suivant la réception du premier avis donné au titre de l'un des paragraphes 38.01(1) à (4) relativement à des renseignements donnés, le procureur général du Canada notifie par écrit sa décision relative à la divulgation de ces renseignements à toutes les personnes qui ont donné un tel avis.

Disclosure agreement

38.031 (1) The Attorney General of Canada and a person who has given notice under subsection 38.01(1) or (2) and is not required to disclose information but wishes, in connection with a proceeding, to disclose any facts referred to in paragraphs 38.02(1)(b) to (d) or information about which he or she gave the notice, or to cause that disclosure, may, before the person applies to the Federal Court under paragraph 38.04(2)(c), enter into an agreement that permits the disclosure of part of the facts or information or disclosure of the facts or information subject to conditions.

No application to Federal Court

(2) If an agreement is entered into under subsection (1), the person may not apply to the Federal Court under paragraph 38.04(2)(c) with respect to the information about which he or she gave notice to the Attorney General of Canada under subsection 38.01(1) or (2).

Application to Federal Court — Attorney General of Canada

38.04 (1) The Attorney General of Canada may, at any time and in any circumstances, apply to the Federal Court for an order with respect to the disclosure of information about which notice was given under any of subsections 38.01(1) to (4).

Application to Federal Court — general

(2) If, with respect to information about which notice was given under any of subsections 38.01(1) to (4), the Attorney General of Canada does not provide notice of a decision in accordance with subsection 38.03(3) or, other

Accord de divulgation

38.031 (1) Le procureur général du Canada et la personne ayant donné l'avis prévu aux paragraphes 38.01(1) ou (2) qui n'a pas l'obligation de divulguer des renseignements dans le cadre d'une instance, mais veut divulguer ou faire divulguer les renseignements qui ont fait l'objet de l'avis ou les faits visés aux alinéas 38.02(1)b) à d), peuvent, avant que cette personne présente une demande à la Cour fédérale au titre de l'alinéa 38.04(2)c), conclure un accord prévoyant la divulgation d'une partie des renseignements ou des faits ou leur divulgation assortie de conditions.

Exclusion de la demande à la Cour fédérale

(2) Si un accord est conclu, la personne ne peut présenter de demande à la Cour fédérale au titre de l'alinéa 38.04(2)c) relativement aux renseignements ayant fait l'objet de l'avis qu'elle a donné au procureur général du Canada au titre des paragraphes 38.01(1) ou (2).

Demande à la Cour fédérale : procureur général du Canada

38.04 (1) Le procureur général du Canada peut, à tout moment et en toutes circonstances, demander à la Cour fédérale de rendre une ordonnance portant sur la divulgation de renseignements à l'égard desquels il a reçu un avis au titre de l'un des paragraphes 38.01(1) à (4).

Demande à la Cour fédérale : dispositions générales

(2) Si, en ce qui concerne des renseignements à l'égard desquels il a reçu un avis au titre de l'un des paragraphes 38.01(1) à (4), le procureur général du Canada n'a pas notifié sa décision à l'auteur de l'avis en conformité avec

than by an agreement under section 38.031, does not authorize the disclosure of the information or authorizes the disclosure of only part of the information or authorizes the disclosure subject to any conditions,

(a) the Attorney General of Canada shall apply to the Federal Court for an order with respect to disclosure of the information if a person who gave notice under subsection 38.01(1) or (2) is a witness;

(b) a person, other than a witness, who is required to disclose information in connection with a proceeding shall apply to the Federal Court for an order with respect to disclosure of the information; and

(c) a person who is not required to disclose information in connection with a proceeding but who wishes to disclose it or to cause its disclosure may apply to the Federal Court for an order with respect to disclosure of the information.

Notice to Attorney General of Canada

(3) A person who applies to the Federal Court under paragraph (2)(b) or (c) shall provide notice of the application to the Attorney General of Canada.

Court records

(4) Subject to paragraph (5)(a.1), an application under this section is confidential. During the period when an application is confidential, the Chief Administrator of the Courts Administration Service may, subject to section 38.12, take any measure that he or she considers appropriate to protect the confidentiality of the application and the information to which it relates.

le paragraphe 38.03(3) ou, sauf par un accord conclu au titre de l'article 38.031, n'a pas autorisé la divulgation des renseignements ou n'en a autorisé la divulgation que d'une partie ou a assorti de conditions son autorisation de divulgation :

a) il est tenu de demander à la Cour fédérale de rendre une ordonnance concernant la divulgation des renseignements si la personne qui l'a avisé au titre des paragraphes 38.01(1) ou (2) est un témoin;

b) la personne — à l'exclusion d'un témoin — qui a l'obligation de divulguer des renseignements dans le cadre d'une instance est tenue de demander à la Cour fédérale de rendre une ordonnance concernant la divulgation des renseignements;

c) la personne qui n'a pas l'obligation de divulguer des renseignements dans le cadre d'une instance, mais qui veut en divulguer ou en faire divulguer, peut demander à la Cour fédérale de rendre une ordonnance concernant la divulgation des renseignements.

Notification du procureur general

(3) La personne qui présente une demande à la Cour fédérale au titre des alinéas (2)b) ou c) en notifie le procureur général du Canada.

Dossier du tribunal

(4) Sous réserve de l'alinéa (5)a.1), toute demande présentée en application du présent article est confidentielle. Pendant la période durant laquelle la demande est confidentielle, l'administrateur en chef du Service administratif des tribunaux judiciaires peut, sous réserve de l'article 38.12, prendre les mesures qu'il estime indiquées en vue d'assurer la confidentialité de la demande et des renseignements sur lesquels elle porte.

Procedure

(5) As soon as the Federal Court is seized of an application under this section, the judge

(a) shall hear the representations of the Attorney General of Canada and, in the case of a proceeding under Part III of the National Defence Act, the Minister of National Defence, with respect to making the application public;

(a.1) shall, if he or she decides that the application should be made public, make an order to that effect;

(a.2) shall hear the representations of the Attorney General of Canada and, in the case of a proceeding under Part III of the National Defence Act, the Minister of National Defence, concerning the identity of all parties or witnesses whose interests may be affected by either the prohibition of disclosure or the conditions to which disclosure is subject, and concerning the persons who should be given notice of any hearing of the matter;

(b) shall decide whether it is necessary to hold any hearing of the matter;

(c) if he or she decides that a hearing should be held, shall

(i) determine who should be given notice of the hearing,

(ii) order the Attorney General of Canada to notify those persons, and

(iii) determine the content and form of the notice; and

(d) if he or she considers it appropriate in the circumstances, may give any person the

Procédure

(5) Dès que la Cour fédérale est saisie d'une demande présentée au titre du présent article, le juge :

a) entend les observations du procureur général du Canada — et du ministre de la Défense nationale dans le cas d'une instance engagée sous le régime de la partie III de la Loi sur la défense nationale — sur l'opportunité de rendre publique la demande;

a.1) s'il estime que la demande devrait être rendue publique, ordonne qu'elle le soit;

a.2) entend les observations du procureur général du Canada — et du ministre de la Défense nationale dans le cas d'une instance engagée sous le régime de la partie III de la Loi sur la défense nationale — sur l'identité des parties ou des témoins dont les intérêts sont touchés par l'interdiction de divulgation ou les conditions dont l'autorisation de divulgation est assortie et sur les personnes qui devraient être avisées de la tenue d'une audience;

b) décide s'il est nécessaire de tenir une audience;

c) s'il estime qu'une audience est nécessaire :

(i) spécifie les personnes qui devraient en être avisées,

(ii) ordonne au procureur général du Canada de les aviser,

(iii) détermine le contenu et les modalités de l'avis;

d) s'il l'estime indiqué en l'espèce, peut donner à quiconque la possibilité de présenter

opportunity to make representations.

Disclosure agreement

(6) After the Federal Court is seized of an application made under paragraph (2)(c) or, in the case of an appeal from, or a review of, an order of the judge made under any of subsections 38.06(1) to (3) in connection with that application, before the appeal or review is disposed of,

(a) the Attorney General of Canada and the person who made the application may enter into an agreement that permits the disclosure of part of the facts referred to in paragraphs 38.02(1)(b) to (d) or part of the information or disclosure of the facts or information subject to conditions; and

(b) if an agreement is entered into, the Court's consideration of the application or any hearing, review or appeal shall be terminated.

Termination of Court consideration, hearing, review or appeal

(7) Subject to subsection (6), after the Federal Court is seized of an application made under this section or, in the case of an appeal from, or a review of, an order of the judge made under any of subsections 38.06(1) to (3), before the appeal or review is disposed of, if the Attorney General of Canada authorizes the disclosure of all or part of the information or withdraws conditions to which the disclosure is subject, the Court's consideration of the application or any hearing, appeal or review shall be terminated in relation to that information, to the extent of the authorization or the withdrawal.

[...]

des observations.

Accord de divulgation

(6) Après la saisine de la Cour fédérale d'une demande présentée au titre de l'alinéa (2)c) ou l'institution d'un appel ou le renvoi pour examen d'une ordonnance du juge rendue en vertu de l'un des paragraphes 38.06(1) à (3) relativement à cette demande, et avant qu'il soit disposé de l'appel ou de l'examen :

a) le procureur général du Canada peut conclure avec l'auteur de la demande un accord prévoyant la divulgation d'une partie des renseignements ou des faits visés aux alinéas 38.02(1)b) à d) ou leur divulgation assortie de conditions;

b) si un accord est conclu, le tribunal n'est plus saisi de la demande et il est mis fin à l'audience, à l'appel ou à l'examen.

Fin de l'examen judiciaire

(7) Sous réserve du paragraphe (6), si le procureur général du Canada autorise la divulgation de tout ou partie des renseignements ou supprime les conditions dont la divulgation est assortie après la saisine de la Cour fédérale aux termes du présent article et, en cas d'appel ou d'examen d'une ordonnance du juge rendue en vertu de l'un des paragraphes 38.06(1) à (3), avant qu'il en soit disposé, le tribunal n'est plus saisi de la demande et il est mis fin à l'audience, à l'appel ou à l'examen à l'égard de tels des renseignements dont la divulgation est autorisée ou n'est plus assortie de conditions.

[...]

Disclosure order

38.06 (1) Unless the judge concludes that the disclosure of the information or facts referred to in subsection 38.02(1) would be injurious to international relations or national defence or national security, the judge may, by order, authorize the disclosure of the information or facts.

Disclosure — conditions

(2) If the judge concludes that the disclosure of the information or facts would be injurious to international relations or national defence or national security but that the public interest in disclosure outweighs in importance the public interest in non-disclosure, the judge may by order, after considering both the public interest in disclosure and the form of and conditions to disclosure that are most likely to limit any injury to international relations or national defence or national security resulting from disclosure, authorize the disclosure, subject to any conditions that the judge considers appropriate, of all or part of the information or facts, a summary of the information or a written admission of facts relating to the information.

Order confirming prohibition

(3) If the judge does not authorize disclosure under subsection (1) or (2), the judge shall, by order, confirm the prohibition of disclosure.

When determination takes effect

(3.01) An order of the judge that authorizes disclosure does not take effect until the time provided or granted to appeal the order has expired or, if the order is appealed, the time provided or granted to appeal a judgment of an appeal court that confirms the order has

Ordonnance de divulgation

38.06 (1) Le juge peut rendre une ordonnance autorisant la divulgation des renseignements ou des faits visés au paragraphe 38.02(1), sauf s'il conclut qu'elle porterait préjudice aux relations internationales ou à la défense ou à la sécurité nationales.

Divulgation avec conditions

(2) Si le juge conclut que la divulgation des renseignements ou des faits porterait préjudice aux relations internationales ou à la défense ou à la sécurité nationales, mais que les raisons d'intérêt public qui justifient la divulgation l'emportent sur les raisons d'intérêt public qui justifient la non-divulgation, il peut par ordonnance, compte tenu des raisons d'intérêt public qui justifient la divulgation ainsi que de la forme et des conditions de divulgation les plus susceptibles de limiter le préjudice porté aux relations internationales ou à la défense ou à la sécurité nationales, autoriser, sous réserve des conditions qu'il estime indiquées, la divulgation de tout ou partie des renseignements ou des faits, d'un résumé des renseignements ou d'un aveu écrit des faits qui y sont liés.

Confirmation de l'interdiction

(3) Dans le cas où le juge n'autorise pas la divulgation au titre des paragraphes (1) ou (2), il rend une ordonnance confirmant l'interdiction de divulgation.

Prise d'effet de la décision

(3.01) L'ordonnance de divulgation prend effet après l'expiration du délai prévu ou accordé pour en appeler ou, en cas d'appel, après sa confirmation et l'épuisement des recours en appel.

expired and no further appeal from a judgment that confirms the order is available.

Evidence

(3.1) The judge may receive into evidence anything that, in the opinion of the judge, is reliable and appropriate, even if it would not otherwise be admissible under Canadian law, and may base his or her decision on that evidence.

Introduction into evidence

(4) A person who wishes to introduce into evidence material the disclosure of which is authorized under subsection (2) but who may not be able to do so in a proceeding by reason of the rules of admissibility that apply in the proceeding may request from a judge an order permitting the introduction into evidence of the material in a form or subject to any conditions fixed by that judge, as long as that form and those conditions comply with the order made under subsection (2).

Relevant factors

(5) For the purpose of subsection (4), the judge shall consider all the factors that would be relevant for a determination of admissibility in the proceeding.

Notice of order

38.07 The judge may order the Attorney General of Canada to give notice of an order made under any of subsections 38.06(1) to (3) to any person who, in the opinion of the judge, should be notified.

[...]

Preuve

(3.1) Le juge peut recevoir et admettre en preuve tout élément qu'il estime digne de foi et approprié — même si le droit canadien ne prévoit pas par ailleurs son admissibilité — et peut fonder sa décision sur cet élément.

Admissibilité en preuve

(4) La personne qui veut faire admettre en preuve ce qui a fait l'objet d'une autorisation de divulgation prévue au paragraphe (2), mais qui ne pourra peut-être pas le faire à cause des règles d'admissibilité applicables à l'instance, peut demander à un juge de rendre une ordonnance autorisant la production en preuve du fait, des renseignements, du résumé ou de l'aveu dans la forme ou aux conditions que celui-ci détermine, dans la mesure où telle forme ou telles conditions sont conformes à l'ordonnance rendue au titre du paragraphe (2).

Facteurs pertinents

(5) Pour l'application du paragraphe (4), le juge prend en compte tous les facteurs qui seraient pertinents pour statuer sur l'admissibilité en preuve au cours de l'instance.

Avis de la décision

38.07 Le juge peut ordonner au procureur général du Canada d'aviser de l'ordonnance rendue en application de l'un des paragraphes 38.06(1) à (3) toute personne qui, de l'avis du juge, devrait être avisée.

[...]

Special rules — hearing in private

38.11 (1) The judge conducting a hearing under subsection 38.04(5) or the court hearing an appeal or review of an order made under any of subsections 38.06(1) to (3) may make an order that the hearing be held, or the appeal or review be heard, in private.

Special rules — hearing in National Capital Region

(1.1) A hearing under subsection 38.04(5) or an appeal or review of an order made under any of subsections 38.06(1) to (3) shall, at the request of either the Attorney General of Canada or, in the case of a proceeding under Part III of the National Defence Act, the Minister of National Defence, be held or heard, as the case may be, in the National Capital Region, as described in the schedule to the National Capital Act.

***Ex parte* representations**

(2) The judge conducting a hearing under subsection 38.04(5) or the court hearing an appeal or review of an order made under any of subsections 38.06(1) to (3) may give any person who makes representations under paragraph 38.04(5)(d), and shall give the Attorney General of Canada and, in the case of a proceeding under Part III of the National Defence Act, the Minister of National Defence, the opportunity to make representations *ex parte*.

***Ex parte* representations — public hearing**

(3) If a hearing under subsection 38.04(5) is held, or an appeal or review of an order made

Règles spéciales : audience à huis clos

38.11 (1) Le juge saisi d'une affaire au titre du paragraphe 38.04(5) ou le tribunal saisi de l'appel ou de l'examen d'une ordonnance rendue en application de l'un des paragraphes 38.06(1) à (3) peut ordonner que l'audience, l'appel ou l'examen soit tenu à huis clos.

Règles spéciales : audience dans la région de la capitale nationale

(1.1) À la demande soit du procureur général du Canada, soit du ministre de la Défense nationale dans le cas des instances engagées sous le régime de la partie III de la Loi sur la défense nationale, l'audience prévue au paragraphe 38.04(5) et l'audition de l'appel ou de l'examen d'une ordonnance rendue en application de l'un des paragraphes 38.06(1) à (3) ont lieu dans la région de la capitale nationale définie à l'annexe de la Loi sur la capitale nationale.

Présentation d'arguments en l'absence d'autres parties

(2) Le juge saisi d'une affaire au titre du paragraphe 38.04(5) ou le tribunal saisi de l'appel ou de l'examen d'une ordonnance rendue en application de l'un des paragraphes 38.06(1) à (3) donne au procureur général du Canada — et au ministre de la Défense nationale dans le cas d'une instance engagée sous le régime de la partie III de la Loi sur la défense nationale — la possibilité de présenter ses observations en l'absence d'autres parties. Il peut en faire de même pour les personnes qu'il entend en application de l'alinéa 38.04(5)d).

Observations en l'absence d'autres parties : audience publique

(3) Sont faites à huis clos les observations présentées en l'absence d'autres parties lors

under any of subsections 38.06(1) to (3) is heard, in public, any ex parte representations made in that hearing, appeal or review shall be made in private.

[...]

Protection of right to a fair trial

38.14 (1) The person presiding at a criminal proceeding may make any order that he or she considers appropriate in the circumstances to protect the right of the accused to a fair trial, as long as that order complies with the terms of any order made under any of subsections 38.06(1) to (3) in relation to that proceeding, any judgment made on appeal from, or review of, the order, or any certificate issued under section 38.13.

Potential orders

(2) The orders that may be made under subsection (1) include, but are not limited to, the following orders:

(a) an order dismissing specified counts of the indictment or information, or permitting the indictment or information to proceed only in respect of a lesser or included offence;

(b) an order effecting a stay of the proceedings; and

(c) an order finding against any party on any issue relating to information the disclosure of which is prohibited.

d'une audience, tenue en public, prévue au paragraphe 38.04(5) ou lors de l'audition, tenue en public, de l'appel ou de l'examen d'une ordonnance rendue en application de l'un des paragraphes 38.06(1) à (3).

[...]

Protection du droit à un procès équitable

38.14 (1) La personne qui préside une instance criminelle peut rendre l'ordonnance qu'elle estime indiquée en l'espèce en vue de protéger le droit de l'accusé à un procès équitable, pourvu que telle ordonnance soit conforme à une ordonnance rendue en application de l'un des paragraphes 38.06(1) à (3) relativement à cette instance, à une décision en appel ou découlant de l'examen ou au certificat délivré au titre de l'article 38.13.

Ordonnances éventuelles

(2) L'ordonnance rendue au titre du paragraphe (1) peut notamment :

a) annuler un chef d'accusation d'un acte d'accusation ou d'une dénonciation, ou autoriser l'instruction d'un chef d'accusation ou d'une dénonciation pour une infraction moins grave ou une infraction incluse;

b) ordonner l'arrêt des procédures;

c) être rendue à l'encontre de toute partie sur toute question liée aux renseignements dont la divulgation est interdite.

AMENDED ANNEX « B »

AGC #1	Document Description	s.38 Claims and Page #	Decision2
AGC0003	Notes of Jean Guy ISAYA from 2008-08-30 to 2008-09-03.	pp. 3-7 (not contentious)	These claims were not contested. The redactions are maintained and the prohibition of disclosure is confirmed.
AGC0004	SITREP #43 dated 2008-10-08 by Insp. Greg Laturnus.	p. 3 (not contentious)	These claims were not contested. The redactions are maintained and the prohibition of disclosure is confirmed.
AGC0005	Notes of Eliane CARON from 2008-09-24 to 2008-10-07.	pp. 3, 4 (not contentious)	These claims were not contested. The redactions are maintained and the prohibition of disclosure is confirmed.
AGC0006	Notes of Eric GORDON from 2008-09-30 to 2008-10-09.	p. 2 (not contentious)	These claims were not contested. The redactions are maintained and the prohibition of disclosure is confirmed.
AGC0007	Mobile Device Forensic Analysis of Lorinda STEWARTS phone.	pp. 1, 2, 3, 48, 49 (not contentious)	These claims were not contested. The redactions are maintained and the prohibition of disclosure is confirmed.
AGC0008	Information from Nigel Brennan received from GAC on 2009-11-26.	p. 2 (not contentious)	These claims were not contested. The redactions are maintained and the prohibition of disclosure is confirmed.
AGC0009	Intelligence Update: report dated 2010-04-09.	pp. 1-3 (not contentious)	The Attorney General lifted the claim over the following redaction in the

¹ The two section 38 Notices provided to the Attorney General on November 30, 2016 and May 11, 2017 identified 437 documents. Only 406 of the 437 documents contained section 38 claims and it is those 406 documents that have been considered in this Application and reflected in this chart. Skipped numbers in the AGC# sequence in this chart reflect documents that did not contain section 38 claims and have not been considered.

² In weighing the interests at step 3 of the *Ribic* analysis I have considered the affidavit evidence provided by the RCMP, CSIS, CSE, GAC, and DND affiants. I have also considered the following factors and circumstances: (1) the nature of the injury contemplated should the information be disclosed to include a consideration of the passage of time;(2) the seriousness of the offence charged; (3) the nature of the defence to be advanced; (4) the unique nature of the information, or its availability from another source; (5) the likelihood of admissibility in a criminal proceeding of the information in the form it exists; and (6) whether the identified value of the information is speculative.

			<p>course of this proceeding:</p> <p>1. The redaction on page 2 that reads “<i>MASLAH surfaced ... negotiations</i>”</p> <p>The information over which no section 38 claim has been maintained is to be disclosed.</p> <p>The remaining claims were not contested.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0010	Statement of Lorinda STEWART dated 2010-01-20.	p. 6 (not contentious)	<p>These claims were not contested.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0012	Notes of Abdillahi ROBLE from 2008-09-08 to 2008-09-28.	p. 4 (not contentious)	<p>These claims were not contested.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0015	Notes of Robert TRAN from 2011-10-03 to 2013-04-18.	p. 66 (not contentious)	<p>These claims were not contested.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0016	Notes from Manon NOEL DE TILLY from 2009-12-15.	p. 4, 5 (not contentious)	<p>These claims were not contested.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0018	Notes of Matthew GALLANT from 2010-02-04 to 2011-03-03.	pp. 5, 7, 51-53, 65 (not contentious)	<p>These claims were not contested.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0020	Notes of Cris GASTALDO from 2008-08-23 to 2008-08-27.	p. 2, 5, 6, 8, 12 (not contentious)	<p>These claims were not contested.</p>

			The redactions are maintained and the prohibition of disclosure is confirmed.
AGC0021	Notes from Elizabeth PORTER from 2013-10-23 to 2014-06-26.	pp. 12-14 (not contentious)	These claims were not contested. The redactions are maintained and the prohibition of disclosure is confirmed.
AGC0022	Notes of Don STARNES from 2008-10-08 to 2008-10-12.	p.3 (not contentious)	These claims were not contested. The redactions are maintained and the prohibition of disclosure is confirmed.
AGC0023	Notes of Robert TRAN from 2014-09-10 to 2015-06-05.	p. 10 (not contentious)	The Attorney General lifted the claims contained in this document in the course of this proceeding. No section 38 claims remain. The document is to be disclosed.
AGC0024	Notes of Etienne THAUVETTE from 2015-06-05 to 2015-06-10.	pp. 4, 5, 13 (not contentious)	The Attorney General lifted the claim over the following redactions in the course of this proceeding: <ul style="list-style-type: none"> 1. The redaction on page 5 that reads “D/Insp. John Turner”; 2. The redaction on page 3 that reads “D/I John Turner” The information over which no section 38 claim has been maintained is to be disclosed. The remaining claims were not contested. The remaining redactions are maintained and the prohibition of disclosure is confirmed.
AGC0025	Notes of Ted OBRIEN from 2015-04-30 to 2015-06-15.	pp. 11-17, 19, 22, 29 (not contentious)	The Attorney General lifted the claim over the following redactions in the course of this proceeding:

			<ol style="list-style-type: none"> 1. All redactions on pages 11, 12, 13, 14, 15, 16, 17, 19 and 22; 2. The redaction on page 29 that reads “<i>D/Insp John Turner</i>”. <p>The information over which no section 38 claim has been maintained is to be disclosed.</p> <p>The remaining claims were not contested.</p> <p>The remaining redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0026	Notes of Islam ISSA from 2015-05-28 to 2015-06-11.	pp. 9, 10, 13, 14 (not contentious)	<p>The Attorney General lifted the claim over the following redactions in the course of this proceeding:</p> <ol style="list-style-type: none"> 1. All redactions on pages 9, 10 and 14; 2. The redaction on page 13 that reads “<i>John Turner</i>”. <p>The information over which no section 38 claim has been maintained is to be disclosed.</p> <p>The remaining claims were not contested.</p> <p>The remaining redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0027	Notes of Henrich NEUWIRTH from 2015-06-07 to 2015-06-10.	p. 4 (not contentious)	<p>These claims were not contested.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0028	Notes of Philippe THIBODEAU from 2008-09-10 to 2008-09-26.	pp. 6, 27 (not contentious)	<p>These claims were not contested.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>

AGC0030	SIHU - Report from Sept. 2018.	pp. 1, 2	<p>The <i>amicus</i> has identified that information contained in this document is of greater potential value³ to the defence.</p> <p>The interests weigh in favour of protecting the information.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0031	SIHU - Report from Sept. 2008 .	pp. 1-6	<p>The <i>amicus</i> has identified that information contained in this document is of greater potential value to the defence.</p> <p>The interests weigh in favour of protecting the information.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0032	SIHU - RCMP email with report from Sept 2008.	pp. 1-4 (not contentious)	<p>These claims were not contested.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0033	SIHU - RCMP email with report.	pp. 1-4 (not contentious)	<p>These claims were not contested.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0034	SIHU- RCMP email with report from Oct 2008.	pp. 1-10	<p>The <i>amicus</i> has identified information contained in this document to be of some potential value to the defence.</p> <p>The interests weigh in favour of protecting the information.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0035	SIHU - Report from Oct. 2008.	pp. 1-7	<p>The <i>amicus</i> has identified that information contained in this document is of</p>

³ To aid the Court in the balancing of interests as required at step three of the *Ribic* analysis, the *amicus* characterized redacted information according to its potential value in the underlying proceeding. He characterized redacted information of minimal value as “non-contentious,” information of some potential value as “relevant,” and information of greater potential value as “highly relevant.” To avoid any confusion with the concept of relevance as understood in *Stinchcombe*, I have chosen to replace his use of the terms “relevant” and “highly relevant” with the terms “some potential value,” and “greater potential value,” respectively.

			<p>greater potential value to the defence.</p> <p>The interests weigh in favour of protecting the information.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0036	SIHU- Report from Oct. 2008.	pp. 1-2	<p>The <i>amicus</i> has identified information contained in this document to be of some potential value to the defence.</p> <p>The interests weigh in favour of protecting the information.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0037	SIHU - RCMP email from January 22, 2009.	pp. 1-5	<p>The <i>amicus</i> has identified information contained in this document to be of some potential value to the defence.</p> <p>The Attorney General lifted the claim over the following redactions in the course of this proceeding:</p> <ol style="list-style-type: none"> 1. The 4th occurrence on page 1 that reads “<i>predominately ASIS elements</i>”; 2. The 5th occurrence on page 1 that reads “<i>It would appear that ...for future release following ransom payment</i>”; 3. The last occurrence on page 4 and the first occurrence on page 5 that reads “<i>their ILO...a Canadian Committee</i>”; 4. The third occurrence on page 5 that reads “<i>...with shutting down TPI 11 channel... again with TPI 11 channel.</i>” 5. The sixth, seventh and eighth occurrences on page 5 that read “<i>Mr. “N”</i>”; 6. The ninth occurrence on page 5 that reads “<i>...Ngoma NGIME.</i>”

			<p><i>Special...to Kenya.”</i></p> <p>The information over which no section 38 claim has been maintained is to be disclosed.</p> <p>The interests weigh in favour of protecting the remaining information.</p> <p>The remaining redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0038	SIHU- Report from Dec. 2008.	pp.1, 2	<p>The <i>amicus</i> has identified information contained in this document to be of some potential value to the defence.</p> <p>The interests weigh in favour of protecting the information.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0039	SIHU - Report from Nov. 2008.	pp. 1-2	<p>The <i>amicus</i> has identified information contained in this document to be of some potential value to the defence.</p> <p>The interests weigh in favour of protecting the information.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0040	SIHU - RCMP email with Report on Nov. 28, 2008.	pp. 1-12 (not contentious)	<p>These claims were not contested.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0041	SIHU - RCMP email with Report Dec. 14, 2008.	pp. 1-6 (not contentious)	<p>These claims were not contested.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0042	SIHU - RCMP email.	p. 1	<p>The <i>amicus</i> has identified information contained in this document to be of greater potential value to the defence.</p>

			<p>The interests weigh in favour of protecting the information.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0043	SIHU - RCMP email includes Report from Dec. 13, 2008.	pp. 1-10 (not contentious)	<p>These claims were not contested.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0044	SIHU - RCMP email includes Report from Dec. 11, 2008.	pp. 1-4	<p>The <i>amicus</i> has identified information contained in this document to be of some potential value to the defence.</p> <p>The interests weigh in favour of protecting the information.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0045	SIHU- Report from Dec 2008.	pp. 1-3 (not contentious)	<p>These claims were not contested.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0046	SIHU - Report from Dec. 2008.	pp. 1-4 (not contentious)	<p>These claims were not contested.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0047	SIHU - Report from Dec. 2008.	p. 1-6 (not contentious)	<p>These claims were not contested.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0048	SIHU - Report from Dec, 2008	p. 1 (not contentious)	<p>These claims were not contested.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0049	SIHU- Report Jan. 2009.	pp. 1-3 (not contentious)	<p>These claims were not contested.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>

AGC0050	SIHU - Report from Nov. 2008.	p. 1	<p>The <i>amicus</i> has identified information contained in this document to be of some potential value to the defence.</p> <p>The interests weigh in favour of protecting the information.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0051	SIHU - Extract from report from Nov. 2008	p. 1	<p>The <i>amicus</i> has identified information contained in this document to be of some potential value to the defence.</p> <p>The interests weigh in favour of protecting the information.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0052	SIHU- Report from Oct. 2008.	p. 1	<p>The <i>amicus</i> has identified information contained in this document to be of some potential value to the defence.</p> <p>The interests weigh in favour of protecting the information.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0053	SIHU - Report from Oct. 2008.	pp. 1-7 (not contentious)	<p>These claims were not contested.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0054	SIHU - RCMP email with Reports of information from Oct. 2008.	pp. 1-12	<p>The <i>amicus</i> has identified the information contained in this document as having some potential value to the defence.</p> <p>The interests weigh in favour of protecting the information.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0055	SIHU - Excerpts/summaries of various CSIS disclosure letters and reports from Sept. and Oct. 2008.	pp. 1-12, 14,16,18, 19, 21	<p>The Attorney General lifted the claim over the following redactions in the course of this proceeding:</p>

			<ol style="list-style-type: none"> 1. The second occurrence on page 4 that reads “<i>CSIS</i>”; 2. The second occurrence on page 8 that reads “<i>Money Amounts...and then raise the amount</i>”; 3. The first occurrence on page 9 that reads “<i>Therefore kidnappers decided...people holding the hostage.</i>”; 4. The second and third occurrence on page 9 that reads “AFP debrief of Salad...<i>identity of the Westerners</i>”; <p>The information over which no section 38 claim has been maintained is to be disclosed.</p> <p>The <i>amicus</i> has identified information contained in this document to be of greater potential value to the defence.</p> <p>The interests weigh in favour of protecting the information.</p> <p>The remaining redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0056	SIHU - Report from Oct. 2008.	pp. 1-3	<p>The <i>amicus</i> has identified information contained in this document to be of some potential value to the defence.</p> <p>The interests weigh in favour of protecting the information.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0057	SIHU - Report from Oct. 2008.	pp. 1-6	<p>The <i>amicus</i> has identified information contained in this document to be of some potential value to the defence.</p> <p>The interests weigh in favour of protecting the information.</p>

			The redactions are maintained and the prohibition of disclosure is confirmed.
AGC0058	SIHU - Report from Oct. 2008.	pp. 1-3	<p>The <i>amicus</i> has identified information contained in this document to be of some potential value to the defence.</p> <p>The interests weigh in favour of protecting the information.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0059	SIHU - Report from Oct. 2008.	pp. 1-5 (not contentious)	<p>These claims were not contested.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0060	SIHU - Report from Nov 2008.	pp. 1-3	<p>The <i>amicus</i> has identified information contained in this document to be of some potential value to the defence.</p> <p>The interests weigh in favour of protecting the information.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0061	SIHU - Report from Nov. 2008.	pp. 1-2	<p>The <i>amicus</i> has identified information contained in this document to be of some potential value to the defence.</p> <p>The interests weigh in favour of protecting the information.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0062	SIHU - Report from Nov. 2008.	pp. 1-5	<p>The <i>amicus</i> has identified information contained in this document to be of some potential value to the defence.</p> <p>The interests weigh in favour of protecting the information.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0063	SIHU - Report from Nov. 2008.	pp. 1-2	The <i>amicus</i> has identified information contained in this document to be of

			<p>some potential value to the defence.</p> <p>The interests weigh in favour of protecting the information.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0064	SIHU-Report from Sept. 2008.	pp. 1-2	<p>The <i>amicus</i> has identified information contained in this document to be of some potential value to the defence.</p> <p>The interests weigh in favour of protecting the information.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0065	SIHU - Report from Sept. 2008.	pp. 1-3	<p>The <i>amicus</i> has identified information contained in this document to be of some potential value to the defence.</p> <p>The interests weigh in favour of protecting the information.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0066	SIHU - Report from Sept. 2008.	pp. 1-2	<p>The <i>amicus</i> has identified information contained in this document to be of some potential value to the defence.</p> <p>The interests weigh in favour of protecting the information.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0067	SIHU - RCMP email with Report from Sept. 2008	pp. 1-7	<p>The <i>amicus</i> has identified information contained in this document to be of some potential value to the defence.</p> <p>The interests weigh in favour of protecting the information.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0068	SIHU- Report from Sept. 2008.	pp. 1-3	<p>The <i>amicus</i> has identified information contained in this document to be of</p>

			<p>some potential value to the defence.</p> <p>The interests weigh in favour of protecting the information.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0069	SIHU - Report from Sept. 2008.	pp. 1-5 (not contentious)	<p>These claims were not contested.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0070	SIHU- Report from foreign partner	pp. 1-2	<p>The <i>amicus</i> has identified information contained in this document to be of some potential value to the defence.</p> <p>The interests weigh in favour of protecting the information.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0071	SIHU- Report from August 2008.	pp. 1-2 (not contentious)	<p>These claims were not contested.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0072	SIHU - Report from August 2008.	pp. 1-6	<p>The <i>amicus</i> has identified information contained in this document to be of some potential value to the defence.</p> <p>The interests weigh in favour of protecting the information.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0073	SIHU - Report from Sept. 2008.	pp. 1-9	<p>The <i>amicus</i> has identified information contained in this document to be of some potential value to the defence.</p> <p>The interests weigh in favour of protecting the information.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>

AGC0074	SIHU- Report from Sept. 2008.	pp. 1-4	<p>The <i>amicus</i> has identified information contained in this document to be of some potential value to the defence.</p> <p>The interests weigh in favour of protecting the information.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0075	SIHU- RCMP email with Reports from Sept. and Oct. 2008.	pp. 1, 3-12	<p>The <i>amicus</i> has identified information contained in this document to be of some potential value to the defence.</p> <p>The interests weigh in favour of protecting the information.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0076	SIHU - RCMP email, plus attachment with information from Sept 2008.	pp. 1-3	<p>The <i>amicus</i> has identified information contained in this document to be of some potential value to the defence.</p> <p>The interests weigh in favour of protecting the information.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0077	SIHU - Report from Sept. 2008.	p. 2	<p>The <i>amicus</i> has identified information contained in this document to be of some potential value to the defence.</p> <p>The interests weigh in favour of protecting the information.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0078	SIHU – Reports from: Sept. 2008.	pp. 2-6	<p>The <i>amicus</i> has identified information contained in this document to be of some potential value to the defence.</p> <p>The interests weigh in favour of protecting the information.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>

AGC0079	SIHU- Report from Sept. 2008.	p. 1	<p>The <i>amicus</i> has identified information contained in this document to be of some potential value to the defence.</p> <p>The interests weigh in favour of protecting the information.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0080	SIHU - Report from Sept. 2008.	pp. 1-4	<p>The <i>amicus</i> has identified information contained in this document to be of some potential value to the defence.</p> <p>The interests weigh in favour of protecting the information.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0081	SIHU - Excerpt from Report from Sept. 2008.	p. 2	<p>The <i>amicus</i> has identified information contained in this document to be of some potential value to the defence.</p> <p>The interests weigh in favour of protecting the information.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0082	SIHU - Report information from Sept. 2008.	pp. 1-4	<p>The <i>amicus</i> has identified information contained in this document to be of some potential value to the defence.</p> <p>The interests weigh in favour of protecting the information.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0083	SIHU - Report of information from Sept. 2008.	pp. 1-7	<p>The <i>amicus</i> has identified information contained in this document to be of some potential value to the defence.</p> <p>The interests weigh in favour of protecting the information.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>

AGC0084	SIHU - Reports, Oct 2008.	pp. 1-14	<p>The <i>amicus</i> has identified information contained in this document to be of some potential value to the defence.</p> <p>The interests weigh in favour of protecting the information.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0085	SIHU - Report, Sept. 2008.	pp. 1-4	<p>The <i>amicus</i> has identified information contained in this document to be of greater potential value to the defence.</p> <p>The interests weigh in favour of protecting the information.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0086	SIHU: Report, Oct. 2008.	pp. 1-2	<p>The <i>amicus</i> has identified information contained in this document to be of some potential value to the defence.</p> <p>The interests weigh in favour of protecting the information.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0087	SIHU - Report, Sept. 2008.	pp. 1-4	<p>The <i>amicus</i> has identified information contained in this document to be of greater potential value to the defence.</p> <p>The interests weigh in favour of protecting the information.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0088	SIHU - Report, Oct. 2008.	pp. 1-2	<p>The <i>amicus</i> has identified information contained in this document to be of some potential value to the defence.</p> <p>The interests weigh in favour of protecting the information.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>

AGC0089	SIHU - Foreign partner report from Sept. 2008.	pp. 1-2	<p>The <i>amicus</i> has identified information contained in this document to be of some potential value to the defence.</p> <p>The interests weigh in favour of protecting the information.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0090	SIHU - Report from Sept. 2008.	pp. 1-2	<p>The <i>amicus</i> has identified information contained in this document to be of some potential value to the defence.</p> <p>The interests weigh in favour of protecting the information.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0091	SIHU - Report from Sept. 2008.	pp. 1-2	<p>The <i>amicus</i> has identified information contained in this document to be of some potential value to the defence.</p> <p>The interests weigh in favour of protecting the information.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0092	SIHU - Report from July 2009.	pp. 1-2 (p. 2 claim not contentious)	<p>The <i>amicus</i> has identified information contained in this document to be of some potential value to the defence.</p> <p>The interests weigh in favour of protecting the information.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0093	SIHU - Report from July, 2009.	p. 1	<p>The <i>amicus</i> has identified information contained in this document to be of some potential value to the defence.</p> <p>The interests weigh in favour of protecting the information.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>

AGC0094	SIHU - Report from July, 2009.	pp. 1-2	<p>The <i>amicus</i> has identified information contained in this document to be of some potential value to the defence.</p> <p>The interests weigh in favour of protecting the information.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0095	SIHU - Report from July 2009.	pp. 1-2	<p>The <i>amicus</i> has identified information contained in this document to be of some potential value to the defence.</p> <p>The interests weigh in favour of protecting the information.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0096	SIHU - Report from August 2009.	pp. 1-2 (not contentious)	<p>These claims were not contested.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0097	SIHU - Report from August 2009.	pp. 1-2	<p>The <i>amicus</i> has identified information contained in this document to be of some potential value to the defence.</p> <p>The interests weigh in favour of protecting the information.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0098	SIHU - Report from August 2009.	pp. 1-2 (not contentious)	<p>These claims were not contested.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0099	SIHU - Report from August 2009.	p. 1	<p>The <i>amicus</i> has identified information contained in this document to be of some potential value to the defence.</p> <p>The interests weigh in favour of protecting the information.</p>

			The redactions are maintained and the prohibition of disclosure is confirmed.
AGC0100	SIHU - Report from August 2009.	pp. 1-3	<p>The <i>amicus</i> has identified information contained in this document to be of some potential value to the defence.</p> <p>The interests weigh in favour of protecting the information.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0101	SIHU - Report from Sept 2009.	pp. 1-2 (not contentious)	<p>These claims were not contested.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0102	SIHU - Report from August 2009.	pp. 1-2 (not contentious)	<p>These claims were not contested.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0103	SIHU - Report from August 2009.	pp. 1-2	<p>The <i>amicus</i> has identified information contained in this document to be of some potential value to the defence.</p> <p>The interests weigh in favour of protecting the information.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0104	SIHU - Foreign partner report from August 2009.	pp. 1-2 (not contentious)	<p>These claims were not contested.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0105	SIHU - Report from Sept. 2009.	p. 1	<p>The <i>amicus</i> has identified information contained in this document to be of some potential value to the defence.</p> <p>The interests weigh in favour of protecting the information.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>

AGC0106	SIHU- Report from Sept. 2009.	pp. 1-2	<p>The <i>amicus</i> has identified information contained in this document to be of some potential value to the defence.</p> <p>The interests weigh in favour of protecting the information.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0107	SIHU - Report from Sept. 2009.	pp. 1-2 (not contentious)	<p>These claims were not contested.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0108	SIHU - Report from Sept. 2009.	pp. 1-2	<p>The <i>amicus</i> has identified information contained in this document to be of some potential value to the defence.</p> <p>The interests weigh in favour of protecting the information.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0109	SIHU - Report from Oct. 2009.	pp. 1-3	<p>The <i>amicus</i> has identified information contained in this document to be of some potential value to the defence.</p> <p>The interests weigh in favour of protecting the information.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0110	SIHU - Report from Oct. 2009.	pp. 1-2 (not contentious)	<p>These claims were not contested.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0111	SIHU - Report from Sept. 2009.	pp. 1-2 (not contentious)	<p>These claims were not contested.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0112	SIHU- Report from Sept. 2009.	pp. 1-2	<p>The <i>amicus</i> has identified information contained in this document to be of</p>

			<p>some potential value to the defence.</p> <p>The interests weigh in favour of protecting the information.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0113	SIHU - Report from Sept. 2009.	pp. 1-2	<p>The <i>amicus</i> has identified information contained in this document to be of some potential value to the defence.</p> <p>The interests weigh in favour of protecting the information.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0114	SIHU - Report from Sept. 2009.	pp. 1-2 (not contentious)	<p>These claims were not contested.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0115	SIHU- Report from Sept. 2009.	pp. 1-2 (not contentious)	<p>These claims were not contested.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0116	SIHU - Report from Nov. 2009.	pp. 1-2 (not contentious)	<p>These claims were not contested.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0117	SIHU - Report from Nov. 2009.	pp. 1-3 (p. 3 claim not contentious)	<p>The <i>amicus</i> has identified information contained in this document to be of some potential value to the defence.</p> <p>The interests weigh in favour of protecting the information.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0118	SIHU - Foreign partner report from Nov. 2009.	pp. 1-5	<p>The <i>amicus</i> has identified that information contained in this document is of greater potential value to the defence.</p>

			<p>The interests weigh in favour of protecting the information.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0119	SIHU - Report from Nov. 2009.	pp. 1-4	<p>The <i>amicus</i> has identified information contained in this document to be of some potential value to the defence.</p> <p>The interests weigh in favour of protecting the information.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0120	SIHU - Report from Nov. 2009.	pp. 1-2	<p>The <i>amicus</i> has identified information contained in this document to be of some potential value to the defence.</p> <p>The interests weigh in favour of protecting the information.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0121	SIHU - Report from Nov. 2009.	pp. 1-2	<p>The <i>amicus</i> has identified information contained in this document to be of some potential value to the defence.</p> <p>The interests weigh in favour of protecting the information.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0122	SIHU - Report from Nov. 2009.	pp. 1-3 (p.3 claim not contentious)	<p>The <i>amicus</i> has identified that information contained in this document is of greater potential value to the defence.</p> <p>The interests weigh in favour of protecting the information.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0123	SIHU - Report from Nov. 2009.	pp. 1-2	<p>The <i>amicus</i> has identified information contained in this document to be of some potential value to the defence.</p>

			<p>The interests weigh in favour of protecting the information.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0124	SIHU - Report from Nov. 2009.	pp. 1-2	<p>The <i>amicus</i> has identified that information contained in this document is of greater potential value to the defence.</p> <p>The interests weigh in favour of protecting the information.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0125	SIHU - Report from Nov. 2009.	pp. 1-2	<p>The <i>amicus</i> has identified information contained in this document to be of some potential value to the defence.</p> <p>The interests weigh in favour of protecting the information.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0126	SIHU - Report from Nov. 2009.	pp. 1-2	<p>The <i>amicus</i> has identified information contained in this document to be of some potential value to the defence.</p> <p>The interests weigh in favour of protecting the information.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0127	SIHU - Report from Nov. 2009.	pp. 1-2	<p>The <i>amicus</i> has identified information contained in this document to be of some potential value to the defence.</p> <p>The interests weigh in favour of protecting the information.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0128	SIHU - Report from Nov. 2009.	pp. 1-2	<p>The <i>amicus</i> has identified information contained in this document to be of some potential value to the defence.</p>

			<p>The interests weigh in favour of protecting the information.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0129	SIHU - Report from Nov. 2009.	p. 1	<p>The <i>amicus</i> has identified information contained in this document to be of some potential value to the defence.</p> <p>The interests weigh in favour of protecting the information.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0130	SIHU - Report from Nov. 2009.	pp. 1-2	<p>The <i>amicus</i> has identified information contained in this document to be of some potential value to the defence.</p> <p>The interests weigh in favour of protecting the information.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0131	SIHU - Report from Nov. 2009.	pp. 1-3	<p>The <i>amicus</i> has identified information contained in this document to be of some potential value to the defence.</p> <p>The interests weigh in favour of protecting the information.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0132	SIHU - Report from Dec. 2008.	pp. 1-2	<p>The <i>amicus</i> has identified that information contained in this document is of greater potential value to the defence.</p> <p>The interests weigh in favour of protecting the information.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0133	SIHU - Report from Nov. 2009.	pp. 1-2	<p>The <i>amicus</i> has identified information contained in this document to be of some potential value to the defence.</p>

			<p>The interests weigh in favour of protecting the information.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0134	SIHU - Report from Oct. 2009.	pp. 1-2	<p>The <i>amicus</i> has identified that information contained in this document is of greater potential value to the defence.</p> <p>The interests weigh in favour of protecting the information.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0135	SIHU - Report - no date .	pp. 1-4	<p>The <i>amicus</i> has identified that information contained in this document is of greater potential value to the defence.</p> <p>The interests weigh in favour of protecting the information.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0136	SIHU - Report from Dec. 2008.	pp. 1-4 (not contentious)	<p>These claims were not contested.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0137	SIHU - Report from Sept. 2008.	pp. 1-9	<p>The <i>amicus</i> has identified that information contained in this document is of greater potential value to the defence.</p> <p>The interests weigh in favour of protecting the information.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0138	SIHU - RCMP situational report from April, 2009 with attachment.	pp. 2, 3, 5, 6 (not contentious)	<p>These claims were not contested.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0139	SIHU - Report from Nov. 2009.	pp. 1, 2 (p. 2 claim not contentious)	<p>The <i>amicus</i> has identified information contained in this document to be of</p>

			<p>some potential value to the defence.</p> <p>The interests weigh in favour of protecting the information.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0140	SIHU - Report from Nov. 2009.	pp. 1, 2 (p. 2 claim not contentious)	<p>The <i>amicus</i> has identified that information contained in this document is of greater potential value to the defence.</p> <p>The interests weigh in favour of protecting the information.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0141	SIHU - Report from Oct. 2009.	pp. 1-2	<p>The <i>amicus</i> has identified information contained in this document to be of some potential value to the defence.</p> <p>The interests weigh in favour of protecting the information.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0142	SIHU - Report from Oct. 2009.	p. 1	<p>The <i>amicus</i> has identified information contained in this document to be of some potential value to the defence.</p> <p>The interests weigh in favour of protecting the information.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0143	SIHU - Report from Oct. 2009.	pp. 1-3	<p>The <i>amicus</i> has identified information contained in this document to be of some potential value to the defence.</p> <p>The interests weigh in favour of protecting the information.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>

AGC0144	SIHU - Report from April 2009.	pp. 1-2 (not contentious)	These claims were not contested. The redactions are maintained and the prohibition of disclosure is confirmed.
AGC0145	SIHU - Report from April 2009.	pp. 1-2 (not contentious)	These claims were not contested. The redactions are maintained and the prohibition of disclosure is confirmed.
AGC0146	SIHU - Report from Sept. 2008.	pp. 2-4	The <i>amicus</i> has identified information contained in this document to be of some potential value to the defence. The interests weigh in favour of protecting the information. The redactions are maintained and the prohibition of disclosure is confirmed.
AGC0147	SIHU - Report from Oct. 2008.	pp. 1-7	The <i>amicus</i> has identified information contained in this document to be of some potential value to the defence. The interests weigh in favour of protecting the information. The redactions are maintained and the prohibition of disclosure is confirmed.
AGC0148	Undated one page document that RCMP Officer Vanderstoop used to source Part VI affidavit from 2009.	p. 1 (not contentious)	These claims were not contested. The redactions are maintained and the prohibition of disclosure is confirmed.
AGC0153	Exhibit report of a cell phone seizure.	p. 1 (not contentious)	These claims were not contested. The redactions are maintained and the prohibition of disclosure is confirmed.
AGC0157	RCMP BN Aug. 24, 2008.	pp. 2,3 (not contentious)	These claims were not contested. The redactions are maintained and the prohibition of disclosure is confirmed.

AGC0158	Oct 19/16 - RCMP Investigational Report.	p. 4 (not contentious)	These claims were not contested. The redactions are maintained and the prohibition of disclosure is confirmed.
AGC0159	Disclosure Letter for RCMP investigation dated 3 September 2008.	pp. 1-5, (not contentious)	The Attorney General lifted the claim over the following redactions in the course of this proceeding: 1. The redaction on page 5 that reads “ <i>CANSOFCOM</i> ”. The information over which no section 38 claim has been maintained is to be disclosed. The remaining claims were not contested. The remaining redactions are maintained and the prohibition of disclosure is confirmed.
AGC0160	Disclosure Letter for RCMP investigation dated 1 September 2008.	pp. 1-4 (not contentious)	The Attorney General lifted the claim over the following redactions in the course of this proceeding: 1. The redaction on page 4 that reads “ <i>CANSOFCOM</i> ”. The information over which no section 38 claim has been maintained is to be disclosed. The remaining claims were not contested. The remaining redactions are maintained and the prohibition of disclosure is confirmed.
AGC0161	Disclosure Letter for RCMP investigation dated 30 August 2008.	pp. 1-4 (pp 1, 2, 4 not contentious)	The <i>amicus</i> has identified information contained in this document to be of some potential value to the defence. The Attorney General lifted the claim over the following redactions in the

			<p>course of this proceeding:</p> <p>1. The redaction on page 4 that reads “<i>CANSOFCOM</i>”.</p> <p>The information over which no section 38 claim has been maintained is to be disclosed.</p> <p>The interests weigh in favour of protecting the information.</p> <p>The remaining redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0162	Disclosure Letter for RCMP investigation dated 28 August 2008.	pp. 1, 3-6 (pp. 1, 5, and 6 claims not contentious)	<p>The <i>amicus</i> has identified information contained in this document to be of some potential value to the defence.</p> <p>The Attorney General lifted the claim over the following redactions in the course of this proceeding:</p> <p>1. The redaction on page 6 that reads “<i>CANSOFCOM</i>”.</p> <p>The information over which no section 38 claim has been maintained is to be disclosed.</p> <p>The interests weigh in favour of protecting the information.</p> <p>The remaining redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0163	Disclosure Letter for RCMP investigation dated 26 August 2008.	pp. 1, 3, 4 (not contentious)	<p>The Attorney General lifted the claim over the following redactions in the course of this proceeding:</p> <p>1. The redaction on page 4 that reads “<i>CANSOFCOM</i>”;</p> <p>The information over which no section 38 claim has been maintained is to be</p>

			disclosed. The remaining claims were not contested. The remaining redactions are maintained and the prohibition of disclosure is confirmed.
AGC0165	RCMP sitrep/email from Sept 2008.	pp. 2-3	The <i>amicus</i> has identified information contained in this document to be of greater potential value to the defence. The Attorney General lifted the claim over the following redactions in the course of this proceeding: <ol style="list-style-type: none"> 1. All redactions on page 2; 2. All redactions on page 3. No further s. 38 claims have been advanced. The information is to be disclosed.
AGC0166	RCMP email string from Sept. 2, 2008.	p. 3 (not contentious)	These claims were not contested. The redactions are maintained and the prohibition of disclosure is confirmed.
AGC0167	SITREP. Negotiation position paper (10 Sept. 2008)	pp. 4, 5	The <i>amicus</i> has identified information contained in this document to be of some potential value to the defence. The Attorney General lifted the claim over the following redactions in the course of this proceeding: <ol style="list-style-type: none"> 1. All redactions on page 4. The information over which no section 38 claim has been maintained is to be disclosed.

			<p>The interests weigh in favour of protecting the information.</p> <p>The remaining redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0168	RCMP investigation report from Sept. 9, 2008.	pp. 6, 7 (not contentious)	<p>These claims were not contested.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0169	Briefing Note to the Deputy Commissioner Federal Policing with status of investigation as of 2008 Aug 26.	p. 2 (not contentious)	<p>These claims were not contested.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0170	Intelligence Summary Update dated 3 September 2008.	Every page (not contentious)	<p>These claims were not contested.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0171	Intelligence Summary Update dated 30 August 2008.	Every page (not contentious)	<p>These claims were not contested.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0172	Intelligence Summary Update dated 29 August 2008.	Every page (not contentious)	<p>These claims were not contested.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0173	Intelligence Summary Update dated 28 August 2008.	Every page (pp. 1, 2, 5, 6 not contentious)	<p>The amicus has identified information contained in this document to be of greater potential value to the defence.</p> <p>The interests weigh in favour of protecting the information.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0174	Intelligence Summary Update dated 27 August 2008.	Every page (not contentious)	<p>These claims were not contested.</p>

			The redactions are maintained and the prohibition of disclosure is confirmed.
AGC0175	Notes of Cpl. M. LeSage from Sept. 3 - 9, 2008.	pp. 16, 18, 25, 27, 28, 29 (not contentious)	These claims were not contested. The redactions are maintained and the prohibition of disclosure is confirmed.
AGC0176	Notes of M. Lesage from Aug. 24 to Sept. 2, 2008.	pp. 19, 25, 27, 44, 55 (not contentious)	These claims were not contested. The redactions are maintained and the prohibition of disclosure is confirmed.
AGC0177	Notes of Eric Gordon from August 2008.	pp. 2, 5, 7 (not contentious)	These claims were not contested. The redactions are maintained and the prohibition of disclosure is confirmed.
AGC0178	Notes of Serge COTE 2008-08-25 to 2008-09-04.	pp. 2, 11, 12 (not contentious)	These claims were not contested. The redactions are maintained and the prohibition of disclosure is confirmed.
AGC0179	Notes of Mike Ryan from Sept 1 to 9, 2008.	pp. 6, 7 (not contentious)	These claims were not contested. The redactions are maintained and the prohibition of disclosure is confirmed.
AGC0180	Notes of M. Lesage from August 24, 2008.	p. 2 (not contentious)	These claims were not contested. The redactions are maintained and the prohibition of disclosure is confirmed.
AGC0181	Oct 31/16 - RCMP Raymond Forte's notebook.	pp. 6, 7, 8, 14, 15, 19 (pp. 8, 15, 19 claims not contentious)	The <i>amicus</i> has identified information contained in this document to be of some potential value to the defence. The interests weigh in favour of protecting the information. The remaining redactions are maintained and the prohibition of disclosure is confirmed.
AGC0182	Disclosure Letter for RCMP investigation	pp. 1, 3, 4	The Attorney General lifted the claim over the following redactions in the

	dated 3 September 2008.	(not contentious)	<p>course of this proceeding:</p> <p>1. The redaction on page 4 that reads “<i>CANSOFCOM</i>”.</p> <p>The information over which no section 38 claim has been maintained is to be disclosed.</p> <p>The remaining claims were not contested.</p> <p>The remaining redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0183	Disclosure Letters for RCMP investigation dated 10 September 2008.	pp. 1, 2, 4, 7, 8-10, 12 (not contentious)	<p>The Attorney General lifted the claim over the following redactions in the course of this proceeding:</p> <p>1. The redaction on pages 4, 7 and 12 that read “<i>CANSOFCOM</i>”.</p> <p>The information over which no section 38 claim has been maintained is to be disclosed.</p> <p>The remaining claims were not contested.</p> <p>The remaining redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0184	Disclosure Letter for RCMP investigation dated 8 September 2008.	pp. 1, 2, 4 (not contentious)	<p>These claims were not contested.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0185	Project SLYPE NSCOB - ETRU Situational Report # 13. Main Date 11-Sep-2008.	pp. 2, 8 (not contentious)	<p>These claims were not contested.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0186	Project SLYPE NSCOB - ETRU Situational Report # 12.	pp. 2, 3, 5, 6	<p>The amicus has identified information contained in this document to be of</p>

	<p>Main Date 10-Sep-2008.</p>		<p>greater potential value to the defence.</p> <p>The Attorney General lifted the claim over the following redactions in the course of this proceeding:</p> <ol style="list-style-type: none"> 1. All redactions on page 2; 2. All redactions on page 3; 3. The redaction on page 5 that reads “<i>Salad has made contact...they will sell</i>”; 4. The redaction on page 6 that reads “<i>the hostages to another group.</i>” <p>The information over which no section 38 claim has been maintained is to be disclosed.</p> <p>The remaining claims were not contested.</p> <p>The remaining redactions are maintained and the prohibition of disclosure is confirmed.</p>
<p>AGC0187</p>	<p>NSCOB-ETRU Situational Report # 11- Sept. 9, 2008.</p>	<p>pp. 2-7 (pp. 6, 7 not contentious)</p>	<p>The amicus has identified information contained in this document to be of greater potential value to the defence.</p> <p>The Attorney General lifted the claim over the following redactions in the course of this proceeding:</p> <ol style="list-style-type: none"> 1. All section 38 redactions on page 2; 2. Page three the phrase at paragraph10 “<i>At 10:25 hrs. AFP Negotiator JOHNSEN</i>”; 3. Page three at paragraph 10 and following “<i>called</i>

			<p><i>Salad...(midnight Australia time)”;</i></p> <ol style="list-style-type: none"> 4. Page four at paragraph 13 “<i>At 18:30 AFP JOHNSEN</i>”; 5. Page four at paragraph 13 “<i>calls Salad...(15:30 hrs. Australian time.</i>”; 6. The second occurrence on page 5 that reads “<i>advising SNSA...negotiations with the HT</i>”. <p>The information over which no section 38 claim has been maintained is to be disclosed.</p> <p>The remaining claims were not contested.</p> <p>The remaining redactions are maintained and the prohibition of disclosure is confirmed.</p>
<p>AGC0188</p>	<p>Project SLYPE NSCOB - ETRU Situational Report # 10. Main Date 8-Sep-2008</p>	<p>p. 3, 5 (p. 5 claim not contentious)</p>	<p>The <i>amicus</i> has identified information contained in this document to be of greater potential value to the defence.</p> <p>The Attorney General lifted the claim over the following redactions in the course of this proceeding:</p> <ol style="list-style-type: none"> 1. Page three paragraph 6 “<i>AFP Negotiator is told...he’ll have the number</i>”; 2. Page three paragraphs 7 and 8 “<i>He gives AFP Negotiator...calls SALAD Interpreter</i>”; 3. Page three paragraph 8 “<i>SALAD is cooperative and tells...SALAD indicates he wants</i>”; 4. Page Three paragraph 8 and 9 “<i>to call him back between...the Intel</i>

			<p><i>community</i>”;</p> <p>5. Page three paragraph 9 second sentence “<i>SALAD</i>”;</p> <p>6. Page three paragraph 9 “<i>which provided permission...AFP Negotiator to call him</i>”;</p> <p>7. Page three paragraph 10 and 11 “<i>who is probably related or ...between SALAD and OSOBLE</i>”.</p> <p>The information over which no section 38 claim has been maintained is to be disclosed.</p> <p>The following information that has been redacted at page 3, paragraph 9 is to be disclosed. Injury has not been established:</p> <p style="text-align: center;"><i>“including their phone numbers”</i></p> <p>The remaining claims were not contested.</p> <p>The remaining redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0189	Project Slype Information Update from Supt. Larry Tremblay.	p. 16 (not contentious)	<p>These claims were not contested.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0190	Unsigned disclosure Letter for RCMP investigation dated 5 September 2008.	pp. 5, 6 (not contentious)	<p>These claims were not contested.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0191	Email, 12 September 2008.	pp. 1, 2 (not contentious)	<p>These claims were not contested.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>

AGC0192	Oct 19/16 - Notebook of Greg Laturus (RCMP)	pp. 5, 10, 11, 16-22 (pp. 5, 10, 11 claims not contentious)	<p>The <i>amicus</i> has identified information contained in this document to be of greater potential value to the defence.</p> <p>The Attorney General lifted the claim over the following redactions in the course of this proceeding:</p> <ol style="list-style-type: none"> 1. All section 38 claims on pages 16 to 21 <p>The information over which no section 38 claim has been maintained is to be disclosed.</p> <p>The interests weigh in favour of protecting the information.</p> <p>The remaining redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0193	Oct19/16 - Notebook of Ian Ross (RCMP).	p. 9	<p>The <i>amicus</i> has identified information contained in this document to be of some potential value to the defence.</p> <p>The interests weigh in favour of protecting the information.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0194	Briefing Note to the Deputy Commissioner Federal Policing.	p. 3 (not contentious)	<p>These claims were not contested.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0195	Investigational Report (RCMP).	pp. 2, 3, 4 (not contentious)	<p>These claims were not contested.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0196	Disclosure Letter for RCMP investigation dated 30 September 2008.	pp. 1-4, 7 (not contentious)	<p>These claims were not contested.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>

AGC0197	Disclosure Letter for RCMP investigation dated 25 September 2008.	pp. 1-3 (not contentious)	<p>The Attorney General lifted the claim over the following redactions in the course of this proceeding:</p> <p style="padding-left: 40px;">1. The redaction on pages 3 that reads “<i>CANSOFCOM</i>”.</p> <p>The information over which no section 38 claim has been maintained is to be disclosed.</p> <p>The remaining claims were not contested.</p> <p>The remaining redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0198	NSCOB-ETRU situational Report #27 and #28 Main Date 25-Sep-2008	pp. 3, 4 (not contentious)	<p>These claims were not contested.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0199	Intelligence Summary Update dated 29 September 2008.	Every page (not contentious)	<p>These claims were not contested.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0200	Investigation report dated 13 September 2008.	pp. 2, 3	<p>The <i>amicus</i> has identified information contained in this document to be of greater potential value to the defence.</p> <p>The Attorney General lifted the claim over the following redactions in the course of this proceeding:</p> <p style="padding-left: 40px;">1. All section 38 claims on pages 2 and 3</p> <p>The information over which no section 38 claim has been maintained is to be disclosed.</p> <p>There are no additional section 38 claims on the document.</p>
AGC0201	Investigation report dated 14 September 2008.	pp. 3, 4	<p>The <i>amicus</i> has identified information contained in this document to be of</p>

			<p>greater potential value to the defence.</p> <p>The Attorney General lifted the claim over the following redactions in the course of this proceeding:</p> <ol style="list-style-type: none"> 1. All section 38 claims on pages 3 and 4 <p>The information over which no section 38 claim has been maintained is to be disclosed.</p> <p>There are no additional section 38 claims on the document.</p>
AGC0202	PROOF OF LIFE Charts re Amanda LINDHOUT & Nigel BRENNAN.	p. 3 (not contentious)	<p>These claims were not contested.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0203	Notebook of Christina Wright (RCMP).	pp. 4-9 (pp. 6-9 not contentious)	<p>The <i>amicus</i> has identified information contained in this document to be of some potential value to the defence.</p> <p>The Attorney General lifted the claim over the following redactions in the course of this proceeding:</p> <ol style="list-style-type: none"> 1. Page 4 first occurrence “<i>Salad (Aus #) :2</i>”; 2. Page 4 second occurrence “<i>Salad & Osoble →</i>”; 3. Page 4 second occurrence “<i>calls</i>”; 4. Page 4 third occurrence “<i>2008-09-08 ... Salad’s #</i>”. <p>The information over which no section 38 claim has been maintained is to be disclosed.</p> <p>The interests weigh in favour of protecting the remaining information.</p>

			The remaining redactions are maintained and the prohibition of disclosure is confirmed.
AGC0204	Notebook of Christina Wright (RCMP).	pp. 3, 4, 5 (not contentious)	These claims were not contested. The redactions are maintained and the prohibition of disclosure is confirmed.
AGC0205	Intelligence Summary Update dated 17 October 2008.	Every page (not contentious)	These claims were not contested. The redactions are maintained and the prohibition of disclosure is confirmed.
AGC0206	Disclosure Letter for RCMP investigation dated 6 October 2008.	pp. 1-4 (not contentious)	These claims were not contested. The redactions are maintained and the prohibition of disclosure is confirmed.
AGC0207	Oct 19/16 - Notebook of Lucie Lacombe (RCMP).	p. 2 (not contentious)	These claims were not contested. The redactions are maintained and the prohibition of disclosure is confirmed.
AGC0208	Intelligence Summary Update dated 20 October 2008.	Every page (not contentious)	These claims were not contested. The redactions are maintained and the prohibition of disclosure is confirmed.
AGC0209	Disclosure Letter for RCMP investigation dated 27 October 2008.	pp. 1, 2, 3 (not contentious)	These claims were not contested. The redactions are maintained and the prohibition of disclosure is confirmed.
AGC0210	Disclosure Letter for RCMP investigation dated 28 October 2008.	pp. 1-4 (not contentious)	The Attorney General lifted the claim over the following redactions in the course of this proceeding: 1. The redaction on page 4 that reads “ <i>CANSOFCOM</i> ”. The information over which no section 38 claim has been maintained is to be disclosed.

			<p>The remaining claims were not contested.</p> <p>The remaining redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0211	Disclosure Letter for RCMP investigation dated 23 October 2008.	pp. 1, 2, 3 (not contentious)	<p>The Attorney General lifted the claim over the following redactions in the course of this proceeding:</p> <ol style="list-style-type: none"> 1. The redaction on page 3 that reads “<i>CANSOFCOM</i>”. <p>The information over which no section 38 claim has been maintained is to be disclosed.</p> <p>The remaining claims were not contested.</p> <p>The remaining redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0212	Notebook of Christina Wright (RCMP).	p. 2 (not contentious)	<p>These claims were not contested.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0213	Disclosure Letter for RCMP investigation dated 29 October 2008.	pp. 1-3 (not contentious)	<p>The Attorney General lifted the claim over the following redactions in the course of this proceeding:</p> <ol style="list-style-type: none"> 1. The redaction on page 3 that reads “<i>CANSOFCOM</i>”. <p>The information over which no section 38 claim has been maintained is to be disclosed.</p> <p>The remaining claims were not contested.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0214	Disclosure Letter for RCMP investigation	pp. 1-4	<p>The Attorney General lifted the claim over the following redactions in the</p>

	dated 28 October 2008.	(not contentious)	<p>course of this proceeding:</p> <p>1. The redaction on page 4 that reads “<i>CANSOFCOM</i>”.</p> <p>The information over which no section 38 claim has been maintained is to be disclosed.</p> <p>The remaining claims were not contested.</p> <p>The remaining redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0216	Disclosure Letter for RCMP investigation dated 4 November 2008.	pp. 1-4 (not contentious)	<p>The Attorney General lifted the claim over the following redactions in the course of this proceeding:</p> <p>1. The redaction on page 4 that reads “<i>CANSOFCOM</i>”.</p> <p>The information over which no section 38 claim has been maintained is to be disclosed.</p> <p>The remaining claims were not contested.</p> <p>The remaining redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0217	Disclosure Letter for RCMP investigation dated 10 November 2008.	pp. 1-3 (not contentious)	<p>The Attorney General lifted the claim over the following redactions in the course of this proceeding:</p> <p>1. The redaction on page 3 that reads “<i>CANSOFCOM</i>”.</p> <p>The information over which no section 38 claim has been maintained is to be disclosed.</p> <p>The remaining claims were not contested.</p>

			The redactions are maintained and the prohibition of disclosure is confirmed.
AGC0218	Intelligence Summary Update dated 1 December 2008.	Every page (not contentious)	These claims were not contested. The redactions are maintained and the prohibition of disclosure is confirmed.
AGC0219	Disclosure Letter for RCMP investigation dated 14 November 2008.	pp. 1-3 (not contentious)	The Attorney General lifted the claim over the following redactions in the course of this proceeding: 1. The redaction on page 3 that reads “ <i>CANSOFCOM</i> ”. The information over which no section 38 claim has been maintained is to be disclosed. The remaining claims were not contested. The redactions are maintained and the prohibition of disclosure is confirmed.
AGC0220	Situational Report 41: Main Date 23-Dec-2008.	p. 2 (not contentious)	These claims were not contested. The redactions are maintained and the prohibition of disclosure is confirmed.
AGC0221	Fax from RCMP dated 24 December 2008, containing several documents.	pp. 5, 7, 8, 9 (pp. 5, 7, 9 claims not contentious)	The <i>amicus</i> has identified information contained in this document to be of greater potential value to the defence. The Attorney General lifted the claim over the following redaction in the course of this proceeding: 1. Page 5 second occurrence “ <i>CANSOFCOM</i> ”. The information over which no section 38 claim has been maintained is to be disclosed. The interests weigh in favour of protecting the information.

			The redactions are maintained and the prohibition of disclosure is confirmed.
AGC0222	Intelligence Summary Update dated 12 January 2009.	Every page (pp. 1, 2, 4 not contentious)	<p>The <i>amicus</i> has identified information contained in this document to be of some potential value to the defence.</p> <p>The interests weigh in favour of protecting the information.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0223	Intelligence Summary Update dated 23 December 2008.	pp. 1, 2, 3, 4, 6 (pp. 1, 2, 3, 6 claims not contentious)	<p>The <i>amicus</i> has identified information contained in this document to be of greater potential value to the defence.</p> <p>The interests weigh in favour of protecting the information.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0224	Disclosure Letter for RCMP investigation dated 13 January 2009.	pp. 1-5 (not contentious)	<p>The Attorney General lifted the claim over the following redactions in the course of this proceeding:</p> <ol style="list-style-type: none"> 1. The redaction on page 4 that reads “<i>CANSOFCOM</i>”. <p>The information over which no section 38 claim has been maintained is to be disclosed.</p>

			<p>The remaining claims were not contested.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0225	Situational Report 145: January 29, 2009.	pp. 12, 13, 17 (not contentious)	<p>These claims were not contested.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0226	RCMP Situational Report 149 - dated February 4, 2009.	pp. 1-5 (not contentious)	<p>These claims were not contested.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0227	Fax from, dated 4 February 2009, containing several documents.	pp. 2-8 (not contentious)	<p>These claims were not contested.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0228	RCMP Situational Report 51, dated January 8, 2009.	p. 4 (not contentious)	<p>These claims were not contested.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0229	RCMP Situational Report 53, dated January 12, 2009.	p. 4	<p>The <i>amicus</i> has identified information contained in this document to be of some potential value to the defence.</p> <p>The interests weigh in favour of protecting the information.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0230	Tasking Form - Dated February 6, 2009.	p. 2 (not contentious)	<p>These claims were not contested.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0231	Tasking Form - dated February 9, 2009.	p. 3 (not contentious)	<p>These claims were not contested.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>

AGC0232	Report dated 4 February 2009.	Every page (not contentious)	These claims were not contested. The redactions are maintained and the prohibition of disclosure is confirmed.
AGC0233	Report dated 4 February 2009.	Every page (not contentious)	These claims were not contested. The redactions are maintained and the prohibition of disclosure is confirmed.
AGC0234	Report dated 16 February 2009.	pp. 1, 2, 3 (pp. 1, 2 claims not contentious)	The <i>amicus</i> has identified information contained in this document to be of some potential value to the defence. The interests weigh in favour of protecting the remaining information. The redactions are maintained and the prohibition of disclosure is confirmed.
AGC0235	Disclosure Letter for RCMP investigation dated 20 February 2009.	pp. 1-3 (not contentious)	These claims were not contested. The redactions are maintained and the prohibition of disclosure is confirmed.
AGC0236	Disclosure Letter for RCMP investigation dated 3 March 2009.	pp. 1-3 (not contentious)	These claims were not contested. The redactions are maintained and the prohibition of disclosure is confirmed.
AGC0237	Message dated 24 March 2009	pp. 3, 4 (not contentious)	These claims were not contested. The redactions are maintained and the prohibition of disclosure is confirmed.
AGC0238	Report dated 24 March 2009.	Every page (not contentious)	These claims were not contested. The redactions are maintained and the prohibition of disclosure is confirmed.
AGC0239	Report dated 9 March 2009.	pp. 1, 2, 8, 9 (not contentious)	These claims were not contested. The redactions are maintained and the prohibition of disclosure is confirmed.

AGC0240	Disclosure Letter for RCMP investigation dated 26 March 2009.	pp. 1-3 (not contentious)	These claims were not contested. The redactions are maintained and the prohibition of disclosure is confirmed.
AGC0241	Report dated 27 March 2009.	Every page (not contentious)	These claims were not contested. The redactions are maintained and the prohibition of disclosure is confirmed.
AGC0242	Report dated 27 March 2009.	pp. 1, 2, 3, 5, 6, 7, 17 (not contentious)	These claims were not contested. The redactions are maintained and the prohibition of disclosure is confirmed.
AGC0244	RCMP email, April 16, 2009.	pp. 1, 2 (not contentious)	These claims were not contested. The redactions are maintained and the prohibition of disclosure is confirmed.
AGC0245	Disclosure Letter for RCMP investigation dated 16 April 2009.	pp. 1-3 (not contentious)	These claims were not contested. The redactions are maintained and the prohibition of disclosure is confirmed.
AGC0246	Disclosure Letter for RCMP investigation dated 27 April 2009.	pp. 1-3 (not contentious)	These claims were not contested. The redactions are maintained and the prohibition of disclosure is confirmed.
AGC0247	Email, May 6, 2009.	pp. 2, 3, 4 (not contentious)	These claims were not contested. The redactions are maintained and the prohibition of disclosure is confirmed.
AGC0248	Tasking RCMP Notes of S. Akrum Ghadban, dated 2008-09-25 to 2009-05-13.	p. 8	The <i>amicus</i> has identified information contained in this document to be of greater potential value to the defence. The Attorney General lifted the claim over the following redactions in the course of this proceeding:

			<p>1. The section 38 claim on page 8.</p> <p>The information over which no section 38 claim has been maintained is to be disclosed.</p> <p>There are no additional section 38 claims on the document.</p>
AGC0249	Email Traffic dated May 11, 2009.	pp. 1, 5, 6 (not contentious)	<p>These claims were not contested.</p> <p>The remaining redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0250	Disclosure Letter for RCMP investigation dated 29 April 2009.	pp. 1-3 (not contentious)	<p>These claims were not contested.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0251	RCMP Situational Report, dated May 16, 2009.	pp. 3, 4 (not contentious)	<p>These claims were not contested.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0252	RCMP Situational Report, dated May 17, 2009.	pp. 3-5, 10-12 (not contentious)	<p>These claims were not contested.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0253	RCMP Situational Report 234, dated May 19, 2009.	pp. 3, 4, 5 (not contentious)	<p>These claims were not contested.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0254	Email Traffic dated May 19, 2009.	pp. 1, 3-12 (not contentious)	<p>These claims were not contested.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0255	RCMP Situational Report dated May 22, 2009.	pp. 3, 13 (not contentious)	<p>These claims were not contested.</p>

			The redactions are maintained and the prohibition of disclosure is confirmed.
AGC0256	RCMP Situational Report 88, dated May 25, 2009.	pp. 5, 8, 9, 10 (not contentious)	These claims were not contested. The redactions are maintained and the prohibition of disclosure is confirmed.
AGC0257	Email traffic dated May 20 - 21, 2009.	p. 1 (not contentious)	These claims were not contested. The redactions are maintained and the prohibition of disclosure is confirmed.
AGC0258	Email traffic dated May 22 - 23, 2009.	p. 1 (not contentious)	These claims were not contested. The redactions are maintained and the prohibition of disclosure is confirmed.
AGC0259	Email traffic dated May 23 - 24, 2009.	pp. 1, 3 (not contentious)	These claims were not contested. The redactions are maintained and the prohibition of disclosure is confirmed.
AGC0260	Disclosure Letter for RCMP investigation dated 14 May 2009.	pp. 1-3 (not contentious)	These claims were not contested. The redactions are maintained and the prohibition of disclosure is confirmed.
AGC0261	Disclosure Letter for RCMP investigation dated 14 May 2009.	pp. 1, 4, 5 (not contentious)	These claims were not contested. The redactions are maintained and the prohibition of disclosure is confirmed.
AGC0262	RCMP Situational Report 240, dated May 26, 2009.	pp. 3, 4, 8 (not contentious)	These claims were not contested. The redactions are maintained and the prohibition of disclosure is confirmed.
AGC0263	Email Traffic dated May 25 - 26, 2009.	pp. 1, 3,4 (not contentious)	These claims were not contested. The redactions are maintained and the prohibition of disclosure is confirmed.

AGC0264	Email Traffic dated May 27, 2009	pp. 1, 3 (not contentious)	These claims were not contested. The redactions are maintained and the prohibition of disclosure is confirmed.
AGC0265	Email traffic dated May 28, 2009.	pp. 1, 3 (not contentious)	These claims were not contested. The redactions are maintained and the prohibition of disclosure is confirmed.
AGC0266	RCMP Situational Report 243, dated May 29, 2009.	p. 3, 5, 8 (not contentious)	These claims were not contested. The redactions are maintained and the prohibition of disclosure is confirmed.
AGC0267	Email Traffic dated May 29, 2009.	pp. 1, 3 (not contentious)	These claims were not contested. The redactions are maintained and the prohibition of disclosure is confirmed.
AGC0268	Email traffic dated May 30, 2009.	pp. 1, 3 (not contentious)	These claims were not contested. The redactions are maintained and the prohibition of disclosure is confirmed.
AGC0269	Email traffic dated June 2, 2009.	pp. 1, 3, 4 (not contentious)	These claims were not contested. The redactions are maintained and the prohibition of disclosure is confirmed.
AGC0270	Email from Colin Lake to Evelyn Puxley (2 June).	p. 2 (not contentious)	These claims were not contested. The redactions are maintained and the prohibition of disclosure is confirmed.
AGC0271	Email traffic dated June 4, 2009.	pp. 1, 3 (not contentious)	These claims were not contested. The redactions are maintained and the prohibition of disclosure is confirmed.
AGC0272	RCMP Situational Report 250, June 5, 2009	p. 2, 4 (not contentious)	These claims were not contested.

			The redactions are maintained and the prohibition of disclosure is confirmed.
AGC0273	Email traffic dated June 6, 2009.	pp. 1, 3, 4 (not contentious)	These claims were not contested. The redactions are maintained and the prohibition of disclosure is confirmed.
AGC0274	Disclosure Letter for RCMP investigation dated 2 June 2009.	pp. 1-3 (not contentious)	These claims were not contested. The redactions are maintained and the prohibition of disclosure is confirmed.
AGC0275	Message dated 14 June 2009.	pp. 3, 4 (not contentious)	These claims were not contested. The redactions are maintained and the prohibition of disclosure is confirmed.
AGC0276	Tasking 88, dated June 29, 2009.	Every page (not contentious)	These claims were not contested. The redactions are maintained and the prohibition of disclosure is confirmed.
AGC0277	Disclosure Letter for RCMP dated 18 June 2009.	pp. 1, 2, 3, 5 (pp. 1 and 5 claims not contentious)	The <i>amicus</i> has identified information contained in this document to be of greater potential value to the defence. The interests weigh in favour of protecting the information. The redactions are maintained and the prohibition of disclosure is confirmed.
AGC0278	Supplement to RCMP Situational Report 272 (4 July 2009).	p. 3 (not contentious)	These claims were not contested. The redactions are maintained and the prohibition of disclosure is confirmed.
AGC0279	Correspondence from L. Tremblay dated July 30, 2009.	p. 3 (not contentious)	These claims were not contested. The redactions are maintained and the prohibition of disclosure is confirmed.
AGC0280	Disclosure Letter for RCMP investigation dated 21 July 2009.	pp. 1-3 (not contentious)	These claims were not contested.

			The redactions are maintained and the prohibition of disclosure is confirmed.
AGC0281	Disclosure Letter for RCMP investigation dated 27 July 2009.	pp. 1-3 (not contentious)	These claims were not contested. The redactions are maintained and the prohibition of disclosure is confirmed.
AGC0282	Disclosure Letter for RCMP investigation dated 25 September 2009.	pp. 1-4 (not contentious)	These claims were not contested. The redactions are maintained and the prohibition of disclosure is confirmed.
AGC0283	Disclosure Letter for RCMP investigation dated 28 September 2009.	pp. 1-3 (pp.1 and 3 claims not contentious)	The <i>amicus</i> has identified information contained in this document to be of some potential value to the defence. The interests weigh in favour of protecting the information. The redactions are maintained and the prohibition of disclosure is confirmed.
AGC0284	Disclosure Letter for RCMP investigation dated 6 October 2009.	pp. 1-4 (not contentious)	These claims were not contested. The redactions are maintained and the prohibition of disclosure is confirmed.
AGC0285	Unsigned disclosure Letter for RCMP investigation dated 1 September 2009.	pp. 1-3 (not contentious)	These claims were not contested. The redactions are maintained and the prohibition of disclosure is confirmed.
AGC0286	Unsigned disclosure Letter for RCMP investigation dated 9 November 2009.	pp. 1-3 (not contentious)	These claims were not contested. The redactions are maintained and the prohibition of disclosure is confirmed.
AGC0287	Unsigned disclosure Letter for RCMP investigation dated 25 August 2009.	pp. 1-4 (not contentious)	These claims were not contested. The redactions are maintained and the prohibition of disclosure is confirmed.
AGC0288	Unsigned disclosure Letter for RCMP investigation dated 24 August 2009.	pp. 1-3 (not contentious)	These claims were not contested.

			The redactions are maintained and the prohibition of disclosure is confirmed.
AGC0289	Unsigned disclosure Letter for RCMP investigation dated 2 July 2009.	pp. 1-3 (not contentious)	These claims were not contested. The redactions are maintained and the prohibition of disclosure is confirmed.
AGC0290	Unsigned disclosure Letter for RCMP investigation dated 25 March 2009.	pp. 1-3 (not contentious)	These claims were not contested. The redactions are maintained and the prohibition of disclosure is confirmed.
AGC0291	Unsigned disclosure Letter for RCMP investigation dated 10 November 2009.	pp. 1-4 (pp. 1 and 4 claims not contentious)	The <i>amicus</i> has identified information contained in this document to be of some potential value to the defence. The interests weigh in favour of protecting the information. The redactions are maintained and the prohibition of disclosure is confirmed.
AGC0292	Disclosure Letter for RCMP investigation dated 24 November 2009.	pp. 1-5 (p. 5 claim not contentious)	The <i>amicus</i> has identified information contained in this document to be of greater potential value to the defence. The interests weigh in favour of protecting the information. The redactions are maintained and the prohibition of disclosure is confirmed.
AGC0293	Disclosure Letter for RCMP investigation dated 24 November 2009.	Every page	The <i>amicus</i> has identified information contained in this document to be of some potential value to the defence. The interests weigh in favour of protecting the information. The redactions are maintained and the prohibition of disclosure is confirmed.
AGC0294	Unsigned disclosure Letter for RCMP investigation dated 12 November 2009.	pp. 1-4 (not contentious)	These claims were not contested. The redactions are maintained and the prohibition of disclosure is confirmed.

AGC0295	Unsigned disclosure Letter for RCMP investigation dated 12 November 2009.	Every page	<p>The <i>amicus</i> has identified information contained in this document to be of some potential value to the defence.</p> <p>The interests weigh in favour of protecting the information.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0296	Unsigned disclosure Letter for RCMP investigation dated 17 November 2009.	Every page	<p>The <i>amicus</i> has identified information contained in this document to be of some potential value to the defence.</p> <p>The interests weigh in favour of protecting the information.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0297	Emails from Marion Lamothe re "Slype" dated 2009-11-15.	p. 19 (not contentious)	<p>These claims were not contested.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0298	Email traffic of Marion LAMOTHE dated November 17, 2009.	p. 16 (not contentious)	<p>These claims were not contested.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0299	Emails from Marion Lamothe 2009-11-18.	p. 2 (not contentious)	<p>These claims were not contested.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0300	Email traffic of Marion LAMONTE, dated November 19, 2009.	pp. 2-4 (not contentious)	<p>These claims were not contested.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0301	Disclosure Letter for RCMP investigation dated 12 November 2009.	pp. 1, 4 (not contentious)	<p>These claims were not contested.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0302	Unsigned disclosure Letter for RCMP	pp. 1, 2, 4, 5	<p>The <i>amicus</i> has identified information contained in this document to be of</p>

	investigation dated 24 November 2009.	(pp. 1, 5 claims not contentious)	<p>some potential value to the defence.</p> <p>The interests weigh in favour of protecting the information.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0303	Unsigned disclosure Letter for RCMP investigation dated 17 November 2009.	pp. 1-3 (p. 2 claim not contentious)	<p>The <i>amicus</i> has identified information contained in this document to be of some potential value to the defence.</p> <p>The interests weigh in favour of protecting the information.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0304	Unsigned disclosure Letter for RCMP investigation dated 17 November 2009.	pp. 1-3	<p>The <i>amicus</i> has identified information contained in this document to be of some potential value to the defence.</p> <p>The interests weigh in favour of protecting the information.</p> <p>The remaining redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0305	Intelligence Summary Update dated 7 October 2008.	Every page (pp. 1, 2, 4 not contentious)	<p>The <i>amicus</i> has identified information contained in this document to be of some potential value to the defence.</p> <p>The interests weigh in favour of protecting the information.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0306	Unsigned disclosure Letter for RCMP investigation dated 22 June 2009.	pp. 1-3 (not contentious)	<p>These claims were not contested.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0307	Unsigned disclosure Letter for RCMP investigation dated 22 June 2009.	pp. 1-3 (not contentious)	<p>These claims were not contested.</p>

			The redactions are maintained and the prohibition of disclosure is confirmed.
AGC0308	Disclosure Letter for RCMP investigation dated 23 June 2009.	pp. 1-3 (not contentious)	These claims were not contested. The redactions are maintained and the prohibition of disclosure is confirmed.
AGC0310	Table summarizing foreign agency intelligence reporting dated 2009-10-07.	Every page (p. 1 claim not contentious)	The <i>amicus</i> has identified information contained in this document to be of some potential value to the defence. The interests weigh in favour of protecting the information. The redactions are maintained and the prohibition of disclosure is confirmed.
AGC0311	RCMP Situational Report #2 dated August 28, 2008.	p. 4 (not contentious)	These claims were not contested. The redactions are maintained and the prohibition of disclosure is confirmed.
AGC0312	RCMP Situational Report 3, dated August 29, 2008.	p. 6 (not contentious)	These claims were not contested. The redactions are maintained and the prohibition of disclosure is confirmed.
AGC0313	RCMP Situational Report 5 dated August 31, 2008.	p. 6 (not contentious)	These claims were not contested. The redactions are maintained and the prohibition of disclosure is confirmed.
AGC0314	RCMP Situational Report 6 dated 01/09/2008.	pp. 3, 5 (not contentious)	These claims were not contested. The redactions are maintained and the prohibition of disclosure is confirmed.
AGC0315	RCMP Situational Report 14 dated September 8, 2008.	pp. 3, 4	The <i>amicus</i> has identified information contained in this document to be of some potential value to the defence. The Attorney General lifted the claim over the following redactions in the course of this proceeding:

			<ol style="list-style-type: none"> 1. <i>The redaction at paragraph 7 on page 3 that reads “7. At 12:58 hrs...he’ll have the number.”;</i> 2. <i>The redaction at paragraphs 8 and 9 on page 4 that reads “8. At 14:05 hrs...calls Salad through”;</i> 3. <i>The redaction at paragraph 9 on page 4 that reads “Salad is cooperative...Salad wants”;</i> 4. <i>The redaction at paragraphs 9 and 10 on page 4 that reads “to call him...the intel community.”;</i> 5. <i>The redaction at paragraph 10 on page 4 that reads “Salad is an”;</i> 6. <i>The redaction at paragraph 10 on page 4 that reads “which provided...to call him.”</i> <p>The information over which no section 38 claim has been maintained is to be disclosed.</p> <p><u>The following information that has been redacted at page 4, paragraph 10 is to be disclosed. Injury has not been established:</u></p> <p style="text-align: center;"><u><i>“including their phone numbers”</i></u></p> <p>The interests weigh in favour of protecting the <u>remaining</u> information.</p> <p>The remaining redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0316	RCMP Situational Report 15, dated September 9, 2008.	pp. 3, 4, 5	<p>The <i>amicus</i> has identified information contained in this document to be of greater potential value to the defence.</p> <p>The Attorney General lifted the claim over the following redactions in the</p>

			<p>course of this proceeding:</p> <ol style="list-style-type: none"> 1. Page 3 at paragraph 3 “<i>activities being undertaken... of the negotiation conversations</i>”; 2. Page 4 at paragraph 10 “<i>10. At 10:25 hrs...with assistance from</i>”; 3. Page 4 at paragraphs 10 and 11 “<i>called Salad who...us to call him</i>”; 4. Page 5 paragraphs 12 and 13 “<i>12. At 10:38 hrs...AFP JOHNSEN, through</i>”; 5. Page 5 paragraphs 13 and 14 “<i>calls Salad. No answer... Nairobi time (15:30 hrs. Australia time).</i>” <p>The information over which no section 38 claim has been maintained is to be disclosed.</p> <p>The remaining claims are non-contentious. Those claims are maintained and the prohibition of disclosure is confirmed.</p>
AGC0317	RCMP Situational Report 16, dated September 10, 2008.	pp. 2, 3, 4	<p>The <i>amicus</i> has identified information contained in this document to be of some potential value to the defence.</p> <p>The interests weigh in favour of protecting the information.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0318	RCMP Situational Report 17 - dated September 11, 2008.	pp. 2, 3	<p>The <i>amicus</i> has identified information contained in this document to be of some potential value to the defence.</p> <p>The interests weigh in favour of protecting the information.</p>

			The redactions are maintained and the prohibition of disclosure is confirmed.
AGC0319	RCMP Situational Report 21 dated September 16, 2008.	p. 2	<p>The <i>amicus</i> has identified information contained in this document to be of some potential value to the defence.</p> <p>The interests weigh in favour of protecting the information.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0320	RCMP Situational Report 22 dated September 17, 2008.	p. 2	<p>The <i>amicus</i> has identified information contained in this document to be of some potential value to the defence.</p> <p>The interests weigh in favour of protecting the information.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0321	Intelligence report, 2008-09-08.	pp. 7, 8, 9	<p>The <i>amicus</i> has identified information contained in this document to be of greater potential value to the defence.</p> <p>The Attorney General lifted the claim over the following redactions in the course of this proceeding:</p> <ol style="list-style-type: none"> 1. All section 38 claims on pages 7, 8 and 9. <p>The information over which no section 38 claim has been maintained is to be disclosed.</p> <p>There are no remaining section 38 claims in this document.</p>
AGC0322	RCMP Situational Report 127, dated January 7, 2009.	pp. 2, 4, 5 (not contentious)	<p>These claims were not contested.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0323	RCMP Situational Report 128, dated January	p. 2 (not contentious)	These claims were not contested.

	8, 2009.		The redactions are maintained and the prohibition of disclosure is confirmed.
AGC0324	RCMP Situational Report 148, dated February 3, 2009.	pp. 2, 3, 4 (not contentious)	These claims were not contested. The redactions are maintained and the prohibition of disclosure is confirmed.
AGC0325	Intelligence Summary Update dated 22 September 2008.	pp. 1, 2, 3, 4, 6 (not contentious)	These claims were not contested. The redactions are maintained and the prohibition of disclosure is confirmed.
AGC0326	RCMP Situational Report 228, dated May 13, 2009.	pp. 4, 5, 6, 9 (not contentious)	These claims were not contested. The redactions are maintained and the prohibition of disclosure is confirmed.
AGC0327	RCMP Situational Report 233, providing updates as of May 18, 2009.	pp. 3, 5 (not contentious)	These claims were not contested. The redactions are maintained and the prohibition of disclosure is confirmed.
AGC0328	RCMP Situational Report 239, dated May 25, 2009.	pp. 3-5 (not contentious)	These claims were not contested. The redactions are maintained and the prohibition of disclosure is confirmed.
AGC0329	RCMP Situational Report, dated May 27, 2009.	pp. 3-6 (not contentious)	These claims were not contested. The redactions are maintained and the prohibition of disclosure is confirmed.
AGC0330	RCMP Situational Report 242, dated May 28, 2009.	pp. 3, 5 (not contentious)	These claims were not contested. The redactions are maintained and the prohibition of disclosure is confirmed.
AGC0331	RCMP Situational Report 244, dated May 30, 2009	pp. 3-5 (not contentious)	These claims were not contested. The redactions are maintained and the prohibition of disclosure is confirmed.

AGC0332	RCMP Situational Report 248, dated June 3, 2009.	pp. 2, 6-8 (not contentious)	These claims were not contested. The redactions are maintained and the prohibition of disclosure is confirmed.
AGC0333	RCMP Situational Report 256, dated June 12, 2009.	pp. 2-4 (not contentious)	These claims were not contested. The redactions are maintained and the prohibition of disclosure is confirmed.
AGC0334	RCMP Situational Report 271 dated July 4, 2009.	pp. 2, 4 (not contentious)	These claims were not contested. The redactions are maintained and the prohibition of disclosure is confirmed.
AGC0335	RCMP Situational Report 272, dated July 6, 2009.	pp. 2, 4, 5 (not contentious)	These claims were not contested. The redactions are maintained and the prohibition of disclosure is confirmed.
AGC0336	RCMP Situational Report 273, dated July 7, 2009.	pp. 2, 4 (not contentious)	These claims were not contested. The redactions are maintained and the prohibition of disclosure is confirmed.
AGC0337	RCMP Situational Report 274, dated July 8, 2009.	p. 5 (not contentious)	These claims were not contested. The redactions are maintained and the prohibition of disclosure is confirmed.
AGC0338	RCMP Situational Report 278, dated July 14, 2009.	pp. 3, 5 (not contentious)	These claims were not contested. The redactions are maintained and the prohibition of disclosure is confirmed.
AGC0339	RCMP Situational Report 280, dated July 16, 2009.	p. 5	The <i>amicus</i> has identified information contained in this document to be of some potential value to the defence. The Attorney General lifted the claim over the following redaction in the course of this proceeding: 1. The redaction on page 5 that reads “ <i>group was an entirely...the</i> ”

			<p><i>amount involved.</i>”</p> <p>The information over which no section 38 claim has been maintained is to be disclosed.</p> <p>There are no remaining section 38 claims in this document.</p>
AGC0340	Disclosure Letter for RCMP investigation dated 12 August 2010.	Every page (not contentious)	<p>These claims were not contested.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0341	Notebook of Cpl Daniel Martin (RCMP), from 2009-02-26 to 2009-0318.	p. 43 (not contentious)	<p>These claims were not contested.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0343	UNHCR (Canada) letter to RCMP, dated December 6, 2011.	Every page (not contentious)	<p>These claims were not contested.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0344	Notebook of Sgt. Don Halina from August 24, 2008 - October 12, 2008.	pp. 25, 37, 50,54, 57-59, 62,64, 65, 73, 83, 120 (pp. 25, 37, 62, 64, 65, 83, 120 not contentious)	<p>The <i>amicus</i> has identified information contained in this document to be of some potential value to the defence.</p> <p>The Attorney General lifted the claim over the following redactions in the course of this proceeding:</p> <ol style="list-style-type: none"> 1. The redaction on page 37; 2. The redaction on page 54 that reads “<i>no direct contact...takes place.</i>”; 3. The redaction on page 57 that reads “<i>0830 Nairobi – Salad...will call Osoble.</i>”; 4. The redaction on page 58 that reads “<i>0943 – call into</i>

			<p><i>Salad...talking about next steps.”;</i></p> <ol style="list-style-type: none"> 5. The redaction on page 59 that reads “1422 called Salad...get 2.5 mil”; 6. The redaction on page 65 that reads “9 conversations -”; 7. The redaction on page 73 that reads “Salad interview...AFP present”; 8. The redaction on page 120. <p>The information over which no section 38 claim has been maintained is to be disclosed.</p> <p>The interests weigh in favour of protecting the information.</p> <p>The remaining redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0345	Notebook of Mike Lesage, dated 2008-09-10 to 2008-10-10.	pp. 4, 5, 6, 7, 8, 31, 36, 38 (pp. 5, 38 not contentious)	<p>The <i>amicus</i> has identified information contained in this document to be of greater potential value to the defence.</p> <p>The Attorney General lifted the claim over the following redactions in the course of this proceeding:</p> <ol style="list-style-type: none"> 1. Page 4 first occurrence which reads “<i>Salad (Aus)</i>”; 2. Page 4 second occurrence which reads “<i>Visa problems</i>”; 3. Page 6 all section 38 claims; 4. Page 7 all section 38 claims;

			<p>5. Page 8 all section 38 claims.</p> <p>The information over which no section 38 claim has been maintained is to be disclosed.</p> <p>The following information that has been redacted at page 36 is to be disclosed. Injury has not been established:</p> <p style="text-align: center;"><i>“Nothing about Adan going to see hostages”</i></p> <p>The interests otherwise weigh in favour of protecting the information.</p> <p>The remaining redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0346	Notebook of Mike LESAGE, dated October 15, 2008 - November 26, 2008.	pp. 4, 26, 27, 30, 33, 36, 57, 58 (not contentious)	<p>These claims were not contested.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0347	Notebook of Mike Lesage dated November 21, 2008 - January 15, 2009.	pp. 26, 52 (not contentious)	<p>These claims were not contested.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0348	Notes of RCMP Mike Lesage dated January 16, 2009 - April 9, 2009.	pp. 11, 13, 17, 24, 25, 27, 29 (pp. 13, 24, 25, 27, 29 not contentious)	<p>The <i>amicus</i> has identified information contained in this document to be of some potential value to the defence.</p> <p>The interests weigh in favour of protecting the information.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0349	Notes of RCMP Mike Lesage dated April 11, 2009 - May 5, 2009.	pp. 9, 23, 32, 35, 40, 42, 45, 46, 47 (not contentious)	<p>These claims were not contested.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>

AGC0350	Notes of RCMP Mike Lesage dated May 6, 2009 - January 14, 2010.	pp. 18, 35,42, 43, 44, 45, 46 (not contentious)	These claims were not contested. The redactions are maintained and the prohibition of disclosure is confirmed.
AGC0351	Notes of RCMP Mike Ryan dated August 10, 2008 - September 26, 2008.	pp. 2-4, 5, 6, 7, 8, 11, 12, 15, 17, 18, 19, 21, 23, 27, 41, 42, 45, 51-55, 56-60, 62, 65, 66, 68, 70, 89, 90, 92 (pp. 2, 3, 5, 6, 11, 12, 15, 21, 23, 41, 42, 45, 51, 52, 54,55, 56-60, 62, 65, 66, 68, 70 not contentious)	The <i>amicus</i> has identified information contained in this document to be of some potential value to the defence. The Attorney General lifted the claim over the following redactions in the course of this proceeding: <ol style="list-style-type: none"> 1. The redaction on page 4 that reads “-FA Swan advising...one from Adan”; 2. The redaction on page 4 that reads “Mark did call...was paid by”; 3. The redaction on page 4 that reads “was only paid...a company.”; 4. The redaction on page 27 that reads “Intelligence info Muse and Adan”; 5. The redaction on the right side of page 58, lines 10-11; 6. The redaction on the right side of page 58, line 15, that reads “Supt. Tremblay”; 7. The redaction on the right side of page 58, line 18, that reads “Supt Tremblay”; 8. The redaction on the right side of page 58, line 22 “Supt. Tremblay advises that”; 9. The redaction on the right side of page 58, line 27 “Supt. Tremblay”;

			<p>10. The redaction on the right side of page 92, lines 1-2.</p> <p>The information over which no section 38 claim has been maintained is to be disclosed.</p> <p>The interests weigh in favour of protecting the information.</p> <p>The remaining redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0352	Notes of RCMP Mike Ryan, dated March 21, 2009 - January 15, 2010.	pp. 4-6, 14, 15, 17-20, 22, 24, 25, 28, 40 (not contentious)	<p>These claims were not contested.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0353	Notebook #2 of Don Halina (RCMP), dated Oct 15, 2008.	pp. 7, 32, 37, 55 (not contentious)	<p>These claims were not contested.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0354	Notes of RCMP Dan Halina, dated November 24, 2008 - January 11, 2009.	pp. 15, 16	<p>The <i>amicus</i> has identified information contained in this document to be of some potential value to the defence.</p> <p>The interests weigh in favour of protecting the information.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0355	Notebook #4 of RCMP Don HALINA, dated February 4, 2009 - February 17, 2009.	pp. 2, 4-7, 16 (not contentious)	<p>These claims were not contested.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0356	Notes of RCMP Cpl. Elly Young, dated April 14, 2009 - May 8, 2009.	p. 25 (not contentious)	<p>These claims were not contested.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0357	Notebook of Cpl. France Pouliot (RCMP), dated 2008-11-18 to 2008-12-08.	p. 23 (not contentious)	<p>These claims were not contested.</p>

			The redactions are maintained and the prohibition of disclosure is confirmed.
AGC0358	Notebook of Vic Park (RCMP), dated 2009-03-27 to 2009-05-30.	pp. 4, 8, 17-19, 22, 33, 37, 38, 40-42, 44, 51, 55, 59, 60, 62 (not contentious)	These claims were not contested. The redactions are maintained and the prohibition of disclosure is confirmed.
AGC0359	Notebook of Vic Park (RCMP), dated from 2008-09-25 to 2009-01-30.	pp. 4, 5, 20, 22, 23 (not contentious)	These claims were not contested. The redactions are maintained and the prohibition of disclosure is confirmed.
AGC0360	Notebook of Craig Massey (RCMP), dated 2009-04-04 to 2009-05-12	pp. 78, 79 (not contentious)	These claims were not contested. The redactions are maintained and the prohibition of disclosure is confirmed.
AGC0361	Notebook of Wayne Hanniman (RCMP), dated 2009-07-29 to 2009-08-13.	pp. 6, 8, 11 (p. 6 not contentious)	The <i>amicus</i> has identified information contained in this document to be of some potential value to the defence. The interests weigh in favour of protecting the information. The redactions are maintained and the prohibition of disclosure is confirmed.
AGC0362	Notebook of Brad Marks (RCMP), dated from 2009-03-25 to 2009-04-15.	p. 16 (not contentious)	These claims were not contested. The redactions are maintained and the prohibition of disclosure is confirmed.
AGC0363	Notes of RCMP S/Sgt Jean Marc COLLINS dated 2008-12-09 to 2009-03-25.	p. 18	The <i>amicus</i> has identified information contained in this document to be of greater potential value to the defence. The following information is to be disclosed. This information is disclosed as the result of the lifting of claims on page 96 of document #AGC0410. Injury has not been established: <i>Page 18 "Elmis dad is calling HTs - Adan calling people in Australia calling Hashi"</i>

			<p>The interests weigh in favour of protecting the remaining information.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0364	Notes of RCMP S/Sgt Jean Marc COLLINS dated 2008-09-02 to 2009-12-09.	pp. 12, 24, 71, 77, 78 (pp. 12, 77, 78 not contentious)	<p>The <i>amicus</i> has identified information contained in this document to be of greater potential value to the defence.</p> <p>The Attorney General lifted the claim over the following redactions in the course of this proceeding:</p> <ol style="list-style-type: none"> 1. Page 24 all section 38 claims. <p>The information over which no section 38 claim has been maintained is to be disclosed.</p> <p>The <i>amicus</i> has notified the Court that the information at page 71 which was assessed as having greater potential value is now assessed as being of minimal value based on the evidence provided in the course of the hearing.</p> <p>There are no remaining contentious claims in this document.</p> <p>The remaining redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0365	Notebook of Greg Laturus (RCMP), dated 2008-09-12 to 2008-12-19.	pp. 5, 7, 11, 15, 17, 23, 30, 31, 43, 52, 57, 58, 77 (pp. 5, 17, 43, 52, 77 not contentious)	<p>The <i>amicus</i> has identified information contained in this document to be of greater potential value to the defence.</p> <p>The Attorney General lifted the claim over the following redactions in the course of this proceeding:</p> <ol style="list-style-type: none"> 1. Page 5 all section 38 claims Redaction on page 5, line 7 that reads "<u>SIHU</u>" 2. Redaction on page 5, line 11 that reads "<u>HSP ... Abdifatah</u>"

			<p><u>Mohamaed ELMI</u>”;</p> <p>3. Page 17 all section 38 claims;</p> <p>4. Page 30 first occurrence “<i>Was just off phone...recent intel ie</i>”.</p> <p>The information over which no section 38 claim has been maintained is to be disclosed.</p> <p>The following information is to be disclosed. This information is disclosed as the result of the lifting of claims on page 96 of document #AGC0410. Injury has not been established:</p> <p>Page 58 “<i>Adan is calling people in Australia one particular is Omar Hashi</i>”.</p> <p>The interests weigh in favour of protecting the remaining information.</p> <p>The remaining redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0366	Notebook of Greg Laturus (RCMP), dated 2009-01-24 to 2009-05-31.	pp. 4, 5, 19, 20, 21, 25, 26, 28, 29, 30, 31, 36-38, 41, 42, 46, 78, 90, 92, 100, 101 (not contentious)	<p>These claims were not contested.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0367	Notes of RCMP Insp. Greg Laternus from June 1-19, 2009.	pp. 8, 28, 31, 35, 36,39, 40, 44, 45 (not contentious)	<p>These claims were not contested.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0368	Notes of RCMP Supt. Bill Malone, dated Feb 28, 2009	pp. 7, 8 (not contentious)	<p>These claims were not contested.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0369	Notes of RCMP Andre GAUTHIER dated	pp. 7, 8, 12, 19, 25,29, 32 (pp. 7, 8, 12, 19, 25, 32 not	The <i>amicus</i> has identified information contained in this document to be of

	2008-08-25 to 2008-09-16.	contentious)	<p>some potential value to the defence.</p> <p>The Attorney General lifted the claim over the following redactions in the course of this proceeding:</p> <p style="padding-left: 40px;">1. Page 29 first occurrence on right hand side.</p> <p>There are no remaining contentious claims.</p> <p>The remaining redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0370	Notes of RCMP Serge COTE dated 2009-01-08 to 2009-02-25.	pp. 4, 16, 22, 34, 38, 42, 66, 72, 88, 98 (pp. 4, 16, 34, 38, 42, 66, 88, 98 not contentious)	<p>The <i>amicus</i> has identified information contained in this document to be of some potential value to the defence.</p> <p>The interests weigh in favour of protecting the information.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0371	Notes of RCMP Sgt. Lucie LACOMBE dated 2009-05-24 to 2009-08-13.	pp. 2, 5, 8, 19, 26-30 (not contentious)	<p>These claims were not contested.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0372	Transcript of LINDHOUT's statement, taken 2009-12-06.	pp. 1-167 (pp.141-146, 155-156, 158-160, 162-164 are contested)	<p>The <i>amicus</i> has identified information contained in this document to be of greater potential value to the defence.</p> <p>The interests weigh in favour of protecting the information.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0373	Notes of RCMP Gilles MICHAUD dated 2008 09 14 - 2008 10 31.	pp. 3, 32 (p. 3 claim not contested)	<p>The <i>amicus</i> has identified information contained in this document to be of some potential value to the defence.</p> <p>The interests weigh in favour of protecting the information.</p>

			The redactions are maintained and the prohibition of disclosure is confirmed.
AGC0374	Notes of RCMP Gilles MICHAUD dated 2008-10-31 to 2008-12-28.	p. 48	<p>The <i>amicus</i> has identified information contained in this document to be of some potential value to the defence.</p> <p>The Attorney General lifted the claim over the following redactions in the course of this proceeding:</p> <ol style="list-style-type: none"> 1. Page 48 first occurrence “<i>Salad</i>”; 2. Page 48 “<i>Aden in contact</i>”. <p>There are no remaining contentious claims.</p> <p>The remaining redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0375	Notes of RCMP Gilles MICHAUD dated 2008-12-29 to 2009-03-03.	p. 26 (not contentious)	<p>These claims were not contested.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0376	Notes of RCMP Gilles MICHAUD dated 2009-06-18 to 2009-10-26.	p. 33 (not contentious)	<p>These claims were not contested.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0377	Notes of RCMP Supt. Marion Lamothe from August 23 to Sept. 4, 2008.	p. 18, 39, 43, 46 (not contentious)	<p>These claims were not contested.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0378	Notes of Supt. Lamothe - Sept. 5-21, 2008.	pp. 6, 8, 14, 22, 23, 29, 32, 33, 35-38, 41, 45, 48, 55, 62, 63 (pp. 6, 8, 14, 45, 48, 55, 62, 63 not contentious)	<p>The <i>amicus</i> has identified information contained in this document to be of some potential value to the defence.</p> <p>The Attorney General lifted the claim over the following redactions in the course of this proceeding:</p>

			<ol style="list-style-type: none"> 1. Page 22 first occurrence “<i>Salad is an Australian that</i>”; 2. Page 22 first occurrence “<i>is dealing with</i>”; 3. Page 23 all section 38 claims; 4. Page 29 all section 38 claims; 5. Page 32 all section 38 claims <u>EXCEPT</u> the first occurrence; 6. Page 33 all section 38 claims; 7. Page 35 all section 38 claims; 8. Page 36 all section 38 claims; 9. Page 37 all section 38 claims; 10. Page 38 all section 38 claims; 11. The first occurrence page 41 is lifted beginning with the second word. The redaction IS maintained on the first word of the first occurrence. <p>There are no remaining contentious claims.</p> <p>The remaining redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0379	Notes of Supt. Lamothe from Sept. 29-Nov. 29, 2008.	pp. 3, 5, 52, 54, 93, 107 (not contentious)	<p>These claims were not contested.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>

AGC0380	Notes of Supt. Lamothe from Dec. 1, 2008 to Feb. 16, 2009.	pp. 28, 30, 31, 32, 34, 41 (not contentious)	These claims were not contested. The redactions are maintained and the prohibition of disclosure is confirmed.
AGC0381	Notes of Supt. Lamothe from May 3 to June 4, 2009.	pp. 7, 8, 13, 18, 22 (not contentious)	These claims were not contested. The redactions are maintained and the prohibition of disclosure is confirmed.
AGC0382	Notes of Supt. Lamothe from June 5 to August 18, 2009.	p. 41 (not contentious)	These claims were not contested. The redactions are maintained and the prohibition of disclosure is confirmed.
AGC0383	Notes of Supt. Lamothe from Aug 19 to Dec 10, 2009	pp. 21, 53, 54, 82 (not contentious)	These claims were not contested. The redactions are maintained and the prohibition of disclosure is confirmed.
AGC0384	Notes of Christina Wright from Oct. 29 to Dec. 23, 2008.	pp. 4, 5, 14-16 (not contentious)	These claims were not contested. The Attorney General lifted the claim over the following redactions in the course of this proceeding: 1. Page 5 second occurrence " <i>Call fr. Adan to Stewart 2008-10-06- Adan claims group is not Islamist or Al-Shabaab.</i> " The remaining redactions are maintained and the prohibition of disclosure is confirmed.
AGC0387	Notes of RCMP Eric GORDON dated 2008-10-31 to 2009-05-13.	pp. 49, 76, 78, 90, 122, 124, 152, 155, 156, 163 (not contentious)	These claims were not contested. The redactions are maintained and the prohibition of disclosure is confirmed.
AGC0388	Notes of RCMP Eric GORDON dated 2009-05-14 to 2010-12-09.	pp. 2, 44, 47, 56, 59 (not contentious)	These claims were not contested. The redactions are maintained and the prohibition of disclosure is confirmed.

AGC0389	Notes of RCMP Sgt AJ Kassam, dated 2008-09-02 to 2008-11-17.	pp.22, 51, 63, 64, 67 (not contentious)	<p>These claims were not contested.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0390	Notes of RCMP Sgt. AJ KASSAM dated 2008-12-06 to 2009-02-20.	pp. 9, 10, 11, 15, 19, 24, 28, 30 (pp. 9, 15, 19, 24, 28, 30 not contentious)	<p>The <i>amicus</i> has identified information contained in this document to be of greater potential value to the defence.</p> <p>The Attorney General lifted the claim over the following redactions in the course of this proceeding:</p> <ol style="list-style-type: none"> 1. Page 9 “<i>advises Amanda...disease</i>”; 2. Page 10 “<i>has some in AUS (long shot)</i>”; 3. All section 38 claims on page 28. <p>The following information is to be disclosed. This information is disclosed as the result of the lifting of claims on page 96 of document #AGC0410. Injury has not been established:</p> <p style="padding-left: 40px;">Page 10, right side of page “<i>Elmi’s dad has been in contact w/ HT Adan is calling lots of people in Aus, I is Omar Hashi</i>”.</p> <p>The interests weigh in favour of protecting the remaining information.</p> <p>The remaining redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0391	Notes of RCMP Peter RYAN dated 2008-08-27 to 2008-09-27.	pp. 50, 61, 67, 70, 71, 75, 90, 91 (pp. 50, 61, 91 not contentious)	<p>The <i>amicus</i> has identified information contained in this document to be of some potential value to the defence.</p> <p>The Attorney General lifted the claim over the following redactions in the course of this proceeding:</p>

			<ol style="list-style-type: none"> 2. Page 67 all section 38 claims; 3. Page 70 all section 38 claims; 4. Page 75 all section 38 claims. <p>The remaining contentious claims have been considered.</p> <p>The interests weigh in favour of protecting the information.</p> <p>The remaining redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0392	Notes of RCMP Peter RYAN dated 2008-09-28 to 2008-10-30.	pp.18, 20, 39, 40, 52, 54 (pp. 39, 40, 52, 54 not contentious)	<p>The <i>amicus</i> has identified information contained in this document to be of some potential value to the defence.</p> <p>The following information is to be disclosed. Injury has not been established:</p> <ol style="list-style-type: none"> 1. At page 18: “<i>Muse + Adan</i>”. <p>The remaining redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0393	Notes of RCMP Peter RYAN dated 2008-10-31 to 2008-12-12.	pp. 6, 55, 57, 58 (pp. 57, 58 not contentious)	<p>The <i>amicus</i> has identified information contained in this document to be of greater potential value to the defence.</p> <p>The following information is to be disclosed. Injury has not been established:</p> <ol style="list-style-type: none"> 1. Page 55 “<i>contact Muse</i>”; 2. Page 55 “<i>in Sept Muse/Aden</i>”. <p>The interests weigh in favour of protecting the remaining information.</p> <p>The remaining redactions are maintained and the prohibition of disclosure is</p>

			confirmed.
AGC0394	Notes of RCMP Peter Ryan dated 2008-12-13 to 2009-02-07.	pp. 5, 74 (p. 74 not contentious)	<p>The <i>amicus</i> has identified information contained in this document to be of some potential value to the defence.</p> <p>The Attorney General lifted the claim over the following redactions in the course of this proceeding:</p> <ol style="list-style-type: none"> 1. Page 5 first occurrence “<i>call between Adan + OMERA</i>”. <p>The information over which no section 38 claim has been maintained is to be disclosed.</p> <p>There are no remaining contentious claims.</p> <p>The remaining redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0395	Notes of RCMP Peter RYAN dated 2009-03-02 to 2009-05-22.	pp. 9, 58, 80 (p. 80 not contentious)	<p>These claims were not contested.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0396	Notes of RCMP Peter RYAN dated 2009-06-08 to 2009-09-29.	pp. 34, 38, 44, 45 (pp. 44, 55 not contentious)	<p>The <i>amicus</i> has identified information contained in this document to be of some potential value to the defence.</p> <p>The Attorney General lifted the claim over the following redactions in the course of this proceeding:</p> <ol style="list-style-type: none"> 1. Page 34 the redaction that reads “Adan – tried...according to”. <p>The information over which no section 38 claim has been maintained is to be disclosed.</p> <p>There are no remaining contentious claims.</p>

			The remaining redactions are maintained and the prohibition of disclosure is confirmed.
AGC0397	Notes of RCMP Peter RYAN dated 2009-09-30 to 2009-10-21.	p. 7 (not contentious)	These claims were not contested. The redactions are maintained and the prohibition of disclosure is confirmed.
AGC0398	Notes of RCMP Garth PATTERSON dated 2008-08-24 to 2009-01-08	pp. 4, 9, 10, 14, 34, 35, 67, 75, 79, 80, 98, 99, 110, 119, 120, 137, 143, 146, 152 (pp. 4, 10, 35, 67, 75, 79,80, 98, 99, 110, 120, 137, 143, 146, 152 not contentious)	<p>The <i>amicus</i> has identified information contained in this document to be of greater potential value to the defence.</p> <p>The Attorney General lifted the claim over the following redactions in the course of this proceeding:</p> <ol style="list-style-type: none"> 1. Page 9 second occurrence “<i>Mark → 2.5 million...Amanda/Nigel</i>”; 2. Page 14 first occurrence “<i>2220 contact Salad 1700 ADM</i>”; 3. Page 14 first occurrence “<i>Continue to reach out concern DFAIT</i>”; 4. Page 14 first occurrence “<i>limit contact w/HT</i>”; 5. Page 14 first occurrence “<i>2235 HRS – off phone</i>”. <p>The information over which no section 38 claim has been maintained is to be disclosed.</p> <p>The following information is to be disclosed. This information is disclosed as the result of the lifting of claims on page 96 of document #AGC0410. Injury has not been established:</p> <ol style="list-style-type: none"> 1. Page 119 “<i>Elmi’s dad contacted H.H. / H.T. - Adan calling Australia – Hashi - November</i>”. <p>The interests weigh in favour of protecting the remaining information.</p>

			The remaining redactions are maintained and the prohibition of disclosure is confirmed.
AGC0399	Notes of RCMP Supt. Garth Patterson from April 9 to May 2, 2009.	pp. 4, 5, 8, 13, 25, 34, 45, 46, 63, 65, 69, 70 (not contentious)	These claims were not contested. The redactions are maintained and the prohibition of disclosure is confirmed.
AGC0400	Notes of RCMP S/Sgt. Al McCambridge from June 15 to May 17, 2007.	pp. 41, 46, 62, 69, 92, 121, 125, 128 (not contentious)	These claims were not contested. The redactions are maintained and the prohibition of disclosure is confirmed.
AGC0401	Notes of S/Sgt McCambridge from May 18 to July 11, 2009	pp. 6, 7, 9, 19, 22-24, 26, 36, 38, 43, 51, 52, 53, 63, 66, 78, 80, 83, 94, 96 (not contentious)	These claims were not contested. The redactions are maintained and the prohibition of disclosure is confirmed.
AGC0408	Notes of Ray Forte(RCMP) from Sept. to Nov. 2008.	pp. 2, 7, 9, 10, 11, 13, 17, 18, 19, 20, 21, 23, 40 (pp. 2, 7, 9, 10, 11, 13, 17, 18, 19, 20, 40 not contentious)	The <i>amicus</i> has identified information contained in this document to be of greater potential value to the defence. The Attorney General lifted the claim over the following redactions in the course of this proceeding: <ol style="list-style-type: none"> 1. Page 21 “<i>SALAD-BAD</i>”; 2. Page 23 first occurrence “<i>0838 NT call... Dahir is over 60</i>”. The following information is to be disclosed. Injury has not been established: <ol style="list-style-type: none"> 1. Page 23 “<i>There are at least 4 livestock markets in Northern Mog – Adan</i>”. The interests weigh in favour of protecting the remaining information. The remaining redactions are maintained and the prohibition of disclosure is confirmed.

AGC0409	Notes of Ray Forte from Feb.-July 2009	pp. 4, 6, 11, 14, 15, 16, 25, 27, 32, 48, 50, 52, 60, 62, 64, 65, 66, 71, 74, 78, 97, 105, (pp. 6, 11, 14, 15, 16, 25, 27, 32, 48, 50, 52, 60, 62, 64, 65, 66, 71, 74, 78, 105, not contentious)	<p>The <i>amicus</i> has identified information contained in this document to be of some potential value to the defence.</p> <p>The Attorney General lifted the claim over the following redactions in the course of this proceeding:</p> <ol style="list-style-type: none"> 1. Page 4 second occurrence “- advised – Salad in Mog ... two days ago”. <p>The information over which no section 38 claim has been maintained is to be disclosed.</p> <p>The interests weigh in favour of protecting the information.</p> <p>The remaining redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0410	Notes of Ray Forte from Nov. 25, 2008 to Feb. 22, 2009.	pp. 6, 7, 15, 16, 18, 20, 21, 25, 26, 31, 47, 58, 68, 86, 96, 115, 130-132, 141, 161, 164, 172, 182, 184, 186, 187, 193 (pp. 6, 15, 16, 18, 20, 21, 26, 47, 68, 115, 132, 141, 161, 164, 172, 186, 187, 193 not contentious)	<p>The <i>amicus</i> has identified information contained in this document to be of greater potential value to the defence.</p> <p>The Attorney General lifted the claim over the following redactions in the course of this proceeding:</p> <ol style="list-style-type: none"> 1. Page 96 all section 38 claims. <p>The information over which no section 38 claim has been maintained is to be disclosed.</p> <p>The interests weigh in favour of protecting the information.</p> <p>The remaining redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0411	Notes of RCMP Sgt. Cris Gastaldo from Aug.	pp. 9, 49, 53, 54, 60, 64, 71, 72, 74	<p>The <i>amicus</i> has identified information contained in this document to be of</p>

	<p>28 to Sept. 11, 2008.</p>	<p>(pp. 9, 49, 54, 64, 71, 72, 74 not contentious)</p>	<p>some potential value to the defence.</p> <p>The Attorney General lifted the claim over the following redactions in the course of this proceeding:</p> <ol style="list-style-type: none"> 1. Page 53 all section 38 claims; 2. Page 54 all section 38 claims; 3. Page 60 first occurrence “<i>Osoble – Salad</i>”. <p>The information over which no section 38 claim has been maintained is to be disclosed.</p> <p>The remaining contentious claims have been considered.</p> <p>The interests weigh in favour of protecting the information.</p> <p>The remaining redactions are maintained and the prohibition of disclosure is confirmed.</p>
<p>AGC0412</p>	<p>Notes of Sgt. Gastaldo from Sept. 12 to Oct. 6, 2008.</p>	<p>pp. 5, 6, 15, 30 (p. 30 claim not contentious)</p>	<p>The <i>amicus</i> has identified information contained in this document to be of some potential value to the defence.</p> <p>The Attorney General lifted the claim over the following redactions in the course of this proceeding:</p> <ol style="list-style-type: none"> 1. Page 15 all section 38 claims. <p>The information over which no section 38 claim has been maintained is to be disclosed.</p> <p>The interests weigh in favour of protecting the information.</p> <p>The remaining redactions are maintained and the prohibition of disclosure is</p>

			confirmed.
AGC0413	Notebook of Chris Gastaldo (RCMP) covering period of 2008-12-20 to 2009-01-10.	pp. 33, 43 (not contentious)	These claims were not contested. The redactions are maintained and the prohibition of disclosure is confirmed.
AGC0414	Notebook of Chris Gastaldo (RCMP) covering period of 2009-01-11 to 2009-02-25	pp. 3, 4, (not contentious)	These claims were not contested. The redactions are maintained and the prohibition of disclosure is confirmed.
AGC0415	Notebook of Chris Gastaldo (RCMP) covering period of 2009-04-07 to 2009-05-08.	pp. 47, 50, 89-91 (not contentious)	These claims were not contested. The redactions are maintained and the prohibition of disclosure is confirmed.
AGC0416	Notebook of Chris Gastaldo (RCMP) covering period of 2009-06-11 to 2009-07-07.	pp. 7, 8, 30, 31, 34, 35, 54 (not contentious)	These claims were not contested. The redactions are maintained and the prohibition of disclosure is confirmed.
AGC0417	Notebook of Chris Gastaldo (RCMP) covering period of 2009-07-08 to 2009-07-20.	pp.14, 20, 21, 26, 27, 34 36 (pp. 14, 20, 21, 34 claims not contentious)	The <i>amicus</i> has identified information contained in this document to be of some potential value to the defence. The interests weigh in favour of protecting the information. The redactions are maintained and the prohibition of disclosure is confirmed.
AGC0418	Notebook of Chris Gastaldo (RCMP) covering period of 2009-09-24 to 2009-12-21.	pp. 35, 37, 41, 44, 48, 49, 50, 61 (pp. 35, 41, 44, 48, 49 not contentious)	The <i>amicus</i> has identified information contained in this document to be of greater potential value to the defence. The Attorney General lifted the claim over the following redactions in the course of this proceeding: 1. Page 37 all section 38 claims. The information over which no section 38 claim has been maintained is to be

			<p>disclosed.</p> <p>The following information is to be disclosed. Injury has not been established:</p> <p style="padding-left: 40px;">Page 50 “Aden contact w/ Abdifatah Elmi – NUR ADAN NUR is in contact w/ Abdikarim”.</p> <p>The interests weigh in favour of protecting the remaining information.</p> <p>The remaining redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0419	Notebook of Chris Gastaldo (RCMP) covering period of 2010-02-10 to 2010-05-06.	pp. 43, 45 (not contentious)	<p>These claims were not contested.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0420	Notes of RCMP Insp. Cal CHRUSTIE from 2008-09-11 to 2009-01-09.	pp. 11, 15, 21, 25, 54 (not contentious)	<p>These claims were not contested.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0421	Notes of RCMP Insp. Cal Chrustie, dated 2009-01-11 to 2009-07-09.	pp. 2, 22, 23, 25 (not contentious)	<p>These claims were not contested.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0422	Notebook of Harold OConnell (RCMP), dated 2008-08-23 to 2008-09-18.	pp. 10, 13, 19, 27, 34, 54, 78, 80, 84, 85, 88, 91, 93, 100, 111, 120, 122 (pp. 10, 13, 19, 27, 34, 54, 78, 80, 85, 88, 91, 93, 100, 111 not contentious)	<p>The Attorney General lifted the claim over the following redactions in the course of this proceeding:</p> <ol style="list-style-type: none"> 1. Page 85 first occurrence “<i>Call # and it is ... but does not know Osable</i>”; 2. Page 85 first occurrence “<i>Salad no desire to be involved</i>”; 3. Page 120 Line 1: “AFP ...no contact”;

			<p>4. Page 120 Line 3: “not previously disclosed –protect”;</p> <p>5. Page 120 Line 22: “AFP contact;</p> <p>6. Page 120 Line 25: “awaiting transcripts”.</p> <p>The <i>amicus</i> has identified additional information in this document to be of some potential value to the defence.</p> <p>The interests weigh in favour of protecting the information.</p> <p>The remaining redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0423	Notebook of Harold OConnell (RCMP) dated 2008-09-18 to 2008-10-31.	pp. 3, 28, 29, 45, 46, 47, 55, 97 (pp. 3, 28, 29, 46, 97 not contentious)	<p>The <i>amicus</i> has identified information in this document to be of some potential value to the defence.</p> <p>The interests weigh in favour of protecting the information.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0424	Notebook of Harold OConnell (RCMP), dated 2008-11-01 to 2008-12-12.	pp. 30, 32, 57, 72, 78, 97, 120 (pp. 30,32, 57, 78, 97 not contentious)	<p>The Attorney General lifted the claim over the following redactions in the course of this proceeding:</p> <p>7. Page120 second occurrence “<i>Aus</i>”;</p> <p>8. Page 120 second occurrence “<i>Elmi’s father Adan calling Australia Hase/Salad</i>”.</p> <p>The <i>amicus</i> has identified additional information in this document to be of some potential value to the defence.</p> <p>The interests weigh in favour of protecting the information.</p> <p>The remaining redactions are maintained and the prohibition of disclosure is</p>

			confirmed.
AGC0425	Notebook of Harold OConnell (RCMP), dated 2008-12-13 to 2009-01-17.	pp. 26, 51, 53, 56, 98 (pp. 26, 51, 98 not contentious)	<p>The <i>amicus</i> has identified information contained in this document to be of some potential value to the defence.</p> <p>The interests weigh in favour of protecting the information.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0426	Notebook of Harold OConnell, dated 2009-01-18 to 2009-02-28.	pp. 11, 21, 29, 34 (not contentious)	<p>These claims were not contested.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0428	Notebook of Harold OConnell (RCMP), dated 2009-07-02 to 2009-10-14.	pp. 36, 47, 69, 70, 78 (pp. 36, 47, 69, 78 not contentious)	<p>The <i>amicus</i> has identified information contained in this document to be of some potential value to the defence.</p> <p>The interests weigh in favour of protecting the information.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0429	Notebook of Harold OConnell (RCMP), dated 2009-10-21 to 2010-01-04.	pp. 9, 12, 35, 36 (not contentious)	<p>The Attorney General lifted the claim over the following redactions in the course of this proceeding:</p> <ol style="list-style-type: none"> 1. Page 9 all section 38 claims; 2. Page 12 all section 38 claims. <p>The information over which no section 38 claim has been maintained is to be disclosed.</p> <p>These remaining claims were not contested.</p> <p>The remaining redactions are maintained and the prohibition of disclosure is confirmed.</p>

AGC0430	Police Notebook of Larry Larin from 2011-01-05 to 2015-06-16.	pp. 6, 7, 8, 15, 33, 39, 51, 95, 99 (not contentious)	These claims were not contested. The redactions are maintained and the prohibition of disclosure is confirmed.
AGC0432	Notebook of Cpl. Robert Tran from 2015-06-17 to 2015-09-16.	pp. 2, 3, 6 (not contentious)	The Attorney General lifted the claim over the following redactions in the course of this proceeding: <ol style="list-style-type: none"> 1. Page 2 all section 38 claims; 2. Page 3 all section 38 claims. <p>The information over which no section 38 claim has been maintained is to be disclosed.</p> <p>These remaining claims were not contested.</p> <p>The remaining redactions are maintained and the prohibition of disclosure is confirmed.</p>
AGC0434	Unsigned disclosure Letter for RCMP investigation dated 19 November 2009.	pp. 1, 2	The <i>amicus</i> has identified information contained in this document to be of some potential value to the defence. The interests weigh in favour of protecting the information. The redactions are maintained and the prohibition of disclosure is confirmed.
AGC0435	Fax sent from Diane Gagnon to Evelyn Puxley dated 2009-10-26.	p. 2 (not contentious)	These claims were not contested. The redactions are maintained and the prohibition of disclosure is confirmed.
AGC0436	Email correspondence to RCMP SITREP 149 dated Feb 4, 2009.	pp. 2-5 (not contentious)	These claims were not contested. The redactions are maintained and the prohibition of disclosure is confirmed.

AGC0437	Transcript of call between Lorinda Stewart, Nicole Bonney, John Chase, Mohammed and Musla.	pp. 5, 6 (not contentious)	<p>These claims were not contested.</p> <p>The redactions are maintained and the prohibition of disclosure is confirmed.</p>
			<p>In addition to the directions given above, I am satisfied that there is some information that warrants disclosure. As a means of providing disclosure while minimizing harm the following information summary is to be disclosed:</p> <p style="text-align: center;">During the course of its investigation, the RCMP learned of the following:</p> <ol style="list-style-type: none"> 1. Some information suggested that Mr. Ader felt it was his responsibility to make sure the hostages leave safely and he was concerned that approaching the hostage-takers without having the funds prepared would put his life in danger. There was a belief that the hostage-takers were unstable and prone to violence. 2. There is some information to indicate that Mr. Ader's English Language skills led to his involvement with the hostage taking group 3. Individuals named Dayib, Kofi, and Salad may have been involved in the hostage-taking.

FEDERAL COURT
SOLICITORS OF RECORD

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STYLE OF CAUSE: ATTORNEY GENERAL OF CANADA v
ALI OMAR ADER

PLACE OF HEARING: OTTAWA, ONTARIO

DATE OF HEARING: AUGUST 28 & 30, 2017

JUDGMENT AND REASONS: GLEESON J.

DATED: SEPTEMBER 25, 2017

APPEARANCES:

Mr. André Séguin
Ms. Jennifer George

FOR THE APPLICANT
ATTORNEY GENERAL OF CANADA

Mr. Ian Carter

AMICUS CURIAE

SOLICITORS OF RECORD:

Attorney General of Canada

FOR THE APPLICANT
ATTORNEY GENERAL OF CANADA

Mr. Trevor Brown
Greenspon, Brown & Associates,
Ottawa, Ontario

FOR THE RESPONDENT
ALI OMAR ADER

Bayne Sellar Ertel Carter,
Ottawa. Ontario

AMICUS CURIAE