



Royal
Canadian
Mounted
Police

Gendarmerie Royale
du Canada

Inspector Terry Christiansen
Conduct Authority
"E" Division RCMP

CRCC File # - CCETP no de
référence

2021-2728

Ms. Veronica Martisius

Our File - Notre référence
PCU 2023-86504

Date:
April 23, 2025

**RE: Public Complaint – *Part VII of the RCMP Act*
Ms. Veronica Martisius vs. RCMP officers Staff Sergeant Brenton Brady and Corporal
Andrew Blakeman.**

Dear Ms. Martisius,

This letter is in reference to your concerns as expressed to the Civilian Review and Complaints Commission (CRCC) for the Royal Canadian Mounted Police (RCMP) on June 8, 2021. It refers to allegations against Staff Sergeant Brenton Brady and Corporal Andrew Blakeman of the RCMP. This letter will constitute a final report as required by section 45.64 of the *Royal Canadian Mounted Police Act*.

In the signing of this letter, I am aware of the length of time in which it has taken from the date of your complaint to the time in which I have made this decision. The RCMP endeavors to first manage public complaints, where possible, through early resolution. If not possible, the RCMP strives to complete an investigation in a timely period. Due to the number of complaints related to Fairy Creek and the resourcing required, the ability to meet the RCMP's 90-day service standard has not been met. I would like to apologize to you for the time it has taken and any distress this may have caused.

A thorough investigation has been conducted into your allegations by Corporal Barry Wiese (Corporal Wiese) who is an experienced investigator. I have had an opportunity to review the investigator's report and, accordingly, I am now in a position to comment on your concerns.

A. Background Information:

On June 8, 2021, you were invited to the Caycuse Valley in Ditidaht territory. While driving on Caycuse Main Road you came upon an RCMP truck parked across the road. When you stopped your vehicle, an officer inquired if you were on your way home. You advised you were. You allege

the officer backed up his police truck and allowed you to exit the Temporary Exclusion Zone (TEZ) without incident. While traveling, you observed three vehicles going the opposite direction toward the same Access Control Point (ACP). You turned around and began to follow the vehicles. You stopped and, along with the other 6 individuals, approached Staff Sergeant Brenton Brady (Staff Sergeant Brady) and Corporal Andrew Blakeman (Corporal Blakeman). It was at this point you began to question the officers.

You stated Staff Sergeant Brady and Corporal Blakeman were not able to provide any information either verbally or in writing regarding their authority to establish and enforce the TEZ. They did not ask for any identifying information from you, or others in the group. During your questioning, Staff Sergeant Brady documented the license plate of your vehicle. You questioned him as to his actions and allege Staff Sergeant Brady stated he wanted to know who he was dealing with. You believed his actions were a *prima facie*¹ violation of their privacy rights and of provincial policing standards. The BC Provincial Policing Standards explicitly state that "officers are not permitted to request or demand, collect, or record a person's identifying information without a justifiable reason that is consistent with existing legal authorities and narrowly, not broadly, defined limitations granted to officers."

You allege Staff Sergeant Brady stated the ACP and TEZ were connected to enforcement of the injunction order. By this point, you were aware active enforcement was taking place at the Hayhaka camp several kilometers away. Eventually, you spoke to Counsel, Bobby Bharaj, who works for Justice Canada in an attempt to clarify the information you needed.

B. Nature of Your Complaint

You have alleged the following concerns regarding Staff Sergeant Brady, Corporal Blakeman and that lead you to file a public complaint:

Allegation #1: Neglect of Duty - That RCMP officers Staff Sergeant Brady and Corporal Blakeman's creation of a Temporary Exclusion Zone violated the Injunction Order.

Allegation #2: Neglect of Duty - That RCMP officers Staff Sergeant Brady and Corporal Blakeman's Temporary Exclusion Zones prohibited members of the public from entering the injunction area.

Allegation #3: Neglect of Duty – That RCMP Staff Sergeant Brenton Brady and Corporal Andrew Blakeman denied you access to a public road.

Allegation #4: Neglect of Duty - That RCMP officers Staff Sergeant Brady and Corporal Blakeman denied you access by way of, and through, an Access Control Points.

Allegation #5: Oppressive Conduct - That RCMP officers Staff Sergeant Brady and Corporal Blakeman's creation and use of Active Control Points, violated the Charter of Rights of the Pacheedaht and Ditidaht First Nations.

¹ In Canadian criminal law, "prima facie" is a Latin term that means "at first sight" or "on the face of it". It is used to describe when there's enough evidence to support a case.

Allegation #6: Irregularity in Procedure - That RCMP Sergeant Brenton Brady documented the license plate of the vehicle you were driving without a justifiable reason. You allege this to be a violation of your privacy rights and of provincial policing standards.

C. Findings of the Investigation

The following was used to support the decisions made in this letter: your CRCC complaint submission; your BC Civil Liberties Association (BCCLA) YouTube video *RCMP Blocks lawyer* (bccla.org website) (https://youtu.be/NKWhl_cQVKc); Website article by Peace Brigades International (PBI) board director Brent Patterson <https://pbicanada.org/>); BCCLA July 24, 2023 web site article (Complaint to CRCC investigation into C-IRG); NationTalk July 24, 2023 article BCCLA submits complaint to CRCC (C-IRG by ahnationtalk); The Narwal – Inside the Pacheedaht Nation’s stand on Fairy Creek logging blockades <https://thenarwhal.ca/about-us/>; BC Provincial Policing Standards; your email conversation with Justice Canada Counsel Bobby Bharaj.

In order to properly address your complaint, I will first speak to the police authority at Fairy Creek in the use of TEZs and ACPs, which is the focus of your complaint.

Injunction Order and the use of TEZs and ACPs

On April 1, 2021, the BC Supreme Court (BCSC) granted an Injunction Order to Teal Cedar Products Limited to prohibit anyone from obstructing, impeding or otherwise interfering with road use, road construction, road construction sites, planned road construction sites, or timber harvest activities, or threatening, harassing, intimidating, assaulting, physically obstructing, or physically interfering with the lumber company’s employees, agents, contractors or suppliers or their families.

The issue in the application, was not whether the company should be allowed to log old-growth trees or the lawful protests of such actions. The decision to allow old growth tree logging lies with the government. Teal Cedar Products Limited had sought the injunction due to protesters persistent unlawful conduct since September 2020, as a means to prevent them from conducting their lawful business of logging.

I note the two Indigenous Nations in the area; Pacheedaht First Nation and the Ditidaht First Nation had consented to and supported the planned logging.

Since the injunction, throughout June, and later in July and August of 2021, Teal Cedar employees reported systemic issues of demonstrators breaching Mr. Justice Verhoeven’s court order causing damage to property, inhibiting logging operations and creating safety concerns for people using the roads in the area. This included:

Police reports and reports from Teal Cedar that various campsites had been established along many of the main logging routes within the Fairy Creek Watershed to support ongoing demonstrations within the Injunction Zone area defined by Mr. Justice Verhoeven. These routes included, but were not limited to, the Granite Main Line, Braden Main Line, Hatton Main Line and an area called the Waterfall Camp. These ‘main lines’ provide access to a network of small tertiary roads and logging routes used by both industry and emergency vehicles. Under a permit issued by the Ministry of Forests,

Lands, Natural Resource Operations and Rural Development, Teal Cedar was responsible for ensuring the logging routes were maintained and safe for travel.

These camps were well established infrastructures with permanent and semi-permanent constructions, unlawfully erected on Crown property without permits. Police evidence video recorded a number of the campsites were populated with buildings/depots dedicated for the construction of blockades and/or storage of materials and tools used to erect blockades including metal bars and plates, hardware, PVC tubing, chains, digging and construction tools, and cement among other items.

Tools and materials required to construct and supply these depots were routinely transported by vehicle and/or on foot with demonstrators hauling these supplies in backpacks and camping totes. Many of these campsites were integrated into or formed part of the road blockades on the major logging routes.

Affidavits from employees of Teal Cedar and their contractors, including planning engineers and professional foresters, expressed concern about the large number of visitors that attended the Fairy Creek Watershed area, who were there for the sole purpose of interfering with the Teal Cedar's logging operations. In their detailed reports, the affiants identified how the infrastructure built up around the campsites not only presented multiple hazards to Teal Cedar employees and their contractors, but posed fire hazards and environmental concerns due to the large amount of debris and refuse being abandoned.

Teal Cedar further reported that these blockades and campsites not only inhibited the lawful use by their company employees, they presented serious hazards to their employees or anyone one else wishing to use the roads or area.

These blockades included the placement of dilapidated vehicles across the road with contemnors chaining or locking themselves under these vehicles impeding vehicle transit and rendering the road unsafe for travel. Many of the roads were also rendered unusable because contemnors had dug gullies and trenches, thus compromising the integrity of the roads. Other forms of road obstructions included tents, boulders and logs, large tri-pods with demonstrators stationed on the top of the structures. Some of the steel security gates managed by Teal Cedar had been vandalized with their locking mechanisms tampered to prevent the gates from opening. Many demonstrators also locked themselves in devices in deep trenches in the logging roads or in large culverts that were anchored across the logging roads by using chains or devices called ²Sleeping Dragons. These actions not only put the contemnors lives at risk, but those police officers who were tasked to extract them from these hazardous devices.

Between May and September of 2021, the presence of the blockaders on Teal Cedar's road network had substantially increased the scale of the undertaking, and heightened the potential safety issues associated with the maintenance of these road networks. Where the blockaders were deliberately destroying the integrity of the road network, and leaving garbage and debris, it fell upon Teal Cedar to make sure these roads were

² A sleeping dragon is a device used by protesters that secures them to other protesters and/or physical objects making it difficult for law enforcement to remove them from a protest site. It may involve locks, handcuffs, chains and a metal or PVC pipe. Protesters lock themselves together through the pipes, which precludes law enforcement from using cutters.

cleared and repaired to ensure that it complied with its obligations, including those under its various road permits issued by the Ministry of Forests, Lands, Natural Resource Operations and Rural Development.

On various occasions, police officers reported they observed individuals who had been previously arrested and released with conditions to not return to the Injunction Area, had in fact returned to the Fairy Creek Watershed area.

The Injunction Order authorized police to enforce the order while maintaining their operational discretion regarding aspects of the enforcement. For those portions of the Injunction Area where enforcement of the Injunction Order was required, TEZs and ACPs were established.

The authority for police to make use of “exclusion zones”³ comes from common law (Ancillary Powers) which has been upheld by the Supreme Court of Canada (SCC), most recently in 2019.^{4,5,6}

Specific to the issue of the use TEZs at Fairy Creek, and their lawful use, I am aware, in the months after the April 1, 2021 issuing of the court injunction, there were applications related to the injunction heard in the BCSC by Justice Thompson. In the decisions stemming from these applications, the Justice addressed in part, the RCMP use of TEZs in the enforcement of the Injunction Order at Fairy Creek.^{7,8} The Justice in these decisions was critical of the RCMP’s use of TEZs. However, the Justice did recognize the common law authority for police to use, “exclusions zones.”

In September, 2021, Justice Thompson denied the application to extend the injunction which was appealed. The BC Court of Appeal (BCCA) heard the appeal and in January 2022, provided a written decision.⁹ In the written decision, I noted the appeal court reinforced the common law authority as already provided and spoke to the use of “exclusions zones” and RCMP conduct. It was recognized that,

“Misconduct affecting the rights of protesters can be addressed both in the prosecution of contempt proceedings and in sentencing. Individuals arrested under an injunction may raise RCMP conduct in their trial and seek Charter remedies:

In addition, there are forums for the court to perform judicial oversight of RCMP enforcement of an injunction order. Members of the public who take issue with RCMP conduct and are harmed by it can bring civil claims against the RCMP;

³ For clarity, the terms Temporary Exclusion Zones (TEZ) and associated Access Control Points (ACP’s) have the same meaning as the court references for police powers to use, “exclusion zones” and are interchangeable for the purpose of this report.

⁴ R v Fleming SCC 2019 45

⁵ R. v. Clayton, 2007 SCC 32 and R v Waterfield [1963] 3 All ER 659 – referenced cases in the *Fleming* decision

⁶ The CRCC review of these ancillary powers and the RCMP in 2020- [Commission's Final Report into the RCMP's Response to Anti-shale Gas Protests in Kent County, New Brunswick | Civilian Review and Complaints Commission for the RCMP \(crcc-ccetp.gc.ca\)](#)

⁷ Teal Cedar Products Ltd. v. Rainforest Flying Squad, 2021 BCSC 1554 – July (oral) August (written) decisions

⁸ Teal Cedar Products Ltd. v. Rainforest Flying Squad, 2021 BCSC 1903 – September (appealed)

⁹ Teal Cedar Products Ltd. v. Rainforest Flying Squad, 2022 BCCA 26

In addition, the RCMP is subject to non-judicial oversight. Members of the public can make complaints against the RCMP to the Independent Civilian Review and Complaints Commission and the Independent Investigations Office.”¹⁰

The operational unit of the RCMP responsible for enforcement of the Injunction Order at Fairy Creek is called the Community-Industry Response Group (C-IRG). In their decision making as it related to the use of TEZs, I am aware they considered: the zones be as small as possible, remain in place as briefly as possible, and be reasonably related to the anticipated threats and risks at the locations. In general locations for the ACPs were determined by a commander based on several factors including but not limited to; terrain, type of equipment required for extraction, access and egress for police and medical services, and duration of enforcement activity. These ACPs were re-assessed on a tactical basis. This consideration restricted both vehicles and personnel.

This measure did not exclude everyone from entering through an ACP during the existence of the TEZ in a particular area. With advanced permission from the C-IRG Gold Command or proper identification, certain persons and groups such as Indigenous Leaders and Elected Officials from that area could enter. Doctors, lawyers, journalists (media) and any other person(s) could enter past the ACP into the TEZ under certain guidelines.

I further understand, the direction from C-IRG Commanders (orders) related to members of the public was they could generally walk past an ACP so long as they were not carrying any equipment that could be used to breach the Injunction Order: such as chains, bicycle locks, cement, or spikes or other items that could create hazards for police and access to workers etc. In order to verify that an individual was not carrying equipment as described, officers were directed to ask individuals if they could search their bags. If an individual did not consent to a search, they would be given the option to leave their backpacks at their vehicle and then be able to proceed.

The area for the injunction and what constitutes a breach are located in Paragraph 1 of the Injunction Order. Enforcement parameters are found in Paragraph 2(a) specifically; *“arrest and remove any person who has knowledge of this Order and who the police have reasonable and probable grounds to believe is contravening or has contravened any provision of this Order,”*

The RCMP arrived and began enforcement of the injunction on May 17, 2021, with the first arrests having occurred the following day on May 18, 2021. On the date of your attendance the order was in effect and as you noted in your submission, there were ongoing protests. The RCMP’s enforcement operations were being conducted in response to these protests.

As the delegated authority with the RCMP of this public complaint through the CRCC; which as described by the BCCA is a process for which you can seek a review of RCMP actions. I have considered both the common law authority and the operational strategies and decision making of C-IRG at Fairy Creek in the enforcement of the Injunction Order.

I conclude, in the context of this public complaint process, the use of TEZs were within the scope of the RCMP responsibilities and duties.

¹⁰ Teal Cedar Products Ltd. v. Rainforest Flying Squad, 2022 BCCA 26, at para. 72 and 73

I further determine these actions were reasonably necessary and appropriate in consideration of the circumstances and for their purpose. Meaning the prevention of people and equipment from being able to enter where work was being performed.

Statement of Staff Sergeant Brenton Brady

On June 8, 2021, Staff Sergeant Brady and Corporal Blakeman were on duty at the north Access Control Point (ACP) on the Caycuse Road at Fairy Creek. This ACP was used to limit public entry to the Temporary Exclusion Zone (TEZ) which was granted by the court ordered injunction. Staff Sergeant Brady and Corporal Blakeman had specific directions to not allow entry to the TEZ through the ACP without a legitimate reason for being in the area, such as harvesting forestry or tree planting duties, etc.

At approximately 2:00 pm, four vehicles arrived at the ACP carrying approximately 6 females and 1 male. Staff Sergeant Brady's first interaction with you was when you, along with the rest of the group, walked up to his police truck. The group demanded to be allowed entry to the area which was denied by Staff Sergeant Brady. You became very vocal and began to argue / debate the police's authority to refuse entry to your group. You wanted Staff Sergeant Brady to move his truck so you could enter the TEZ, but he denied you access. Staff Sergeant Brady stated he had not moved his truck for anyone during the day and would not allow access to the ACP or TEZ. When asked what your name was, so he could respectfully address you in conversation, you refused to state your name. You then stated that Staff Sergeant Brady had no right or authority to ask for your name as you knew your rights, you weren't under arrest, detention or under investigation for anything so you did not have to provide your name. Staff Sergeant Brady replied, that what you said was true, but he felt it was nice to be able to address someone by their name in conversation as he felt it was polite. You went on to state you were a lawyer, and again stated, you knew your rights and would be looking into police abuse of powers. Staff Sergeant Brady said you mentioned a few times you were a lawyer and knew your rights and that you would be lodging a complaint. Once again you demanded to pass through the ACP into the TEZ. Staff Sergeant Brady once again denied you and the group access. Staff Sergeant Brady asked why you needed entry. You replied, to document police actions, etc. Staff Sergeant Brady became suspicious of the nature of you and the group's intentions and business within the TEZ.

At that point, because of Staff Sergeant Brady's suspicions, and the confrontational behaviour of you and the group, he recorded the licence plates of the vehicles in his notebook. Your plate was not checked on the police computer system. During the course of the encounter, you and the group would walk back to your vehicles, have a discussion and then return to the officers. It appeared that not only did you know the group of individuals, but that you were the spokesperson. No one else spoke and they all deferred to you. You and the group continued to argue with Staff Sergeant Brady as to why you should be allowed to pass through the ACP. After approximately ten minutes, the group returned to their vehicles and drove away.

Police Authority to Arrest

The threshold for a peace officer to arrest a person is; they must subjectively believe there are reasonable grounds to believe the person they arrest has committed, or is about to commit an indictable offence, and the belief must also be objectively reasonable. Meaning, looking at the

circumstances in front of them, does the officer have information to reasonably support their belief that the person(s) has committed or is about to commit, an indictable offence and would a reasonable person with the same information come to the same conclusion.

The following allegations were gleaned from the questions you put forth to Staff Sergeant Brady and Corporal Blakeman regarding TEZs and ACPs and the related authorities.

Allegations #1, #2, #3, #4 and #5 are sufficiently related, and my response to them is based upon substantially the same set of facts. Accordingly, I will address them together in this document.

Allegation #1: Neglect of Duty - That RCMP officers Staff Sergeant Brady and Corporal Blakeman's creation of a Temporary Exclusion Zone violated the Injunction Order.

Allegation #2: Neglect of Duty - That RCMP officers Staff Sergeant Brady and Corporal Blakeman's Temporary Exclusion Zones prohibited members of the public from entering the injunction area.

Allegation #3: Neglect of Duty – That RCMP Staff Sergeant Brenton Brady and Corporal Andrew Blakeman denied you access to a public road.

Allegation #4: Neglect of Duty - That RCMP officers Staff Sergeant Brady and Corporal Blakeman denied you access by way of, and through, an Access Control Points.

Allegation #5: Oppressive Conduct - That RCMP officers Staff Sergeant Brady and Corporal Blakeman's creation and use of Active Control Points, violated the Charter of Rights of the Pacheedaht and Ditidaht First Nations.

The relevant information included in your CRCC submission is as follows:

Your CRCC submission states your complaint relates to the interactions that you had with two members of the RCMP, Staff Sergeant Brady and Corporal Blakeman, at a TEZ checkpoint within the Fairy Creek/Tree Farm License 46 ("TFL 46") area of unceded Ditidaht territory.

On June 8, 2021, you were in Caycuse Valley where active logging was occurring in the area. You were travelling along Caycuse Main Road [through a TEZ] towards Lake Cowichan when you came upon an RCMP police truck parked across the road. You stopped your vehicle. An ¹¹officer asked if you were heading home, you said you were, so the officer backed his police truck up, and allowed you to exit the injunction zone without incident. As you were traveling home, you happened upon three vehicles going the opposite direction toward the same ACP you had just left. You allegedly turned around and followed the group of vehicles, joining the 7 unknown protesters and, as a self-appointed spokesperson, immediately engaged with Staff Sergeant Brady and Corporal Blakeman.

In your CRCC submission, you referred to, and quoted from, a document where the court referred to an injunction order made by "Wong J" that included a term in the document that prohibited the defendants, and anyone else having knowledge of an order, from placing

¹¹ The officer is believed to be Staff Sergeant Brady.

themselves, or any other person or vehicle within a specific radius of an exclusion zone. You felt the Fairy Creek Injunction Order should have had the same enforcement clause. You felt the Wong J document clearly showed police checkpoints and exclusion zones were a clear breach of the Injunction Order.

Your complaint also alleges the ACP and TEZ violated the Charter of Rights of the Pacheedaht and Ditidaht First Nations.

I note that the legal concept of Ancillary Powers, including the authority for police to establish exclusion zones, has been repeatedly re-affirmed by the court. However, the practical application of this authority, specifically the geographic size and relatively static locations of the zones implemented by the RCMP in the Fairy Creek area in the enforcement of the court injunction, as well as the impacts of the exclusion zones upon the media's access to these areas, has been the subject of intense scrutiny by the court as well as the Civilian Review and Complaints Commission for the RCMP. In some prior public complaints regarding the actions of police in response to the Fairy Creek protests, as well as other public order events such as the protests against the Northern Gateway natural gas pipeline, the CRCC found that the RCMP's planning and implementation of the exclusion zones was unreasonable. In responding to the CRCC's findings, the Commissioner of the RCMP agreed that the RCMP should develop national guidance for the enforcement of civil injunctions that is consistent with the prevailing jurisprudence, including about the limited size and duration of exclusion zones and the courts' cautions about claiming invasive ancillary police powers that are preventative in nature and which are not exercised in responding to or investigating a past or ongoing crime.

I further note that your allegations are made specifically against Staff Sergeant Brenton Brady and Corporal Andrew Blakeman who were tasked by the management team coordinating the response to the Fairy Creek protests, with ensuring that the exclusion zone be respected by protesters and other members of the public. Neither Staff Sergeant Brady, nor Corporal Blakeman were involved in a decision-making capacity in establishing the exact locations from which the public were to be excluded.

Accordingly, I do not support your allegations against the named subject members. However, based upon the evidence available to me, I do support the premise of your allegations #1 through #4 inclusively, that police erred in establishing an exclusion zone that was beyond the scope of the authority granted by the injunction order, and which was not aligned with the expectations of the courts. On behalf of the RCMP I would like to offer you an apology for this overreach and any distress or discomfort that it may have caused you.

With respect to Allegation #5, given that the infringement of your personal rights, as well as the rights of protesters, journalists and other members of the public including any members of the Pacheedaht and Ditidaht First Nations who were restricted from accessing larger areas of the Fairy Creek watershed than may have otherwise been acceptable to the CRCC and the courts, on behalf of the RCMP I would again like to offer you an apology for this overreach and any distress or discomfort that it may have caused you.

I will now address allegation #6 and the events that took place regarding the documenting your vehicle's license plate.

Allegation #6: Irregularity in Procedure - That RCMP Sergeant Brenton Brady documented the license plate of the vehicle you were driving without a justifiable reason. You allege this to be a violation of your privacy rights and of provincial policing standards.

The relevant information included in your CRCC submission is as follows:

You stated Staff Sergeant Brady documented the license plate of your vehicle. When you questioned him as to what he was doing you allege he said he wanted to know who he was dealing with. You allege this to be a *prima facie*¹² violation of privacy rights and of provincial policing standards. You allege the BC Provincial Policing Standards explicitly states "officers are not permitted to request or demand, collect, or record a person's identifying information without a justifiable reason that is consistent with existing legal authorities and narrowly, not broadly, defined limitations granted to officers."

The evidence as it relates to your allegation

In his statement, Staff Sergeant Brady stated four vehicles arrived at the ACP carrying approximately 6 females and 1 male. For the officers, this is an immediate unknown factor and there would be reason to question who the individuals were that exited the vehicle and were approaching. Plus, the officers would not have yet confirmed whether the vehicles were still occupied by other protesters. As you approached, Staff Sergeant Brady stated, *the group demanded to be allowed entry*. You, and the rest of the group, wanted access through the ACP and into the TEZ. Staff Sergeant Brady stated you immediately *escalated by becoming very vocal, extremely argumentative and confrontational*. Staff Sergeant Brady denied you access and asked why you needed entry. You replied, *to document police actions*. Staff Sergeant Brady became suspicious of the nature of your intentions and business within the TEZ.

During your questioning of Staff Sergeant Brady, you stated he *started to document your license plate information*. When you questioned him as to his actions, you allege Staff Sergeant Brady stated *he wanted to know [who] he was dealing with*. You believed his action was a *prima facie* violation of your privacy rights and of provincial policing standards. You provided an edited quote from the British Columbia (BC) Motor Vehicle Act (MVA) as proof. "*Officers are not permitted to request or demand, collect, or record a person's identifying information without a justifiable reason that is consistent with existing legal authorities and narrowly, not broadly, defined limitations granted to officers.*" [emphases added]

According to the Motor Vehicle Act (MVA) of BC, a license plate on a vehicle is considered "*plain view*". This aligns with the legal concept of "plain view" where objects readily visible to the public, like a license plate, do not require a search warrant to be observed by authorities. A person has no reasonable expectation of privacy in what they knowingly exposes to the public or abandons in a public place. The Motor Vehicle Act goes even further, to say a licence plate must be kept entirely unobstructed and free of dirt or foreign material so the numbers and letters can be readily seen and read at all times; essentially making it easily visible to anyone, *including law enforcement*.

¹² In Canadian criminal law, "*prima facie*" is a Latin term that means "at first sight" or "on the face of it". It is used to describe when there's enough evidence to support a case.

Above, you quoted the BC Provincial Policing Standards. However, you failed to provide the full documentation, including (6) and (7), below.

From the British Columbia Provincial Policing Standards 6.2.1 Promotion of Unbiased Policing

Collection of identifying information

(6) Written policy establishes that officers are not permitted to request or demand, collect, or record a person's identifying information without a justifiable reason.

(7) Justifiable reasons referred to in the written policy include circumstances where the request or demand for identifying information is consistent with existing legal authorities and related limitations granted to officers, such as:

(a) as permitted or required by provincial or federal legislation or regulations;

(b) a traffic stop, consistent with statutory and common law;

(c) an arrest;

(d) an attempt to execute a warrant against the person; or

(e) an investigation of an offence, or reasonable grounds to believe that an offence has occurred or is about to occur, or an imminent public safety threat.

[emphasis added]

As soon as Staff Sergeant Brady became aware of your tone; intonation, observed your body language and the number of individuals present, he felt suspicious of your intentions. The officers would have been justified to be thinking in terms of (a), (c) and (e) above. This is the justification the BC Provincial Policing Standard is speaking of.

Yes, a British Columbia police officer can run a license plate at any time. It is a routine part of an officer's duties to: run plates to identify owners and their vehicles, to check for stolen vehicles, outstanding warrants or to assist in identifying vehicles involved in crimes. The public, when reporting an erratic driver will provide the licence plate of the vehicle involved in the offence. The public, when observing a suspicious vehicle on a roadway, may call police and provide the plate number. In this case, Staff Sergeant Brady was *suspicious of the nature of you and the group's intentions and business within the TEZ and your confrontational behaviour*, so he detailed the licence plates of the vehicles in his notebook, but did not check for information on the police computer system.

Corporal Wiese reviewed Staff Sergeant Brady's notes and confirmed the plates of the vehicle were documented in his notes, but there was no vehicle registered owner information documented, exactly as Staff Sergeant Brady stated.

Given the totality of the information and evidence provided, I am satisfied that Staff Sergeant Brady did not breach any policing standards when he recorded your licence plate number which was clearly visible to anyone looking at your vehicle. Accordingly, **I do not support allegation #6.**

Conclusion

Please be advised that pursuant to section 45.64 of the *RCMP Act*, I am notifying you that the investigation into this complaint has now been concluded. Furthermore, according to section 45.7(1), if you are not satisfied with the manner in which your complaint has been disposed by the RCMP, you may request a review by the CRCC by writing to them within 60 days after receiving this RCMP Final Report at the following address or online at the following webpage:

Civilian Review and Complaints Commission for the RCMP
P.O. Box 1722, Station B
Ottawa, Ontario
K1P 0B3
Tel: 1-800-267-6637
Fax: 1-613-952-8045

Or

www.crcc-ccetp.gc.ca/en/request-review-form

Yours truly,

Christiansen, Terry
Dawne,000044756

Digitally signed by
Christiansen, Terry
Dawne,000044756
Date: 2025.04.23 06:22:07 -07'00'

Inspector Terry Christiansen
Conduct Authority
"E" Division RCMP

CC: "E" Division Professional Responsibility Unit
National Public Complaints Directorate
Civilian Review and Complaints Commission
CIRG_File Coordinator
Staff Sergeant Brenton Brady
Corporal Andrew Blakeman