

Policy Name:	CONFIDENTIAL INFORMANTS / AGENTS		
Policy #:	OP 4.11	Last Updated:	2022-04-07
Issued By:	INVESTIGATIVE SERVICES BUREAU	Approved By:	SURREY POLICE BOARD
		Review Frequency:	AS REQUIRED

RELATED POLICIES

OP 4.11.1 *Crime Stoppers*

OP 4.49.4 *Search Warrants and Production Orders*

1. PURPOSE

1.1. An intelligence-based strategy to combat violent crime is an effective tool for police agencies but can be a high-risk area of liability. The use and administration of Confidential Informants (CIs) and Police Agents is outlined in this policy to provide guidance to Surrey Police Service (SPS) Members.

2. SCOPE

2.1. This policy applies to all SPS Members.

3. POLICY

3.1. CIs are persons who voluntarily provide information to peace officers, regarding past, present or future criminal activity, with the explicit or implicit expectation that their identity and communications are kept confidential and that they will be protected by informer privilege.

3.2. If an individual provides SPS Member(s) information in a manner where confidentiality is requested and/or extended, either explicitly or implicitly, even on one occasion, that individual must be coded. This allows SPS to best assess the individual, the risk to the individual and the organization, and the information provided.

3.3. CIs are not directed to obtain or stimulate evidence. Voluntariness is a key element of the CI/ Police relationship. CIs should not be made to feel compelled to obtain or provide information to police.

3.4. All Members may receive information but may only act on the information or gather further information from the CI if they have been trained in CI handling. Handlers who have received SPS CI training will be mentored by experienced CI Handlers.

3.5. Handlers must guard information received from the CI and not unintentionally provide CIs any information related to police investigations, strategies, or procedures.

3.6. The use of a Police Agent must be approved by the Criminal Intelligence Unit (CIU) with oversight of an accredited Team Commander or designated by the Deputy Chief Constable (DCC) of Investigative Services Bureau (ISB).

4. PROCEDURE

S. 15

[Redacted]

- [Redacted]
- [Redacted]
- [Redacted]
- [Redacted]
- [Redacted]
- [Redacted]

[Redacted]

[Redacted]

- [Redacted]
- [Redacted]

S. 15

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

S. 15

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

- [Redacted]
- [Redacted]
- [Redacted]
- [Redacted]
- [Redacted]
- [Redacted]

[Redacted]

[Redacted]

[Redacted]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

S. 15

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

S. 15

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

8.16

[Redacted]

- [Redacted]
- [Redacted]
- [Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

APPENDIX A: DEFINITIONS

“Agent” a person who obtains evidence at or under the direction of the police, or who otherwise becomes an extension of police authority. Informant privilege does not apply and an Agent may be compelled to testify in subsequent court proceedings.

“Confidential Informant” (CI) is a person who voluntarily provides information to peace officers regarding past, present or future criminal activity, with the explicit or implicit expectation that their identity and communications are kept confidential and that they will be protected by informer privilege.

“CIDR” means Confidential Informant Debriefing Report

“CPIC” means the Canadian Police Information Centre, the computerized national information repository and retrieval system operated by the RCMP on behalf of the nation's policing community that facilitates the sharing of information among authorized agencies.

“DCC” means Deputy Chief Constable.

“Employee” means a sworn Member or Civilian Employee appointed by the Surrey Police Board.

“Handler” means a police Member who receives information from, and acts as a point of contact with an Informant. Each registered Informant has a primary Handler and a Co-Handler.

“Intelligence Coordinator” means the Member who is responsible for record keeping, ensuring policy compliance, and overseeing the Informant Source Handling Program within SPS.

“ISB” means Investigative Services Bureau.

“ITO” means Information to Obtain.

“Member” means a sworn Police Officer appointed by the Surrey Police Board.

“Police Agent” means a person who obtains evidence at or under the direction of the police, or who otherwise becomes an extension of police authority. A Police Agent may be compelled to testify in subsequent court proceedings.

“Privilege” is a principle of law that protects communications, documents and/or the person’s identity from being revealed or compelled and determined by a court on the basis of the facts. Privilege cannot be extended or represented to exist nor taken away by the handler. Informer privilege is only subject to the “innocence at stake” exception.

“PRIME-BC” means the Police Records Information Management Environment, the provincial police records management system.

“Protected C” means sensitive information or assets that if compromised could cause extremely grave injury to an individual, organization, or government.

“SPS” means Surrey Police Service.

“Supervisor” means a Sergeant, Staff Sergeant, Inspector, Superintendent, Deputy Chief Constable, Chief Constable, and any other person acting in a Supervisory capacity who is accountable for a particular area or shift on behalf of SPS.

APPENDIX B: REFERENCES

Regina v. Araujo, 2000 SCC 65

Regina v. Barros, 2011 SCC 51

Regina v. Barzal, 1993 CanLII 867 (BC CA)

Regina v. Basi, 2009 SCC 52

Regina v. Broyles, [1991] 3 S.C.R. 595

Regina v. Leipert, [1997] 1 S.C.R. 281

Regina v. McKay, 2016 BCCA 391

Regina v. Scott, [1990] 3 S.C.R. 979

Regina v. Stinchcombe, [1991] 3 S.C.R. 326