

Government of
Canada

National
Parole Board

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PERSONAL INFORMATION BANK
NPB-CLC PPU 005

NPB DETENTION REVIEW DECISION SHEET

Name REYAT , INDERJIT SINGH FPS File No
Institution: INSTITUTION

TYPE OF REVIEW
PANEL

TYPE OF DECISION(S) DETENTION TYPE OF REVIEW/REFERRAL DETENTION REVIEW CSC REFERRAL

SCHEDULED OFFENCE(S): NON SCHEDULED OFFENDER: No SCHEDULE I: Yes
SEXUAL OFFENCE INVOLVING A CHILD: No SCHEDULE II: No

SENTENCE INFORMATION
Statutory Release Date: 2006/06/11 Warrant Expiry Date: 2008/02/09

OBSERVER(S)
YES Observer(s) present (except during Board Member deliberations)

Excluded from part of hearing:
Reason:

ASSISTANT
YES Assistant present

NEW INFORMATION OR GIST OF CONFIDENTIAL INFORMATION SHARED WITH OFFENDER
Not Applicable

FINAL DECISION(S)
DETENTION DETENTION ORDERED Dated 2006/03/03

SPECIAL CONDITION(S) IMPOSED AND PERIOD OF TIME FOR WHICH THEY ARE VALID (Apply until the end of the release unless a fixed period of time is specified)

Status

BOARD MEMBERS' ASSESSMENT OF RISK

The Board is satisfied that, if released, you are likely to commit an offence causing the death of or serious harm to another person before the expiration of the sentence you are now serving according to law.

FPS: NAME: REYAT , INDERJIT SINGH FILE NO.:
NPB 65 (99-05) OMS
VERS (7)
Data and Time Locked 2006/03/13 15:02

DECISION SHEET
ACCESSSED
No EXEMPTION(S) APPLIED

S.144(4) CCRA
Observers present
..../03

CS ① 2006 March 14
CS ② 2006 March 14 (media x6)

REASONS FOR DECISION(S) AND/OR VOTE(S)

It is the decision of the Board, following today's hearing, to order that you be detained in custody until your Warrant Expiry Date.

Your criminal history is limited, but is violent, as your actions have led to the deaths of 331 people. In 1991 you were convicted of Manslaughter(x2), as well as a number of offences related to making, acquiring and possessing explosive devices. You received a 10-year sentence for these crimes. These offences were related to an explosion at the Narita Airport in Japan that killed two baggage handlers, and injured four others. The judge determined that while the Crown did not allege nor prove that you intended to kill anyone, or that you knew that others intended to use the bomb to kill anyone, he did find that you fabricated a highly dangerous bomb. He also determined that your act was not impulsive, or a crime committed in the heat of passion. Instead, he concluded that this was a planned and deliberate course of conduct. The Board agrees with this finding. When you decided to build, or assist others in building a bomb, you understood that there would be violent consequences.

The Board, in its decision (in 1998) ordering that you be detained, came to the same conclusion; that your actions were deliberate and planned. In addition, the Board found that your actions were clear evidence of a callous disregard for the consequences of those actions. The Board also cited your conviction for being in possession of a handgun and explosive material as evidence of a pattern of behaviour that would likely lead to violence.

The Board notes that you were detained, annually, until you reached the end of your sentence, and even then did not return to the community, as you were charged with Manslaughter for your role in the explosion that destroyed Air India Flight 182 in June, 1985. You pled guilty to this charge and received a five year sentence. In the Agreed Statement of Fact, you acknowledged that you obtained material for making explosive devices, but that you did not make or arm an explosive device or place such a device on an airplane, nor did you know who did so. This statement also indicates that you had been told that the devices would be transported to India in order to blow up property such as a car, a bridge or something heavy.

At the outset of today's hearing the Board heard Victim Impact Statements from a number of individuals who lost relatives as a result of the explosion that destroyed Air India Flight 182. These statements were poignant and provided stark evidence of the emotional impact, which still continues, of that crime and the profound loss of life that it led to.

The Board also learned that you have been charged with Perjury as a result of the testimony that you gave at the trial of two others who had been charged, along with yourself, with being responsible for the explosion on board that airplane. Your assistant asked the Board to not proceed with today's hearing for detention, as he indicated that the action of the Crown, in laying those charges, would prevent the Board from asking any questions that could be related to any of the issues covered by the perjury charges. The Board, however, concluded that it has an obligation to consider all relevant information, including information related to outstanding charges. We reiterated that the Board was properly seized with the case, and that you would have every opportunity to answer to the recommendation for Detention that had been made by the Correctional Service of Canada. Finally, the Board, in response to a further submission, reminded you and your Assistant that it is an independent administrative tribunal that has an 'arms length' relationship with any other agency of the government.

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EXEMPTION(S) APPLIED

FILE NO.: [REDACTED]

S. 144(4) CCRA
observers present
.... /04

TIME IS BASED ON A 24-HOUR CLOCK PERIOD.

CS ① 2006 March 14
CS ② 2006 March 14 (media x6)

In response to the Board's questions throughout today's hearing, you claimed limited or virtually no responsibility for the events that led to the deaths of more than 300 people. Although you were found to have fabricated a bomb that ultimately exploded at an airport in Japan, you denied today that this was the case. Your position appears to be, put simply, that at the request of an individual (Talwinder Parmar), you purchased or obtained electrical devices that could be used to make an explosive device. You indicated that you did not actually know Mr. Parmar well, though you had previously spent some time with him, but in spite of this, you agreed to obtain this material, knowing that it would likely be used to cause an explosion.

Interestingly, you told the Board that Mr. Parmar told you that the goal for such an explosive device (or devices) would be to damage a building in India. This, of course, is not the answer that you have previously provided to authorities, and is at odds with the Agreed Statement of Fact at your trial. On previous occasions you have said that Mr. Parmar told you the device would be used to cause an explosion to a bridge or some other heavy object. When the Board asked you to explain the discrepancy in your evidence, you replied that you had been pressured into making these other claims. In another instance you initially claimed that you never spoke to Mr. Parmar after you learned of the explosions and that you never had the chance to ask if your actions had been responsible for these events. After the Board challenged you regarding this, noting that you had been charged jointly with him in November of that year, you changed your answer, indicating that you had understood the Board to ask if you had spoken to him socially, or had gone to his home.

The above are only two examples of occasions in which you provided the Board with answers to questions today that are at variance with statements that you have made, or have been ascribed to you on previous occasions. The Board finds these discrepancies to be relevant to our decision, as they have led the Board to conclude that you have been evasive and contradictory in your statements today, and that as a consequence, you have very little credibility.

Throughout today's hearing you continued to claim that you were 'duped' or manipulated into believing that your actions would not lead to anyone being harmed. The Board did not believe you. At the time of the offences you were 34 years of age, you were the shop foreman at your place of work, and you were considered to be an upstanding member of your community, as well as being a responsible parent. There is no information that would lead the Board to conclude that you were anything other than a mature and respected individual. The Board believes that you had to have understood, or known, that a number of people would be seriously hurt or killed as the result of your actions. Your assertion that you were misled into committing this violent offence is simply not credible.

In summary, the Board finds that you were callously indifferent as to the consequences of your actions.

In order to conclude that you meet the criteria to be detained, the Board must determine that you are likely to commit an offence causing death or serious harm to another person prior to your Warrant Expiry Date. Although the Board does not find that you are credible, this is not, in itself, a reason to detain you. However, your lack of credibility does play a significant role in the Board's decision. In our view, you have been convicted of offences that can best be described as acts of terror. At today's hearing you appeared to downplay any strong feelings, at the time, about how Sikhs were being treated in India. You appeared to indicate that you were vaguely aware of problems experienced by Sikhs in that country, whereas file information indicates that you had told co-workers about injustices by the Indian government for many years prior to the invasion of the

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DECISION SHEET	
ACCESSSED	
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S 144(4) CCRA

Observers present

.... /05

CS ① 2006 March 14
CS ② 2006 March 14 (media x 6)

Golden Temple by the Indian army that led to many deaths.

If this is the event that galvanized you into taking drastic action, then you tried to downplay its importance today, especially when you said that it was your understanding that any explosive device would only be used to damage property. It is far more likely that you and others, in order to bring international attention to your cause, would have wanted to do far more than damage property.

The question for the Board is whether traditional risk assessments can accurately or adequately capture the risk posed by an individual who is capable of terrorist activities that have led to a loss of life. You have undergone numerous such assessments over the years, and generally, the assessors indicate that normal actuarial tools provide little guidance. Generally you are assessed as a low risk on these scales. The Board, however, agrees with the conclusion in the psychological assessment recently completed by Dr. [REDACTED] in which he indicates that it is not possible to adequately assess risk in an area (of politically or religiously motivated aggression) due to a lack of detailed or corroborated information. The Board notes that the psychiatric report from Dr. [REDACTED] which you provided, suggests you are a low risk, primarily because you have said that you no longer advocate the use of violence and that you are more suspicious of others and their motives. The psychiatric report from Dr. [REDACTED] indicates that your presentation did not engender confidence that you would be able to avoid involvement with others in activities that could lead to serious consequences. These would include acts of terror similar to those that you have already committed.

The Board acknowledges that you likely score as a low risk for offending based on the usual actuarial items designed to predict risk for re-offending. However, we also would point out that you would likely have scored in a similar fashion on the day that the bombs went off, given your evident maturity and lack of a prior criminal history. As a consequence, the Board can put little weight on such assessments in determining the risk in your specific case.

We note that you have not taken any treatment programs, nor engaged in any regime of counselling in order to reduce the likelihood that you would again engage in similar criminal activity. We are aware that you are considered to have been a model inmate throughout the years, in that you have been compliant with institutional rules, and that you have gained support from various individuals with whom you have worked. We also note that you are presently a kitchen worker at Collins Bay Institution.

In the Board's view, you are clearly an individual who is capable of committing crimes that have led to death and serious harm, as you have already done so. You have continually minimized your role in these offences and tried to distance yourself from the religious or political fanaticism that likely existed for you at the time. In addition to the bombs that you assisted in making, or made, the Board notes your earlier conviction for being in possession of explosive material, and an unregistered restricted firearm in 1986. When the Board asked you about that 357 magnum handgun today, you merely indicated that you were thinking of purchasing it from a friend who had left it with you. This event took place five months after the bombs had gone off. The Board sees this event, along with your involvement in the tragedies of June as forming a pattern of behaviour that predicts similar conduct. Therefore a pattern of persistent, violent behaviour has been established. You were involved in terrorist activities, and the Board has no information reliably indicating that your thoughts or beliefs have changed. You have stated that you would not engage in violent activity, regardless of any political or religious provocation, but given your lack of credibility, the Board cannot give weight to these assertions.

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14462/14462
EXEMPTION(S) APPLIED

FILE NO.: [REDACTED]

5144(4) CCR A Observers
but Drs names not disclosed
in presence of 106
of observers.

TIME IS BASED ON A 24-HOUR CLOCK PERIOD.

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The Board has examined your claim that you were duped into committing these offences. Frankly, this does not appear to be a credible claim. You made choices to participate and you did so without thought as to the dire consequences that would arise if your plans were successful. If the Board were to accept your own version (that is that you were manipulated), then we would have no information presently that you have become more mature, or less likely to follow the directions of others. If you are indeed still susceptible to the directions of others, then you would be at a similar risk for being used, again, by unscrupulous others, including participation in crimes that would cause serious harm or death.

You have been convicted of Manslaughter on two occasions by the Court. This constitutes a pattern of persistent violent behaviour that is based on the number of offences, the bombs or explosive material that were used in these offences, and the extreme seriousness of these offences that resulted in the deaths of 331 innocent people.

Although you have chosen to minimize your role, your actions led to the construction of two bombs, or explosive devices that were detonated with horrific results. These were acts of terrorism. You have not been truthful, in our view, about these events, or your actions. This makes assessments that attempt to determine the likelihood of similar behaviour of little value to the Board. While there is no information that compels the Board to conclude that you are actively planning to commit a similar offence, your lack of honesty makes it extremely difficult to know, with certainty, what your thoughts or plans actually consist of. Your lack of credibility also leads the Board to conclude that you could not be supervised safely in the community and that as a consequence, no supervision program is available that would offer adequate protection to the public.

In summary, the Board is satisfied that you are likely to commit an offence causing death or serious harm to another person prior to the expiration of your sentence. Your previous offences caused 331 deaths. Your entire criminal history is confined to a period covering only a few months; however, it is an entirely violent history and you have not shown genuine remorse for your actions, or taken full responsibility for them. If anything, you have attempted to distance yourself from those actions. This is evidence that you have been entirely indifferent as to the consequences of your actions. If you were to re-offend, the Board believes that such criminal behaviour would similarly be violent. You were detained previously, and there is no information to support your contention that you have changed your views, or become more mature. You chose to commit the current offence. You were not fooled into it.

The Board has concluded that you meet the legislated criteria for detention, and we are therefore ordering that you be detained until your Warrant Expiry Date.

VOTE (S)

		Dated
DETENTION BOARD MEMBER	DETENTION ORDERED CROWLEY, MICHAEL F	2006/03/03
DETENTION BOARD MEMBER	DETENTION ORDERED JEFFERSON, CHRISTIE	2006/03/03
DETENTION BOARD MEMBER	DETENTION ORDERED WALSH, THERESA M	2006/03/03

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