

**FEDERAL COURT**

**B E T W E E N:**

**BRITISH COLUMBIA CIVIL LIBERTIES ASSOCIATION**

Applicant

- and -

**ROYAL CANADIAN MOUNTED POLICE COMMISSIONER BRENDA LUCKI, ATTORNEY GENERAL OF CANADA, and HER MAJESTY THE QUEEN IN RIGHT OF THE PROVINCE OF BRITISH COLUMBIA as represented by THE MINISTER OF PUBLIC SAFETY AND SOLICITOR GENERAL**

Respondents

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**AFFIDAVIT OF TRUDY MOORE**  
**(Affirmed November 17, 2020)**

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I, Trudy Moore, of the City of Ottawa, Province of Ontario, SWEAR AND AFFIRM THAT:

1. I am a legal assistant employed by the law firm Champ & Associates, solicitors for the Applicant on this file, and as such have personal knowledge of the facts and matters hereinafter deposed to, save and except where same are stated to be made on information and belief, and where so stated, I verily believe them to be true.

2. Attached hereto and marked as **Exhibit A** to this my Affidavit is a copy of a letter from Mr. Paul Champ, counsel for the Applicant, dated February 6, 2014 to Mr. Ian McPhail, Q.C., former Chairperson of the Commission for Public Complaints Against the RCMP, without original enclosures. It was the public complaint that commenced this matter.

3. Attached hereto and marked as **Exhibit B** to this my Affidavit is a copy of a letter from Mr. McPhail to Mr. Champ dated February 20, 2014, indicating that the Commission for Public Complaints Against the RCMP would accept the complaint and initiate a public interest investigation into the allegations pursuant to the *RCMP Act*.

4. Attached hereto and marked as **Exhibit C** to this my Affidavit is a copy of a letter from Mr. Champ to Mr. Guy Bujold, former Chairperson of the Civilian Review and Complaints Commission for the RCMP (“CRCC”), dated June 25, 2018.

5. Attached hereto and marked as **Exhibit D** to this my Affidavit is a copy of a letter from the CRCC to Mr. Champ, dated August 3, 2018.

6. Attached hereto and marked as **Exhibit E** to this my Affidavit is a copy of a letter from Mr. Champ to Ms. Michelaine Lahaie, the current Chairperson of the CRCC, dated March 25, 2019.

7. Attached hereto and marked as **Exhibit F** to this my Affidavit is a copy of a letter from Mr. Champ to Ms. Lahaie, dated May 21, 2019.

8. Attached hereto and marked as **Exhibit G** to this my Affidavit is a copy of a letter from Ms. Nika Joncas-Bourget, Director and General Counsel, Reviews, for the CRCC, to Mr. Champ dated May 31, 2019.

9. Attached hereto and marked as **Exhibit H** to this my Affidavit is a copy of a letter from Mr. Champ to the Respondent RCMP Commissioner Brenda Lucki, dated August 9, 2019.

10. Attached hereto and marked as **Exhibit I** to this my Affidavit is a copy of a letter from Commissioner Lucki to Mr. Champ, dated August 16, 2019.

11. Attached hereto and marked as **Exhibit J** to this my Affidavit is a copy of a letter from Mr. Champ to Ms. Lahaie, dated June 23, 2020.

12. Attached hereto and marked as **Exhibit K** to this my Affidavit is a copy of a letter from Mr. Champ to Commissioner Lucki, dated June 23, 2020.

13. Attached hereto and marked as **Exhibit L** to this my Affidavit is a copy of a letter from Mr. Jason Tree, Acting Director and General Counsel, Reviews Unit of the CRCC, to Mr. Champ dated July 8, 2020.

14. Attached hereto and marked as **Exhibit M** to this my Affidavit is a copy of a letter from Commissioner Lucki to Mr. Champ, dated August 7, 2020.


15. Attached hereto and marked as **Exhibit N** to this my Affidavit is a copy of a letter from Mr. Champ to Commissioner Lucki, dated September 24, 2020.

16. Attached hereto and marked as **Exhibit O** to this my Affidavit is a copy of a letter from Commissioner Lucki to Mr. Champ, dated October 13, 2020.

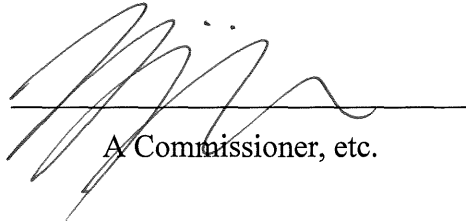
17. Attached hereto and marked as **Exhibit P** to this my Affidavit is a copy of a letter from Commissioner Lucki to Mr. Champ, dated November 6, 2020.

18. I make this affidavit in support of this application and for no improper purpose.

AFFIRMED BEFORE ME at the City of )  
Ottawa, in the Province of Ontario, on )  
November 17, 2020 )  
)  
)  
\_\_\_\_\_)  
A Commissioner for taking Affidavits for )  
Ontario )

  
\_\_\_\_\_)  
**Trudy Moore**

This is **Exhibit "A"** referred to  
in the Affidavit of **TRUDY MOORE**,  
sworn before me this 17<sup>th</sup> day of November, 2020.

A handwritten signature in black ink, consisting of several loops and a long horizontal stroke, positioned above a solid horizontal line.

---

A Commissioner, etc.

Our File: 1555

February 6, 2014

**BY MAIL AND FACSIMILE**

Ian McPhail, QC  
Chair, Commission for Public Complaints against the RCMP  
National Intake Office  
PO Box 88689  
Surrey, BC V3W 0X1

Dear Mr McPhail:

**Re: Surveillance of Canadian Citizens and Information Sharing  
with the National Energy Board**

We are legal counsel for the British Columbia Civil Liberties Association ("BCCLA"). By this letter, our client is making a complaint pursuant to section 45.35(1) of the *Royal Canadian Mounted Police Act* regarding the improper and unlawful actions of Royal Canadian Mounted Police ("RCMP") members in gathering information about Canadian citizens and groups engaging in peaceful and lawful expressive activities, and sharing it with other government bodies and private sector actors.

As set out in greater detail below, recent media reports indicate that the National Energy Board ("NEB" or the "Board") has engaged in systematic information and intelligence gathering about organizations seeking to participate in the Board's Northern Gateway Project hearings. Records obtained under the *Access to Information Act* confirm that this information and intelligence gathering was undertaken with the cooperation and involvement of the RCMP and other law enforcement agencies, and that the RCMP participates in sharing intelligence information with the Board's security personnel, the Canadian Security Intelligence Service ("CSIS"), and private petroleum industry security firms. The records suggest that the targeted organizations are viewed as potential security risks simply because they advocate for the protection of the environment.

This complaint is directed at all RCMP members and officers participating in or commanding the impugned activities described in more detail in the body of this letter. In brief, BCCLA has serious concerns about the scope and extent of the RCMP's intelligence gathering activities and its practice of monitoring groups and organizations that seek to peacefully participate in public discourse about energy-related programs such as the Northern Gateway Project. BCCLA is particularly concerned about the chilling effect that

such intelligence gathering and sharing will have on participation in the Board's proceedings, as it seeks to criminalize what is intended to be a forum for public expression and engagement in decision-making processes regarding projects of significant public interest. These activities violate sections 2(b), 2(c), 2(d) and 8 of the *Canadian Charter of Rights and Freedoms*.

## Background and Specific Concerns

For the past few years, BCCLA has become increasingly alarmed by reports about the nature and scope of the RCMP's interest in organizations engaged in environmental advocacy. Last year, the media reported on internal RCMP documents referring to "a growing radicalized environmentalist faction within Canadian society that is opposed to Canada's energy sector policies".<sup>1</sup> Subsequent media reports have suggested that protests and opposition relating to the petroleum industry are regarded as threats to national security by the RCMP and other government agencies.<sup>2</sup>

Most recently, the media has reported that the RCMP worked and shared information with the NEB about so-called "radicalised environmentalist" groups seeking to participate in the Board's hearings regarding the Northern Gateway Project.<sup>3</sup> These groups, which include Leadnow, ForestEthics Advocacy, the Council of Canadians, the Dogwood Initiative, EcoSociety, and the Sierra Club of British Columbia, have well-established records of engagement and advocacy on a wide range of public issues. Also included was the relatively newer social and political movement for Indigenous rights, Idle No More. None of these groups are criminal organizations, nor do they have any history of advocating, encouraging, or participating in criminal activity.

BCCLA has reviewed the *Access to Information Act* records upon which these recent media reports were based, and has also been contacted by many individuals involved with these organizations. BCCLA has serious concerns about the RCMP's involvement and conduct in this matter. In particular, we note the following:

- RCMP members have maintained a visible presence at NEB hearings when there are no grounds for security concerns. Courts and tribunals conduct hearings every day across Canada without the presence of police or other security personnel.
- RCMP S/Sgt VK Steinhammer notified an NEB security officer of an Idle No More protest that was scheduled to take place on the Prince Rupert courthouse lawn on a Sunday afternoon.<sup>4</sup> Despite confirming that the RCMP anticipated the protest would

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<sup>1</sup> Jim Bronskill, "RCMP Concerned About 'Radicalized Environmentalist' Groups Such As Greenpeace: Report," *The Canadian Press*, July 29, 2012.

<sup>2</sup> Stephen Leahy, "Canada's environmental activists seen as 'threat to national security'," *The Guardian*, February 14, 2013.

<sup>3</sup> Shawn McCarthy, "CSIS, RCMP monitored activist groups before Northern Gateway hearings," *The Globe and Mail*, November 21, 2013; Krystle Alarcon and Matthew Millar, "Harper government under fire for spying on environmental groups," *The Vancouver Observer*, November 21, 2013; Matthew Millar, "Harper government officials, spies meet with energy industry in Ottawa," *The Vancouver Observer*, November 22, 2013.

<sup>4</sup> Email of S/Sgt VK Steinhammer to R. Garber re "Security for upcoming round of Northern Gateway hearings," dated April 19, 2013 [A0008929\_11-000011-12].

be peaceful, S/Sgt Steinhammer nevertheless advised that the RCMP would be “monitoring” this event. BCCLA is troubled that the RCMP would deem it necessary to monitor peaceful gatherings at which it has no expectation of criminal behaviour, threat to public safety or need to ensure the safety of demonstrators.

- Tim O’Neil, a Senior Criminal Intelligence Research Specialist with the RCMP’s Critical Infrastructure Intelligence Team (“CITT”), wrote to Board staff regarding the risk of interference with NEB hearings by groups opposed to oilsands and pipeline development.<sup>5</sup> Despite confirming that CITT has no intelligence indicating a criminal threat to the NEB or its members, O’Neil advises that CITT “will continue to monitor all aspects of the anti-petroleum industry movement,” requests that an SPROS/SIR National Security database file be opened for this matter, and notes that this information is also being shared with CSIS. Again, BCCLA is troubled that the RCMP and CSIS would deem it necessary to monitor the activities of groups which it does not suspect of any criminality.
- Tim O’Neil’s April 19, 2013 message was also copied to members of Natural Resources Canada, a government institution that organizes biannual “classified briefings” in which it has been reported that the RCMP and CSIS share information about security matters, including the monitoring of environmental organizations and activists, with the NEB and representatives of the energy industry.<sup>6</sup> Indeed, O’Neil’s email concludes by inviting recipients to discuss their concerns with security officials who will be attending the next NRCan Classified Briefing meeting.
- Based on redactions made pursuant to sub-paragraph 16(1)(c)(ii) of the *Access to Information Act*, it appears that RCMP and NEB security officers shared confidential-source information regarding events or individuals related to the Board’s hearings.<sup>7</sup> BCCLA finds this particularly troubling, as it suggests that the RCMP has been sharing sensitive aspects of its investigative and law enforcement work with an independent federal agency that performs an adjudicative function, not to mention industry representatives who are parties in the same hearings. Such information sharing may compromise these groups’ ability to participate fully and effectively before the NEB, as industry representatives may be receive information that assists in advancing their position before the Board, and the Board itself may be made privy to unproven yet highly prejudicial allegations against individuals, groups, or organizations appearing before it.
- It appears highly likely that the “intelligence” shared with the NEB and industry representatives includes personal information about specific individuals. We further note that the Board subsequently shared some of this information with Tocra Inc, a

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<sup>5</sup> Email of T. O’Neil to R. Garber and 23 other recipients re “Security Concerns - National Energy Board,” dated April 19, 2013 [A0008929\_14-000014-16].

<sup>6</sup> Matthew Millar, “Harper government’s extensive spying on anti-oilsands groups revealed in FOIs,” *The Vancouver Observer*, November 19, 2013; Matthew Millar, “Harper government officials, spies meet with energy industry in Ottawa,” *The Vancouver Observer*, November 22, 2013.

<sup>7</sup> See, for example, email chain dated January 18-21, 2013 [A0008929\_87-000087-91]; email chain dated January 18, 2013 [A0008929\_92-000092-93]; undated document addressed to NEB Panel and ENG Hearing Kelowna - Information Summary, dated January 22, 2013 [A0008929\_80-000080-86].

private firm that provides security consulting services for the petroleum and natural gas industries.

- These emails also indicate that some of the RCMP's information is derived from "confidential sources" who may be directly connected or involved with advocacy groups such as Idle No More. This strongly suggests that the RCMP is engaged in covert intelligence gathering and/or infiltration of peaceful organizations whose sole purpose is to give voice to their members' concerns and viewpoints on matters of significant public interest. Again, BCCLA is troubled that the RCMP would infiltrate and/or covertly gather intelligence regarding groups whose members are peacefully exercising their *Charter*-protected assembly and expression rights.
- Finally, we note that the documents released by the NEB indicate that the RCMP provided the Board with intelligence beyond the open-source information its own security staff were capable of gathering. For example, the NEB's "threat assessment" pertaining to its hearings in Kelowna and Prince Rupert confirm that the Board consulted with "national-level intelligence resources" of both the RCMP and CSIS, in addition to regional level and local RCMP detachments in Kelowna and Prince Rupert.<sup>8</sup> BCCLA finds it troubling that the RCMP would provide such high-level intelligence to an arms-length government adjudicative body such as the NEB, particularly since the RCMP had no expectation of any criminal activity in connection with the Board's proceedings.

### Chilling Effect on Free Expression and Democratic Participation

Freedom of expression is among the most fundamental of rights possessed by Canadians, and is guaranteed by section 2(b) of the *Canadian Charter of Rights and Freedoms*. Similarly, sections 2(c) and (d) of the *Charter* protect historically powerful modes of collective expression, namely peaceful assembly and association. Protecting democratic discourse and participation in decision-making is a core rationale for these freedoms. The Supreme Court of Canada has repeatedly emphasized the paramount importance of free expression to Canadian society. As Chief Justice McLachlin stated in *Grant v Torstar Corp*, "free expression is essential to the proper functioning of democratic governance." For this reason, "freewheeling debate on matters of public interest is to be encouraged" because the truth-seeking function of public debate is dependent on the free flow of information and expression of diverse opinions.<sup>9</sup>

Any state action that discourages or deters individuals from engaging in free expression infringes section 2(b) of the *Charter*. Such violations are particularly egregious when they restrict expression concerning public affairs. BCCLA maintains that monitoring, surveillance, and information sharing with other government agencies and private sector interests creates a chilling effect for groups and individuals who may wish to engage in

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<sup>8</sup> National Energy Board, "Appendix 9: Enbridge Northern Gateway Project Integrated Security, Logistics and Communications Plan: Kelowna," dated January 24, 2013 [excerpt at A0008929\_61-000061]; National Energy Board, "Appendix 11: Enbridge Northern Gateway Project Security Plan: Prince Rupert," dated January 23, 2013 [A0008929\_77-000077]; also see Email of R. Garber re Prince Rupert security assessment, dated January 31, 2013 [A0008929\_37-000037-38].

<sup>9</sup> *Grant v Torstar Corp*, 2009 SCC 61 at paras. 48 and 52.



public discourse or participate in proceedings before the Board. Police monitoring may also deter those who simply wish to meet with or join a group to learn more about a matter of public debate or otherwise exchange information or share views with others in their community. Indeed, BCCLA has already heard from several of the affected groups that members and prospective members of their organizations have expressed serious concerns and reluctance to participate in light of recent media reports of RCMP monitoring.<sup>10</sup>

BCCLA also notes that individuals and groups have a reasonable expectation of privacy in meeting and discussing matters of public interest or planning ways of lawfully exercising their *Charter*-protected assembly and expression rights. If the RCMP is involved in infiltrating these groups or is otherwise relying on confidential informants or covert intelligence gathering, then an inquiry must also be conducted into whether such activities amount to an unreasonable search in violation of section 8 of the *Charter*.

Finally, and in addition to this chilling effect on rights of free expression, assembly, and association, BCCLA is also concerned that the RCMP's ongoing collaboration and information sharing with the NEB and other interested parties may undermine the fairness of the Board's proceedings. In this regard, BCCLA is concerned that disclosing to the NEB that certain groups are of interest to or under investigation by the RCMP may prejudice their credibility when they appear before the Board as intervening parties. At a minimum, it strikes us as highly improper for the RCMP to gather information about a party to a judicial proceeding and to share that information directly with the tribunal and with another party to the proceeding, Enbridge. The disclosure of intelligence information to the Board or other interested parties may compromise the right of these groups or individuals to participate in or even attend proceedings in which they have clearly expressed an interest.

## Conclusion

In light of all the foregoing, BCCLA asks that the Commission undertake a full investigation of the allegations described in this complaint and those RCMP members who are or may have been involved in targeting groups participating or seeking to participate in NEB hearings. We trust you will appreciate the urgency of this matter, and look forward to hearing from you regarding next steps in the complaint process as soon as possible. We remain available to address any questions or furnish any additional information which you may require in the course of your inquiry into this matter.

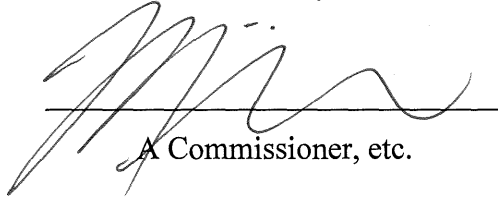
Yours truly,  
  
Paul Champ

c: J. Paterson, Executive Director, BCCLA

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<sup>10</sup> BCCLA is prepared to provide the Commission with statements or other information from affected individuals and groups as to the impact of news reports of RCMP surveillance on group membership and participation upon request or at such later stage as may be appropriate.

This is **Exhibit "B"** referred to  
in the Affidavit of **TRUDY MOORE**,  
sworn before me this 17<sup>th</sup> day of November, 2020.

A handwritten signature in black ink, appearing to be "M. J. ...", is written over a horizontal line. The signature is fluid and cursive.

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A Commissioner, etc.

Commission for Public Complaints Against the  
Royal Canadian Mounted Police



Commission des plaintes du public contre la  
Gendarmerie royale du Canada

Office of the Chair

Bag Service 1722, Station B  
Ottawa, Ontario  
Canada K1P 0B3

Cabinet du Président

Service de sac 1722, succursale B  
Ottawa (Ontario)  
Canada K1P 0B3

February 20, 2014

File No.: PC-2014-0380

Mr. Paul Champ  
Champ & Associates  
Equity Chambers  
43 Florence Street  
Ottawa, ON K2P 0W6

Dear Mr. Champ:

Please be advised that I have initiated a public interest investigation into the complaint of your client, the British Columbia Civil Liberties Association, of February 6, 2014 pursuant to subsection 45.43(1) of the *RCMP Act*. A Commission investigator will contact you in the near future in order to speak with you regarding your allegations.

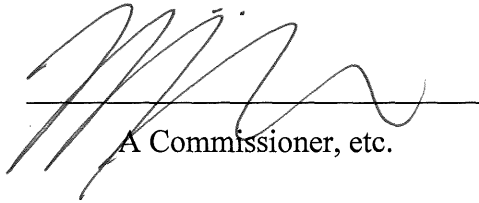
When the investigation is complete the Commission will send you a copy of its report which will include its findings and recommendations relating to this matter.

Yours truly,

A handwritten signature in black ink, appearing to read 'Ian McPhail'.

Ian McPhail, Q.C.  
Interim Chair

This is **Exhibit "C"** referred to  
in the Affidavit of **TRUDY MOORE**,  
sworn before me this 17<sup>th</sup> day of November, 2020.

A handwritten signature in black ink, consisting of several loops and a long horizontal stroke, positioned above a solid horizontal line.

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A Commissioner, etc.

Our File: 1555

June 25, 2018

**BY MAIL AND FACSIMILE (613)952-8045**

Guy Bujold  
Chairperson  
Civilian Review and Complaints Commission for the RCMP  
P.O. Box 1722, Station B  
Ottawa, ON K1P 0B3

Dear Mr Bujold:

**Re: Complaint by the B.C. Civil Liberties Association - PC-2014-0380  
RCMP Surveillance of Canadian Citizens and Information Sharing  
with the National Energy Board**

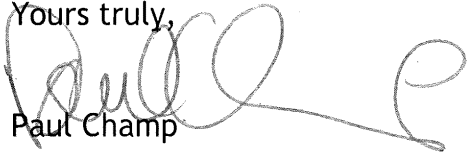
We are legal counsel for the British Columbia Civil Liberties Association in respect of a complaint that was filed with the Civilian Review and Complaints Commission for the RCMP on February 6, 2014. The complaint alleged that the RCMP improperly monitored and collected information about Canadian citizens and groups engaging in peaceful and lawful expressive activities (namely, opposition to the planned Northern Gateway pipeline and attending National Energy Board hearings) and shared that information with other government bodies and private sector actors.

The CRCC launched a public interest investigation into the complaint under section 45.76(1) of the *RCMP Act*. I corresponded with the Commission over the first two years of the investigation, but any input from the complainant into the process was rebuffed by investigators. However, we were led to believe that a robust investigation was indeed taking place. Unfortunately, the Commission has not corresponded with me as counsel for the BCCLA in over two years.

Mr Bujold, I trust you will agree that 4.5 years (and counting) is an unreasonably long period of time for a review body to complete and provide the results of an investigation to a complainant, particularly when the allegations concern fundamental rights and freedoms protected by the Canadian Constitution. I look forward to receiving the final investigation report from you in the near future.

Thank you for your attention to this matter.

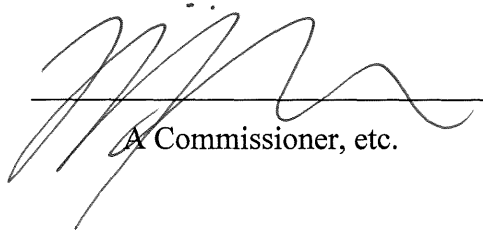
Yours truly,

A handwritten signature in black ink, appearing to read "Paul Champ". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Paul Champ

c: Josh Paterson, Executive Director, BCCLA

This is **Exhibit "D"** referred to  
in the Affidavit of **TRUDY MOORE**,  
sworn before me this 17<sup>th</sup> day of November, 2020.

A handwritten signature in black ink, consisting of several loops and a long horizontal stroke, positioned above a solid horizontal line.

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A Commissioner, etc.

Civilian Review and  
Complaints Commission  
for the RCMP



Commission civile d'examen  
et de traitement des plaintes  
relatives à la GRC

August 3, 2018

PC-2014-0380

Mr. Paul Champ  
Champ & Associates  
Equity Chambers  
43 Florence Street  
Ottawa, ON K2P 0W6

Re: Letter following Complaint by the B.C. Civil Liberties Association (CRCC  
File No. 2014-0380), RCMP Surveillance of Canadian Citizens and  
Information Sharing with the National Energy Board.

Dear Mr. Champ,

The Commission issued its Interim Report on June 23, 2017, setting out its findings and recommendations with respect to the complaint, which it sent to the Minister of Public Safety and Emergency Preparedness and the RCMP Commissioner as per the requirements of the RCMP Act.

As of this date, the Commission is currently awaiting the RCMP Commissioner's Response in order to complete its Final Report. According to the RCMP Act, the RCMP Commissioner shall, as soon as feasible, provide the Chairperson and the Minister with a written response to the Interim Report indicating any further action that has been or will be taken with respect to the complaint. If the Commissioner decides not to act on any findings or recommendations set out in the report, the Commissioner shall include in the response the reasons for not so acting.

After considering the Commissioner's response, the Commission shall prepare a final report in writing setting out any findings and recommendations with respect to the complaint that the Commission sees fit and shall send a copy of the report

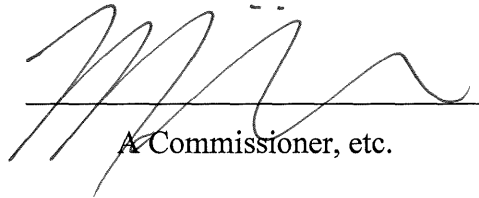


to the Minister, the Commissioner, the complainant and the member or other person whose conduct is the subject matter of the complaint.

Yours truly,

The Civilian Review and Complaints Commission for the RCMP

This is **Exhibit "E"** referred to  
in the Affidavit of **TRUDY MOORE**,  
sworn before me this 17<sup>th</sup> day of November, 2020.

A handwritten signature in black ink, consisting of stylized, cursive letters, is written over a horizontal line. The signature appears to be 'M. J. Moore' or similar.

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A Commissioner, etc.

# Champ & Associates

www.champlaw.ca

Equity Chambers  
43 Florence Street  
Ottawa, ON K2P 0W6  
T: 613-237-4740  
F: 613-232-2680

Paul Champ  
pchamp@champlaw.ca

Our File: 1555

March 25, 2019

**BY MAIL AND FACSIMILE (613)952-8045**

Micheline Lahaie  
Chairperson  
Civilian Review and Complaints Commission for the RCMP  
P.O. Box 1722, Station B  
Ottawa, ON K1P 0B3

Dear Ms Lahaie:

**Re: Complaint by the B.C. Civil Liberties Association - PC-2014-0380**

I would like to congratulate you on your recent appointment as Chairperson of the Civilian Review and Complaints Commission for the RCMP. I am unsure if you have been briefed on this matter, but we are legal counsel for the British Columbia Civil Liberties Association in respect of a complaint that was filed with the Civilian Review and Complaints Commission for the RCMP on **February 6, 2014**. The complaint alleged that the RCMP improperly monitored and collected information about Canadian citizens and groups engaging in peaceful and lawful expressive activities (namely, opposition to the planned Northern Gateway pipeline and attending National Energy Board hearings) and unlawfully shared that information with other government bodies and private sector actors.

There has been no decision on this complaint, despite the fact it is now more than five years since the CRCC launched a public interest investigation under section 45.76(1) of the *RCMP Act*. It is our view that this interminable delay undermines the credibility of the CRCC and, more importantly, calls into question its ability to fulfill its primary function: ensuring accountability of the RCMP and fostering public trust and confidence in Canada's national police force.

Madam Chairperson, the B.C. Civil Liberties Association is deeply concerned that the RCMP may have violated the fundamental rights and freedoms of Canadians who were only seeking to exercise their democratic rights. It is regrettable that the CRCC may not be treating this complaint with the seriousness it deserves. Indeed, no complaint should languish for over five years without resolution. Under the circumstances, I would ask that you personally look into this matter and provide me with a time estimate of when my client can expect to receive the final report to this complaint.

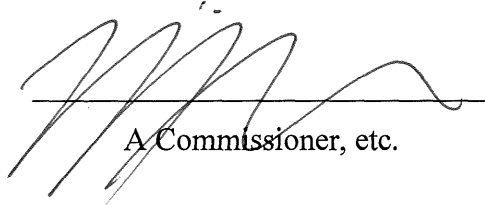
Yours truly,

A handwritten signature in black ink, appearing to read "Paul Champ", written in a cursive style.

Paul Champ

c: Josh Paterson, Executive Director, BCCLA  
The Honourable Ralph Goodale, Minister of Public Safety  
RCMP Commissioner Bev Luckie

This is **Exhibit "F"** referred to  
in the Affidavit of **TRUDY MOORE**,  
sworn before me this 17<sup>th</sup> day of November, 2020.



A Commissioner, etc.

Our File: 1555

May 21, 2019

**BY MAIL AND FACSIMILE (613)952-8045**

Micheline Lahaie  
Chairperson  
Civilian Review and Complaints Commission for the RCMP  
P.O. Box 1722, Station B  
Ottawa, ON K1P 0B3

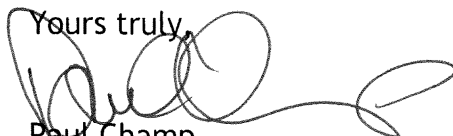
Dear Ms Lahaie:

**Re: Complaint by the B.C. Civil Liberties Association - PC-2014-0380**

We have not received a response from you to our letter dated March 25, 2019 seeking an update on the above noted complaint. As you know, this complaint has been outstanding for over five years.

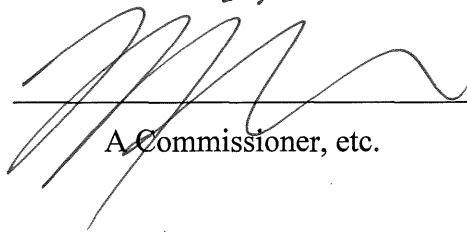
Under Part VII of the *RCMP Act*, RSC 1985, c R-10, the Complaints Commission has a public legal duty to investigate and produce a report on the BCCLA's complaint. And as the complainant, the BCCLA has a clear right to the Commission's performance of that duty. It is our view that five years for the investigation of a complaint is clearly an unreasonable delay not contemplated by the statute. Indeed, section 45.37 of the Act imposes a duty on the Commission to meet certain service standards for dealing with complaints.

I would again ask, as I have of your predecessors, that the Commission please issue a final report on the BCCLA's complaint. If the Commission has submitted an interim report to the RCMP, I would ask for the date this was sent. Thank you for the Commission's attention to this matter.

Yours truly,  
  
Paul Champ

c: Josh Paterson, Executive Director, BCCLA

This is **Exhibit "G"** referred to  
in the Affidavit of **TRUDY MOORE**,  
sworn before me this 17<sup>th</sup> day of November, 2020.

A handwritten signature in black ink, consisting of several loops and a long horizontal stroke, positioned above a solid horizontal line.

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A Commissioner, etc.



May 31, 2019

PC-2014-0380

Mr. Paul Champ  
Champ & Associates  
Equity Chambers  
43 Florence Street  
Ottawa, ON K2P 0W6

Re: Complaint by the B.C. Civil Liberties Association and Public Interest  
Investigation into Allegations of RCMP Surveillance of Canadian Citizens and  
Information Sharing with the National Energy Board.

Dear Mr. Champ,

I am writing on behalf of the Chairperson of the Civilian Review and Complaints Commission for the RCMP in reply to your letters of March 25 and May 21, 2019.

Like you, the Commission is concerned about the delay in receiving the RCMP Commissioner's response to our Interim Report dated June 23, 2017, on the above-noted matter. We require the Commissioner's Response in order to issue our final report, a copy of which will be provided to you as the complainant's representative, along with a copy of our Interim Report and the Commissioner's Response. We can assure you that we have repeatedly expressed concern to the RCMP regarding the time it is taking to receive the Commissioner's Response.

Once we receive the Commissioner's Response, the Commission will promptly issue its final report. The Commission usually issues its final reports within 30 days of receiving the Commissioner's Response.

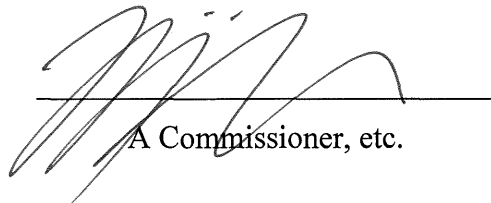
Yours truly,

A handwritten signature in black ink that reads "Nika Joncas-Bourget".

Nika Joncas-Bourget  
Director and General Counsel, Reviews



This is **Exhibit “H”** referred to  
in the Affidavit of **TRUDY MOORE**,  
sworn before me this 17<sup>th</sup> day of November, 2020.

A handwritten signature in black ink, consisting of stylized, overlapping loops and curves, positioned above a horizontal line.

---

A Commissioner, etc.

Our File: 1555

August 9, 2019

**BY MAIL AND FACSIMILE (613)825-7489**

Commissioner Brenda Lucki  
Royal Canadian Mounted Police  
73 Leikin Drive, Building M8, Room 512D  
Ottawa, ON K1A 0R2

Dear Commissioner Lucki:

**Re: Complaint by the B.C. Civil Liberties Association - PC-2014-0380  
RCMP Surveillance of Canadian Citizens and Information Sharing  
with the National Energy Board**

We are legal counsel for the British Columbia Civil Liberties Association in respect of a complaint that was filed over five years ago with the RCMP Civilian Review and Complaints Commission on February 6, 2014. The complaint alleged that the RCMP improperly monitored and collected information about Canadian citizens and groups engaging in peaceful and lawful expressive activities (namely, opposition to the planned Northern Gateway pipeline and attending National Energy Board hearings) and shared that information with other government bodies and private sector actors.

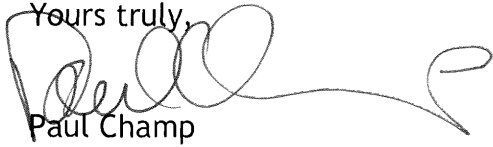
The CRCC launched a public interest investigation into the complaint under Part VII of the *RCMP Act*. We have written several times to Commission seeking an update on this complaint and an explanation for the inordinate delay in producing a final report. Recently, we were informed by the CRCC Chairperson that an interim report was completed over two years ago and provided to the RCMP and the Minister of Public Safety. A copy of that correspondence is enclosed for ease of reference. Unfortunately, the CRCC cannot conclude its final report until the RCMP provides a written response under section 45.76(2) of the Act. In short, the RCMP has been sitting on this report for over two years and effectively obstructing its release to my client and the public.

Commissioner Lucki, section 45.76(2) of the *RCMP Act* imposes a public legal duty on you to provide a response to this report "as soon as feasible". As the complainant, the BCCLA has a clear right to the performance of that duty. It is our view that two years for your review and response to the CRCC's interim report is clearly an unreasonable delay not contemplated by the statute, whether the delay is due to insufficient allocation of

resources or any other cause. This delay is all the more serious when the allegations concern fundamental rights and freedoms protected by the Canadian Constitution.

We look forward to hearing from you.

Yours truly,

A handwritten signature in black ink, appearing to read "Paul Champ", written over the typed name.

Paul Champ

Encl.

c: Josh Paterson, Executive Director, BCCLA

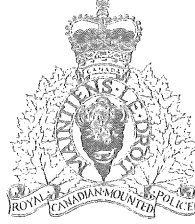
This is **Exhibit "I"** referred to  
in the Affidavit of **TRUDY MOORE**,  
sworn before me this 17<sup>th</sup> day of November, 2020.

A handwritten signature in black ink, consisting of stylized, overlapping loops and flourishes, positioned above a horizontal line.

---

A Commissioner, etc.

Royal Canadian Mounted Police  
Commissioner



Gendarmerie royale du Canada  
Commissaire

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

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

**AUG 16 2019**

Mr. Paul Champ  
Champ & Associates  
Equity Chambers  
43 Florence Street  
Ottawa, Ontario  
K2P 0W6

Dear Mr. Champ:

Thank you for your letter of August 9, 2019, on behalf of your client, the British Columbia Civil Liberties Association (BCCLA), concerning their complaint against the Royal Canadian Mounted Police (RCMP).

The Civilian Review and Complaints Commission for the RCMP received the complaint from the BCCLA on February 6, 2014, and initiated its Public Interest Investigation into the National Energy Board protests shortly afterwards. The Interim Report was completed on June 23, 2017, and the supporting relevant material was provided to the RCMP in the months that followed.

Paragraph 45.71(3)(a) of the *Royal Canadian Mounted Police Act* requires the Commission to send the Interim Report to the Minister and the Commissioner. The Commissioner shall, as soon as feasible, provide the Commission and the Minister with a written response to the Commission's Chairperson, who in turn will complete the Final Report.

I understand the reasons you have listed in your letter to have the Final Report released as soon as possible. For those same reasons, it would be premature to provide a response that is not complete or properly analysed. Given the volume and complexity of the relevant material, it is difficult to provide a time line for

.../2

completion of my response. Despite other challenges and pressures, the completion of the analyses of Public Interest Investigation Interim Reports have been prioritized. I will provide my responses as soon as feasible.

Yours sincerely,

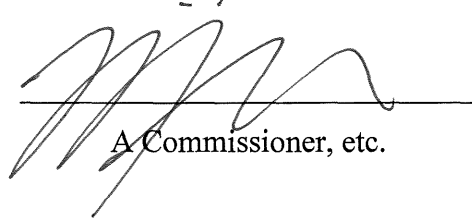
A handwritten signature in cursive script, appearing to read "B Lucki".

Brenda Lucki  
Commissioner

c.c.: Ms. Michelaine Lahaie  
Chairperson  
Civilian Review and Complaints Commission for the RCMP

The Honourable Ralph Goodale, P.C., M.P.  
Minister of Public Safety and Emergency Preparedness

This is **Exhibit "J"** referred to  
in the Affidavit of **TRUDY MOORE**,  
sworn before me this 17<sup>th</sup> day of November, 2020.

A handwritten signature in black ink, consisting of several loops and a long horizontal stroke, positioned above a solid horizontal line.

---

A Commissioner, etc.

Our File: 1555

June 23, 2020

**BY MAIL AND FACSIMILE (613)952-8045**

Micheline Lahaie  
Chairperson  
Civilian Review and Complaints Commission for the RCMP  
P.O. Box 1722, Station B  
Ottawa, ON K1P 0B3

Dear Ms Lahaie:

**Re: Complaint by the B.C. Civil Liberties Association - PC-2014-0380**

As you know, we are legal counsel for the British Columbia Civil Liberties Association in respect of a complaint that was filed with the Civilian Review and Complaints Commission for the RCMP on **February 6, 2014**. The complaint alleged that the RCMP improperly monitored and collected information about Canadian citizens and groups engaging in peaceful and lawful expressive activities and unlawfully shared that information with other government bodies and private sector actors.

There has been no decision on this complaint, despite the fact it is now more than six years since the CRCC launched a public interest investigation under section 45.76(1) of the *RCMP Act*. It is our view that this interminable delay undermines the credibility of the CRCC and, more importantly, calls into question its ability to fulfill its primary function: ensuring accountability of the RCMP and fostering public trust and confidence in Canada's national police force.

Madam Chairperson, we fully understand that the CRCC provided its interim report to the RCMP Commissioner on June 23, 2017 - three years ago today. We appreciate that, under the *RCMP Act*, you cannot finalize this report until the RCMP Commissioner provides her written response under s. 45.76(2) of the *RCMP Act*. It would seem that the RCMP is embarrassed or concerned about the contents of that report. That is not a lawful reason for the RCMP Commissioner to abstain from performing her duty under the *Act*.


We are also concerned that the RCMP Commissioner's obstruction of the CRCC complaint process may also infringe our client's rights to freedom of expression, as protected by s. 2(b) of the *Canadian Charter of Rights and Freedoms*. In that regard, the Supreme Court of



Canada has held that access to government information is a derivative right protected by s. 2(b) of the *Charter*.<sup>1</sup>

To conclude, the RCMP Commissioner's delay in completing her review of the CRCC's interim report is interminable, extreme and inexplicable, and likely infringes our client's right to information, as protected by s. 2(b) of the *Charter*. Under the circumstances, we would ask that you consider providing a copy of the CRCC's interim report to the complainant, the BC Civil Liberties Association, so the organization and its members can exercise their expressive rights concerning its contents.

Yours truly,

A handwritten signature in black ink, appearing to read 'Paul Champ', written over a horizontal line.

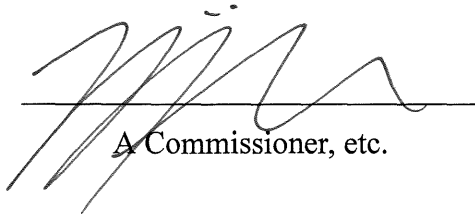
Paul Champ

c: Harsha Walia, Executive Director, BCCLA  
The Honourable Bill Blair, Minister of Public Safety

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<sup>1</sup> *Ontario (Public Safety and Security) v. Criminal Lawyers' Association*, [2010] 1 SCR 815

This is **Exhibit “K”** referred to  
in the Affidavit of **TRUDY MOORE**,  
sworn before me this 17<sup>th</sup> day of November, 2020.

A handwritten signature in black ink, consisting of several fluid, overlapping strokes, positioned above a horizontal line.

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A Commissioner, etc.

Our File: 1555

June 23, 2020

**BY MAIL AND FACSIMILE (613)825-7489**

Commissioner Brenda Lucki  
Royal Canadian Mounted Police  
73 Leikin Drive, Building M8, Room 512D  
Ottawa, ON K1A 0R2

Dear Commissioner Lucki:

**Re: Complaint by the B.C. Civil Liberties Association - PC-2014-0380  
RCMP Surveillance of Canadian Citizens and Information Sharing  
with the National Energy Board**

As you know, we are legal counsel for the British Columbia Civil Liberties Association in respect of a complaint that was filed over six years ago with the RCMP Civilian Review and Complaints Commission on February 6, 2014. The complaint alleged that the RCMP improperly monitored and collected information about Canadian citizens and groups engaging in peaceful and lawful expressive activities and shared that information with other government bodies and private sector actors.

It is our understanding that the CRCC submitted its report on this complaint to the RCMP Commissioner on June 23, 2017 - three years ago today. Unfortunately, the CRCC cannot conclude its final report until the RCMP provides a written response under section 45.76(2) of the Act. In short, the RCMP has been sitting on this report for three years and effectively obstructing its release to my client and the public.

I wrote to you about this matter on August 9, 2019. In your response to me dated August 23, 2019, you indicated that an analysis of this report would be “prioritized”. Regrettably, we have heard nothing further from you or the CRCC in the 10 months that have followed. Further, it is our understanding that the RCMP and the CRCC concluded a Memorandum of Understanding on December 11, 2019, providing an express timeline that requires the RCMP Commissioner to respond to a CRCC report within six months. Apparently, that MOU with the CRCC has had no influence on your commitment and legal obligation to complete your review of this report.

Commissioner Lucki, section 45.76(2) of the *RCMP Act* imposes a public legal duty on you to provide a response to this report “as soon as feasible”. As the complainant, the BC Civil

Liberties Association has a clear right to the performance of that duty. It is our view that three years for your review and response to the CRCC's interim report is clearly an unreasonable delay not contemplated by the statute, whether the delay is due to insufficient allocation of resources or any other cause. This delay is all the more serious when the allegations concern fundamental rights and freedoms protected by the Canadian Constitution.

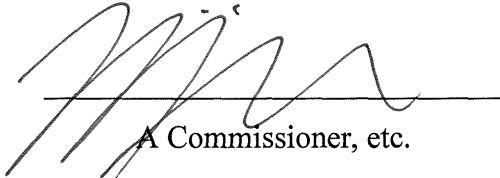
In light of the foregoing, I want to be clear that the position of the BC Civil Liberties Association is that you have breached your duty under s. 45.76(2) to provide a written response to the CRCC as soon as feasible. I am canvassing with my client its legal rights in the circumstances, including seeking appropriate relief from the Federal Court to compel completion of your response in accordance with the *RCMP Act*.

We look forward to hearing from you.

Yours truly,  
  
Paul Champ

c: Harsha Walia, Executive Director, BCCLA  
The Honourable Bill Blair, Minister of Public Safety

This is **Exhibit "L"** referred to  
in the Affidavit of **TRUDY MOORE**,  
sworn before me this 17<sup>th</sup> day of November, 2020.



A Commissioner, etc.



PC-2014-0380

July 8, 2020

Mr. Paul Champ  
Champ & Associates  
Equity Chambers  
43 Florence Street  
Ottawa, ON K2P 0W6

Re: Complaint by the B.C. Civil Liberties Association and Public Interest  
Investigation into Allegations of RCMP Surveillance of Canadian Citizens and  
Information Sharing with the National Energy Board.

Dear Mr. Champ:

I am writing on behalf of the Chairperson of the Civilian Review and Complaints Commission for the RCMP in reply to your letter of June 23, 2020.

On June 23, 2017, the Commission sent its Interim Report in the above-noted matter to the RCMP. In that Interim Report, the Commission made 18 findings and 7 recommendations to the RCMP concerning the RCMP's activities with respect to the events, protests, and demonstrations surrounding the National Energy Board Joint Review Panel hearings into the Northern Gateway Project, as well as the larger Idle No More movement.

As you noted in your letter, the *Royal Canadian Mounted Police Act* ("RCMP Act") requires the Commission to receive the RCMP Commissioner's Response to our Interim Report before we can issue our Final Report. The RCMP Act does not require the RCMP Commissioner to provide a response within a particular timeframe. The Commissioner must only prepare a response "as soon as feasible."<sup>1</sup>

The Commission shares your concerns about the delays in receiving the RCMP Commissioner's Response in this and other cases. The present three-year delay

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<sup>1</sup> *Royal Canadian Mounted Police Act*, RSC 1985, c R-10, s 45.76(2).

has the potential to undermine public confidence in the public complaints process, serves to frustrate the Commission's role in providing civilian oversight to the RCMP, and may dilute the effectiveness of the associated findings and recommendations.

### **The BCCLA's "Right of Access" Argument**

The Commission has considered the argument that your client may have a right to access government information connected to their right to freedom of expression. The Supreme Court of Canada has stated that, in some circumstances, a "derivative right" to access government records may arise under section 2(b) of the *Canadian Charter of Rights and Freedoms* where that access is a necessary precondition of meaningful expression on the functioning of government.<sup>2</sup> The Commission's interpretation of this decision is that where a request to access government records has been denied, there **may** be grounds to seek production of those records using this derivative right.

Leaving aside the question of whether the Commission is the appropriate forum for such a claim, there is an important threshold issue in that the impediment in this case is not a refusal, but the RCMP Commissioner's delay in providing a response as required by the RCMP Act. In the normal course of events, the Commission's Interim Report is released as a part of its Final Report.

### **The Commission's Actions**

In response to your letter, the Commission again wrote to the RCMP requesting a timeline for their Commissioner's Response. The Commission reiterated its concern about the troubling three-year delay in a case of public importance. The RCMP responded that it had dedicated its limited resources to analyzing interim reports in certain other public interest investigations, while putting the majority of the remaining analyses on hold. The RCMP explained that the analysis of this matter would follow the completion of other Commissioner's Responses, which are anticipated to be issued in the Fall of this year.

I can now indicate that the Chairperson has written to the Commissioner to

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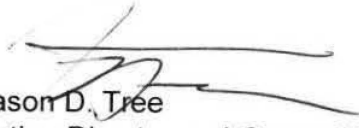
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<sup>2</sup> *Ontario (Public Safety and Security) v Criminal Lawyers' Association*, 2010 SCC 23.

express her concerns about the length of time that the response is taking. In the meantime, she is considering your request to release the interim findings and recommendations.

I trust that this responds to the concerns you have raised in your letter. Thank you for your continued patience and engagement with the public complaint process.

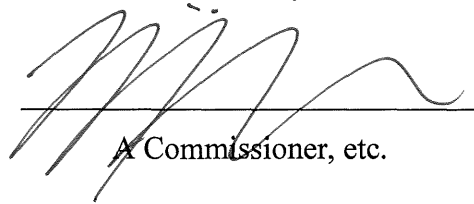
Kind regards,



Jason D. Tree  
Acting Director and General Counsel  
Reviews Unit  
Civilian Review and Complaints Commission for the RCMP



This is **Exhibit “M”** referred to  
in the Affidavit of **TRUDY MOORE**,  
sworn before me this 17<sup>th</sup> day of November, 2020.



A Commissioner, etc.

Royal Canadian Mounted Police  
Commissioner



Gendarmerie royale du Canada  
Commissaire

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le professionnalisme, la compassion, le respect et la responsabilisation

**AUG 07 2020**

Mr. Paul Champ  
Champ & Associates  
Equity Chambers  
43 Florence Street  
Ottawa, Ontario  
K2P 0W6

Dear Mr. Champ:

I acknowledge your letter of June 23, 2020, on behalf of your client, the British Columbia Civil Liberties Association, in which you express your concern with the length of time it has taken for the RCMP to respond to the interim report of the Civilian Review and Complaints Commission in the National Energy Board Hearings. I apologize for my delay in responding, which I understand you are aware resulted, in part, from the initial misdirection of your correspondence, coupled with workplace complications arising from the COVID-19 pandemic.

I recognize the time the RCMP has taken to respond to the CRCC's interim report in this matter has not been ideal. That is despite the high value we place on the CRCC's work, for which very reason my staff and I strive to carefully consider and provide meaningful responses to all of the CRCC's interim reports, including this one. Unfortunately, sometimes our work in this regard takes us longer than anticipated, even as we endeavour to respond as soon as feasible in every case.

In any event, I would like to assure you that I hear your concerns, and furthermore advise you that a few weeks ago I committed to the CRCC Chairperson that I would try to provide her with my response to the interim report within 90 days. I have directed my staff to realign its priorities in order to meet that goal. I hope that time frame will be acceptable to you and your client.

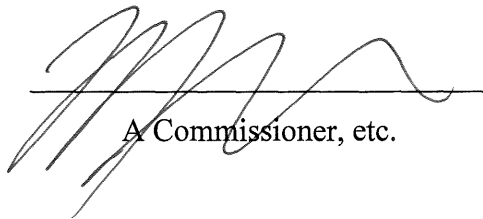
Thank you for writing to express your concerns, and for you and your client's patience in this matter. I look forward to its conclusion in the near future.

Sincerely,

A handwritten signature in cursive script that reads 'B. Lucki'.

Brenda Lucki  
Commissioner

This is **Exhibit "N"** referred to  
in the Affidavit of **TRUDY MOORE**,  
sworn before me this 17<sup>th</sup> day of November, 2020.

A handwritten signature in black ink, consisting of several loops and a long horizontal stroke, positioned above a solid horizontal line.

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A Commissioner, etc.

Our File: 1555

September 24, 2020

**BY MAIL**

Commissioner Brenda Lucki  
Royal Canadian Mounted Police  
73 Leikin Drive, Building M8, Room 512D  
Ottawa, ON K1A 0R2

Dear Commissioner Lucki:

**Re: Complaint by the B.C. Civil Liberties Association - PC-2014-0380  
RCMP Surveillance of Canadian Citizens and Information Sharing  
with the National Energy Board**

Thank you for your letter dated August 7, 2020, wherein you recognize that the time the RCMP has taken to respond to the CRCC's interim report "has not been ideal". I would have hoped that your dismay over this delay would be worded more strongly. Again, this complaint was filed over six-and-a-half years ago, and the CRCC completed its investigation and provided its interim report to your predecessor more than three years ago. With respect, this delay is inexcusable and undermines the confidence that the public has in the public complaints process in the *RCMP Act* and in the RCMP itself.

You say in your letter that you have informed the CRCC Chairperson that you will "try" to provide a response within 90 days. Commissioner Lucki, I would remind you again that section 45.76(2) of the *RCMP Act* imposes a public legal duty on you to provide a response to this report "as soon as feasible". As the complainant, the BC Civil Liberties Association has a clear right to the performance of that duty. It is our view that three-and-a-half years for your review and response to the CRCC's interim report is not "feasible" according to any measure and is clearly an unreasonable delay not contemplated by the statute. This delay is all the more serious when the allegations concern fundamental rights and freedoms protected by the Canadian Constitution.

The BC Civil Liberties Association has a right to the performance of your duty under section 45.76(2) of the Act to provide your comments on the CRCC's interim report. In the event your response is not provided to the CRCC by **November 7, 2020**, which is 90 days from the date of your letter to me, I will be seeking instructions from the BCCLA to commence an application for mandamus in the Federal Court to compel you to discharge your duty. I anticipate those instructions will be forthcoming.

We look forward to hearing from you.

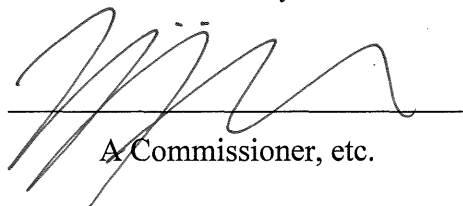
Yours truly,

A handwritten signature in black ink, appearing to read 'Paul Champ', with a long horizontal flourish extending to the right.

Paul Champ

c: Harsha Walia, Executive Director, BCCLA  
Micheline Lahaie, Chairperson, RCMP Civilian Review and Complaints Commission  
The Honourable Bill Blair, Minister of Public Safety

This is **Exhibit "O"** referred to  
in the Affidavit of **TRUDY MOORE**,  
sworn before me this 17<sup>th</sup> day of November, 2020.



A Commissioner, etc.

Royal Canadian Mounted Police  
Commissioner



Gendarmerie royale du Canada  
Commissaire

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le professionnalisme, la compassion, le respect et la responsabilisation

**OCT 13 2020**

Mr. Paul Champ  
Champ & Associates  
Equity Chambers  
43 Florence Street  
Ottawa, Ontario  
K2P 0W6

Dear Mr. Champ:

I acknowledge your letter of September 24, 2020, on behalf of your client, the British Columbia Civil Liberties Association, regarding our previous correspondence on the Royal Canadian Mounted Police response to the interim report of the Civilian Review and Complaints Commission (CRCC) on the National Energy Board hearings.

My staff continue their work on this file, which will allow me to provide a thoroughly and appropriately assessed response. I fully intend to provide the CRCC Chairperson my response to the interim report by November 7, 2020.


Thank you for writing to express your concerns and for you and your client's patience in this matter. I look forward to its conclusion in the near future.

Kindest regards,

A handwritten signature in black ink that reads "B. Lucki".

Brenda Lucki  
Commissioner

This is **Exhibit "P"** referred to  
in the Affidavit of **TRUDY MOORE**,  
sworn before me this 17<sup>th</sup> day of November, 2020.



A Commissioner, etc.



Royal Canadian Mounted Police  
Commissioner



Gendarmerie royale du Canada  
Commissaire

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le professionnalisme, la compassion, le respect et la responsabilisation

**NOV 06 2020**

Mr. Paul Champ  
Champ & Associates  
Equity Chambers  
43 Florence Street  
Ottawa, Ontario  
K2P 0W6

Dear Mr. Champ:

I am writing to provide you with an update on the status of my response to the interim report of the Civilian Review and Complaints Commission (CRCC) for the Royal Canadian Mounted Police in relation to the complaint of your client, the British Columbia Civil Liberties Association, concerning the National Energy Board hearings.

As you know, I wrote to you on October 13, 2020, stating my intention to provide the RCMP's response to the CRCC in this matter by November 7, 2020. Despite our best efforts, including assigning our most senior advisors to this matter early this summer, we estimate that we are still two weeks away from providing our response to the CRCC.

I recognize and appreciate your client's patience in awaiting the completion of this matter. I hope the imminence of its completion this month will be of some relief to them.

Kindest regards,

A handwritten signature in cursive script that reads "B. Lucki".

Brenda Lucki  
Commissioner