

E-BULLETIN NOVEMBER 2013

November 1, 2013

Greetings from CCLA,

This past month, Canadians Tarek Loubani and John Greyson were released from detention in Egypt and returned to Canada. We celebrate their safe return home, and at the same time, we remain mindful of the other Canadians detained abroad, and continue to monitor their situations and their due process rights. Earlier in the month, we joined international colleagues to release the report “Take Back the Streets: Repression and Criminalization of Protest around the World”, co-edited and authored by CCLA and other civil liberties groups that are part of the International Network of Civil Liberties Organizations, described below. CCLA brought international prison expert Andrew Coyle from the UK to testify at the Ashley Smith Inquest. Two Supreme Court of Canada decisions relating to police searches and privacy were rendered and we give you our analysis below.

We invite you to browse through the *Civics for Kids* page created by CCLA in partnership with TVOParents.org. And we include a spotlight of CCLA pro bono lawyer Anil Kapoor, an expert in criminal law and national security who has acted for us many times before, and will be representing us next week in the extradition case of Hassan Diab.

We could not do our work without your invaluable support and we thank you!

Sincerely,

Sukanya Pillay

Interim General Counsel and Acting Executive Director

Table of Contents

- CCLA Welcomes Home Tarek Loubani and John Greyson
- Supreme Court Decisions on “Reasonable Suspicion” Searches Set Disconcertingly Low Bar for Police
- CCLA Calls Prison Expert to Testify at Ashley Smith Inquest
- CCLA Joins Civil Society Across Globe to Release Report Titled “*Take back the streets*”: *Repression and criminalization of protest around the world*
- CCLET and TVOParents Present *Civics For Kids*
- CCLA Intervenes in Hassan Diab Case in Ontario Court of Appeal
- Spotlight on Anil Kapoor

CCLA to Intervene in Hassan Diab Case in Ontario Court of Appeal

We have written here before about the case of Hassan Diab, the Ottawa professor that France seeks extradited to face terrorism charges related to a 1980 synagogue bombing in Paris. The evidence on which France bases its case has been described as problematic. CCLA will intervene in the Ontario Court of Appeal to argue that Supreme Court of Canada jurisprudence requires the extradition judge to engage in a limited weighing of evidence to assess the sufficiency of evidence for committal to extradition. Anything less, we will argue, would violate Section 7 of the *Canadian Charter of Rights and Freedoms*. Our concern as always is to ensure that innocent persons are not wrongfully convicted, and that accused persons are afforded all fair trial and due process protections. CCLA will also argue that Section 7 is violated if individuals are extradited to States where trials will be held on the basis of unsourced information treated as evidence and/or information procured from torture.

CCLA will be represented by Anil Kapoor of Kapoor Barristers – an expert criminal and constitutional lawyer who has frequently acted as pro bono counsel for CCLA and whom we spotlight this month, below.