

February 14, 2006

The Honourable Stockwell Day  
Minister for Public Safety  
13<sup>th</sup> Floor, Sir Wilfred Laurier Building  
340 Laurier Avenue, West  
Ottawa, Ontario  
K1A 0P8

BY FAX: 613-952-2240

Dear Mr. Day:

**RE: Reform of Police Complaint Provisions in the *RCMP Act***

I am writing on behalf of the British Columbia Civil Liberties Association (BCCLA) to urge you to reform the provisions in the *Royal Canadian Mounted Police Act* (the "*RCMP Act*") regarding police complaints.

I note that the current provisions that are currently in place have, to the best of our knowledge, remain unchanged since the *RCMP Act* was amended in 1988. Since that time, legislation with respect to police accountability via a complaints process in the provinces has undergone substantial reforms. The *RCMP Act* is now woefully outdated respecting police complaints.

The RCMP is deserving of Canadians' confidence. Appropriate reforms to modernize the RCMP public complaint process would go a long way to maintaining public confidence in the RCMP.

To that end, the BCCLA has long advocated such reform. I enclose copies of letters that we sent to then Solicitor General Lawrence MacAuley in 2002 and 1999 also urging such reforms. Regrettably, no reform has been undertaken.

I also write to relate a matter of current importance to the BCCLA. In a little over a year, there have been four deaths of civilian either in-custody of the RCMP or in-pursuit as suspects by the RCMP. We have launched complaints under the *RCMP Act* with respect to three of these deaths. Regrettably, the RCMP has declined to investigate our complaints until after a criminal investigation, internal review and coroner's inquest are complete. This decision has been recently affirmed by Brooke McNabb, Vice-Chair of the Commission for Public Complaints Against the RCMP (CPC). We have written Paul Kennedy, Chair of the CPC urging him to institute an investigation or hearing into our complaints given that these processes are not sufficient to ensure independent civilian review of RCMP conduct in these incidents. The reasons for our position are enclosed in our letter to Mr. Kennedy which is attached to this letter.

We draw your attention to this matter to urge you to exercise your authority as Minister responsible for the RCMP to direct that an independent civilian review of all RCMP in-custody/in-pursuit deaths or serious injury be automatically conducted by the CPC. We have written to RCMP Commissioner Zaccardelli urging him to endorse this approach. Unfortunately, in our discussions with his delegate, the RCMP have declined to do so.

We look forward to your initiation of long overdue reforms to the *RCMP Act* and automatic civilian review in the case of RCMP in-custody/in-pursuit deaths or serious injury. We would of course be most willing to share our views about substantive changes that are required to update the legislation.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'J. Gratl', written in a cursive style.

Jason Gratl  
President

Cc: Giuliano Zaccardelli, Commissioner, RCMP  
Paul Kennedy, Chair, Commission for Public Complaints Against the RCMP