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File no. G10075579

July 16, 2026

Chantal Carbonneau, Registrar
Supreme Court of Canada
301 Wellington Street
Ottawa, ON K1A 0J1

Dear Registrar::

Re: Allan Douglas Wilson v. Ottawa Police Service, et al. File No. 42354

Please accept this letter as the Response of the Ottawa Police Service Board (“OPSB”), pursuant to Rule 49, to the Applicant’s motion to adduce fresh evidence in support of his Application for Leave to Appeal.

The evidence should not be admitted for the following reasons. First, the Supreme Court of Canada has recognized that, generally, the question whether a legal issue is of public importance within the meaning of [s. 43](#) of the *Supreme Court Act*, RSC 1985, c. S-26, is not a matter on which affidavit evidence is helpful: *Aecon Buildings v Stephenson Engineering Ltd.*, 2011 SCC 33 (CanLII), at [para 4](#). While there are some cases where it may not be apparent from the rest of the leave materials why the decision sought to be appealed is alleged to establish a precedent that is unworkable in practice, or otherwise is likely to have a problematic impact or jurisprudential importance not apparent on its face, such is not the case here.

The decision from which leave to appeal is sought arises from the summary dismissal of the Applicant’s claim pursuant to [Rule 2.1.01](#) of the *Rules of Civil Procedure*, RRO 1990, Reg 194. Mr. Wilson had a statutory right to appeal the dismissal of his action to the Court of Appeal for Ontario, pursuant to [s. 6\(1\)\(b\)](#) of the *Courts of Justice Act*, RSO 1990, c C.43. Instead of availing himself of this opportunity, however, he commenced an application for judicial review in the Divisional Court.

It is that decision from which the Applicant seeks leave to appeal. Thus, the legal question that arises is whether an applicant who seeks judicial review of a motion decision despite having a statutory right of appeal has committed an abuse of process. The evidence which the Applicant seeks leave to introduce – including a Cone Beam Computed Tomography scan he claims was completed in Cebu City in the Philippines, and an accompanying report purporting to identify implants in the Applicant’s sinuses – does not bear on that question.

Moreover, the accompanying report, which includes the author’s findings, impression and recommendations based on their review of the scan, constitutes inadmissible opinion evidence. The author has not sworn an affidavit, confirming under oath the fact that they formed this opinion. The author has also failed to sign a certificate confirming that they are aware of their duties as an expert and that they will comply with them. The report itself is unsigned and undated. The author is not specifically identified, nor are their qualifications. As a result, the report fails to meet the requirements of [Rule 53.03](#)

of the *Rules of Civil Procedure*, RRO 1990, c 194. In addition, it fails to meet the requirements of a properly qualified expert and relevance reaffirmed by this Court in *White Burgess Langille Inman v Abbott and Haliburton Co.*, 2015 SCC 23 (CanLII), at [paras 23-24](#).

For the above reasons, the OPSB requests that the Applicant's motion be dismissed. The OPSB is not seeking costs.

Sincerely,

Gowling WLG (Canada) LLP



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File No. 029547.000243

July 17, 2026

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Ms. Chantal Carbonneau
Registrar
Supreme Court of Canada
301 Wellington Street
Ottawa, ON K1A 0J1

Dear Ms. Carbonneau:

**Re: Supreme Court of Canada File No. 42354
Wilson, Allan Douglas v. Ottawa Police Service, et al**

We act as Counsel for the Respondent, Ottawa Hospital, in the above-noted matter.

The Respondent, Ottawa Hospital, does not intend to respond to the Motion to Adduce Fresh Evidence filed by the Applicant but relies on and adopts the submissions as set out in the Responses of the Respondents, Ottawa Police Service and Canadian Joint Operations Command.

Yours truly,

Per:



Kim Dullet

/lj

cc Parties | Counsel | Agents:

- Allan Douglas Wilson, Self-represented Applicant | wilson.allan.d@gmail.com;
- Graham Ragan, Gowling WLG (Canada) LLP | Agent for the Respondent, Ottawa Police Service Board | graham.ragan@gowlingwlg.com;
- Zoe Oxaal, Department of Justice Canada | Agent for the Respondent, Canadian Joint Operations Command | sccagentcorrespondentcsc@justice.gc.ca;