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WITNESS PROTECTION PROGRAM ACT

ANNUAL REPORT

2002-2003

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STATISTICS

This is the seventh Annual Report on the Witness Protection Program Act as required by section 16 of the Act.

Witness protection services are an effective tool for law enforcement to combat organized crime. Increased funding received in 2001 to combat organized crime is now providing positive results as revealed by the present increase in statistics reported. Funds are also being used to create and develop specialized training for this high risk Program.

Based on available data, a high percentage of cases involving witness protection result in convictions, usually because of the testimony of the protected individual.

The statistics included in this report deal with the assistance provided by the Royal Canadian Mounted Police (RCMP) between April 1, 2002 and March 31, 2003. Protectees include individuals from RCMP matters, protectees referred by other Canadian police services and foreign protectees under subsection 14(2) of the Act. Protection given under subsection 14(2) is on a cost-recovery basis, and all expenses for fiscal year 2002/2003 have been recovered, including the related expenses of RCMP personnel.

In order not to jeopardize the integrity of the Program, or the safety of any individual within the Program, statistics have been provided on the most relevant areas of the Program, without detail about the individual cases involved.

During this reporting period, the RCMP provided lectures to visiting foreign officials on the Witness Protection Program and attended conferences as invited guests in countries with similar law enforcement concerns. The RCMP also received several requests for assistance from foreign countries to accept witnesses into Canada. Again, this past year, the RCMP was involved in assisting foreign countries to establish their own Witness Protection Programs.

The statistics for this reporting period have increased significantly from those of last year. The total cost of the Program has increased to \$3.4M from \$1.5M last year. The total number of RCMP protectees accepted into the program went up by more than 100% (from 29 to 61). The number of cases requiring an identity change increased slightly from 24 to 26, the number of cases from other law enforcement agencies increased by 50% going from 23 to 34. The total number of new cases treated increased by 60% from 62 to 101.

We attribute this years' increase to new funding received from Cabinet in the Summer of 2001 to fight Organized Crime as well as funding received in the Fall of 2002 for Public Safety and Anti-Terrorism. As well, the law enforcement community has developed and applied alternative investigative methods to overcome the restrictions imposed by the Campbell & Shirose decision as noted in our 2001-02 report. We foresee a continued increase resulting from the implementation of the provisions of Bill C-24.

The number of instances in which protection was refused by witnesses, 13 was much similar to last years' figures of 11. The main reasons cited by witnesses for refusing to enter the program were that they found it too restrictive and that they were not committed to leaving their extended family, friends and loved ones behind. The number of refusals of protection affects most of the other statistics in this report, as they would otherwise have been higher.

Of note, four witnesses were accepted into the Program from a foreign country and have since easily integrated into our Canadian society. The number of Canadian witnesses who requested voluntary termination increased from 11 last year to 13 this year.

No witness was refused admission to the Program by the RCMP pursuant to section 10 of the Act. Three cases of involuntary termination were reported as per section 9 of the Act. The cases all involved serious breaches of security by the witnesses and their participation in the Program was terminated following verbal and written notices.

There was only one civil suit filed against the RCMP and/or complaint filed with the Commission for Public Complaints against the RCMP in relation to the Program during the last fiscal year. This one case contained an allegation that the RCMP failed to provide proper protection to a protectee. The failure was as a result of inadvertent disclosure of information in Court. The case has since been resolved to the satisfaction of all concerned parties.

Statistics 2002-2003

Total number of RCMP protectees accepted into the Program (2002-03): 61 (1)

Total number of protectees accepted into the Program from another law enforcement agency: 34

Total number of protectees accepted into the Program from a foreign country: 4

Total number of cases: 103

Total number of secure identity changes: 26

Total number of relocations outside the province of origin: 25

Total number of relocations within the province of origin: 20

Total number of voluntary terminations: 13

Total number of involuntary terminations: 3

Total number of instances of refusal of protection by witnesses: 13

Total number of instances of failure of protection caused by the RCMP:1

Total number of lawsuits filed in court or complaints with the Commission for Public Complaints against the RCMP in relation to the Program: 1

Total cost of the Program: \$3,397,647. (2)

NOTES:

1. The total number of protectees includes family members who were relocated with the primary protectee and related to RCMP cases only. Foreign protectees are also included.
2. The costs reported are expenses directly associated with various measures of protection afforded to the protectees. They do not include the salary expenses of RCMP members, or the cost of investigations and subsequent court costs. This year, they again include costs recovered for the protection of foreign protectees and costs associated with cases from previous years.

