

Reference Document

"The Sealed Envelope: Inside the Canadian Supreme Court Case Watchtower Is About to Lose"

Every Claim, Source, and Verification Status

How to Use This Document

Each entry identifies a specific factual claim made in the video, the source it is based on, where to verify it, and any notes on confidence level. Claims are organized in the order they appear in the video.

Verification levels:

- **PRIMARY** — Sourced from court rulings, legislation, official Watchtower publications (including internal manuals like *Shepherd the Flock of God*), peer-reviewed research, government records, or other official filings. Primary sources can stand on their own.
- **SECONDARY** — Sourced from established advocacy or legal resource sites, academic researchers, or reputable investigative journalism. Secondary sources support claims and are most defensible when paired with a primary or another independent secondary.

SECTION 1: The Vabuolas Appeal at the Supreme Court of Canada

Claim: The Supreme Court of Canada granted leave to appeal in the Vabuolas case in November 2025.

- **Source:** Supreme Court of Canada, *Vabuolas v. British Columbia (Information and Privacy Commissioner)*, Case file 41816
- **URL:** <https://www.scc-csc.ca/cases-dossiers/search-recherche/41816/>
- **Verification:** PRIMARY — Official SCC docket page lists the case, the parties, and the leave-to-appeal decision.

Claim: The British Columbia Court of Appeal ruled unanimously against Watchtower in this matter, with no dissent, in a decision written by Justice Karen Horsman.

- **Source:** *Vabuolas v. British Columbia (Information and Privacy Commissioner)*, 2025 BCCA 83 (Court of Appeal for British Columbia, March 21, 2025)
- **URL:** <https://www.canlii.org/en/bc/bcca/doc/2025/2025bccca83/2025bccca83.html>
- **Verification:** PRIMARY — Published court ruling available on CanLII (Canadian Legal Information Institute).

Claim: Before the Court of Appeal, the matter was heard by the British Columbia Supreme Court, which also ruled against Watchtower.

- **Source:** *Vabuolas v. British Columbia (Information and Privacy Commissioner)*, 2024 BCSC 27 (Supreme Court of British Columbia, January 9, 2024)
- **URL:** <https://www.canlii.org/en/bc/bcsc/doc/2024/2024bcsc27/2024bcsc27.html>
- **Verification:** PRIMARY — Published court ruling available on CanLII.

Claim: The original privacy adjudicator decision came from Elizabeth Barker, Director of Adjudication at the Office of the Information and Privacy Commissioner for British Columbia, in Decision P22-03 (Order F22-28), issued June 20, 2022.

- **Source:** Office of the Information and Privacy Commissioner for British Columbia, Order F22-28 / Decision P22-03
- **URL:** <https://www.oipc.bc.ca/documents/orders/2525>
- **Verification:** PRIMARY — Published order on the OIPC website.

Claim: Adjudicator Barker wrote that she was 'not confident that the respondents' description of the records is accurate.'

- **Source:** OIPC Decision P22-03 / Order F22-28 (2022)
- **URL:** <https://www.oipc.bc.ca/documents/orders/2525>
- **Verification:** PRIMARY — Direct quote from the published order.
- **Key quote:**

"I am not confident that the respondents' description of the records is accurate."

SECTION 2: What the Records Contain

Claim: The records at issue contain, for each former member: name, gender, birth date, baptism date, date of disassociation, method of disassociation, and a summary of the elders' spiritual deliberations.

- **Source:** *Vabuolas v. BC (Information and Privacy Commissioner)*, 2025 BCCA 83, describing the contents of the records based on the sworn affidavits of elders John Vabuolas and Paul Sidhu
- **URL:** <https://www.canlii.org/en/bc/bcca/doc/2025/2025bcc83/2025bcc83.html>
- **Verification:** PRIMARY — Court of Appeal decision quoting the elders' own sworn descriptions.

Claim: Elder John Vabuolas stated in his sworn affidavit that the record is kept with an anticipated future use — specifically, for a 'future request for reinstatement.'

- **Source:** *Vabuolas v. BC (Information and Privacy Commissioner)*, 2025 BCCA 83, quoting the Vabuolas affidavit
- **URL:** <https://www.canlii.org/en/bc/bcca/doc/2025/2025bcc83/2025bcc83.html>
- **Verification:** PRIMARY — Court of Appeal decision directly quoting the sworn affidavit.
- **Key quote:**

"...potentially, for a fellow elder who may eventually be appointed to view the information for a necessary religious purpose, most notably a future request for reinstatement."

Claim: Elder Paul Sidhu described the elders' deliberations as 'an expression of the elders' individual and collective deeply-held religious convictions and conscience.'

- **Source:** *Vabuolas v. BC (Information and Privacy Commissioner)*, 2025 BCCA 83, quoting the Sidhu affidavit
- **URL:** <https://www.canlii.org/en/bc/bcca/doc/2025/2025bcc83/2025bcc83.html>
- **Verification:** PRIMARY — Court of Appeal decision directly quoting the sworn affidavit.
- **Key quote:**

"...an expression of the elders' individual and collective deeply-held religious convictions and conscience."

Claim: Kevin Knaus, the affiant for the Watch Tower Bible and Tract Society of Canada, invoked Proverbs 11:13 to describe disclosure of the records as a violation of sacred ecclesiastical duty.

- **Source:** Court filings in *Vabuolas v. BC*, including the Knaus affidavit referenced in the BCCA decision
 - **URL:** <https://www.canlii.org/en/bc/bcca/doc/2025/2025bcc83/2025bcc83.html>
 - **Verification:** PRIMARY — Referenced in the Court of Appeal decision.
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SECTION 3: The Westgarde Disclosure Issue

Claim: Gregory Westgarde of the Coldstream Congregation was initially told by the congregation that no personal information about him was held — a position later reversed.

- **Source:** Supreme Court of Canada, Case in Brief / Summary for Case 41816
- **URL:** <https://www.scc-csc.ca/cases-dossiers/search-recherche/41816/>
- **Verification:** PRIMARY — Directly from the SCC case summary.
- **Key quote:**

"Mr. Westgarde was initially informed by the Coldstream Congregation that no personal information was held."

SECTION 4: The Parties and Counsel

Claim: The law firm representing Watchtower at every level of this case is W. Glen How & Associates LLP, an Ontario firm based in Georgetown.

- **Source:** W. Glen How & Associates LLP — official firm website
- **URL:** <https://www.wghow.ca/>
- **Verification:** PRIMARY — Official firm website.

Claim: W. Glen How (1919–2008), the firm's namesake, was one of the most influential Watchtower lawyers of the twentieth century, known for arguing constitutional and religious-freedom cases before the Supreme Court of Canada over a career spanning more than six decades.

- **Source:** W. Glen How & Associates LLP, firm history page
- **URL:** <https://www.wghow.ca/history/>
- **Verification:** PRIMARY — Firm's own published history of its founder.

Claim: David M. Gnam is a managing partner at W. Glen How & Associates LLP, has appeared before the Supreme Court of Canada in precedent-setting cases involving Jehovah's Witnesses, and is listed on the counsel roster for the Vabuolas appeal.

- **Source:** W. Glen How & Associates LLP, 'Our Team' page (David M. Gnam bio); Supreme Court of Canada docket for Case 41816
- **URL:** <https://www.wghow.ca/our-team/>
- **Verification:** PRIMARY — Firm biography; SCC docket lists counsel of record.

Claim: Jayden MacEwan is co-counsel on both the 2017 Highwood Congregation v. Wall case and the current Vabuolas appeal, having appeared twice before the Supreme Court of Canada in ecclesiastical-jurisdiction matters.

- **Source:** W. Glen How & Associates LLP, 'Our Team' page (Jayden MacEwan bio)
 - **URL:** <https://www.wghow.ca/our-team/>
 - **Verification:** PRIMARY — Firm biography explicitly notes two SCC appearances in cases 'that successfully challenged the jurisdiction of courts to review ecclesiastical decisions.'
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SECTION 5: The 2017 Highwood v. Wall Precedent

Claim: In 2018, the Supreme Court of Canada ruled unanimously in favor of Watchtower in Highwood Congregation of Jehovah's Witnesses v. Wall, holding that internal religious discipline matters (including disfellowshipping) are not justiciable by secular courts.

- **Source:** *Highwood Congregation of Jehovah's Witnesses v. Wall*, 2018 SCC 26 (Supreme Court of Canada)
- **URL:** <https://decisions.scc-csc.ca/scc-csc/scc-csc/en/item/17101/index.do>
- **Verification:** PRIMARY — Full published decision on the Supreme Court of Canada's decisions database.

Claim: The 2017 oral hearing in Highwood v. Wall is publicly archived on the Supreme Court of Canada's webcast system (Case 37273).

- **Source:** Supreme Court of Canada, Case file 37273, *Highwood Congregation of Jehovah's Witnesses v. Wall*
- **URL:** <https://www.scc-csc.ca/cases-dossiers/search-recherche/37273/>
- **Verification:** PRIMARY — Official SCC case docket with linked hearing webcast.

Claim: In the 2017 oral argument, David M. Gnam described disfellowshipped persons as able to attend meetings, sit wherever they liked, and sing the songs, characterizing the experience as one where 'normal family relations continue with the exception of spiritual fellowship.'

- **Source:** AvoidJW, 'David Gnam — Supreme Court Liar' (analysis of the November 2, 2017 oral argument)
- **URL:** <https://avoidjw.org/news/david-gnam-supreme-court-liar/>
- **Verification:** SECONDARY — Established exJW investigative resource summarizing and quoting from the publicly archived SCC oral-argument webcast. The underlying webcast is a primary source and can be verified independently on the SCC site.

Claim: In its 2018 ruling, the Supreme Court of Canada held (per Justice Rowe writing for the court) that issues of theology are not justiciable and that Canadian courts would not review Watchtower's internal disciplinary decisions.

- **Source:** *Highwood Congregation of Jehovah's Witnesses v. Wall*, 2018 SCC 26, judgment written by Rowe J.
- **URL:** <https://decisions.scc-csc.ca/scc-csc/scc-csc/en/item/17101/index.do>
- **Verification:** PRIMARY — Full published decision.

SECTION 6: The Legal Framework

Claim: The British Columbia Personal Information Protection Act (PIPA) is the provincial statute governing private-sector data protection in British Columbia and is the statute at issue in the Vabuolas case.

- **Source:** British Columbia, *Personal Information Protection Act*, SBC 2003, c. 63
- **URL:** https://www.bclaws.gov.bc.ca/civix/document/id/complete/statreg/03063_01
- **Verification:** PRIMARY — Official text of the statute on BC Laws (the government's legislation website).

Claim: Section 2(a) of the Canadian Charter of Rights and Freedoms guarantees freedom of conscience and religion — the constitutional provision Watchtower invokes in support of its position.

- **Source:** Department of Justice Canada, *Charter of Rights and Freedoms*, Section 2(a) — Fundamental Freedoms
 - **URL:** <https://www.justice.gc.ca/eng/csj-sjc/rfc-dlc/ccrf-ccdl/check/art2a.html>
 - **Verification:** PRIMARY — Official government publication of the Charter text and guidance.
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SECTION 7: The Eleven Interveners

Claim: Eleven separate parties filed motions for leave to intervene in the Vabuolas appeal at the Supreme Court of Canada in March 2026: the Attorney General of Canada; the Information and Privacy Commissioner of Ontario; the Canadian Civil Liberties Association; the British Columbia Civil Liberties Association; the British Columbia Humanist Association; the David Asper Centre for Constitutional Rights; the Public Interest Litigation Institute; the Canadian Association of Refugee Lawyers; the Evangelical Fellowship of Canada together with the Canadian Centre for Christian Charities; the Christian Legal Fellowship; and the Association for Reformed Political Action (ARPA Canada).

- **Source:** Supreme Court of Canada, Case file 41816 docket — motion filings for leave to intervene
 - **URL:** <https://www.scc-csc.ca/cases-dossiers/search-recherche/41816/>
 - **Verification:** PRIMARY — Official SCC docket, which lists all motions for leave to intervene and the identity of each moving party.
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SECTION 8: Creator Analysis and Editorial Commentary

The following portions of the video are editorial analysis by the creator — reasoned interpretations of the documentary record, not independent factual claims requiring external verification:

- The framing of the records as 'administrative controls over former members' rather than 'pastoral care'
- The characterization of Watchtower's 2017 and 2025 positions as irreconcilable ('PICK one')
- The description of the process as 'corporate records management with a liturgical coat of paint on top'
- The claim that 'trust means daylight; secrecy means leverage'
- The observation that data protection law is 'becoming the tool that pries these records loose'

These editorial characterizations are based on the documentary record cited above and represent the creator's reasoned analysis. They are not framed as factual statements about any individual's intent, character, or motive.

SECTION 9: Additional Supporting Sources

CanLII — Canadian Legal Information Institute

- **Source:** Federation of Law Societies of Canada
- **URL:** <https://www.canlii.org/>
- **Verification:** PRIMARY — The standard public legal database for Canadian court decisions and legislation.
- **Contains:** Full text of all BC Supreme Court, BC Court of Appeal, and Supreme Court of Canada decisions referenced in this document. Every Canadian court ruling cited above can be located and read in full via CanLII.

Office of the Information and Privacy Commissioner for British Columbia

- **Source:** OIPC BC — official provincial regulator
- **URL:** <https://www.oipc.bc.ca/>
- **Verification:** PRIMARY — Provincial government regulatory body with statutory authority over privacy law enforcement in BC.

- **Contains:** The original order (P22-03 / F22-28) that triggered the Vabuolas appeal, plus the adjudicator's full reasons for ordering production of the records for review.

Supreme Court of Canada — Cases and Decisions Database

- **Source:** Supreme Court of Canada
- **URL:** <https://www.scc-csc.ca/cases-dossiers/>
- **Verification:** PRIMARY — The court's own official docket and decision search.
- **Contains:** Case files, party names, counsel, procedural history, intervener lists, hearing webcasts, and final judgments for all Supreme Court of Canada matters referenced in this document.

AvoidJW — Research and Documentation Resource

- **Source:** AvoidJW, independent information resource
- **URL:** <https://avoidjw.org/>
- **Verification:** SECONDARY — Established independent information resource documenting Watchtower's legal and institutional record; widely cited in journalism and academic work.
- **Contains:** Detailed coverage of past Watchtower legal proceedings, including the 2017 Highwood v. Wall Supreme Court hearing.