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B.C. bomb plotters set free after judge rules RCMP entrapped pair

Geordon Omand

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A British Columbia couple convicted of terrorism charges have had their verdicts tossed out in a scathing court decision that flays the RCMP for its "egregious" conduct in manipulating naive suspects into carrying out a police-manufactured crime.

But John Nuttall and Amanda Korody were quickly re-arrested and placed under a peace bond before finally being released. The Crown also immediately filed an appeal.

B.C. Supreme Court Justice Catherine Bruce said the Mounties used trickery, deceit and veiled threats to engineer the terrorist acts for which Nuttall and Korody were arrested on Canada Day three years ago.

The couple believed they were planting pressure-cooker bombs to kill and maim crowds gathered to celebrate at the B.C. legislature.

"The world has enough terrorists. We do not need the police to create more," Bruce said in a landmark ruling Friday as she characterized the RCMP's methods as "multi-faceted and systematic manipulation."

"There is clearly a need to curtail the actions of police ... to ensure that future undercover investigations do not follow the same path."

Bruce said Mounties involved in a months-long sting launched in early 2013 knowingly exploited Nuttall and Korody's vulnerabilities to induce them to commit an offence.

She described the pair as marginalized, socially isolated, former heroin addicts dependent on methadone and welfare to subsist and said they were "all talk and no action."

Nuttall and Korody were recent converts to Islam. Their trial heard Nuttall say in a recording that he wanted to kill and maim countless people during Canada Day festivities in retaliation for Canada's role in the mistreatment of Muslims in Afghanistan and other countries.

Without the heavy-handed involvement of undercover officers, it would have been impossible for Nuttall and Korody to articulate, craft and execute a terrorist bomb plot, Bruce said.

"Ultimately, their role in carrying out the plan was minuscule compared to what the police had to do," Bruce said. "It was the police who were the leaders of the plot."

She also condemned the behaviour of the primary undercover officer who, at the direction of the operation's overseers, discouraged Nuttall and Korody from seeking outside spiritual guidance and convinced them he was a member of a powerful international terrorist group that would likely kill them if they failed to follow through.

"He was their leader and they were his disciples," said Bruce, who stayed the proceedings, which threw out the convictions and allowed the couple to walk free after more than three years behind bars.

They embraced outside B.C. Supreme Court before being temporarily re-arrested and later released from provincial court under a peace bond, which places them under strict conditions for up to a year.

A jury found the pair guilty in June 2015 of terrorism-related charges but Bruce delayed registering the convictions at the request of defence lawyers, who wanted to argue the Mounties had entrapped their clients.

The stay of proceedings means the charges won't appear on any criminal record and can't be used against the couple in the future.

Had they been convicted, Nuttall and Korody could have faced a maximum sentence of life in prison.

Nuttall's mother, Maureen Smith, was in court for the ruling and pumped her fist in the air when Bruce ordered a stay of proceedings.

Smith said she was ecstatic about the verdict but still furious at the RCMP.

"It makes me so angry that the cops did that to my son and Amanda," she said. "The police were dirty crooks for committing these crimes against people, especially marginalized ones."

Outside court, Crown lawyer Peter Eccles said he was disappointed by the decision and emphasized that the couple still pose a threat to the public.

"Let's face it, they did do it," Eccles said about Nuttall and Korody planting the inert explosives. "And they meant it."

The Crown has filed an appeal of the ruling issued Friday.

Marilyn Sandford, Nuttall's lawyer, referenced a section of the judge's ruling, which described the RCMP's perception of the risk posed by her client as "farcical."

"We don't criminalize thought in our country," Sandford said. "We don't criminalize crazy ideas. There are a lot of people with crazy ideas who are not inclined to act on them."

Korody's lawyer, Mark Jette, described the ruling as a "powerful indictment" against the RCMP and said the next step will be helping the couple re-integrate into society.

Jette rejected the suggestion that the public should be concerned about the ruling hamstringing police from investigating terrorism threats.

This is the first time in Canada that the legal defence of entrapment has been successfully argued in a terrorism case. Three previous attempts failed.