

December 8, 2011



Vancouver Police Department
2120 Cambie St.
Vancouver, B.C.
Canada V5Z 4N6

VIA E-MAIL: c/o dean.robinson@vpd.ca

Dear Sirs/Mesdames:

RE: Purchases from Dyplex Ltd.

On Sunday, October 30, 2011, British national daily newspaper The Guardian published an article stating that Britain's largest police force was operating covert surveillance technology that allows authorities to turn off phones remotely, intercept communications, and gather data about users in a targeted area.ⁱ

Dyplex Communications Ltd ("Dyplex") of Toronto, Ontario distributes law enforcement products in Canada, including those manufactured by Datong plc, which manufactures the technology in question. The statement of financial information for the City of Vancouver, dated December 31, 2006ⁱⁱ, shows that Dyplex was paid \$91,079. The City paid an additional \$98,644 to Dyplex during the 2007ⁱⁱⁱ fiscal year and \$50,728 in 2009^{iv}.

As we are uncertain whether the products provided by Dyplex to the VPD are similar covert surveillance technology purchased by the Metropolitan police in London, we are writing to confirm whether the VPD has purchased these or similar devices, and if so, how these devices are being used, and what policies govern their use.

Yours truly,

David Eby
Executive Director

ⁱ"Met police using surveillance system to monitor mobile phones" The Guardian website:

<http://www.guardian.co.uk/uk/2011/oct/30/metropolitan-police-mobile-phone-surveillance?newsfeed=true>, accessed November 8, 2011

ⁱⁱ <http://vancouver.ca/fs/budgetServices/pdf/FI2006.pdf>

ⁱⁱⁱ <http://vancouver.ca/fs/budgetServices/pdf/AR2007.pdf>

^{iv} <http://vancouver.ca/fs/budgetServices/pdf/FI2009.pdf>



December 8, 2011

Royal Canadian Mounted Police
"E" Division
657 West 37th Avenue
Vancouver, BC
V5Z 1K6

VIA E-MAIL: C/Supt. Mark.Fleming@rcmp-grc.gc.ca

Dear Sirs/Mesdames:


RE: Purchases from Dyplex Communications Ltd.

On Sunday, October 30, 2011, British national daily newspaper The Guardian published an article stating that Britain's largest police force was operating covert surveillance technology that allows authorities to turn off phones remotely, intercept communications, and gather data about users in a targeted area.ⁱ

Dyplex Communications Ltd ("Dyplex") of Toronto, Ontario distributes law enforcement products in Canada, including those manufactured by Datong plc, which company manufactures the technology in question. The R.C.M.P. discloses that on July 28, 2009, "other equipment and parts" were purchased from Dyplex in the amount of \$11,938.50ⁱⁱ; "voice communications equipment" was contracted for in the amount of \$86,553.60ⁱⁱⁱ on April 6, 2010; and additionally that on March 23, 2011, \$10,836.00^{iv} was provided to Dyplex for "tuition fees and costs of attending courses."

As we are uncertain whether the products provided by Dyplex to the RCMP are similar covert surveillance technology purchased by the Metropolitan police in London, we are writing to confirm whether the RCMP has purchased these or similar devices, and if so, how these devices are being used, and what policies govern their use.

Yours truly,



David Eby
Executive Director

ⁱ"Met police using surveillance system to monitor mobile phones" The Guardian website: <http://www.guardian.co.uk/uk/2011/oct/30/metropolitan-police-mobile-phone-surveillance?newsfeed=true>, accessed November 8, 2011

ⁱⁱ <http://www.rcmp-grc.gc.ca/pd-dp/contra/2009-09-30/000242-eng.htm>

ⁱⁱⁱ <http://www.rcmp-grc.gc.ca/pd-dp/contra/2010-06-30/000138-eng.htm>

^{iv} <http://www.rcmp-grc.gc.ca/pd-dp/contra/2011-03-31/001265-eng.htm>



December 8, 2011

Ontario Provincial Police
General Headquarters
777 Memorial Avenue
Orillia, ON L3V 7V3

VIA FAX: (705) 329-6195

Dear Sirs/Mesdames:

RE: Implementation of Covert Surveillance Technology

On Sunday, October 30, 2011, British national daily newspaper The Guardian published an article stating that Britain's largest police force was operating covert surveillance technology that allows authorities to turn off phones remotely, intercept communications, and gather data about users in a targeted area.ⁱ

Dyplex Communications Ltd ("Dyplex") of Toronto, Ontario distributes law enforcement products in Canada, including those manufactured by Datong plc, which manufactures the technology in question. According to the schedule of payments made by the Ontario Ministry of Community Safety and Correctional Services, purchases were made from Dyplex in the 2006-2007ⁱⁱ (\$191,203), 2007-2008ⁱⁱⁱ (\$423,415), 2008-2009^{iv} (\$363,541), 2009-2010^v (\$57,626), and 2010-2011^{vi} (\$228,206) fiscal years.

As we are uncertain whether the products provided by Dyplex to the Ontario Provincial Police are similar covert surveillance technology purchased by the Metropolitan police in London, we are writing to confirm whether the OPP has purchased these or similar devices, and if so, how these devices are being used, and what policies govern their use.

Yours truly,

David Eby
Executive Director

ⁱ"Met police using surveillance system to monitor mobile phones" The Guardian website: <http://www.guardian.co.uk/uk/2011/oct/30/metropolitan-police-mobile-phone-surveillance?newsfeed=true>, accessed November 8, 2011

ⁱⁱ <http://www.fin.gov.on.ca/en/budget/paccts/2007/2006-07volume3.pdf>

ⁱⁱⁱ <http://www.fin.gov.on.ca/en/budget/paccts/2008/2007-08volume3.pdf>

^{iv} <http://www.fin.gov.on.ca/en/budget/paccts/2009/09vol3eng.pdf>

^v <http://www.fin.gov.on.ca/en/budget/paccts/2010/10vol3bi.pdf>

^{vi} <http://www.fin.gov.on.ca/en/budget/paccts/2011/11vol3.pdf>



**Royal Canadian
Mounted Police**

**Gendarmerie royale
du Canada**

Federal Criminal Operations
"E" Division
13130 76 Avenue
Surrey, BC
V3W 2V6

March 19, 2012

Mr. David EBY
Executive Director
British Columbia Civil Liberties Association
Suit 550 1188 West Georgia Street,
Vancouver, B.C.
V6E 4A2

Dear Mr. EBY:


RE: *Purchases from Dyplex Communications Ltd.*

Your letter dated December 8, 2011 refers, concerning the RCMP purchasing similar surveillance equipment referred to in the British Daily newspaper article on Sunday October 30, 2011, and the use of similar surveillance equipment.

I am writing to inform you that we do not disclose electronic surveillance techniques or equipment on the primary grounds of concern for officer safety and the integrity of current or future investigations. Further to this it is our position that any disclosure of privileged information in a criminal proceeding would be subject to an "objection to disclosure of information" under the Canada Evidence Act, and would be contrary to public interest.

Concerning our application of electronic surveillance techniques, we are guided by the Canadian Charter of Rights and Freedoms and the Criminal Code of Canada. Any interception of private communication, is done under the specific terms and conditions of the appropriate Judicial Authorization(s). In addition to the legislative requirements, our policy states that the Commanding Officer of each Division has approval authority for these applications, and that the Commanding Officer may delegate that authority in writing.

Yours truly,


Mark Fleming, C/Supt.
Deputy Criminal Operations Officer
Federal Policing - "E" Division

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From: Robinson, Dean [<mailto:dean.robinson@vpd.ca>]
Sent: December 8, 2011 4:43 PM
To: David Eby
Subject: Re: Request for info from VPD

I am in Quebec at the moment, but we will look at this early next week David.

Dean

Superintendent (W.S.E.) Dean Robinson
North Command

Sent from my Blackberry device

From: David Eby [<mailto:david@bccla.org>]
Sent: Thursday, December 08, 2011 04:29 PM
To: Robinson, Dean
Subject: Request for info from VPD

Hi Dean:

Attached is a request for info from the VPD in relation to purchases from Dyplex Communications. Hoping you can assist us with our request.

Thanks,

Dave

David Eby
Executive Director - BCCLA
550 - 1188 West Georgia Street
Vancouver, BC
V6E 4A2

BC CIVIL LIBERTIES ASSOCIATION

T: 604.630.9752
C: 778.865.7997
F: 604.687.3045
www.bccla.org

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**Ontario
Provincial
Police**

**Police
provinciale
de l'Ontario**



**Investigations/Organized Crime
Enquêtes/crime organisé**

777 Memorial Ave.
Orillia ON L3V 7V3

777, ave Memorial
Orillia ON L3V 7V3

Tel: (705) 329-7500

Fax: (705) 329-6317

File Reference:

630-55

February 9, 2012

Mr. David Eby
Executive Director
British Columbia Civil Liberties Association
Suite 550
1188 West Georgia Street
Vancouver BC V6E 4A2

Dear Mr. Eby:

Thank you for your letter, addressed to Ontario Provincial Police (OPP) General Headquarters, inquiring whether the OPP uses a particular type of covert surveillance technology. I note your inquiry stems from an article published in a British national daily newspaper about this technology. As Deputy Commissioner of Investigations/Organized Crime, I am responsible for overseeing all major investigations undertaken by the OPP, including equipment used during these investigations, and am pleased to respond.

The OPP collects and manages intelligence information in support of its mandate to ensure a safe and secure Ontario. I will not discuss OPP operational matters or respond to questions about the OPP's investigative equipment, since, you will understand, disclosing such information may hinder the OPP's effectiveness and abilities to carry out its policing mandate.

Be advised that the OPP recognizes and respects the constitutional rights of all Canadians. It will not do anything in its operations or investigations that will compromise those rights. Our officers conduct investigations within the framework of the law, ensuring compliance with all relevant statutes and regulations.

Once again, thank you for writing.

Yours truly,

A handwritten signature in black ink, appearing to read "W.S. (Scott) Tod".

W.S. (Scott) Tod
Deputy Commissioner
Investigations/Organized Crime

/jtm

David Eby

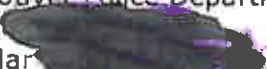

From: Robinson, Dean <dean.robinson@vpd.ca>
Sent: January-04-12 3:03 PM
To: David Eby
Subject: RE: Request for info from VPD

David, sorry for the delay in getting back on this I have been using up leave that I needed to take since my trip to Quebec, as have others in the department for the holiday season, and hopefully you had a good and safe holiday season yourself.

In looking into this, unfortunately due to the nature of the inquiry around covert surveillance equipment or techniques and due to operational sensitivities, I am not at liberty to comment or disclose information as requested at this time on behalf of the department.

Sincerely,

dean

Inspector Dean Robinson
District Two/BET and Marine Unit
Operations Division
Vancouver Police Department
Desk 
Cellular 

From: David Eby [<mailto:david@bccla.org>]
Sent: Thursday, December 08, 2011 16:44
To: Robinson, Dean
Subject: RE: Request for info from VPD

Thanks Dean. Enjoy Quebec.
D.

David Eby
Executive Director - BCCLA
550 - 1188 West Georgia Street
Vancouver, BC
V6E 4A2

BC CIVIL LIBERTIES ASSOCIATION

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