

## **Exhibit A: Agreed Statement of Facts**

1. Since January of 2009, investigators attached to a Joint Intelligence Group (JIG) of law enforcement officers whose mandate is to investigate threats related to terrorism, public order or other threats from individuals or groups with extremist views have been conducting covert investigations throughout Ontario. These investigations were / are largely focused on identifying and preventing threats to events such as the 2010 Winter Olympics, the Olympic Torch Relay throughout Ontario and the G8 / G20 political summits scheduled for the end of June 2010 in Huntsville and Toronto.

2. In preparation for the G8 / G20 political summit scheduled for Huntsville and Toronto, Ontario, a Joint Intelligence Group had been assembled by the RCMP with members from the RCMP as well as various police agencies throughout Ontario including the Ontario Provincial Police, Toronto Police Service, Peel Regional Police Service, Waterloo Regional Police Service and Ottawa, Guelph and Barrie Police Services. The responsibilities of this Unit are to conduct investigations and gather intelligence related to domestic/foreign terrorism and threats to public order by various extremist groups.

3. As part of the above investigation the accused, Jaggi Singh, a political activist and community organizer from Montreal, came to the attention of investigators as a person of interest. He was a person of interest as a potential threat to public order, and not as a threat, in any way whatsoever, in relation to domestic/foreign terrorism.

4. Mr. Singh was a member of the Montreal-based group called La Convergence des luttes anticapitalistes (CLAC2010).

5. Prior to the G20 weekend, Mr. Singh shared information and links on his personal twitter feed: <http://www.twitter.com/JaggiMontreal>. His twitter feed was public, and openly shared with a wide variety of individuals and groups, including the media. His twitter feed, between June 3-July 6, 2010, is attached as Exhibit B. Mr. Singh shared information and opinions, within the 140 character limit on twitter, on a variety of topics including the G20, as well as “re-tweets” from other twitter feeds. Among his posts in relation to the G20, Mr. Singh posted:

- a) A link to the video “Mon voyage à Toronto” with the note “le ‘mon’ c’est pas moi”) (June 3)
- b) Further twitter posts and replies related to this video, re-iterating that Mr. Singh did not produce the video, and commenting on the video (June 3)
- c) A link to a radio show on the G8 and Africa co-produced and co-hosted by Mr. Singh as part of “No One Is Illegal Radio”, including interviews with Makoma Lekalakala from Johannesburg and Njoki Njehu from Nairobi (June 7)
- d) A “re-tweet” link to a G8/G20 popular education presentation produced by the CLAC2010 popular education committee (June 13)
- e) A “re-tweet” link to “Warning Shot: An Anti-Capitalist Reader” produced by CLAC2010 (June 13)

f) A video message from members of the Anti-Capitalist Convergence (CLAC2010) (June 17)

g) A link to the statement “No Fences! No Borders!” by No One Is Illegal groups (June 22)

6. Mr. Singh’s public twitter feed posted links to various statements, news articles, music and videos, as well sharing commentary and opinions. Unless clearly noted, Mr. Singh is not necessarily the author, creator, or producer of items he shared on his twitter feed. Mr. Singh also re-tweeted messages from other twitter feeds.

7. Prior to the G20 weekend in Toronto, a 3.5km security fence was placed around the perimeter of a security zone in downtown Toronto. The cost of this fence was approximately \$5.5 million dollars.

8. Jaggi Singh opposed the policies of the G20 as well as the security fence. He argued openly and publicly that the security fence should be removed to confront and oppose what he characterized as the destructive policies, institutions, corporations and structures associated with the G20 and global capitalism. He considered the security justifications for the fence to be illegitimate and part of a fear campaign to limit effective political protest. He was of the opinion that people should tear down the fence. Mr. Singh made efforts to convince individuals and groups that they should march to the fence and tear down the fence. He was aware that there was a reasonable possibility that people might respond to his efforts as he was aware that some of these people and groups were planning illegal protest actions that ranged from civil disobedience to property destruction to confrontation with the police.

9. On June 24, 2010, Mr. Singh appeared at a press conference, along with members of the migrant justice group No One Is Illegal that took place at the security fence. Mr. Singh asserted that the fence should be torn down and encouraged people to do so, during his initial remarks and also in reply to questions from the media. (A dvd containing these statements is attached as Exhibit C.) At the time that Mr. Singh made these statements he was aware that a large contingent of police would be guarding the security fence. It is specifically the statements at this press conference by Mr. Singh, and Mr. Singh only, that constitute counselling to commit mischief over \$5000 pursuant to section 464 (a) of the Criminal Code.

10. In all matters, Mr. Singh spoke and acted on his own behalf and not on behalf of any group or other individuals.

Exhibit B: Jaggi Singh twitter feed, June 3-July 6, 2010.

Exhibit C: June 24, 2010 Press Conference Video.