

**ATTORNEY GENERAL OF MANITOBA
ANNUAL REPORT
SECTION 195 CRIMINAL CODE**

This report covers the period January 1, 2020 to December 31, 2020.

SECTION 195(5)

(a)	THE NUMBER OF APPLICATIONS MADE FOR AUTHORIZATIONS:	
	(i) 185	8
	(ii) 188	0
	(iii) 184.4	0
(b)	THE NUMBER OF APPLICATIONS MADE FOR RENEWALS OF AUTHORIZATIONS:	
	(i) 185	2
	(ii) Renewals are not granted under Section 188	N/A
(c)	THE NUMBER OF APPLICATIONS GRANTED:	
	(i) Original Authorizations 185	5
	(ii) Original Authorizations 188	0
	(iii) Renewals of Authorizations 185	2
	THE NUMBER OF APPLICATIONS REFUSED:	
	(i) 185	0
	(ii) 188	0
	THE NUMBER OF APPLICATIONS GRANTED WITH TERMS AND CONDITIONS:	
	(i) 185	10
	(ii) 188	0
(d)	THE NUMBER OF PERSONS IDENTIFIED IN AN AUTHORIZATION AGAINST WHOM PROCEEDINGS WERE COMMENCED AT THE INSTANCE OF THE ATTORNEY GENERAL OF MANITOBA IN RESPECT OF:	
	(i) an offence specified in the Authorization	13
	(ii) an offence other than an offence specified in the authorization but in respect of which an authorization may be given	9
	(iii) an offence in respect of which an authorization may not be given	0
(e)	THE NUMBER OF PERSONS NOT IDENTIFIED IN AN AUTHORIZATION AGAINST WHOM PROCEEDINGS WERE COMMENCED AT THE INSTANCE OF THE ATTORNEY GENERAL OF MANITOBA IN RESPECT OF:	
	(i) an offence specified in such an Authorization	0
	(ii) an offence other than an offence specified in such an authorization but in respect of which an authorization may be given	0
	(iii) an offence other than an offence specified in such an authorization for which no such authorization may be given	0
	AND WHOSE COMMISSION OR ALLEGED COMMISSION OF THE OFFENCE BECAME KNOWN TO A PEACE OFFICER AS A RESULT OF AN INTERCEPTION OF A PRIVATE COMMUNICATION UNDER AN AUTHORIZATION.	
(f)	THE AVERAGE PERIOD FOR WHICH AUTHORIZATIONS WERE GIVEN AND FOR WHICH RENEWALS THEREOF WERE GRANTED:	
	(i) 185	60 days
	(ii) 188	0
(g)	THE NUMBER OF AUTHORIZATIONS THAT, BY VIRTUE OF ONE OR MORE RENEWALS THEREOF, WERE VALID:	
	(i) for more than 1 day (30 days)	0
	(ii) for more than 30 days (60 days)	2
	(iii) for more than 60 days	0
	(iv) for more than 90 days	0
	(v) for more than 180 days	0
(g.1)	THE NUMBER OF NOTIFICATIONS GIVEN PURSUANT TO SECTION 196	54
(g.2)	THE NUMBER OF EXTENSIONS GIVEN PURSUANT TO SECTION 196(2) – <u>PERIOD ONE YEAR</u>	0

- (h) THE OFFENCES IN RESPECT OF WHICH AUTHORIZATIONS WERE GIVEN, SPECIFYING THE NUMBER OF AUTHORIZATIONS GIVEN IN RESPECT OF EACH OFFENCE:

<u>Statute</u>	<u>Section</u>	<u>Offence</u>	<u>Number of Authorizations</u>
Criminal	235	Murder	7
Criminal	465(1)(a)	Conspiracy to commit murder	7
Criminal	139(1)	Obstruct the court of justice	2
Criminal	423.1	Intimidation of a justice system participant	2
Criminal	464(a)	Counselling offence that is not committed	2
Criminal	244.2	Discharge firearm	1
Criminal	467.12	Commission of offence in association with a criminal organization	2
Criminal	434	Arson	1

- (i) DESCRIPTION OF ALL CLASSES OF PLACES SPECIFIED IN AUTHORIZATIONS AND THE NUMBER OF AUTHORIZATIONS IN WHICH EACH SUCH CLASS OF PLACE WAS SPECIFIED:

<u>Classes of Places</u>	<u>Number of Authorizations</u>
(i) Residence - Permanent	7
- Temporary	6
(ii) Commercial Premises	5
(iii) Vehicles	7
(iv) Cell Phones	13
(v) Other – Places of Observation (custodial Facility)	4

- (j) A GENERAL DESCRIPTION OF THE METHODS OF INTERCEPTION INVOLVED IN EACH INTERCEPTION UNDER AN AUTHORIZATION:

(i) Telecommunications (including cellular)	23
(ii) Microphone (Probes)	8
(iii) Other (Vehicle)	5
(iv) Video	5

- (k) THE NUMBER OF PERSONS ARRESTED, WHOSE IDENTITY BECAME KNOWN TO A PEACE OFFICER, AS A RESULT OF AN INTERCEPTION UNDER AN AUTHORIZATION:

(i) Number of persons	0
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- (l) THE NUMBER OF CRIMINAL PROCEEDINGS COMMENCED AT THE INSTANCE OF THE ATTORNEY GENERAL OF MANITOBA IN WHICH PRIVATE COMMUNICATIONS OBTAINED BY INTERCEPTION UNDER AN AUTHORIZATION WERE ADDUCED IN EVIDENCE AND THE NUMBER OF SUCH PROCEEDINGS THAT RESULTED IN A CONVICTION:

(i) Criminal proceedings in which private communications obtained by interception were adduced in evidence – <u>BAIL HEARING</u>	2
(ii) Resultant convictions	0

This statistic is almost always zero because it is rare that charges will be laid in the same calendar year as the authorization is granted

- (m) THE NUMBER OF CRIMINAL INVESTIGATIONS IN WHICH INFORMATION OBTAINED AS A RESULT OF THE INTERCEPTION OF A PRIVATE COMMUNICATION UNDER AN AUTHORIZATION WAS USED ALTHOUGH THE PRIVATE COMMUNICATION WAS NOT ADDUCED IN EVIDENCE IN CRIMINAL PROCEEDINGS COMMENCED AT THE INSTANCE OF THE ATTORNEY GENERAL OF MANITOBA AS A RESULT OF THE INVESTIGATIONS:

(i) intercepted information used but not adduced	0
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OTHER INFORMATION

- (a) THE NUMBER OF PROSECUTIONS COMMENCED AGAINST OFFICERS OR SERVANTS OF HER MAJESTY IN RIGHT OF CANADA OR MEMBERS OF THE CANADIAN FORCES FOR OFFENCES UNDER SECTION 184 OR SECTION 193:

(i) Number of prosecutions	0
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- (b) *THE NUMBER OF CRIMINAL PROCEEDINGS COMMENCED

AS A RESULT OF AN INTERCEPTION	42
THE NUMBER OF GUILTY PLEAS	0
CONTESTED CASES DISPOSED OF TO DATE	0
NUMBER OF PERSONS ACQUITTED	0
NUMBER OF CHARGES STAYED	2
NUMBER OF CHARGES PENDING DISPOSITION (OUTSTANDING CHARGES)	42
NUMBER OF CHARGES PROCEEDED WITH WHERE INTERCEPTED MATERIAL WAS USED AS EVIDENCE	6
NUMBER OF TIMES INTERCEPTED MATERIAL HAS BEEN USED DURING A GUILTY PLEA	0

*This figure represents the number of charges as opposed to individual accused persons.