WITNESS BRIEF

Prepared for Senate consideration of
Bill C-22, the Lawful Access Act, 2026

The testimony of
Kenneth “Kim” Marsh

Staff Sergeant, Royal Canadian Mounted Police (Retired)
25-year veteran officer; former commander, organized crime and undercover investigative unit

I. Who I Am, and Why I Am Asking This Committee to Listen

My name is Kenneth “Kim” Marsh. I served in the Royal Canadian Mounted Police for 25 years, including as commander of an organized crime and undercover investigative unit. After I retired, I built a second career as a due-diligence and anti-money-laundering specialist, and I became known for speaking publicly about foreign interference in Canada, the very threat Bill C-22 says it is designed to help police fight.

I am appearing before you because I spent more than three years dealing with the consequences of Project Severo, an RCMP national security investigation in which I was publicly named as an alleged unindicted co-conspirator, my home was searched, my records were seized and my professional life was badly damaged. I was never charged with any crime and I have still not been formally cleared.

The accused at the centre of Project Severo was William Robert Majcher, a former RCMP inspector who later lived in Hong Kong and worked in financial investigations and asset recovery. The RCMP began investigating him in September 2021. In British Columbia, Mr. Majcher was ultimately tried on a single count of committing preparatory acts to commit an offence under section 20(1) of the Security of Information Act, contrary to section 22(1) of that Act. The Crown alleged that between May 1 and June 15, 2017, at the direction of, for the benefit of, or in association with Chinese authorities, he prepared to induce Vancouver resident Hongwei “Kevin” Sun by threat, accusation, menace or violence to repatriate himself and his assets to the People’s Republic of China. [R. v. Majcher, 2025 BCSC 2069; Vancouver Registry No. 37428]

The original Quebec information had been broader. It alleged preparatory acts under section 22(1)(b) and also alleged that Mr. Majcher conspired with me and others under section 23, read with section 22(1), of the Security of Information Act. [Court of Quebec File No. 505-73-000627-237; Quebec Superior Court File No. 505-36-002467-241] I was never charged.

Before the case reached trial in British Columbia, Quebec Superior Court Justice François Dadour found a serious issue as to whether the state had jurisdiction to commence the prosecution in Quebec and stayed the Quebec proceeding pending determination of the territorial-jurisdiction challenge. The Crown later abandoned that proceeding and refiled a narrower charge in British Columbia. In my view, that ruling called the legality of the process into question from its inception, including the legal foundation on which the investigation and related search warrants proceeded. [Court of Quebec File No. 505-73-000627-237; Quebec Superior Court File No. 505-36-002467-241]

The British Columbia proceedings later produced further judicial findings. Justice Martha Devlin ruled that the warrant used to search my home could not properly have issued, and that the search breached section 8 of the Charter. [R. v. Majcher, 2025 BCSC 2576; Vancouver Registry No. 37428] She later ruled that Mr. Majcher’s warrantless arrest breached section 9 of the Charter. [R. v. Majcher, 2026 BCSC 538; Vancouver Registry No. 37428] On May 13, 2026, she acquitted him after finding that the Crown had failed to prove the charge beyond a reasonable doubt. [R. v. Majcher, 2026 BCSC 879; Vancouver Registry No. 37428]

Mr. Majcher’s case is one of **three RCMP prosecutions publicly linked by the force to foreign interference that have ended in acquittals**. On October 2, 2026, an Alberta court acquitted RCMP Constable Eli Ndatuje of all three charges under the Criminal Code and the Security of Information Act arising from allegations that he improperly searched a police database and passed information to Rwandan officials.

On April 12, 2024, former Canadian Space Agency engineer Wanping Zheng was acquitted in Longueuil, Quebec, of a single count of breach of trust. The RCMP had described the case as a matter of foreign actor interference.

I ask this Committee to hear my experience as a case study in why safeguards matter before the state intrudes on a person's privacy, reputation and livelihood. Bill C-22 expands lawful-access powers in several areas, creates a confirmation-of-service demand without prior judicial authorization, and introduces new investigative authorities that operate on a reasonable-grounds-to-suspect standard. My experience shows why Parliament should be cautious about lowering thresholds or allowing intrusive steps to occur before an independent judge has reviewed the grounds.

II. My Recommendation to the Committee

Bill C-22 should not proceed to Royal Assent in its current form. Independent judicial authorization, meaningful notice and clear evidentiary thresholds are essential safeguards. In my case, the warrant process created a sworn record that could eventually be tested in court, and that review exposed serious flaws in the grounds used against me. I ask this Committee to preserve judicial pre-authorization for intrusive computer and device searches, require stronger oversight of the new confirmation-of-service demand, use a reasonable-grounds-to-believe standard for subscriber-information production orders, tightly constrain warrantless action in exigent circumstances, and strengthen time-limited notice requirements for people affected by investigative powers. I also ask the Committee to require traceable and independently assessed information-sharing, with safeguards that follow information exchanged with domestic and foreign agencies.

III. My Story: From Investigator, to Target, to Silenced Witness

What follows is a chronology drawn from my own complaints to oversight bodies, the court record in R. v. Majcher, and contemporaneous reporting on Project Severo.

- September 2021. The RCMP opens Project Severo through its C Division Integrated National Security Enforcement Team, framing the file as a national security investigation tied to alleged Chinese foreign interference.
- February 17, 2023. I am invited in for what I am told is a witness interview. I cooperate fully. I later learn I was, in substance, already being treated as a suspect. During that interview I disclosed that I had previously brought the Kevin Sun matter to former RCMP Superintendent Calvin Chrustie and another officer in Vancouver in 2016, including the substance of a 45-page report I had prepared. The C Division investigators appeared unaware that I had provided this information to Chrustie. This suggests that Chrustie did not disclose it during his three-day debriefing in Montreal, that no record of my 2016 disclosure existed in RCMP files, or that Project Severo investigators had not been diligent in reviewing the RCMP's own records before treating my work on Sun as suspicious.
- May 23, 2023. Records later obtained show the RCMP's Covert Access Intercept Team approved a request involving On-Device Investigative Tools, or ODITs. I still do not know the full extent of any deployment, what was collected, or what judicial authorization governed it. The records also indicate that my wife's mobile phone was included even though she was never accused of wrongdoing. I regard that as further overreach and a serious extension of the investigation into my family's private life.
- June 8, 2023. A general warrant is issued authorizing the search of my Vancouver residence.
- June 14, 2023. Roughly thirteen to fifteen RCMP officers execute the warrant at my home in a raid lasting approximately twelve hours. My private records are seized. My family and I are treated as though we were dangerous criminals.
- June 15, 2023. It first became evident to me that federal Crown prosecutor Marc Cigana appeared to be directing the investigation when he attended my lawyer's office alone, without any RCMP investigator present. According to my account, he made statements that clearly indicated he was in charge, including that he was reporting to the Attorney General's office in Ottawa rather than to his superior in Quebec and that he had an unlimited budget for the investigation. Combined with later events, this left me concerned that the Crown's role had moved beyond legal advice and into investigative direction.

- July 18, 2023. Mr. Majcher is arrested without a warrant at Vancouver International Airport. At the time, police were investigating alleged offences under sections 20, 22 and 23 of the Security of Information Act. The Crown's later B.C. indictment narrowed the prosecution to one count under section 22(1), alleging preparatory acts to commit a section 20(1) offence. [R. v. Majcher, 2026 BCSC 538; Vancouver Registry No. 37428]
- July 18, 2023. According to my account, Mr. Cigana threatened to send a helicopter to the mountain where I was located to arrest me. The theory was that Mr. Majcher would meet me and others there to continue the alleged conspiracy. I had not been charged with any offence, and I believe such an arrest would have been unlawful. The threat was another indication to me that Mr. Cigana was directing the investigation, a concern that first arose when he attended my lawyer's office alone on June 15.
- July 21, 2023. The RCMP publicly announces the charge against Mr. Majcher. The original information named me as an alleged unindicted co-conspirator. I am never charged and I am never given a meaningful opportunity to answer that public allegation before my name is carried in headlines.
- August 21, 2023. Through counsel, I provide a formal proffer to the federal Crown, setting out a lawful civil and commercial explanation for conduct the RCMP was treating as foreign interference. I later learn that the proffer was not disclosed to Mr. Majcher's defence and was not placed before the trial court.
- 2024 to 2025. The professional and financial consequences compound. I am de-banked. My advisory business collapses. I lose a position with an international investigations firm. I file complaints seeking answers and accountability.
- 2026. I am subpoenaed as a Crown witness in Mr. Majcher's trial. I believe this will finally give me an opportunity to put my account under oath. The Crown closes its case without calling me.

IV. What the Courts Found

1. The Quebec jurisdiction challenge

Project Severo's first major court setback came in Quebec. On June 10, 2024, Quebec Superior Court Justice François Dadour found there was a serious question as to whether Quebec was the proper territorial jurisdiction for the prosecution and ordered the Longueuil proceeding stayed pending determination of the prohibition application. The ruling called the legal foundation of the Quebec prosecution into question from its inception. The Crown later abandoned the Quebec case and proceeded in British Columbia. [Court of Quebec File No. 505-73-000627-237; Quebec Superior Court File No. 505-36-002467-241]

That matters to me because the original Quebec information was the proceeding that publicly tied me to the alleged conspiracy. It also shows that questions about the legal foundation and handling of Project Severo arose before the later Charter rulings in British Columbia.

2. The similar-fact evidence was rejected

On October 21, 2025, Justice Devlin rejected the Crown's application to introduce a broader body of similar-fact evidence. The ruling restricted the prosecution to evidence directly relevant to the charge before the court. [R. v. Majcher, 2025 BCSC 2069; Vancouver Registry No. 37428] A later Crown application asking Justice Devlin to reconsider that decision was also dismissed. [R. v. Majcher, 2026 BCSC 706; Vancouver Registry No. 37428]

3. The search of my home was unlawful

On December 31, 2025, Justice Devlin ruled that the Information to Obtain used to justify the search of my home did not provide the required evidentiary foundation. She found that key inferences concerning me rested on "bare assertions and speculation" and concluded that the warrant could not properly have issued. The search breached section 8 of the Charter. [R. v. Majcher, 2025 BCSC 2576; Vancouver Registry No. 37428]

The decision found that the warrant materials disclosed "nothing more than mere speculation, suspicion and guesswork." For me, that finding is central. A judge had authorized the search, but later adversarial review exposed that the legal standard had not actually been met.

4. Mr. Majcher's arrest was unlawful

On March 26, 2026, Justice Devlin ruled that Mr. Majcher's warrantless arrest at Vancouver International Airport had occurred without reasonable and probable grounds and breached section 9 of the Charter. She recorded that the lead investigator's own material described the file as "a bit premature" and "still ongoing" at the time of the arrest decision. [R. v. Majcher, 2026 BCSC 538; Vancouver Registry No. 37428]

5. The disclosure that never reached the defence

My August 21, 2023 proffer to the federal Crown offered a lawful civil and commercial explanation for conduct at the centre of the investigation. Defence counsel later confirmed that it was not disclosed to him. I was subpoenaed as a Crown witness but was not called. The proffer issue was not adjudicated by Justice Devlin, so I do not present it as a court finding. I raise it because it shows why records, disclosure obligations and independent review are critical when an investigation accumulates information from many sources.

6. The acquittal

On May 13, 2026, Justice Devlin acquitted Mr. Majcher. The Crown had to prove that he committed preparatory acts with a view to committing the section 20(1) offence alleged. The court found that the prosecution had not proved the charge beyond a reasonable doubt. [R. v. Majcher, 2026 BCSC 879; Vancouver Registry No. 37428]

The acquittal did not amount to a judicial declaration about every decision made during Project Severo. It ended the prosecution after the court had already found serious defects in the search of my home and Mr. Majcher's arrest.

The National Security and Intelligence Review Agency and the Public Prosecution Service of Canada have opened files concerning my complaints. The Quebec Bar completed its review of my complaint regarding the conduct of federal Crown prosecutor Marc Cigana and advised that it will not pursue disciplinary action against him. I continue to call for a full public inquiry into Project Severo.

7. No apology. No closure. Still not cleared.

I want to be direct with this Committee about where things stand for me. Mr. Majcher's acquittal was his vindication. I was never charged, so there is no charge for a court to dismiss and no verdict capable of formally clearing my name. The public allegation that tied me to a national security conspiracy has never been withdrawn or corrected.

No party, including the RCMP, the Public Prosecution Service of Canada or the federal Crown, has apologized to me for the raid on my home, the public damage to my reputation, or the consequences for my business and livelihood. The harm is ongoing.

V. Why My Case Is a Warning About Bill C-22

My case does not prove that every power in Bill C-22 will be abused. It shows why safeguards matter. The warrant used to search my home was supported by a sworn Information to Obtain and approved by a judge, yet Justice Devlin later found that it could not properly have issued. Mr. Majcher's arrest was later found unconstitutional. Those failures occurred under a system that still generated records and judicial decisions capable of being challenged.

1. The warrant that failed judicial review still created a record that could be reviewed.

The June 8, 2023 warrant to search my home went before a judge and was supported by a sworn Information to Obtain. More than two years later, Justice Devlin examined that record in an adversarial Charter proceeding and found that the grounds were based on speculation. [R. v. Majcher, 2025 BCSC 2576; Vancouver Registry No. 37428] The lesson is that prior authorization is not infallible, but it creates an evidentiary record that can later be tested by an independent court.

What Bill C-22 does: New section 487.0121 creates a confirmation-of-service demand that a peace officer or public officer may issue to a telecommunications service provider without prior judicial authorization. The provider may later apply to a judge to revoke or vary the demand, but the independent judicial check comes after the demand has been issued. My experience is why I believe that sequence deserves close scrutiny.

2. My case involved a reasonable-grounds-to-believe warrant, and the grounds still failed on review.

The RCMP's Information to Obtain was presented on the standard ordinarily associated with search warrants. Justice Devlin later found that the grounds did not meet the required legal threshold and rested on speculation rather than a proper evidentiary foundation. [R. v. Majcher, 2025 BCSC 2576; Vancouver Registry No. 37428]

What Bill C-22 does: New section 487.0142 creates a judicial production order for subscriber information on the lower standard of reasonable grounds to suspect. The Canadian Bar Association has described that as the lowest threshold in Canadian law and has warned about the sensitivity of subscriber information. Parliament should be cautious about authorizing access to sensitive information on a lower standard when my case shows how badly an evidentiary foundation can fail even under a higher one.

3. Internal approval for covert surveillance tools preceded the search of my home.

Records show the RCMP's Covert Access Intercept Team approved a request involving On-Device Investigative Tools on May 23, 2023, more than two weeks before the June 8 warrant for my home. I do not know whether those tools were ultimately deployed against me, when they were deployed, or what judicial authorization may have governed their use. Records I obtained also indicate that my wife's mobile phone was included. That uncertainty is part of why meaningful records, notice and independent review matter.

What Bill C-22 does: Section 487.11 already exists in the Criminal Code as an exigent-circumstances power. Bill C-22 expands and clarifies circumstances in which officers may obtain evidence, including subscriber information, without first obtaining the warrant or order ordinarily required where exigent circumstances make that impracticable. Parliament should ensure this remains a narrow emergency exception, with prompt after-the-fact judicial review.

4. I was never told the full extent of what was being done to me.

I have never received full notice of the surveillance and information-gathering conducted in relation to me. To this day, I do not know the full extent of what was collected, retained or shared. That experience shapes my concern about delayed notice and secrecy.

What Bill C-22 does: The bill requires a copy of a warrant authorizing the examination of computer data to be provided as soon as feasible to specified affected people, but a judge may set aside that requirement in some circumstances or extend the time for notice. Each extension may be as long as three years. Part 2 also contains broad confidentiality requirements for providers subject to ministerial orders. Delayed notice should remain exceptional, justified and reviewable.

5. Unverified, second-hand accounts were treated as investigative fact.

Justice Devlin found that part of the RCMP theory involving me relied on an account from former RCMP Supt. Calvin Chrustie, who had visited my office years earlier and later relayed his impressions to investigators. The court characterized the resulting inferences as "bare assertions and speculation." Media reporting and an Australian television broadcast were also incorporated into the investigative material. [R. v. Majcher, 2025 BCSC 2576; Vancouver Registry No. 37428]

What Bill C-22 does: Section 487.0195 confirms circumstances in which officers may ask for information to be voluntarily provided, receive unsolicited information, and obtain or act on publicly available information without a production order or warrant where the law does not otherwise prohibit disclosure. My experience shows why voluntary, public and second-hand information still needs to be verified before it becomes the basis for more intrusive action.

6. Cross-border information-sharing must be traceable, tested and accountable.

Project Severo also raises a concern for me about information-sharing between Canadian police and foreign law-enforcement agencies.

Justice Devlin's ruling on the warrant used to search my home records that the RCMP's Information to Obtain relied on material from a range of law-enforcement and intelligence sources, including the FBI, the RCMP and CSIS, in describing China's Fox Hunt and SkyNet operations. [R. v. Majcher, 2025 BCSC 2576; Vancouver Registry No. 37428] Other material connected to Project Severo indicates that

information supplied by the FBI to the RCMP was used in relation to allegations involving Jianming Sun, a Chinese national living in New York.

I do not suggest that the FBI directed Project Severo or was formally part of the investigative team. I do not know the full extent of the FBI's involvement. That uncertainty is precisely my concern.

When information moves between agencies, particularly across international borders, the receiving agency must still test its reliability, context and relevance before using it to justify further investigative action. Information should not acquire greater credibility simply because it came from another police or intelligence agency.

As the court findings discussed above show, Project Severo drew on intelligence agencies, foreign law enforcement, former police officers, media reports and other sources. Some of that material contributed to an investigative theory that led to the search of my home, yet the required evidentiary foundation for the warrant was not there.

I am therefore concerned about any lawful-access regime that makes it easier for information to be obtained, exchanged or acted upon without a clear record showing where it came from, how it was verified, what qualifications or limitations accompanied it, and whether contradictory information was also provided.

What Bill C-22 does: Bill C-22 expands access to certain telecommunications and subscriber information and confirms circumstances in which information may be obtained voluntarily or without a traditional production order. In national security investigations, that information may later be combined with material received from domestic and foreign partner agencies.

The Committee should require clear safeguards around such information-sharing. Every piece of information received from another agency should remain traceable to its source. Its reliability should be independently assessed. Any caveats attached by the originating agency should follow the information wherever it is used. Investigators should record what steps were taken to corroborate it, and courts should be told when material relied upon in an application originated with a foreign partner.

There should also be a clear record of what Canadian authorities send abroad. Canadians should not lose domestic privacy protections simply because information about them crosses a border or is passed through a foreign law-enforcement partner.

For me, this is one of the central lessons of Project Severo. Information-sharing can be essential to national security investigations, but sharing is not verification. Information from a foreign agency must be tested before it is relied upon as evidence.

7. Disruption tactics must not become a way around evidence.

Project Severo also raises a concern about the RCMP's use of disruption tactics in national security files.

RCMP senior leadership described these tools before the Hogue Commission as "alternative methods." That phrase needs scrutiny. In practice, "alternative methods" can mean disruption: acting to neutralize a perceived threat without building a case that will be tested in open court.

Disruption may have a place where there is an urgent and real threat. But it becomes dangerous when the same approach is used to justify criminal-law steps such as searches, seizures, public allegations and reputational damage.

That is what concerns me about Project Severo. The investigation carried the urgency of national security, but the evidence later failed in court. My home was searched, my records were seized and I was publicly tied to an alleged conspiracy even though I was never charged.

What Bill C-22 does: Bill C-22 gives police and public officers faster access to certain digital and telecommunications information, including confirmation-of-service demands without prior judicial authorization, subscriber-information orders on a reasonable-grounds-to-suspect standard and clearer authority to act on voluntary or publicly available information.

The Committee should ask whether these powers could be used to support disruption activity that may never be tested in court. If "alternative methods" are used, Parliament should require written grounds, clear records, independent review, meaningful notice and a way for affected people to challenge what was done.

8. Privileged or explanatory material must not be used selectively.

A related concern involves solicitor-client privilege and selective use of information.

I sought legal advice from Vancouver lawyer David Church about whether any work could be done with Chinese authorities. His legal advice made clear that we could not work with the Chinese government.

I am also concerned about the MLAT request connected to the search of the Florida home of Ross Gaffney, a person connected to the Project Severo investigation. In that request, authorities relied on material suggesting there was an opportunity to work with the Chinese government, while omitting the related legal advice that rejected such work.

If such communications were protected by solicitor-client privilege, they should not have been used. If one side of the communication was used while the explanatory or exculpatory side was omitted, that raises a serious concern about selective presentation of evidence.

What Bill C-22 does: Expanded lawful-access powers will only be as fair as the records, disclosure practices and safeguards around them. My concern is that information gathered through powerful investigative tools can be used selectively unless Parliament requires clear audit trails, full disclosure obligations, independent review and meaningful remedies when protected or explanatory material is mishandled.

9. Evidence favourable to me did not reach the defence.

My August 21, 2023 proffer offered a lawful explanation for conduct at issue in the investigation. Defence counsel later confirmed it was not disclosed to him. I was subpoenaed as a Crown witness but was not called. I raise this as an unresolved disclosure concern, not as a judicial finding.

Why this matters to Bill C-22: The proffer issue arises from criminal disclosure law, not from Bill C-22's telecommunications confidentiality provisions. It nevertheless shows why any expanded lawful-access regime must preserve clear records, audit trails, disclosure obligations and independent review. Accountability depends on being able to reconstruct what was obtained, what was relied on and what was withheld.

10. I was never charged, and the investigation still cost me dearly.

I was publicly branded an alleged unindicted co-conspirator, my home was raided by more than a dozen officers, my records were seized, and I suffered severe professional and financial consequences. No charge was ever laid against me. People who are investigated but never charged may never have a criminal trial in which the state's conduct can be fully tested.

What Bill C-22 does: The bill would permit some investigative steps to occur on lower evidentiary thresholds and, in defined circumstances, without prior judicial authorization. Parliament should build in notice, review and accountability for people who are investigated but never charged.

11. It took more than two years and a Charter application to expose the defects.

The warrant process, the sworn Information to Obtain and the courts ultimately made it possible to examine what happened. Even then, it took more than two years and extensive litigation before key investigative failures came to light, while the damage to my career, finances and reputation continued.

What Bill C-22 does: Bill C-22 does not eliminate warrants for computer searches. It does, however, create or expand some powers that operate without prior judicial authorization or on a reasonable-grounds-to-suspect threshold. Where Parliament permits those powers, it should require a clear record, meaningful review and timely notice so that an affected person is not left without a practical way to challenge what occurred.

VI. <u>This Is Not Only My Reading of the Bill</u>

I am not a lawyer. The Canadian Bar Association's formal submission on Bill C-22 says Part 1 reduces judicial oversight, notes that confirmation-of-service demands do not require prior judicial authorization, describes reasonable grounds to suspect as the lowest threshold in Canadian law, and raises privacy and cybersecurity concerns about Part 2, including metadata retention and mandatory confidentiality. My experience does not prove the CBA's legal conclusions. It gives Parliament a real case against which to test whether the safeguards in this bill are strong enough.

VII. What I Am Asking This Committee to Do

- Preserve mandatory prior judicial authorization for intrusive computer and device searches and tracking powers. Require prior judicial authorization for confirmation-of-service demands, or substantially narrow section 487.0121 and strengthen independent review.
- Require a reasonable-grounds-to-believe standard for the new subscriber-information production order in section 487.0142, particularly where the information sought can reveal sensitive details about a person's activities, services or devices.
- Narrow the expanded exigent-circumstances authority in section 487.11 and require prompt judicial review, including a defined deadline such as 48 hours, after warrantless action is taken under that provision.
- Strengthen notice requirements. Where notice of a computer-data warrant is delayed, require periodic judicial justification. Add a clear, time-limited notice regime for people who are searched, tracked or investigated and never charged, subject only to narrow judicially supervised exceptions.
- Narrow and clarify section 487.0195 governing voluntary and publicly available information, and require clear policies on verification, reliability, retention and use before such information becomes the basis for more intrusive investigative steps.
- Require clear audit trails for domestic and international information-sharing, including source identification, reliability assessments, originating-agency caveats, corroboration records and disclosure to courts when foreign-supplied information is relied upon to obtain investigative authority. Record what Canadian authorities send abroad and preserve applicable Canadian privacy protections.
- Substantially amend Part 2 of the proposed Supporting Authorized Access to Information Act to address privacy and cybersecurity risks, including metadata retention, ministerial orders, mandatory confidentiality and limits on meaningful judicial review.
- Support an independent public inquiry into Project Severo so Parliament has a full accounting of how this national security investigation was initiated, directed, reviewed and prosecuted before expanding the powers available for future investigations.

VIII. Closing Statement

I served this country for 25 years wearing the uniform of the Royal Canadian Mounted Police. I spent my career building cases carefully, on evidence and under the supervision of the courts. I never imagined that the same institution I served would one day search my home, publicly associate me with a national security prosecution and inflict lasting damage on my reputation and livelihood on the basis of a warrant a judge would later find could not properly have issued.

I had counsel and, barely, the means to fight. More than two years later, a judge was able to examine the sworn record behind the search and find serious defects. Not everyone investigated by the state will have that opportunity. Bill C-22 gives Parliament a chance to decide, before new powers are used, how much independent scrutiny, notice and accountability should accompany them.

To this day, no charge has ever been laid against me, so there has been no dismissal, no acquittal and no formal act clearing my name. The public allegation that tied me to a national security case has never been withdrawn. I continue to live with its cost to my reputation and livelihood.

This Committee has the power to make sure that what happened to me does not become easier to do to the next Canadian. I am asking you to use it.

Respectfully submitted,

Kenneth "Kim" Marsh
Staff Sergeant, Royal Canadian Mounted Police (Retired)