BC CLA BRITISH COLUMBIA CIVIL LIBERTIES ASSOCIATION

October 30, 2012

Commission for Public Complaints against the RCMP
102- 7337 137 Street
Surrey, British Columbia

VIA FAX: 604-501-4095

Dear Sirs/Mesdames:

Re: Search warrant executed by RCMP against Grant Wakefield

I am writing on behalf of the B.C. Civil Liberties Association (BCCLA) to initiate a complaint under the RCMP Act. These issues came to our attention through the media, direct contact of our office by Grant Wakefield, and through court applications made by the BCCLA to unseal an Information to Obtain sworn by an RCMP officer.

This complaint concerns what may be the inappropriate use of RCMP resources to silence a prominent critic of the RCMP. The subject matter of this complaint is high profile as it has been subject to multiple media reports, and concerns public confidence in the use of the considerable criminal law powers vested in the RCMP. As a result, we ask that you dedicate considerable resources to investigating and reviewing this matter. We ask that you also invite the RCMP to turn this investigation over to an outside agency to avoid perceptions of conflict of interest in the outcome of this investigation.

The BCCLA notes that the following are only allegations, that they are unproven, and that we do not have sufficient access to primary documents to determine whether or not our concerns are grounded.

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With that noted, the Court documents we have unsealed, the effort required to unseal those documents, the context of the search warrant, the activities of the person targeted by the search warrant, all combined with the trivial nature of the alleged offences that ground the search warrant, have raised sufficient concern for us to ask you to investigate the following allegations:

1. Improper attitude – That RCMP officers executing a search warrant against Grant Wakefield made inappropriate comments to him and to his wife and did not conduct themselves professionally during the search.
2. Neglect of Duty – That the RCMP failed to investigate threats against the life of Grant Wakefield made by an individual with inside knowledge of the Code of Conduct investigation that resulted from information provided to the RCMP by Grant Wakefield.
3. Mishandling of Property – That the RCMP improperly seized, and then improperly detained the computers and cell phone of Grant Wakefield for an extended period.
4. Oppressive Conduct – That the RCMP misused the resources of their major crime section, computer forensic section, Department of Justice and other resources in pursuing a trivial matter in order to retaliate against a prominent RCMP critic.
5. Oppressive Conduct – That the RCMP misused the resources of the RCMP to seize the computers and cell phone of Grant Wakefield to determine which RCMP members were in communication with him, which had no connection to the reason for the search warrant given to the Court.
6. Oppressive Conduct – That the RCMP asked the Court to seal the Information to Obtain and resisted the unsealing of the Information to Obtain improperly, in order to prevent the public from scrutinizing their conduct in this high profile matter.
7. Improper Search of Premises – That the RCMP solicited the New Westminster Police Department to search the Wakefield residence for information related to Grant Wakefield's computers when the NWPD was responding to a call for assistance made by Grant Wakefield.
8. Improper Search of Premises – That the RCMP obtained the search warrant for Grant Wakefield's home and computers for reasons other than those given to the Court, namely, to obtain information about RCMP members providing information to the Re-Sergence Alliance Blog published by Mr. Wakefield.

Background information

Mr. Grant Wakefield alleges that he assisted disgruntled RCMP members in posting their concerns about RCMP management and policy on a blog called the "Re-Sergence Alliance" blog. Days after the blog was posted, on August 18, 2012, Mr. Wakefield's home was searched by the RCMP Major Crimes section and the New Westminster Police Department in a joint operation. His computers and cell phones were taken.

The BCCLA has attached the relevant unsealed Court documents to this file.

The BCCLA submits that the following evidence is essential to review in order to determine whether or not the BCCLA's allegations are substantiated:

- All e-mail correspondence between RCMP members and management concerning this investigation and the publicity related to the Jim Brown case;
- The notes and case files of investigators assigned to this matter and "Project E-Norther";
- All e-mail correspondence between RCMP members and management concerning the "Re-Sergence Alliance Blog";
- Interviews of the New Westminster Police officers asked to assist in this investigation and in the implementation of the RCMP search warrant; and,
- Interviews of Grant Wakefield and his wife.

We look forward to your response.

Yours truly,

David Eby,
Executive Director