



July 11, 2017

**Sent via email and post**

The Honourable Ralph Goodale  
Minister of Public Safety  
House of Commons  
Ottawa, ON K1A 0A6

Dear Minister:

**Herman Van Ommen, QC**  
*President*

**Re: Search of Lawyers' Electronic Devices by Border Agents**

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hvanommen@mccarthy.ca

Thank you for your letter of June 28, 2017 in response to ours of May 1, 2017 concerning the searching of lawyers' electronic devices by Canada Border Services Agency officers.

We are pleased to receive your confirmation that CBSA officers understand the importance of solicitor-client privilege and are instructed not to examine documents if they suspect that they may be subject to privilege, if they are specifically marked with the assertion that they are privileged, or if the privilege is claimed by a lawyer with respect to documents carried over the border. We will communicate with the lawyers who we regulate that, where they have made a claim of privilege over the contents of their electronic devices, that assertion will be respected by CBSA officers.

Thank you again for taking the time to respond to our letter.

Yours truly,

A handwritten signature in black ink, appearing to read "H. Van Ommen".

for Herman Van Ommen, QC  
President

cc. The Honourable Jody Wilson-Raybould  
Minister of Justice and Attorney General of Canada