

**Reclaiming a National Icon, The Royal Canadian Mounted  
Police: Increased Accountability and Effective Transition into the  
21<sup>st</sup> Century.**

By

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## ABSTRACT

This thesis explores the concepts of accountability and public confidence as it applies to the RCMP in British Columbia, specifically examining the existing model of accountability, and the erosion of accountability and public trust with the RCMP, in British Columbia, over the past two decades. The thesis answers the questions: “What is the RCMP accountability model within British Columbia?”; “Has public trust with the RCMP in British Columbia eroded, and if so, can public trust be restored with the RCMP in British Columbia?”; and “What steps or measures can be taken to restore this trust, including constructing an accountability model that may be better suited for the RCMP?” The research findings highlight opportunities that exist for the RCMP, as an organization, to develop a more fulsome, comprehensive, and balanced approach to accountability within British Columbia and beyond.

**Keywords:** governance, British Columbia, RCMP, accountability, framework, transparency, public confidence, early intervention system (EIS), public trust

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*This dissertation is dedicated to my family, and in particular, my mother, Yasmin Bhayani, who immigrated with her family to Canada to fulfill her only wish: to educate her children. She would be very proud of all her children were she still here with us.*

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## CHAPTER 1: Introduction

*"The public is demanding accountability of the police ... The public has conferred upon the police powers which are not conferred upon ordinary citizens ... In any democratic society based on the rule of law and responsible government, it is fundamental that police independence be balanced with accountability." (Oppal, 1994, p. xxv.)*

The primary goal of this thesis is to address three basic questions. First, what is the Royal Canadian Mounted Police (RCMP) accountability model within British Columbia (BC)? Second, has public trust in the BC RCMP eroded, and if so, can public trust be restored within the BC RCMP? Third, what steps or measures can be taken to restore this trust, including the construct of an accountability model that may be better suited for the RCMP? These three basic questions underpin the framework of this thesis, and are answered as the thesis explores accountability and public trust with the RCMP in BC. Historians in Canada trace the country's policing traditions to roots in the Commonwealth heritage in England. Two models of policing emerged through this historical evolution: the constabulary model and the paramilitary model. These models were adopted by various nations, including Canada, who specifically chose the paramilitary model resembling the Royal Irish Constabulary. This particular model, in contrast to the constabulary model, was based on a centralized hierarchy, used a military ranking system, and placed its officers in garrisons, detachments, or barracks throughout the country. Following Confederation, Canada chose to adopt this paramilitary model as its framework for federal policing services (Halpenny, 2010). Through the adoption of this paramilitary model of policing, gaps and chasms in governance and accountability are becoming much more obvious.

Modern democratic countries, like the United Kingdom, Australia, the United States, and Canada, have reached a point of evolution within their policing systems where future generations will look back and no doubt comment on the development of, and transition between, various systems. The most recent of these systems is the ability (or inability) of the

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police to police themselves. This is often referred to as the ‘era of accountability.’ Much controversy surrounds the ‘era of accountability’ as it applies to government agencies, in particular, policing institutions. Canadian policing is currently experiencing ‘the era of accountability’ in its attempt to quell public concern and meet public demands related to transparency and accountability. The challenge faced by police forces in the West, including Canada, is in trying to define the balance between accountability and independence. The quote by Voltaire, “Le mieux et l’ennemi du bien,” translated in English as, “The perfect is the enemy of the good” (Voltaire, 1764),<sup>1</sup> comes to mind when exploring accountability and pursuing the best possible solution, which may end up doing less actual good than accepting a solution. While not the most perfect or ideal solution, it is effective. The overarching thrust of the thesis is to scrutinize the current model of accountability employed by the RCMP in BC through three basic questions. First, what is the RCMP accountability model in BC? Second, has public trust eroded, and if so, can public trust be restored with the BC RCMP? Thirdly, what steps or measures can be taken to restore this trust, including constructing an accountability model that may be better suited for the RCMP? While not a perfect model as Voltaire so aptly describes, this thesis also proposes a nascent model that seeks to garner public trust and demonstrate transparency. Is perfection attainable in such a complex arena as policing, which deals with emotive behaviour, and human actions? These thought-provoking statements will be explored during this thesis, and while the author contends that perfection is not attainable in policing, striving towards perfection is what police forces—including the RCMP—must do regularly, and be concerned with the journey towards this elusive point.

At the onset, the reader will be exposed to the various meanings and debates about police accountability, trust and confidence and the wide range of meanings given to these concepts by different sources. It is in fact difficult to conceptualize accountability and its relation to trust and confidence as will soon be apparent as the reader proceeds through the thesis. The confusion lies in the literature and beyond that. The thesis will attempt to utilize these debates and literature coupled with the author’s research, to answer the three basic questions. The different meanings of accountability and interrelationships that arise in the

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<sup>1</sup> Quote from Voltaire. Retrieved from [http://en.wikiquote.org/wiki/Voltaire#Dictionnaire\\_philosophique\\_portatif\\_.281764.29](http://en.wikiquote.org/wiki/Voltaire#Dictionnaire_philosophique_portatif_.281764.29)

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course of the debates and literature will become clear to the reader in Chapter 5 as the author examines the analysis of interviews conducted within this thesis in greater detail.

The RCMP is recognized as a national and iconic symbol for Canadians. Although fondly and colloquially referred to by Canadians as the “Red Serge” or the “Mounties,” the RCMP holds significant meaning and tradition for a pluralist Canadian society. It has also captured the hearts and minds of the international community; images of the “Mountie” on horseback, wearing a scarlet tunic with a yellow stripe down the side of the pant leg, have been romanticized by Hollywood and Disney over the years, and marketed worldwide. The Mountie is commonly viewed as the square jawed, Caucasian male police officer who is over six feet tall and handsome, who solves crime and rides away into the sunset with the damsel (formerly) in distress. However, under the rubric of a Westminster political system, the RCMP is responsible for the formidable mandate of keeping Canadians safe<sup>2</sup> through a variety of business lines,<sup>3</sup> including a federal, provincial, municipal, and international mandate (Murphy & Mckenna, 2003). Throughout this thesis, it will become quite apparent that these “business”<sup>4</sup> lines appear to be stretching the RCMP thinly across Canada, and arguably may have contributed to a decline in accountability and public trust. It may appear to the reader that accountability and transparency within government may be a Herculean task, but in policing, with the secrecy and privacy of police techniques, investigative strategies, and covert expenditures, the author would argue that, over the years, policing has evolved, and that effective transparency and accountability within the RCMP is akin to a Sisyphean task. It is incumbent on practitioners and social scientists to research this particular area, as policing is one of the most powerful institutions in any democratic society. In order to achieve this accountability, there is the recognition that policing within liberal democracies must tread a fine line between independence and transparency. The difficulty appears to be in how one can guard against one extreme while balancing the needs of both independence and accountability. This is a difficult position, especially for the RCMP, whose Commissioner

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<sup>2</sup> “Safe Homes, Safe Communities” is the ultimate goal of the RCMP.

<sup>3</sup> This is the new corporate model espoused by the RCMP, and is similar to what Chan (1999) describes in Australia as the “new accountability model,” one that is based on public management instead of public administration. The RCMP has shifted to a private sector model in their service delivery, including using the adoption of corporate vernacular (i.e., business lines, clients, service delivery).

<sup>4</sup> The corporate or business model now endorsed within policing uses a corporate vernacular, which has since been adopted by the RCMP in that the public are now clients, units or sections are now business lines.

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may be perceived as political, and is a Deputy Minister in government. This status will be discussed in greater detail as the thesis progresses. Political interference in policing is well-documented in Canada with the numerous commissions of inquiry that have taken place. This political interference has placed additional pressure on police as they strive to be accountable and independent.

Chapter 1 provides the reader with background into the RCMP and the historical erosion of accountability, which has led the RCMP down the road it finds itself on today. The chapter introduces the reader to the iconic status of the RCMP, and is followed by a brief introduction into the scandals and crises that continue to define and explore the three basic questions asked about the RCMP in BC and accountability. Punch (2010), who has researched various areas of policing, discusses the role police must play in a modern society and the position many Western governments take with regards to policing. He writes, "Policing in a democratic society has to earn legitimacy by being a service organization close to the citizens and that is balanced, effective, reliable, resourceful, rights respecting, trustworthy, non-violent, and humane" (p. 158). In this process, the "problem is rather one of short-sighted, populist-oriented governments who want the police organization to be a servile agency that is institutionally deaf" (p. 158). The key to accountability is legitimacy and being accepted by the public. Perhaps the institution charged with trusting the police are not doing what the public expects. This reiterates the difficulty between accountability and independence. A 2009 Angus Reid Poll conducted in British Columbia revealed that 61% of British Columbians had indicated their confidence in the RCMP had declined following a number of incidents alleging police impropriety, misconduct, and in-custody deaths at the hands of the RCMP (MacAlister, 2010). Such significant incidents have raised the profile of police accountability to a higher, more public level than ever before in Canada, and more specifically, in British Columbia.

## The RCMP: A "National Icon"

It is important to begin this thesis by noting that, while the general body of research into accountability is impressive and exhaustive, research into accountability and the RCMP remains largely exploratory and seminal in nature. There is much more research to be done, and this thesis attempts to highlight areas that require further research, while also proposing

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explanations that may be of use to the RCMP. The research findings presented in this thesis are contextualized through a comprehensive review of relevant literature, studies, surveys, and interviews. The research findings offered here provide a timely contribution to the body of knowledge surrounding accountability and the RCMP today. Before proceeding with the body of the thesis, the author would like to discuss its title, as it has been the subject of inquiry by some academics.<sup>5</sup> The author presented portions of this thesis to a panel of criminologists who questioned the use of the term “reclaiming” when the research and literature around the loss or erosion of the RCMP is limited and minimal. This is one of the arguments discussed in the thesis, and the term “reclaiming” is based on the interviews conducted by the author and the reports, literature, and anecdotal information retrieved through the research portion of this document. In short, the term “national icon,” and the use of the word “reclaiming,” have been discussed in relationship with the RCMP. The author would like to respond to these two points. It is abundantly clear from research that the RCMP is considered a Canadian national icon in a variety of ways. The author will attempt to qualify this term through a brief analysis of the research into the RCMP. The inclusion of the term “national icon” is based on research conducted into the rich and diverse history of the Force, including historical accounts, government library archives, search engine results, relevant literature, and finally, anecdotal examples.

First, the RCMP is Canada’s national police force, one that is present in every province and territory, whether it exists for uniform policing or for federal enforcement. Second, the RCMP is present at every historical and major sporting event in the country, including the last three Olympic Games,<sup>6</sup> and has participated in ceremonial presentations in Olympic Games overseas. The RCMP are at the centre stage of all national sporting events, including the National Hockey Leagues (NHL) Stanley Cup playoffs, which are equivalent to the 2011 Manchester vs. Barcelona football game played in the UK. Canadian currency denotes significant figures and symbols, such as the Queen, notable Prime Ministers, and the RCMP, which adorns the Canadian fifty dollar bill. The RCMP protects the Prime Minister and Supreme Court of Canada, as well as every foreign government official residing in or

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<sup>5</sup> Kwantlen Polytechnic University research presentation May 26, 2011.

<sup>6</sup> Montreal 1976, Calgary 1988, and Vancouver 2011.

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visiting Canada. The many government reports viewed<sup>7</sup> for this study use the term “national icon” as synonymous with the RCMP when describing the Force. The RCMP was involved in discovering and protecting this vast country during the exploration and confederation of Canada.<sup>8</sup> The list is abundant; and it is through this list that the author has identified, and qualifies, the RCMP as one of Canada’s national icons.

## Reclaiming a National Icon: The First Signs of Erosion

The second area of exploration in this thesis is the term “reclaiming.” In order to reclaim something, it must either be lost or damaged in some way, and can either be transformed or rebuilt. The research conducted here has discovered harsh criticisms and labels directed towards the RCMP, representing the organization as one that is lost or damaged and beyond repair.<sup>9</sup> Take, for example, the terms:<sup>10</sup>

- Broken
- Malignant
- Amateurish
- Dysfunctional
- Festering
- Abusive
- Rotten to the core

Although these are harsh and unforgiving terms, many other descriptions abound, revealing some sort of loss or damage to the organization. Research into previous actions of the Force, in particular accountability as it applies to the RCMP, is limited to the past three decades. It appears that public interest into the RCMP started with the investigation into their illegal activities in the area of national security. In 1981, the MacDonald Commission<sup>11</sup> recommended the creation of a new national security agency, following allegations of

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<sup>7</sup> See bibliography for reports referenced.

<sup>8</sup> Great March West.

<sup>9</sup> These terms and descriptions have been discovered in a variety of news articles, reports, and journal articles discussing the RCMP.

<sup>10</sup> Terms listed are from a variety of sources, including media articles, journals, reports, and inquiries, which are quoted, referenced, and discussed throughout the thesis.

<sup>11</sup> Also referred to as the Commission of Inquiry Concerning Certain Activities of the Royal Canadian Mounted Police.



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criminal activities by RCMP security services. At the time, RCMP security services were responsible for investigating national security, espionage, and threats to Canada's sovereignty. The investigations into their activities are articulated by a document entitled, "The Canadian Security Intelligence Service," found in the library of Parliament (Rosen, 2000). The document is quoted at length in Appendix G. The quote itself reflects the attitude and the behaviours of the RCMP, as they committed several serious crimes, primarily in Quebec, in the 1970's. The RCMP at this time found themselves organizationally independent in matters of policy, operations, and budgets with a GoC policy of "non-interference" into RCMP activities, akin to "out of sight, out of mind." This appears to be the first documented area of RCMP accountability questioned through criminal actions. The loss of reputation, trust, and in some venues, credibility, is documented and provides some qualification of the term "reclaiming." Arguably, the transfer or stripping of national security duties, as outlined in the above case, demonstrates the difficulty in balancing independence and accountability. Sossin (2004) reflects on the unsettling history of police forces that acts as a law unto themselves. This is the preamble to the thesis, and serves to qualify the title of the document.

Since joining the Mounted Police (the colloquial term commonly used by those serving within the RCMP), and having proudly served in various locations throughout British Columbia and other areas in the world, the author has experienced a broad range of policing models, styles, and processes within Canada. The author has served in a variety of positions and roles, primarily in Western Canada, with a short posting abroad. With over twenty years of operational police service, including a United Nations Mission in Sudan (UNMIS), uniformed duties, crime reduction section, drug enforcement, organized crime investigations, and major crime investigations, the author laments over the 1829 Peelian Principle that the "police are the public and the public are the police" (New Westminster Police Service, 2011)<sup>12</sup>. This utopian principle has been responsible for community policing and problem-solving models that have greatly benefited the public. However, Peel did not anticipate nor envisage the level at which police organizations would grow, evolve, and eventually engage in covert and non-public activities. The shift from openness to one of secrecy has resulted in police forces, such as the RCMP, becoming mired in freedom of information requests by the

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<sup>12</sup> New Westminster Police website. Retrieved from [www.newwestpolice.org](http://www.newwestpolice.org)

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public and the media. Peel could not predict the increased demands for more transparency and increased public involvement in the accountability processes of police organizations as they apply to the RCMP.

As a result, the RCMP is forced to look inwards and critically examine their perception of this timeless principle espoused by Sir Robert Peel. The author contends that, as it speaks to the public and to the police, this principle relates directly to accountability and reassurance policing. Documented examples of police misconduct within North America and within British Columbia (e.g., Rodney King,<sup>13</sup> Robert Dziekanski,<sup>14</sup> Kelowna 2011,<sup>15</sup> and the Surrey Six Investigation<sup>16</sup>) make it abundantly clear that the public wants to know, that the public deserves to know, and that hiding behind the guise of yellow police tape or the frequent explanation of “This is a police matter. We cannot discuss it any further,” is not acceptable any longer. Throughout his service, the author has developed a strong interest in the ever-developing field of police accountability and the unique position police are placed in as a result of the broad power they wield in society. This interest has evolved to an even greater appreciation of the police organization at the management and executive levels, in that the author is not solely curious as to why police officers misbehave as individuals, but more so in how the organization reacts—or more importantly, prevents—this behaviour from occurring. There are many theories espoused by academics, including the rotten apples theory, argued by Bayley (1995), or the concept of governance and accountability discussed by Dr. Ian Waters (2009). The topic of police accountability and the RCMP is the seminal thrust of this dissertation, with the aim of contributing towards knowledge within this area of policing in British Columbia, Canada.

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<sup>13</sup> Rodney King is the notorious beating of an African American in Los Angeles.

<sup>14</sup> The Robert Dziekanski matter involves the taser death of a Polish immigrant at the Vancouver international Airport by four RCMP officers in 2007, now resulting in charges of obstruction of justice and perjury against the four officers.

<sup>15</sup> Kelowna 2011 refers to the videotaped assault of a motorist by Kelowna RCMP, resulting in public outcry and the RCMP decision to suspend, without pay, which is very difficult under the current model of governance in the RCMP.

<sup>16</sup> The Surrey Six investigation resulted in the murder of six people by gang members in Surrey BC, in which two of the victims were innocent of any gang involvement and happened to be witnesses to the murder of the other four. Four RCMP officers involved in this massive investigation have been charged with fraud, witness tampering, obstruction of justice, and breach of trust, and it is alleged one of the senior investigators was involved in an inappropriate relationship with one of the key witnesses, who happens to be the girlfriend of one of the suspects charged with murder.

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According to the works of Max Weber, the state is the only institution of a society that can legitimately use force against its citizens (Cooley, 2005; Loader, 2000). This implies a certain amount of acceptance by the public to trust the state to use its power within the limits of a constitution or legal statutes. Millie (2010), in his piece, refers to this as “reassurance policing,” and describes this as a form of social control utilized by the police. Millie continues to describe how easy it is to disable reassurance policing, as evidenced by the G20 summit in the United Kingdom, in which many officers of police services were observed using aggressive tactics against protesters, which resulted in the death of a newspaper seller. The purpose of reassurance policing is to engage the public, build trust, improve confidence, and create legitimacy. All these are principles akin to accountability, and will be discussed throughout this thesis.

Two other interesting and cogent areas within the realm of accountability in modern policing are: (1) the concept of pluralism and the area of private policing, and (2) the concept of governance. In the area of pluralism and private policing, Loader (2000) adequately assesses the modern role of policing as one that has evolved from the “single institution in which is vested a monopoly over the use of legitimate violence” to one that now works with a multiplicity of agencies, relationships, and programmes that creep into traditional police functions (p. 324). Loader continues to emphasize how the pluralism of policing has generated a number of intra-organizational modes of accountability, and “the world of plural policing remains at best, weakly or obscurely accountable” (p. 324). Within the area of governance, which the author asserts is closely connected to the area of accountability; Dupont (2011) describes a paradigm shift in many Western nations from the welfare state to a new, efficiently governed model of managerial reform. He argues,

At the same time, many liberal societies have experienced a political and social paradigm shift: the welfare state has become discredited as the preferred form of government and has been replaced by a more streamlined model, which has in turn fostered a new form of governance. The polymorphous concept of governance encompasses various meanings, which are all concerned with the capacity of the state to govern society. The effectiveness and efficiency of traditional forms of governance relying on hierarchical public structures have been questioned, and alternatives relying

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on market forces, policy networks and local communities are being advocated. In terms of process, this new governance is characterised by the adoption of managerialist reforms. (p. 1)

Governance is closely linked to police performance measures, performance indicators, and a process to strengthen the legitimacy and transparency of police forces (Mastrofski & Lum, 2008). The intertwined relationship between accountability and governance is further discussed throughout this dissertation.

While exploring the area of accountability, the author concedes to the argument put forward by Goldsmith (2010) that the “routinization of scandals concerning police could lead to diminishing effects, it also seems likely that the police’s particular status as societal moral agent will ensure the ongoing salience of these exposures in the public eye” (p. 931). Adut (2008) concurs with the author in that, in the case of police, the actions of a single or individual police officer can stain the standing of the entire organization. This is an area that will be further developed when examining the case study of Robert Dziekanski, in Chapter 8. Goldsmith (2010) states the obvious when discussing accountability by police services and organizations steeped in tradition, as he argues, “the risks are particularly acute in cases of police forces in high standing or historically held in such standing as Canada’s RCMP” (p. 931). Such conclusions will soon be evident to the reader. Chapter 1 of the thesis has explored the historical erosion of accountability while introducing the reader to the three basic questions that will be addressed in this thesis. Namely, what is the RCMP accountability model in BC? Has public trust in the BC RCMP eroded, and if so, can public trust be restored within the RCMP in BC? What steps or measures can be taken to restore this trust including the construction of an accountability model that may be better suited for the RCMP? Chapter 2 will explore the historical growth of the RCMP while introducing the reader to the organizational hubris within the RCMP and the dysfunctionality of the current RCMP accountability model.

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## CHAPTER 2: The Royal Canadian Mounted Police: Once Proud

This thesis would be remiss without some background history as to the creation and tradition of the RCMP, thereby providing the reader with some context as to the cultural identity and ethos of the RCMP. The RCMP, in their role as Canada's national police force, is engaged in the principles of reassurance policing as described by Millie (2010). As a liberal democracy, the Government of Canada has entrusted the RCMP to provide policing services to all of Canada and its citizens abroad. This role is difficult at times for a variety of reasons that will be elaborated on throughout this thesis, but they include geography, two official languages, demographics, societal values in various regions of the country, governance structures, and government influence to name but a few challenges for policing in Canada.

Canada achieved confederation in 1867 with the creation and formation of the second largest country in the world, spanning three coast lines and bordering the United States of America (See Figure 1). The rapid acquisition of Western Provinces, and the need for law and order, was a priority for the Government of Canada (GoC). In May of 1874, the Parliament of Canada voted to establish the first central police force to be created in Canada. The first version of the current RCMP was called the North West Mounted Police (NWMP), which was founded in 1873 with a mandate to maintain law and order and preserve the sparsely populated and un-policed Western provinces, such as Saskatchewan, Manitoba, and Alberta. During the creation of this police force, the NWMP were faced with challenges that are not uncommon to policing in the twenty-first century. The NWMP was rife with internal difficulties, and was met with resentment by the settlers the NWMP was mandated to protect (perhaps a foreshadowing of the future to come?). Some of the issues facing this police force included, "desertions, resignations and improper conduct, due in part to the harsh conditions of the frontier" the NWMP was exposed to (Griffiths, 2011, p. 62).

The force was steeped in history, and the first 275 officers marched on horseback west, where American whisky traders were operating their nefarious business amongst the

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aboriginal people, causing misery and suffering<sup>17</sup>. The headquarters for the force was established in Saskatchewan, where it still proudly stands as “Depot Division,” which is the current training academy for the RCMP. By 1885, the force had grown to over a 1,000 men, and gained prominence policing the Klondike Gold Rush (RCMP Public National Communication Service Directorate, 2002).

The NWMP evolved from maintaining law and order in the west to improving and maintaining amicable relationships with the aboriginal population, and eventually began policing the settlers and explorers discovering Canada, while ensuring that frontier wars, such as those in the United States, did not occur in Canada. From protecting sovereignty and land rights to guarding banks and gold shipments, the NWMP developed a strong reputation for Canada’s orderly development in the west. In 1904, the NWMP received Royal recognition for their achievements, and were granted the prefix “Royal” by King Edward VII, and were called the Royal North West Mounted Police (RNWMP). This initiated a new era for policing in Canada with the development of expanded police delivery and service throughout Canada and the north. The RNWMP continued with the establishment of what are now called “detachments” (similar to the American term, “departments”), and pushed towards the Arctic and Alaska in defence of Canadian borders, the protection of Canadian people, and resources. As hostilities in Europe began, the GoC, fearing potential unrest from the thousands of German settlers in the West, deployed the first two groups of RNWMP squadrons to France and Siberia in an effort to assist with war efforts. This is important to note, as it is the introduction to the international mandate of the current RCMP. As Canada developed, the RNWMP responded to labour unrest and violent disturbances due to unemployment and the poor economy (RCMP Public National Communication Service Directorate, 2002, p. 17).

In 1920, the GoC, fearing a revolution similar to that which had occurred in Russia, decided to increase the strength and responsibilities of the RNWMP. This increase in responsibility included additional federal policing mandates, increased provincial policing responsibilities, and border protection. The GoC re-named the force the Royal Canadian Mounted Police in keeping with the mandate of policing all of Canada from the Atlantic to the

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<sup>17</sup> Referred by Canadian historians as the March West

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Pacific Oceans and around the Arctic Circle (RCMP Public National Communication Service Directorate, 2002, p. 18).

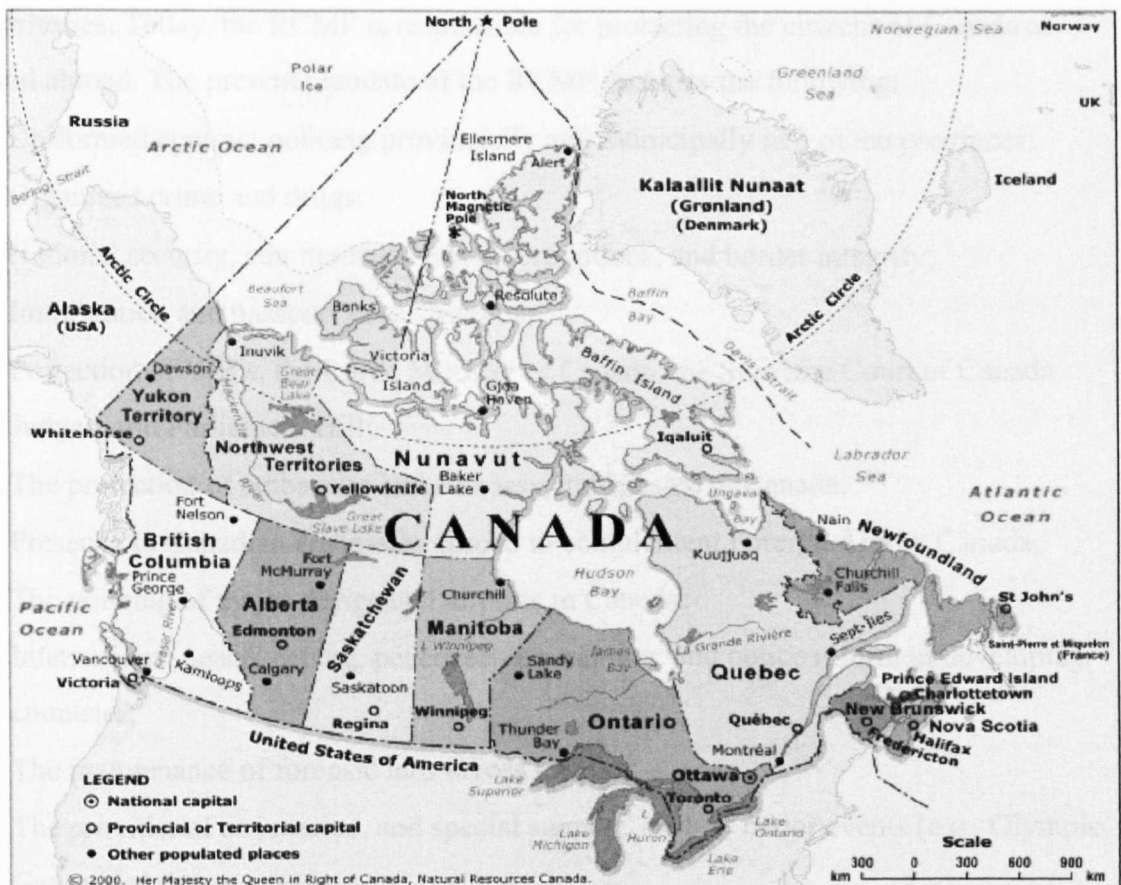


Figure 1. Map of Canada (Retrieved from <http://listingsca.com/maps.asp>.)

The newly formed RCMP was shaped, transformed, and evolved to its current state as a result of these demanding and robust mandates, which ultimately impacted the feasibility and practicalities of accountability. Today, such mandates are arduous and impractical with resources currently in place. Smith (2007) reflects in on the challenge to the legitimacy of policing, and explores the wider social events and trends the police are now responsible for, including: terrorism response, policing beyond the state, the new interpretation of accountability, intelligence policing, new political contexts of policing, increasing social diversity, prevention, and risk management. This, as Reiner (2000) alludes to, is plural

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policing, or state and non-state actors taking over policing roles in which the lines can be blurred. The RCMP is not immune to this form of plural policing. The current RCMP is just shy of thirty thousand sworn and civilian members, with presence in all ten provinces, and in three territories. Today, the RCMP is responsible for protecting the citizens of Canada at home and abroad. The present mandate of the RCMP includes the following:

- Uniformed contract policing provincially and municipally in 8 of ten provinces;
- Organized crime and drugs;
- National security, counter terrorism investigations, and border integrity;
- Immigration and passport investigations;
- Protection of VIP's, the Prime Minister of Canada, the Supreme Court of Canada Judges, and Parliament Hill;
- The protection of embassies and embassy staff posted to Canada;
- Presence in Canadian embassies abroad to complement Foreign Affairs Canada;
- The policing of major designated airports in Canada;
- International peacekeeping, peacekeeping training, and police reform in developing countries;
- The maintenance of forensic labs across Canada;
- The provider of air, marine, and special support, such as major events (e.g., Olympic Games); and
- Providing and maintaining the national police criminal information computer services (CPIC);

As evidenced by this large list, the pressures and needs placed on the RCMP are many and diverse. The question, though, is if the RCMP is doing too much—or more precisely, if they are tasked with doing too much by the GoC? This issue is discussed as this thesis unfolds.

To provide the reader with some context as to the role of the RCMP in British Columbia (BC), it is important to describe the police landscape within BC. The Solicitor General (SG) of BC is responsible for policing matters, and is a minister appointed by the Premier of BC, commonly referred to as the “Top Cop” in the Province. With a population of



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over four million,<sup>18</sup> the SG oversees fourteen police agencies operating within BC, including the RCMP. In a research piece designed to investigate options for police in BC, Griffiths (2008) describes the complex landscape of police in BC, acknowledging the differences between the RCMP and the various BC municipal police agencies. For a municipality or a city to employ the RCMP in BC, there is a formula in place created by the office of the SG, which determines the funding for that area. Under the BC Police Act (BCPA), which governs all municipal police forces in BC, any municipality with a population exceeding 5,000 persons is responsible for providing their policing within their own boundaries. These municipalities may create their own independent police force, or may contract the RCMP to provide policing services. In the event the municipality has a population that is fewer than 5,000 persons, the RCMP which, has been contracted as the provincial police force in BC, provides policing services as they currently do for 60 municipalities throughout BC (Government of BC, 2011). For disciplinary and misconduct matters, municipal police are governed under the all-encompassing BCPA, while the RCMP is governed by the federal RCMP Act. There are currently over 9,500 RCMP employees posted in BC, which comprises almost one third of the entire federal force,<sup>19</sup> the municipal police forces consist of over 2,391 police officers.<sup>20</sup> The policing model and picture in BC is quite different from the rest of Canada, allowing this study to look specifically at BC.

Through almost two decades of experience (primarily in BC), and personal observations of stakeholders involved in policing, the author has experienced what can euphemistically be termed as the “highs and lows” of policing. This includes the intense, increased, media scrutiny on policing operations, the perceived reduction of policing standards, technology, and the fast-paced evolution of laws, public expectations, and the police’s inability or reluctance to change and evolve. This list is too numerous to cite in this one paper. Goldsmith (2010) argues that issues such as technology, the advent of cellular phones with cameras and video cameras, CCTV, access to online reporting of police

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<sup>18</sup> Approximately 4.5 million people reside in BC according to BC Statistics, a BC Government website population census in 2010. Retrieved from

<http://www.bcstats.gov.bc.ca/data/pop/pop/mun/CurrentPopulationEstimates.pdf>

<sup>19</sup> This information was retrieved from the RCMP’s BC website:

<http://bc.rcmp.ca/ViewPage.action?siteNodeId=24&languageId=1&contentId=-1>.

<sup>20</sup> This information retrieved from the website of the Minister of Public Safety of BC., [http://www.pssg.gov.bc.ca/police\\_services/publications/statistics/policeresourcesinbc.pdf](http://www.pssg.gov.bc.ca/police_services/publications/statistics/policeresourcesinbc.pdf).

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misconduct, and other regulatory features that are part of a liberal democracy, have increased the checks and balances on an institution that has extraordinary powers and abilities. The argument the author posits, suggests that there is a current, model of accountability that exists within the RCMP in Canada, and particularly BC.<sup>21</sup> The author contends that this model, as it stands, appears dysfunctional in practice, thereby contributing to the erosion of public trust. First, the study will endeavour to describe the current model in use by the RCMP in BC, and critically examine this model within the various definitions of accountability put forth by academics and practitioners. Throughout the thesis, comparisons with other models of organizational accountability with the RCMP's existing model will be made. Using a case study approach, an analysis of the current RCMP model will be conducted, revealing its chasms, strengths and weaknesses. This analysis will be followed by constructing an "ideal" model for the RCMP using data obtained through the analysis of the models examined, coupled with the author's research and literature review. It is important to state from the outset that this thesis is not an effort to further sully the RCMP, further disparage a Canadian treasure, or to lament on the misdeeds of a few. It is, however, an effort to identify the broken components, repair these components, and to provide direction for future transformative change.

In a recent, informal qualitative analysis (a review of written, television, and web-based media)<sup>22</sup> conducted by the author exploring the nature and number of times the RCMP appears in the news and for what reasons, numerous cases of RCMP misconduct were identified. The research involved searching the acronym RCMP on news web pages, distilling information related to misconduct, followed by a review of articles to determine how many involve misconduct and wrongful behaviour. This includes minor internal infractions, such as poor report writing, to criminal offences, such as falsifying overtime slips and committing serious and egregious violations of internal and external rules and laws, including having

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<sup>21</sup> The RCMP is Canada's national police service, and as such, follows a structure that is national in scope. Every attempt will be made to ensure that the province of BC will be the focus in this thesis; however, many policies and procedures utilized by the RCMP originate in Ottawa.

<sup>22</sup> A review of online news (n=45) articles from January 2009 to April 2011 related to police misconduct, police abuse of authority, and police officers who were disciplined revealed 38 articles positing a negative slant.

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sexual encounters with protected witnesses while acting as their guards,<sup>23</sup> stealing and selling drugs,<sup>24</sup> viewing of child pornography while on duty,<sup>25</sup> and theft.<sup>26</sup> To make matters worse, some of these officers continue their downward spiral by committing subterfuge in order to cover up matters, and when caught, attempt to absolve themselves by blaming the organization and the “system” for their failings.<sup>27</sup> Excuses are poor shifters of blame in the view of the author. However, there is something to be said about an organization that appears, on the surface, to breed discontent, misconduct, and misbehaviour by their employees somewhat regularly. If the RCMP is in fact a world class organization as it espouses itself to be (Elliot, 2010), the concern is the frequency in which these sorts of incidents occur, and how the RCMP is responding. The arguments made by many of those interviewed, and by colleagues of the author during debate and discussion, is that the RCMP is comprised of thousands of men and women who have pride, take their profession seriously, and are impeccably moral. While this is certainly true, the frequency with which such misconduct occurs, and how the organization is trying to identify these potential risks, preventing them from occurring in the future, is of primary concern here.

During the research portion of this thesis,<sup>28</sup> there have been a number alleged examples of RCMP abuse of authority captured on video, which have since gone viral, showing what appears to be use of excessive force by police, or at the very least, an abuse of authority. This is a daily occurrence in North America, where allegations of police abuse and misconduct go viral before any police agency has the opportunity to formally receive a complaint and investigate allegations accordingly. An organization such as the RCMP, which is almost thirty thousand strong across Canada and many parts of the world, is not immune to

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<sup>23</sup> A RCMP investigation into the gangland murder of six persons resulted in an allegation that a senior Sergeant was personally involved with a key witness while on duty guarding that witness. The media reports that this may affect the court proceedings, and has shaken the public in British Columbia as two of the six murdered victims were innocent bystanders. Revelations made by the RCMP are investigating this incident in 2010.

<sup>24</sup> In 2010, Vancouver Police investigated an officer seizing controlled drugs and selling them for profit.

<sup>25</sup> Allegations surfaced in 2009 of an RCMP officer viewing pornography while on duty in a community police station.

<sup>26</sup> Numerous allegations of this type of crime taking place with police officers involved.

<sup>27</sup> This refers to a Richmond RCMP case in which an officer was charged with a number of thefts, and through the use of a post-traumatic stress defense following allegations of deceit, was able to successfully turn the incident into one the organization caused.

<sup>28</sup> February 20<sup>th</sup> 2011 to June 1<sup>st</sup> 2011 is the time period in which these two examples were brought to the forefront by the media.

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this non-traditional form of scrutiny for three reasons. First, media scrutiny and increased reporting on police misconduct, has put police on notice, and has been both a formidable ally and an opponent for policing, depending on the situation. In the former case, the RCMP utilize the media daily to assist them in investigations and positive messaging such as; locating missing persons, looking for wanted suspects, and launching public safety campaigns. The media in BC has generated so much interest in the daily operations (primarily misconduct issues) of the police, and the RCMP in particular; that the RCMP has expanded its communications strategy branch<sup>29</sup> by hiring retired reporters and communication analysts, in order to help manage the media. With regards to the media, police officers might be tempted to view the public as holding somewhat unrealistic beliefs about crime, driven partly by sensational mass media coverage and political rhetoric, compounded by a low level of faith in official crime statistics. In other words, the police are held responsible for irrational anxieties about crime and risk. There is empirical evidence that people have an unbalanced picture of the reality of crime. (Jackson & Bradford, 2010, p.9).

Second, it appears that technology is a driving force behind accountability, transparency, and reform measures in the twenty-first century, allowing the public access to the innards of policing. Egypt is an excellent, recent example of the use of technology and social media to bring about a revolution and the downfall of a government. The power of technology can never be underestimated, and can be used to move police organizations forward. Chermak and Weiss (as cited in Goldman, 2010) assert that the

police are widely held to be by far the most visible of all criminal justice institutions. Their visibility, as a critical component of how they appear to the public, invites assessments of the propriety (or rectitude) of their behaviour, and thus plays an important role in determining public reactions to the police. (p.914)

Through the use of technology, which includes television and social media, the police are forced to recognize their vulnerability, whether their behaviour is correct or not.

Finally, the unpredictability of human behaviour cannot always be anticipated, regardless of training or common sense, and generates the stories that fuel the media in areas of police scandal and misconduct. The acts of a few individual “bad apples,” as Bayley (1995)

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<sup>29</sup> BC has a communications branch of the RCMP led by an Inspector (RCMP E Division website, 2010).

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describes in his piece entitled, “Getting Serious about Police Brutality,” have contributed to an ethos of misconduct and a lack of accountability within the RCMP as a whole. Bayley (1995) encourages the shift from a reactive, individual approach to a managerial, organizational, and community-based approach to addressing macro issues of accountability.

The citizens of Canada have generally held a strong belief that police officers are selected for their passion to serve their communities and their ability to do the right thing. This is the common mantra recited by new recruits in policing through rote memorization. Of course, police officers will strive to do the right thing, as this is what they are hired to do. It is through the hiring process that the organization can evaluate the recruit and determine their level of common sense and alignment with the organization’s system of ethics and values, which is commonly referred to as the Mission, Vision and Values (MMV). The slogan “To serve and protect,” is used by many police organizations to describe their responsibility to society. But, the author asserts this slogan requires the addition of the words, “with integrity and transparency.” In a 2007 speech to the National Press Club of Canada by Mr. Paul Kennedy, Chair of the Commission for Public Complaints against the RCMP (CPC), he asks, “What has taken place that makes some people feel that it is appropriate to say that the RCMP is ‘rotten to the core’? ... One third of Canadians reported having little or no confidence in RCMP management” (Kennedy, 2007. para. 4). This is a very damning commentary on the RCMP if it is in fact the truth, though it provides the framework for this thesis.

The growing lack of documented accountability in policing throughout British Columbia has generated the interest of many stakeholders, partners, and those directly influenced by the Canadian Criminal Justice System (CJS), which also includes civil libertarians, such as the BC Civil Liberties Association (BCLA), and elected officials like mayors and council, academia, senior police officials, and executive police managers, including the author. Discussions around accountability are not new, nor are they exhaustive. Bayley (1995) re-visits the Rodney King affair and describes the significance of identifying the lack of accountability within police organizations as a systematic concern, and one that police organizations should be involved with, as opposed to investigating a single police officer. The author concurs with Bayley, and turns to Goldsmith (2010), who describes the 1991 King incident as a threshold event. Although Goldsmith’s research is in the field of

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media, technology, and police visibility, he posits the implications of a new police visibility when it is applied to police accountability. Goldsmith advocates the use of what he refers to as a “circuit breaker,” which is a form of third party accountability where there is public distrust of the police and the state. This “third party accountability can serve as a circuit breaker by establishing a channel for the provision of information, influence and control” (pp. 37-38). The reference to third party accountability is being explored by the SG of BC, the RCMP in BC, and the RCMP in Ottawa, and is used to a certain extent within other provinces in Canada.<sup>30</sup>

The questions asked within this dissertation deal specifically with the accountability of the RCMP as an organization. The dissertation asks three basic questions including, has public trust in the BC RCMP eroded, and if so, can public trust be restored with the RCMP in BC? The individual police officer committing a misdeed is punished for their action, yet the RCMP organization, as a whole, has not successfully evolved to deal with these individual failings and acknowledge a potential chasm within their processes. Is there a gap, and if there is a gap, is it symptomatic of twenty-first century policing? It appears that, through an initial exploration, the RCMP is suffering from historical amnesia, which is evidenced throughout this thesis. The three basic questions and others will be put to the test throughout this thesis, with specific reference to the RCMP as a police organization within BC.

There have been a number of officer-involved deaths, which can also referred to as “police involved deaths” in British Columbia. Each death is investigated individually by police, and the results generally reflect the appropriate outcome. However, as a whole, this generates robust discourse by the media and the public with regards to police oversight and public trust of police investigating police. The Canadian public seems to have evolved in their involvement in such issues, going from passive bystanders to becoming more of an inquiring onlooker, and as such, have continued to argue for more transparency. This can be viewed from this news article in the *Toronto Sun* (*para. 2*):

RCMP Commissioner William Elliot announced an interim policy Thursday to “raise the bar” on public accountability by turning over internal probes to provincial or

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<sup>30</sup> Alberta and Ontario currently employ a civilian oversight model to review serious police incidents such as in custody deaths, police involved shootings and fatal police motor vehicle pursuits.

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independent investigators. “The RCMP must strive to be as open and transparent as possible and fully accountable for its actions,” he said. (Harris & Raj, 2010)

Accountability, as it will be discussed throughout this thesis, is not merely individually based. It includes organizational accountability, which forms a large part of this thesis.

A former retired RCMP Superintendent, whom the author once worked for, regularly reminded all police officers to apply simple analysis when faced with ethical dilemmas or when challenged with difficult decisions. Supt. Ward Clapham suggested officers use the “*full meal deal of policing test*” (Clapham, personal communication, April 2010). He suggests the term MEAL to be applied as an acronym for a problem-solving model. If one is faced with a difficult decision, merely ask “if it is **Moral, Ethical, Affordable** and **Legal**, just do it.” This should be the standard of policing and the litmus test of front line policing activities. The one part of this model that may be difficult to understand is “affordability.” This refers to costs incurred by the police organization by way of future civil suits and immediate costs expended in the field, such as resources or staffing. The model can be applied to any aspect of police accountability at all levels of a police organization, and should, arguably, be the benchmark of ethical decision-making models for police.

This test that retired Superintendent Clapham espouses has been taken to another level by those in policing today. The RCMP training academy, referred to as “Depot,” has anecdotally developed what it calls the “newspaper test.” which it teaches new recruits. Although somewhat rudimentary, simply put, one can apply the name of any newspaper in any city (e.g., the *London Times*, the *Vancouver Province*, the *New York Times*, etc.) and ask yourself as a police officer, “Will what I am about to do pass the newspaper test?” This test is based on public perception or public shock, and essentially how the public will react to police actions or inaction on the front page of the local paper. While fairly innocuous and simplistic in many regards, concerning for the author is how policing activities revolve around risk management, risk prevention, and split-second decision making which is reviewed years later by commissions and inquiries. This places tremendous pressure on police in complex and charged situations to perhaps fail to act for fear of public and media scorn. The most poignant and pragmatic response to accountability within the RCMP is provided by Superintendent Doug Kiloh, the former Chief Officer of the Organized Crime Agency of BC (OCABC) and

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Combined Forces Enforcement Unit of BC (CFSEU-BC), when he suggests that in order for police to be accountable, one must only look at the motto embossed in the RCMP forage cap and embroidered on the RCMP uniform shoulder flashes.<sup>31</sup>: “Mantiens Le Droit.” This motto, adopted by the Mounted Police, simply means to “do what is right,” to “do the right thing,” or as Superintendent. Kiloh suggests, being accountable.

During the completion of this thesis, there have been a number of examples presented to the reader in the area of misuse of force, police investigating police, and confidence studies re-affirming the low numbers achieved by the RCMP in BC. On November 7<sup>th</sup>, 2011, the RCMP reeled with shocking allegations of systemic sexual abuse and harassment within the ranks. The alleged abuse and harassment was identified as being directed at women and men. The allegations were reported to the Canadian Broadcasting Company (CBC) and made by Corporal Catherine Galliford (a 16-year member of the Force).<sup>32</sup> Galliford insists she was sexually and emotionally harassed by members of the RCMP for sixteen years until she took an extended sick leave from the Force. She identified a senior Mountie as exposing himself to her, as attempting to be intimately involved with her, and with causing her post-traumatic stress, resulting in her alcohol and chemical dependencies. Following the interview, which was broadcast nationwide, many more women in the RCMP—both former and current employees—came forward<sup>33</sup> identifying a system of abuse and harassment in the context of senior officers looking the other way and refusing to respond to the situations, as well as several, confidential payouts to some women for their silence. The most disturbing of these allegations made by Galliford, who stated that police investigators working on one of the most important and complex murder cases in all of Canadian history may have overlooked critical evidence and files, as they were too busy focusing their attention and misogyny elsewhere.<sup>34</sup>

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<sup>31</sup> Discussions with Chief Officer Kiloh on July 6, 2011.

<sup>32</sup> Cpl Catherine Galliford provides an interview to the CBC, retrieved from <http://www.cbc.ca/news/politics/story/2011/11/07/bc-rcmp-harassment-galliford.html> . The interview reveals shocking allegations of sexual harassment going on for sixteen years by senior RCMP officials working with Galliford. Following the broadcast of the interview, three other RCMP female officers reported being sexually harassed and bullied.

<sup>33</sup> Twenty five women to date have come forward in a class action civil law suit against the RCMP as of December 20<sup>th</sup>, 2011. Retrieved from <http://www.cbc.ca/news/canada/british-columbia/story/2011/12/20/bc-rcmp-harassment-class-action-grows.html>. A formal law suit against the RCMP was launched March 29, 2012.

<sup>34</sup> The Missing Women’s investigation resulted in the arrest and conviction of a serial killer, Robert Pickton, alleged to have murdered 49 missing Aboriginal women in Vancouver. The 89 million dollar investigation took



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These revelations shocked Canadians, and resulted in the House of Commons and the Federal Minister being pressured by the opposition party, and the media, for a public inquiry or a commission into the actions of the RCMP as an organization, and its inability to create a safe workplace free of abuse. Schmidt, a retired female RCMP officer, conducted research into gender and the RCMP, which revealed a higher than usual attrition rate for women within the Force than men, raising some discussion around the issue of gender equality, harassment, and bullying (Schmidt, 2006). The RCMP responded to Galliford's allegations, re-iterated the zero tolerance policy towards any form of harassment and bullying, and re-emphasized that the Force, although not perfect, is an organization undergoing transformation and change, and that all areas of the Force will be examined, including workplace harassment (RCMP, 2011). Following the revelations made by Galliford, at least twenty five other female RCMP officers have publicly come forward with similar stories and accusations<sup>35</sup>. The current Commissioner of the RCMP, Bob Paulson, who was appointed on November 16<sup>th</sup>, 2011, made an initial statement confirming that the Force is facing a plethora of challenges, issues that are preventing the Force from moving forward, and leadership that is waning. Commissioner Paulson states:

Appropriately some of the stumbles and the challenges that we face are brought to Canadians' attention. I get this, I recognize that I have a lot of work to do, a lot of work ahead of me as we continue to transform the RCMP. Accountability and leadership will be the area of focus for me and my team as we go forward (Paulsen, 2011, p. B1).<sup>36</sup>

The Commissioner has asked that the sexual harassment issue be investigated by the CPC Commissioner in Ottawa in order to find the appropriate measures to repair the Force's

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years to complete, and a current Justice who led the inquiry (Ret. Justice Wally Oppal 2011) has revealed many errors and mistakes made by the RCMP and the VPD in terms of timeliness and competency. Galliford alleges that the investigation moved slowly as a result of the sexism that existed: "Galliford says the rampant sexism within the ranks of the RCMP that ruined her health and career may also have contributed to the mismanagement of the Pickton murder investigation, at a cost of many lives" "The Royal Canadian Mounted Police, a Royal Disgrace," 2001, p. x).

<sup>35</sup> Twenty five women to date have come forward in a class action civil law suit against the RCMP as of December 20<sup>th</sup>, 2011. Retrieved from <http://www.cbc.ca/news/canada/british-columbia/story/2011/12/20/bc-rcmp-harassment-class-action-grows.html>

<sup>36</sup> Excerpt from the Commissioners first speech to Canadians November 17, 2011. *Vancouver Sun* page B1, November 17, 2011.

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reputation. This is another accountability crisis that seems to be following the currently beleaguered Force, and one that is juxtaposed with some of the research conducted during this thesis.

Chapter 2 concludes with the reader exposed to the most current cases allegedly mishandled or inappropriately investigated by the RCMP. The introduction to the harassment scandal, the controversial issues surrounding police involved deaths and police investigating police, provide the reader with some background in the area of accountability and transparency as related to the three basic questions posed throughout this thesis. Chapter 3 introduces the reader to the methodologies used, and the documentary and literature review of the material, in this particular field of accountability. The author reiterates the difficulty in capturing an absolute meaning of accountability and explores the various debates related to this concept. Chapter 4 outlines methodologies, while Chapters 5 and 6 discuss the research results. Chapter 7 summarizes the conclusions of the research, leading the reader to Chapter 8, which is a case study of Robert Dziekanski and his death in 2007. There are two areas of accountability that are examined as part of the larger RCMP model, including internal and external accountability, which takes the reader to Chapter 9. This particular chapter explores current models of accountability that exist in the police world while attempting to construct a model for the RCMP that is sound and effective. The conclusion reflects on the future directions of the RCMP as an organization, and attempts to identify additional areas of research and implications that can extend this thesis.

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## CHAPTER 3: Defining, Measuring and Exploring Police Accountability

This chapter examines two areas of research related to accountability. First is a literature review of work conducted in this area, including current scholarly thoughts related to police accountability. Second, the reader is exposed to the methodologies used by the author to craft this thesis. The hybrid approach to defining, measuring, and exploring police accountability will benefit the reader and identify areas of future research. Before commencing research in any area, it is incumbent upon the researcher to conduct a review of the literature pertaining to the topic in question (Palys & Atchison, 2008). Examining research pertinent to a specific topic of interest provides a proper frame of reference for any research to be conducted on that particular issue (Glesne as cited in Fox, 2006). Although the research literature “may not provide definitive answers to all issues, it does provide information that has been thoroughly established through rigorous and systematic studies” (Stringer, 2007, p. 36). The author has examined current work in the area of police accountability, and has not been able to find an abundance of scholastic documentation examining this particular issue within the RCMP. There are many articles and pieces written about police accountability and transformation, including governance and reassurance policing, elsewhere in the world, including Australia, the United Kingdom, and the United States (Walker, 2007; Chan, 1999; Murphy & McKenna, 2007). These articles provide some framework as to models of accountability, and in particular, explore the erosion of accountability in policing over the past two decades.

Murphy and McKenna (2007) describe that the central organizational challenge facing the RCMP involves how to control the complex nature of operational police work in highly dispersed and decentralized locations and yet continue to legitimately resist external “local” political influence and control. The RCMP detachment, with its military-styled bureaucracy, emphasized a standardized delivery of police services, provided by a force of internally governed, trained, disciplined police professionals, who enforced the law without fear or favour while remaining above local politics and prejudices. Whether this reflects reality is an empirical question, but it was, and is, a convincing public image, as well as, an

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important organizational accomplishment that partially explains the RCMP's remarkable success as Canada's national police force. (p. 13).

This begs the question: What happened to the RCMP? This is very interesting to note, as the current, bureaucratic model of the RCMP remains structured behind the traditional, Para-military style, first envisaged by the founders of the Force. Speaking strictly from experience, the current RCMP model struggles to respond to contemporary forces of change, one that is pressing for consultation, dialogue, transparency, and mutuality, which is diametrically opposite to the Para-military model. This is not to say that either model of policing is wrong, but it also raises the validity of having a structured Para-military model of internal accountability. Can the RCMP operate as a modern, efficient, professional and trusted police force while using traditional principles to regulate its accountability processes? This equilibrium will be explored in greater detail within this thesis, and some examination into modernity and policing will also be discussed.

The methodologies utilized in this thesis include the following:

- RCMP commissioned national surveys (2008 to 2010 Core Surveys) exploring confidence in the Force;
- A purposively selected group of participants (n=9) interviewed by the author;
- A case study of the death of Robert Dziekanski at Vancouver International Airport, and a review of the Braidwood Inquiry recommendations;
- An examination of various report and commissions inquiries into the actions of the RCMP;
- A comparative analysis with the UK, USA, and Australia in the area of police accountability through public trust surveys; and
- A literature review of the current gaps and effective practices within the framework of police accountability.

## Operationalizing Accountability

From the onset, there are several terms and concepts that must be defined clearly. These include: "RCMP as a national icon;" "reclaiming;" and the word "accountability." As

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the first two terms have been described earlier in the thesis, the term “accountability,” as referred to within this thesis, must be discussed and defined clearly. There are many definitions and uses of the term accountability. As previously mentioned, the concept of accountability, trust and transparency is elusive and difficult to define. These concepts are subjective and have different meanings to different individuals or groups. The author has reviewed a number of these meanings, and chosen a few to operationalize the term for this thesis. During personal interviews conducted by the author, the question of defining accountability and what it means in policing was posed to all interviewees and it is here the reader will be exposed to the different conceptual meanings of accountability as defined by the research respondents. In his piece entitled, “The Accountability of Policing,” Jones (2008) uses the works of Day and Klein (1987), which describes accountability as an elusive objective, not unlike a chameleon in structure. These authors posit that accountability has a range of meanings, including: “answerability, responsiveness, openness, efficient estate, management not to mention participation and obedience to external laws” (p. 694). Although different meanings for accountability are described and envisaged, a common theme emerges. The primary theme that emerges from an analysis of the data gathered is one of “public trust,” public confidence, and Sir Robert Peel’s vision of transparency in that the people are the police and the police are the people.<sup>37</sup> One senior police officer, with over thirty-years of experience, describes accountability as, “simply that, to account for our actions, to account for our ethics, to account for our behaviours, to account to the citizens of Canada ” (Respondent #9, personal communication, March 21, 2011). This is a very base definition of accountability. Another senior officer with experience in the UK and Canada describes accountability as “trust of the community in the police and their ability to do their jobs professionally” (Respondent #8, personal communication, March 18, 2011). In keeping with this theme of trust and transparency, it is important to also incorporate literature and discourse on police accountability and explore its scholarly definition within policing. Dr. Ian Waters (2009), in his lecture at the London Metropolitan University, incorporates the terms “integrity and policing by consent.” Chan (1999) delves further to differentiate between old and new models

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<sup>37</sup> Analysis of interview data gathered to determine a common theme or meaning for accountability in policing.

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of police accountability, where the differences lie in more effective forms of internal management and self-governance than punishment and deterrence.

In Northern Ireland, the term accountability, as described in the Patten Report (1999), has taken a broad sense view of policing, and included the non-state actors in its definition and presentation. The Patten Report suggests:

In a democracy, policing in order to be effective must be based on consent across the community. The community recognizes the legitimacy of the policing task confers authority on the police personnel in carrying out their role in policing and actively supports them. Consent is not unconditional, but depends on proper accountability, and the police should be accountable in two senses – the “subordinate or obedient” sense and the “explanatory and cooperative” sense. In the subordinate sense, police are employed by the community to provide a service and the community should have the means to ensure that it gets the service it needs and that its money is spent wisely. Police are also subordinate to the law, just as other citizens are subordinate to the law, and there should be robust arrangements to ensure that this is so, and seen to be so. In the explanatory and cooperative sense, public and police must communicate with each other and work in partnership, both to maintain trust between them and to ensure effective policing, because policing is not a task for the police alone. (p. 21)

Reiner (as cited in Jackson & Bradford, 2010) makes the important point that accountability has been “massively undermined by the pluralisation of society (in terms of race, culture, gender roles and sexuality) which has left police representivity floundering in its wake,” and if police lose this connection with the public, they lose an important element of their legitimacy (p. 11). In their view, the members of the Patten commission remit the various aspects of accountability. These include democratic accountability, legal accountability, financial accountability, and internal accountability. These various types of accountability are addressed throughout the thesis (Chapter 9), and are examined in greater detail.

In comparison to other Canadian institutions that have experienced challenges and gained interest around accountability, the closest comparable institution that has similar experiences to RCMP over the past two decades has been the Canadian Armed Forces (CF). The similarities between the CF and the RCMP are along the lines of the structure (para-

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military in nature), and that the administration of both agencies is centralized in Ottawa, yet both are stationed across Canada and the rest of the world. The response and reaction to crises and critical incidents by both institutions is also very similar. The work of Greer (2010) provides greater comparisons between the RCMP and the CF, and why this is an appropriate Canadian institution to use when discussing accountability. The CF experienced significant internal challenges and a lack of accountability, including budget cuts, lack of senior leadership, lack of morale, and public mistrust, following the death of a Somali national at the hands of Canadian Special Forces (Eggleton, 1997). Over a decade, the CF has transformed to be one of Canada's most well-respected and trusted institutions. The CF has implemented a number of reforms following inquiries and reports into their performance and actions, both overseas and domestically. One such report describes accountability as:

[A] principal mechanism for ensuring conformity to standards of action. In a free and democratic society, those exercising substantial power and discretionary authority must be answerable for all activities assigned or entrusted to them - in essence, for all activities for which they are responsible. In a properly functioning system or organization, there should be accountability for one's actions, regardless of whether those actions are properly executed and lead to a successful result, or are improperly carried out and produce injurious consequences. An accountable official cannot shelter behind the actions of a subordinate, and an accountable official is always answerable to superiors. (Eggleton, 1997, p. 16).

The CF has explored the concept of governance and accountability at great length, and has focused on the role between government and military, while including independence in this formula. Halpenny (2010) posits that police must have considerable discretion, and that it is the use and abuse of this discretion that attracts the attention of governments and citizens who seek accountability. Professor Kent Roach (as cited in Halpenny, 2010) has completed comprehensive studies into accountability and governance, and proposes four models related to accountability. These models are in line with what the Patten Report suggests. Roach's first model relies on the Blackburn doctrine<sup>38</sup> in that the *independent model* is critical for police to

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<sup>38</sup> "I have no hesitation, however, in holding that, like every constable in the land, [the Commissioner of the London Metropolitan Police] should be, and is, independent of the executive. He is not subject to the orders of

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enforce the law without any partisan influence from government, who Roach views as incapable of directing police without ulterior motives. The second model he promotes is the *Quasi-judicial model of accountability*, in which full confidence is placed in the police, as the court and prosecutors act as the checks and balances to police misconduct. The third model is the *democratic model* in which the minister or ministers are responsible for policing, and must be informed as they have a parliamentary responsibility within the Canadian system to act when significant political issues arise. The model seeks to represent the broader community's interests in providing direction to the police. The final model is called the *governmental policing model*. This model proposes to centralize policing operations, along with many other political functions, and therefore shows less confidence in the ability of the police to do their work (p.33). These models proposed by Roach have utility in this discussion, as they overlap with the models proposed by other scholars and commissions involved with researching the RCMP (Oppal, 1994; Brown, 2007; Braidwood, 2009)

Accountability is viewed as the “root of good policing” (Reiner & Spencer, 1993, p. 926) within a democratic society. Chan (1999) separates the definition of accountability into two categories, similar to Walker (2006). The first category is control over the police, and the second is the explanation by the police for their conduct, simply accounting for their actions. Bayley and Shearing (1996) expand on Peels' Principle, and offer the view of “policing belongs to everybody – in activity, in responsibility, and in oversight” (p. 591). Goldstein (1977), in his earlier works, defines police accountability in its broadest sense, and states, “accountability includes much more than responsibility for determining policies in discretionary areas. It covers every aspect of administration of an agency, including ... its operating efficiency, its hiring and promotion practices, and its financial management” (p. 131). This comprehensive view of accountability has been likened to police reform by more

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the Secretary of State, save that under the Police Act 1964 the Secretary of State can call on him to give a report, or to retire in the interests of efficiency. I hold it to be the duty of the Commissioner of Police, as it is of every chief constable, to enforce the law of the land. He must take steps so to post his men that crimes may be detected; and that honest citizens may go about their affairs in peace. He must decide whether or not suspected persons are to be prosecuted; and, if need be, bring the prosecution or see that it is brought; but in all these things he is not the servant of anyone, save of the law itself. No Minister of the Crown can tell him that he must, or must not, keep observation on this place or that; or that he must, or must not, prosecute this man or that one. Nor can any police authority tell him so. The responsibility for law enforcement lies on him. He is answerable to the law and to the law alone.” (*R. v. Metropolitan Police Commissioner, ex parte Blackburn*, [1968] 1 All E.R. 763, at 769 - *per* Lord Denning, M.R.)



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recent academics.<sup>39</sup> Den Boer (2002) takes a view that accountability can be separated into external and internal categories. She contends that police are accountable through a nexus of formal and informal structures, and that police are accountable to different organizations for different aspects of their work. The Law Commission of Canada (2006) generated a report that identified five areas the police are accountable to in Canada.

The first area is *political accountability*. This includes ministerial accountability, reporting to government, and in Canada, to parliament. The second area identified is *legal accountability*, which includes accountability to the law and courts. The third area is *administrative accountability*, which includes the process of the complaints commission human rights tribunals, and ombudsmen offices. The fourth area is direct *public accountability*, which includes access to information, community consultative groups, and the mechanisms for freedom of information legislation. Finally, the fifth area of accountability is referred to by the Law Commission as '*ad hoc*' *accountability*, this relates to commissions, inquiries, and other public processes (The Law Commission of Canada, 2006, pp. 88-89). These five areas are significant, as the RCMP is accountable to all five areas—some greater than others—which are clearly identified as the thesis progresses. There are also internal and external areas of accountability that fall under the umbrella of the five just mentioned. Briefly, these internal structures include governance processes and police regulations such as the RCMP Act and Regulations (RCMPA and Regulations). The external structures are many, but include the Canadian Charter of Rights and Freedoms, the public complaints system, the community and the government, to name but a few.

It is interesting to note that other authors have proposed very similar models of accountability such as that posited by Normandeau and Leighton (1990). These authors define the accountability framework in four different ways: (1) *administrative* accountability, which they identify as fiscal responsibility; (2) *politically*, by virtue of government and the elected officials police report to; (3) *legally*, in response to the duties and obligations imposed by the Charter of Rights and Freedoms and other civil rights recognized in Canada; and (4) *community*, in reference to who the police are working for and protecting (Caul, 2009). Caul

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<sup>39</sup> KPU Criminology Chair, Dr. Wade Deisman, considers these areas to be closer to reform than accountability. Presentation by the author to a panel of criminologists on the topic of accountability, May 26, 2011.

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examines various Canadian court decisions and reports on different inquiries and commissions to answer the ultimate question of who the police are accountable to and what kind of a relationship are they involved with through a “master and servant” or employer/employee relationship. These are pragmatic questions to ask, and he refers the reader to British Common law.

The prominent American scholar, Professor Samuel Walker’s (2006) interpretation of accountability is a combined description of the academic and the pragmatic, with a symbiotic balance. Walker defines accountability as “what the police do and how they perform” (Walker, 2006, p. 1). The conceptual use of this definition is used for the framework of this thesis. Further, the exploration of internal and external accountability processes is examined using this definition. There are countless variations and deviations of this simple but effective definition of accountability espoused by scholars and practitioners alike; however, the description by Walker provides some latitude in the interpretation of police accountability as it relates to this thesis.

### Mixed Methodologies

The methodology of this thesis is considered a “mixed” methodology, which draws upon a number of theoretical research methods, including qualitative research, through the use of micro-ethnographic investigative tools such as structured personal interviews from specifically chosen individuals involved directly within policing and the community in British Columbia, Canada (n=9)<sup>40</sup>. In addition, the methodology includes participant observer contributions to the issues under exploration, through the author’s involvement in policing over the past nineteen years. This richly detailed qualitative method affords the reader with what is referred to as a “backstage culture (Kawulich, 2005). As previously mentioned, the thesis would be remiss without a literature review of the current field of thought in this area, including a review of government reports, inquiries, and commissions, to construct an ideal model of accountability within British Columbia. Finally, examining the Braidwood Inquiry into the death of Robert Dziekanski and the issues surrounding police accountability will be explored through an extensive case study of this incident to demonstrate the current model of

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<sup>40</sup> The interviews were conducted with a variety of police officials, members of the media, citizen advocates, and mayors.

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accountability employed by the RCMP and the dangers inherent in this historic model. It is anticipated that through this exhaustive review, a more transparent, robust, and effective model of accountability—one more suited to the current conditions in British Columbia—can be constructed and eventually tested.

It is important to identify a benchmark or starting point in comparing any research topic. In this case, the question one must ask involves accountability and public confidence, but in relation to what? Is accountability and public confidence being compared with historical benchmarks or with public perception or expectations? These questions are important to ask as they provide a formal starting point to any social research. Sherman (2001) concurs, and contends that what is known about public trust and public confidence in the justice system, and policing in particular, is “both limited and sobering and no clear definition of terms guides a consistent approach to measurement. No data about ‘trust’ or ‘confidence’ in criminal justice were gathered in recurrent national polls before the 1990’s” (p. 6). This is a fairly accurate assessment of the situation in Canada, although there are a number of recent polls conducted on behalf of, and for, the RCMP that reveal significant differences nationally and provincially in the area of public confidence. Overall, the results for police and public trust, as identified by Sherman, are quite low and in line with the RCMP results in BC noted above. When exploring the concept of confidence, Sherman discovers the obvious; the meaning of “confidence” varies depending on how research questions are asked and phrased. Sherman cites an example of a research poll that found public confidence for police in the USA in June 1999 to be 57%, but when previously surveyed in October of 1998, the polls reported public confidence in the police to be 45%, demonstrating that either a significantly positive police incident reflected the twelve percent increase, or inaccuracies in polling and methodologies were its cause. Weaknesses of polls and qualitative research methods will be discussed in greater detail as the thesis expands.

The most interesting arguments posited by Sherman reflect on the major theory about declining public confidence in all areas of government, and not specifically the police or the justice systems. His cogent and penetrating argument contends that this decline is evident in all modern nations in a modern society, demanding greater accountability from governments in liberal democracies. This supports the thesis here in that lack of confidence in the police is

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not a new phenomenon, but a general theme that seems to be occurring in the western world. Australia has been contending with reforms and public confidence issues in the police since the 1980s. Dupont (2011) elaborates on these reforms by arguing,

over the past twenty years, police services all over Australia have been exposed to the scrutiny of royal commissions, which have uncovered a disturbing pattern of corruption and inefficiency in their ranks. Simultaneously, the public has been introduced to the most unpalatable aspects of the police culture (p. 3).

Marc Alain (2004), a Canadian criminologist, has examined police ethics in the province of Quebec, and has summed up the last decade of policing as three concomitant phenomena:

1. A succession of public inquiries, commissions, and investigations into police organizations;
2. A succession of reforms in law governing police work; and
3. The attrition of police officers leaving and being replaced by younger, less experienced officers. (Alain, 2004, p. 3).

This phenomenon is not only occurring in Quebec. Take Australia again for example. Chan (1999) argues that there has been a shift from the concept of “old accountability” of centralized control and self-regulation to a model of “new accountability,” which is comprised of external oversight and a hybrid of the private or business sector model of organizational performance. The argument that external agencies investigate police or that independent external oversight for police exists is not a new one. The similarities between Bayley (1995) and Kennedy’s (2007) arguments are apparent. Bayley and Kennedy both support and endorse increased transparency and accountability within policing, but caution against quick-fix models, such as external oversight, without ensuring that all the necessary preparations are in place. The literature supports (Brown, 2007), and the author asserts, that a modern RCMP, one with increased transparency and greater oversight, is no doubt required. Where the literature diverges is in the specific area of oversight. Police investigating police is a complex issue that is at the heart of accountability in Canada and seems to be an area of which the public is aware. The media fervor and moral panic over police misconduct in BC should not result in rash, ill-conceived accountability models. The thesis implores those in public policy

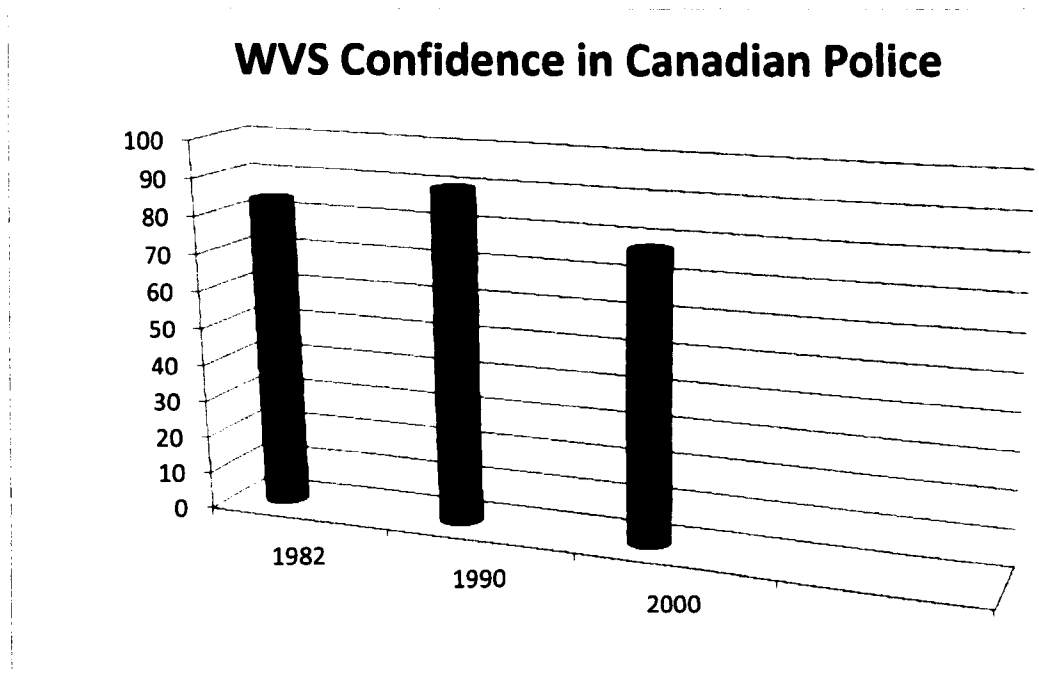
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and police reform to identify and consider a panacea that will reflect efficiency and practicality while ensuring that the principle of transparency is not lost.

### World Value Survey of Police Confidence

In exploring the Canadian experience, the author concedes that an examination of other western democracies is necessary, and provides a basic level of understanding of where other countries fall in line with Canada. The World Value Survey (WVS), which is a survey of almost 100 countries, using approximately 250 questions, conducted every five years, is a useful tool for this particular research. The research is conducted by a network of academics, and dates back to 1981, providing the reader with a useful comparative tool. The WVS, according to Dr. Eli Sopow (personal communication, June 23, 2011),<sup>41</sup> is the only source of empirical data on attitudes covering 90% of the world's population. The survey reveals public confidence into Canadian policing as follows:



*Figure 2.* WVS confidence levels of Canadian Police in percentages for years 1982, 1990 and 2000.

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<sup>41</sup> Discussions with Dr. Eli Sopow regarded research into public confidence of the RCMP. Dr. Sopow is the Director of the RCMP Continuous Learning Unit, and has a background in human and organizational systems.

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These survey results are national in scope, and are not specific to BC or other regions in Canada. It is important for the reader to also note that BC has the largest contingent of RCMP officers posted to the province than elsewhere in Canada.<sup>42</sup> This poses unique challenges when conducting national, as opposed to provincial or regional, surveys. The RCMP conducted “Core Surveys” (see survey results below) demonstrate the differences across the country, with BC tending to fall behind all other numbers. Speaking from experiences, some of these differences can be attributed to the conservative nature of other provinces, the length of time the RCMP has been policing in these other provinces (such as Alberta and Saskatchewan), and the expectations of the local public when it involves police trust. BC has, in the past five years, experienced an inordinate number of high profile police cases involving loss of life at the hands of police, police misconduct, public mistrust of police investigating police, and just sheer situational circumstances. In national comparisons to Australia and America (as depicted in Tables 1 and 2)), the numbers are not very different than those of Canada in terms of confidence and policing.

BASE= 3276		<b>Country/region</b>
Weight [with split ups]		<b>Total Australia</b>
<b>Confidence:</b>	A great deal	21.4 %
<b>in The</b>	Quite a lot	55.6 %
<b>Police</b>	Not very much	19.3 %
	None at all	3.3 %
	Don't know	0.3 %
	Missing; Unknown	0.1 %
	<b>Total</b>	<b>3276 (100%)</b>

*Table 1. WVS confidence levels of Australian Police in percentages overall for years 1982, 1990 and 2000.*

BASE=6816		<b>Country/region</b>
Weight [with split ups]		<b>Total United States</b>
<b>Confidence:</b>	A great deal	22.1 %
<b>in The</b>	Quite a lot	51.2 %
<b>Police</b>	Not very much	22.7 %
	None at all	4.1 %
	<b>Total</b>	<b>6816 (100%)</b>

*Table 2. WVS confidence levels of American Police in percentages overall for years 1982, 1990 and 1995 and 1999.*

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<sup>42</sup> More than half of all police officers in BC are RCMP officers, making BC the largest operational center in Canada for RCMP personnel.

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The surveys used for this thesis show very similar numbers nationally. Public confidence in the police is reasonably high across Canada, ranging from 74% to 85% confidence in the police. This, however, differs from regional surveys and those conducted in BC in particular. The next question to ask as a social researcher is: why? As indicated in earlier references, BC is low in terms of public trust and confidence numbers, which can be attributed to those facts already identified above. The one limitation of the WVS is in the definition of the word *confidence*. What does this exactly mean? The thesis has already explored the difficulty in conceptualizing the meaning of accountability and its sub themes such as trust and confidence. The respondents are asked if they have *confidence* in the police in their country. This is quite a broad question, which can be answered in a number of different ways depending on a respondent's interpretation of the question, the context the respondent believes the question is being asked, and the setting in which the questions are being asked..

### What do the Surveys Reveal?

In order to demonstrate the current confidence levels the Canadian public has with the RCMP, let us begin with an examination of a national and regional survey conducted by the GoC into the RCMP, and particularly to the confidence levels of BC residents with the RCMP (see Table 3). The most recent survey conducted by the RCMP entitled, "The 2010 Core Survey," reveals interesting and fairly specific data about the confidence Canadians have in their national police force. It must be conveyed to the reader that the surveys put forward by the GoC are arguably poor in their methodology which must be acknowledged by the author<sup>43</sup>. The RCMP as described in this thesis performs an extraordinarily wide range of roles. To simply ask the respondents of these surveys a "cover all" question as to the degree of trust they have in the RCMP lacks some empirical strength. However, these are the only surveys available to Canadians, in relation to trust and confidence in the RCMP. It is for this purpose the author is sharing the results put forward by the RCMP surveys for the reader. The

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<sup>43</sup> These surveys are the only ones available to the public as there is limited research conducted on the RCMP.

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survey, conducted in 2010 using a sample of 5700 Canadians from all ten provinces and the three territories, reveals the following results (Government of Canada, 2010).<sup>44</sup>

### Survey of Canadians' Views of RCMP Policing Services

Questions	Disagree (%)	Neither (%)	Agree (%)	Count
How important is the RCMP's contribution to ensuring safe homes and safe communities for Canadians?	1	1	98	423
How satisfied are you with the RCMP's contribution to ensuring safe homes and safe communities for Canadians?	10	7	82	412
The RCMP's services are important for Canada?	1	3	96	424
The RCMP demonstrates professionalism in its work?	20	11	69	419
The RCMP is an organization with integrity?	20	10	70	411
The RCMP personnel are honest?	17	14	69	403
The RCMP personnel demonstrate compassion?	16	17	67	400
<b>The RCMP is an accountable organization?</b>	<b>31</b>	<b>14</b>	<b>56</b>	<b>412</b>
The RCMP personnel demonstrate respect?	16	13	71	418
I have trust and confidence in the RCMP?	16	11	73	422
<b>The RCMP has strong, reliable leaders?</b>	<b>26</b>	<b>19</b>	<b>54</b>	<b>377</b>
The RCMP places an emphasis on providing quality service to the public?	8	11	80	412
<b>The RCMP investigates public complaints appropriately and with transparency?</b>	<b>27</b>	<b>16</b>	<b>57</b>	<b>402</b>

Table 3. *Government of Canada results from the 2010 Core Survey results of British Columbians.*

Although the survey questions above provide some basis and frame, the highlighted areas of the survey reveal the questions most pertinent to this thesis. Slightly more than half the citizens surveyed in BC feel that the RCMP is an accountable organization, while just

<sup>44</sup> The survey results are from the province of BC, unless otherwise stated.



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over fifty percent feel that the leaders of the RCMP are reliable and strong. In the area of public complaints and transparency, the RCMP also received a low score. These results are not the scores an organization hopes to receive from its clients, and speaking from a practitioner's point of view, these scores are humbling, demonstrating the years of work ahead to recovery. Historically, looking further back into the Core Survey, the reader notes that the results of the survey are very similar to that of 2010, Table 4 is the 2008 RCMP Core Survey:

<b>Survey of Canadians' Views of RCMP Policing Services</b>	<b>Percent</b>			
	<b>Disagree</b>	<b>Neither</b>	<b>Agree</b>	<b>Count</b>
How important is the RCMP's contribution to ensuring safe homes and safe communities for Canadians?	1	1	98	499
How satisfied are you with the RCMP's contribution to ensuring safe homes and safe communities for Canadians?	10	6	85	483
The RCMP's services are important for Canada	1	0	98	498
The RCMP demonstrates professionalism in its work	10	9	80	489
<b>The RCMP is an organization with integrity and honesty</b>	<b>14</b>	<b>13</b>	<b>73</b>	<b>487</b>

Table 4. *Government of Canada results from the 2008 Core Survey results of British Columbians.*

It is important to note that the 2008 survey does not have a question specific to accountability as an organization. It does, however, draw attention to the area of honesty and integrity, as the highlighted portion of the survey demonstrates. The survey in 2008 also fails to explore the area of transparency or public complaints, as the 2010 survey does. The area of integrity and honesty does not fluctuate a great deal between 2008 and 2010. However, the 2008 survey reveals some very interesting numbers when the policing partners of the RCMP<sup>45</sup> were asked questions about accountability and professionalism (See Table 5). In the area of

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<sup>45</sup> These partners include Chiefs of Canadian police forces and agencies relied upon and consulted by the RCMP in their day-to-day operations.

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accountability, dealing with administrative and financial accountability specifically, policing partners responded with a glaring zero percent of those surveyed who agreed that the RCMP is financially and administratively accountable (See Table 5). In the second area of professionalism, a mere fifty percent agreed that the RCMP is an organization with integrity and professionalism. (See the highlighted areas in Table 5 for these results.) In 2010, these results were dramatically different in that one hundred percent of RCMP clients in BC believed the RCMP to be accountable and professional. The survey, however, polled only four partners in 2010, thereby providing a limited selection of respondents, clearly raising questions about reliability and validity in terms of statistical accuracy.

<b>Survey of Canadian Policing Partners</b>	<b>Percent</b>			
	<b>Disagree</b>	<b>Neither</b>	<b>Agree</b>	<b>Count</b>
Important/Unimportant: How important is the RCMP's contribution to ensuring safe homes and safe communities for Canadians?	0	8	92	12
Satisfied/Dissatisfied: How satisfied are you with the RCMP's contribution to ensuring safe homes and safe communities for Canadians?	42	25	33	12
The RCMP demonstrates professionalism in its work.	17	33	50	12
<b>The RCMP is an organization with integrity and honesty.</b>	<b>17</b>	<b>33</b>	<b>50</b>	<b>12</b>
The RCMP places emphasis on providing quality service.	33	33	33	12
RCMP personnel are knowledgeable and competent.	8	33	58	12
The RCMP places emphasis on providing services in the language of my choice, English or French.	0	25	75	12
The RCMP effectively communicates what it is doing and why it is doing it.	58	33	8	12
<b>The RCMP is a financially and administratively accountable organization.</b>	<b>40</b>	<b>60</b>	<b>0</b>	<b>10</b>

Table 5. *Government of Canada results from the 2008 Core Survey results of policing partners within BC.*

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These Core surveys are by no means the only available method of measurement into the RCMP. There are a number of other surveys, including Angus Reid polls and Statistics Canada surveys, which have varying responses related to police accountability. Regardless of the survey, the concern resonating from Canadians through inquiries, commissions, and public forums, is one of a lack of trust and low expectations. In a 2011 study conducted by the author of a group of university students (n=235)<sup>46</sup> into accountability and trust related to the RCMP in BC, results reveal that the majority of students (211) graded the RCMP with a 73% or less satisfaction rating. Of these, 126 students graded the RCMP with a satisfaction level of 60% or less. These statistics are in line with what scientifically conducted polls are discovering: the RCMP has an accountability and public confidence issue.

### Limitations and Strengths of the RCMP Core Surveys

The use of surveys, while affordable, visually and numerically practical, has its limitations. Surveys are designed to ask people questions; they are quantitative in nature and designed to measure some topic of interest. The ideal survey produces reliable and valid measurements that result in confidence in the results. The RCMP Core surveys do not provide the specific questions posed by the researchers (the questions may, in fact, be the ones noted in the graphs, though this is unclear), which in turn limits readers' confidence in the results. The issue of missing data and bias has not been addressed by the RCMP Core survey. Finally, sample size can also result in skewed or invalid results. The RCMP Core survey uses a spectrum of sample sizes, from high (n=423) to low (n=4), as is documented above. Finally, to reiterate, the Core surveys utilized in this thesis, suit the RCMP, yet, are not methodologically sound for reasons already discussed. For the purpose of these Core surveys, the GoC would benefit from the use of a multiple-indicator measure such as the Likert scale. Bryman (2004) correctly points out that a single indicator scale, such as that used in the Core surveys, may capture only one portion of the underlying concept or be too general. The single

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<sup>46</sup> An informal, confidential survey conducted of first and second-year university students registered in criminal justice courses was conducted. Students were asked to grade the RCMP on their ability to be trusted and the confidence these students had in the RCMP. The study is by no means scientific, and is very limited in its depth and questions posed. It is important to note that the students were enrolled in a class taught by the author; therefore, a strong possibility exists for bias. The inclusion of this survey is only to demonstrate that results are in line with the national and provincial surveys conducted by other researchers.

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indicator measure will incorrectly classify many individuals. However, the use of surveys does provide some value in that they explore relationships in the real world and collect data from the field as opposed to a laboratory. Surveys are considered cost efficient and provide frameworks for future research. Using the RCMP Core survey and the survey conducted by the author as described above clearly has strengths and weaknesses. The RCMP Core survey is conducted by the RCMP internally, and provides very little information as to the data sets and the margin of error within the survey. The survey conducted by the author is very limiting in the following ways:

- The use of students without significant life experience and with minimal interaction with the RCMP;
- The influence of parental groups and the media upon the student respondents was not determined; and
- The bias of the author when conducting the survey

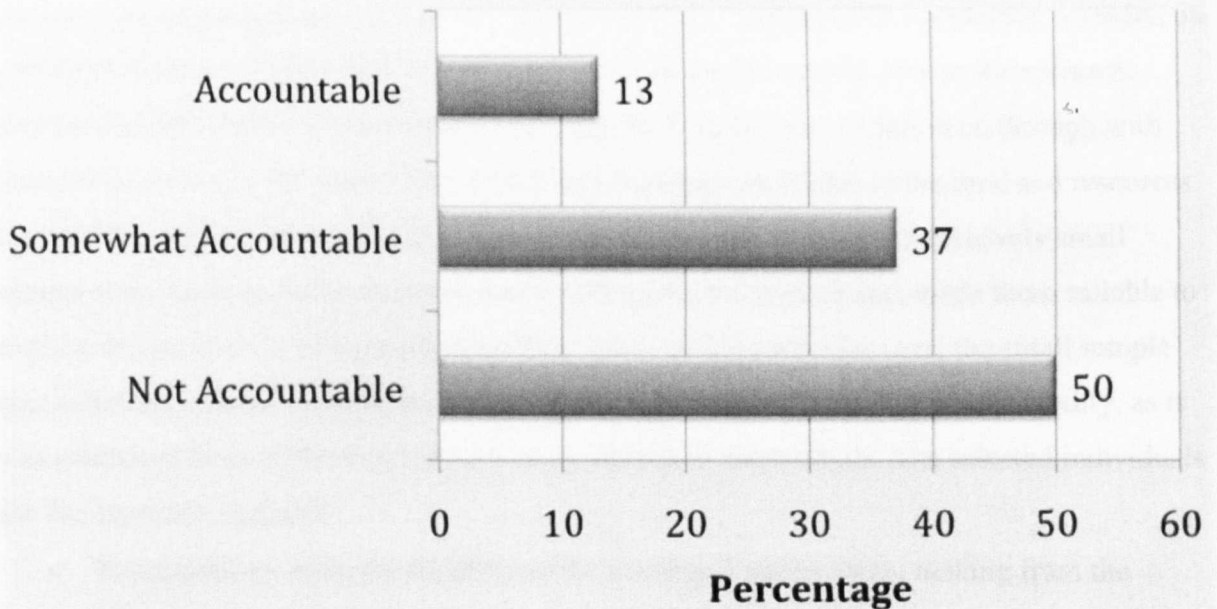
The final survey (Figure 3.) was obtained from a report crafted for Mayors and Councils in BC who utilize the RCMP as its primary police force. The survey conducted in 2008 reveals significant results in the area of accountability, and provides some insight in how local communities feel about the RCMP and the services it provides as a group.

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Figure 3. The Survey of BC Mayors comprising the Union of British Columbia Municipalities (UBCM) regarding RCMP Accountability, conducted in 2008, with a total of 70 Municipalities in BC that utilize the RCMP.<sup>47</sup>

## UBCM Survey - Police Services Are Police (RCMP) Accountable in Your Community? (All Categories over 5,000 Population)



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<sup>47</sup> Survey obtained from the UBCM Report drafted in 2009, entitled, "Police Affordability and Accountability."

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## CHAPTER 4: Methodology

### *Data Collection*

Since the aim of this thesis is to identify the RCMP's accountability gaps, explore public confidence in the RCMP in BC, and to construct a sound accountability model that benefits the RCMP, a purposive sample of the individual interviews was used to collect data. To validate the selection of the interviewees, the respondents had to be characterized by either or both: (a) have an intimate knowledge of policing within BC and a literacy of RCMP practices in the province; or (b) be a client or recipient of the RCMP policing services in BC. Given that the population size of the potential recipients of the study was quite large, in order to avoid bias in the study, various respondents not related to the author were selected. Data collection took place from January 18<sup>th</sup>, 2011, to July 18<sup>th</sup>, 2011. The list of prospective participants was obtained through cold calling and police networks. However, the access to contact various participants was limited due to their rank and position in policing. Initially, 36 participants were selected, and 50% of them (n=18) agreed to participate in the research. Toward the end of the data collection, only nine (n=9) out of the 18 followed through with their participation in the study. The sample size was kept small due to the time and resources required to conduct, transcribe, and analyze each interview. Despite the relatively small sample size, the knowledge and experience of the selected participants made them suitable to explore the question of police accountability. Also, in this particular case, the small sample size held the potential to provide more insight into understanding police accountability, as it was examined from different perspectives, by unrelated respondents. The selected individuals for the interview included:

- Police officers from the RCMP and the municipal police force, ranking from the Constable to the Chief Superintendent level (see Appendix D and Appendix E).
- Media essayists involved in reporting on RCMP investigations in BC, including long-term and complex investigations such as the *Surrey Six*.
- Mayors who oversee large police forces in BC and have intimate knowledge on police accountability, including oversight, financial and administrative omissions, and police misconduct.

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- Police Chiefs of municipal police agencies that partner with the RCMP in keeping BC safe.
- RCMP senior executive members who have observed or experienced first-hand police complexity and accountability.
- Retired RCMP officers who have experienced the decline of public trust, and could speak to the current and previous accountability processes.
- Serving mid-level RCMP and municipal police officers with a breadth of experience and at least fifteen years of service remaining with the organization.
- The general public, represented by special interest groups that monitor police activities.

### ***Procedure***

According to Reynolds (1989), it is not uncommon for social scientists to be faced with a dilemma in compiling a research methodology to solve very sophisticated theoretical questions, while also being obligated to make exact predictions. Reynolds further elaborates that,

[O]n the one hand [social scientists] frequently have to analyze rather crudely measured data. Despite efforts to be as rigorous and precise as their colleagues in the natural sciences, they cannot quantify even some of the most important social and political concepts. (p.7)

With that principle in mind, the author took all necessary steps to ensure that the accuracy, reliability, and the validity of this research were met.

Prior to being interviewed, participants were presented with a copy of Appendix B, which outlines the exact nature of the study, the methodology of the interview, the confidentiality of the interview, and the ability for the interviewee to continue participation or to withdraw their interest and receive a copy of their completed, transcribed interview for review and confirmation of accuracy. Owing to the nature of the research, all of the participants were granted anonymity and confidentiality.

Alternatively, following the interview process, the interviewees had the ability to decline a review of their transcribed, completed interview and receive no further contact from

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the author. All questions or concerns the participants could have regarding the project were to be addressed to the university's cohort leader, Dr. Nicholas Ridley. His contact details were also outlined in Appendix B. It should also be noted that the author did not receive any feedback from Dr. Ridley regarding any concerns or comments from the interviewees, and is not aware of any contact made by the interviewees with Dr. Ridley.

In the initial stage of data collection, respondents were asked for one hour of their time to conduct an interview. They were presented with the interview questions (Appendix A). Two instruments were used to collect the interviewees' responses: an audio-tape recorder and a laptop. The author either recorded the answers or typed the responses; permission was sought in all cases. The majority of the participants chose an audio recording device, which allowed for a greater response and maximized time with the respondents, since many of them were interviewed at work. The interviews were conducted in a private setting, without any other parties being present, in an attempt to elicit only accurate and unfettered information.

Subsequent to data collection, the author returned completed and transcribed interviews at the request of the respondents to ensure the information collected was: (a) accurate, (b) unaltered, and, (c) reflected the intended content of the interviewee's response. Two of the interviewees either added more clarity to their responses or removed ambiguous statements they felt were not of use to the interview. Their altered answers were made without any input, influence, or direction from the author. Each interview took approximately eight to ten hours to be transcribed, and an additional 85 hours (for all 9 interviews) to be analyzed for salient themes and the content.

### Ethical Issues Surrounding Methodology

It is important to emphasize ethical considerations surrounding the methodology of this research. First, the respondent's fear of inadvertent disclosure within the realm of criminal or legislative boundaries was a concern. This was addressed at the beginning of data collection and clearly articulated to the respondents that any criminal or statute violation/s would be reported by the author, and the interview would be disclosed to the necessary authorities. Second, if any of the respondents revealed internal policy violations or a breach in policy, the same steps had to be taken, which could result in a respondent's misconduct



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disclosure and/or fiscal impropriety. (See Appendix B for the Informed Consent Form, which was acknowledged by each participant in the interview process). Since there is documented “whistle blower” legislation in Canada that could apply to this particular research, in the event of any significant disclosure by respondents, it was understood that many respondents were senior personnel in their area of expertise, and many of them managed million dollar budgets and supervised hundreds of personnel; hence, the possibility to have witnessed or to be aware of any policy violation was considerable.

The assistance of research experts within the analysis process was also put under scrutiny by the author. First, the search to find suitable assistants took considerable time and effort in order to interview and review the training, qualifications, and experiences of the many applicants. The author selected two graduate assistants with strong backgrounds in statistical, analytical, and content analysis. Second, the assistants were required to complete confidentiality waivers, including non-disclosure portions. The assistants were then provided the background of the study and the interview data collected over the course of a month. In collaboration with the author, an eight-step process was identified and put to the test with the data. The researchers were compensated for their time and effort in assisting with the analysis of the data. The compensation was minimal, and complied with provincial legislation in terms of working hours and conditions of contract employment.

### Interview Analysis: The Eight-Step Process

While Sofaer (1999) examines the use of qualitative research methods in the areas of health care and policy, which diverge from the areas of policing, criminology, or social science, she nevertheless provides valuable insight into this particular thesis. Sofaer argues that qualitative research must be conducted by those with proper training, expertise, and knowledge—to the extent possible—to protect against the investigator-dependent nature of their research. Thus, as noted earlier, in concordance with Sofaer’s findings, the author utilized the experience and training of two adept social science graduate students to assist in analyzing data gathered from the interviews, and to create a systemic analytical approach

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during this thesis phase.<sup>48</sup> The following eight-step approach was identified and utilized in the analysis of the data collected:

**Step 1** – First, all the interviews were divided into three groups according to the occupation of the interviewees and their affiliation with policing. The first group was identified as *Group I* and included: the public, comprised of a Mayor, a civil rights activist, and a journalist. The second group was identified as *Group II*, and included: municipal police members still serving or engaged in policing within BC. The final group was identified as *Group III*, and included: the RCMP's past and present serving police members. This approach allowed researchers to generalize the views of the RCMP within different professional and social groups, and also allowed for comparing these views.

**Step 2** – The second step involved the content analysis of each interview. Since the key purpose of the survey was to scrutinize the RCMP's accountability, it was necessary to determine and operationalize the accountability concept as viewed by each of the three groups described above. The interviewee responses were coded for the existence of certain word/s and/or phrases associated with accountability.

**Step 3** – The most frequently occurred word/s and phrases in each group associated with accountability were quantified and chosen for further analysis.

**Step 4** – This step involved a relational (semantic) analysis of the responses. The interviewees' responses were further studied to identify the relationships between the word/s and phrases selected at the quantifying stage (Step 3), and for the specific meaning attached to them in the context of the survey. The focus of relational analysis was put on semantic or meaningful relationships. As described in Chapters 1 to 3, concepts such as accountability, transparency and trust do not have independent, objective meaning. The meanings of the concepts are derived through the interview process.

**Step 5** – This step involved quantifying the phrases respondents within each group used most often in relation to the concepts selected to represent the general view of the

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<sup>48</sup> Two graduate students with experience in the area of analysis were consulted in assisting to analyze the data gathered. Through collaborative approaches to research, the following information was derived.

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concept within each group (e.g., the concept of “public trust” and how it is viewed in the group).

**Step 6** – This step involved mapping. A visual diagram was created that illustrates the relations between concepts, which helped us to better understand how these concepts are inter-related from the standpoint of the interviewees within each group.

**Step 7** – In this stage, a comparative analysis took place. After the analysis of all responses within each of the three groups was completed, the results in each category (the accountability concept, relations between concepts, views on the RCMP’s existing accountability models, and areas for improvement) were compared across all three groups of interviewees. This was an essential process to find similarities and differences of the RCMP’s accountability within different social and professional groups.

**Step 8** – In this step, conclusions were drawn. Based on the comparisons derived from Steps 1 through 7, conclusions were drawn using the quantitative method (i.e., the most popular responses in each group were compared).

### Interview Questions

The initial stage of the interview process focused on gathering responses, associated with the interviewees’ work related background. (Not contained in Appendix A.) These included, years of experience in the field, place of employment (if applicable), position, and the title held within the current organization. This process was necessary to contextualize the participants’ work related experience and to further analyze their responses. With the three basic research questions in mind relating to the current RCMP accountability model in BC, the measure of public trust in the RCMP in BC, and if this trust has eroded, the current position of the organization, and its potential recovery to reinstate public trust through the construct of a model better suited for the RCMP, nine interview questions were drafted. The interview questions were created with the assistance of police officers and scholars not involved in the study. They were derived from the information gaps identified within this research area. For example, question seven, which relates to change and reform within the organization, has assisted the author to construct an improved, newer model of the RCMP’s

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accountability. The designed interview questions were open-ended, and the author did not ask any additional questions that were not included in the Appendix A. However, the author did respond to questions asked by the interviewees and documented these as they were asked. The interview questions were intended to collect data related to the following nine, core areas correlated in the thesis in order to explore and investigate them further. These were as follows:

1. Expectations of police accountability;
2. Models of accountability that exist in other police organizations;
3. Current model of accountability existing within the RCMP;
4. The status of public trust in the RCMP within BC;
5. The status of the RCMP's accountability over the past two decades;
6. The effectiveness of the current RCMP model of accountability;
7. The status of public trust in the police in BC, with the main focus on the RCMP;
8. Recommended changes to improve the RCMP's accountability; and
9. Recommendations to restore public trust in the RCMP, with an emphasis on restoring public trust in policing in BC

### Content Analysis

Puddister and Riddell (2010) adopt an unusual approach in exploring accountability within the RCMP. In their article related to specific, undercover operations within the RCMP, they outline how the government, the courts, and the media view the RCMP through undercover operations. The authors make a clear argument that these three institutions are a platform for the RCMP's accountability. The article clearly favours the use of the media and the free press in a democratic society as the most powerful strand of police accountability that could be achieved through public scrutiny. Puddister and Riddell describe the media as the "watchdog" of the police, and the government, with the media, as the most valuable check and balance on abuses of power and authority. In their content analysis of media articles (n=101) related to the RCMP's accountability, Puddister and Riddell find that 13.86% of the articles depict a negative view of the police, while only 2.97% view the police positively. This type of analysis is useful since it demonstrates the journalistic ability to hold police

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accountable in a democratic society. Puddister and Riddell's findings focus of their argument on the governmental and internal police practices that would be used in strengthening the RCMP's accountability, is also used in the following chapters.

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## CHAPTER 5. Research Results and Discussion

The following graphs and figures reflect the overall results of the analysis conducted by the research team. The analysis was first divided into three groups, representing respondent groups identified earlier. Second, the analysis derived the key concepts for each group, followed by the quantification of these concepts. The relationship between these concepts was mapped in order to provide a visual demonstration of their association. In the following stage, the interviewees were asked for their views related to the current RCMP's accountability model and to the areas for its improvement. Preceding this broad overview, the analysis became more specific and precise, which pulled commonalities, recurring themes, and very specific responses to the nine core accountability areas that are explored further.

### *Group I (General Public)*

Police accountability for this group was defined by the following concepts:

- *“Independent investigation”*
- *“Transparency”*
- *“Public trust”*
- *“Acting on the officer’s misconduct”*

Table 6. *Group I – Assessment of accountability*

<b>Independent investigation</b>	The RCMP lacks independent investigation due to insufficient funding and resources, as well as the current legislative situation within BC and Canada.
<b>Transparency</b>	This area needs improvement due to poor response by the RCMP. The general public has little or no information on how the RCMP deals with specific officer misconduct.
<b>Public trust</b>	This is affected by the RCMP's inability to facilitate independent investigations and their poor communications strategies.
<b>Acting on officer misconduct</b>	There should be more recognition of this at the regional and local levels, and also by the RCMP. There is a need to act swiftly and promptly on each case while keeping the public informed.

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Figure 4. Public Trust is central to the concept of accountability. A proposed graph by Group I demonstrates the relationships between related concepts.

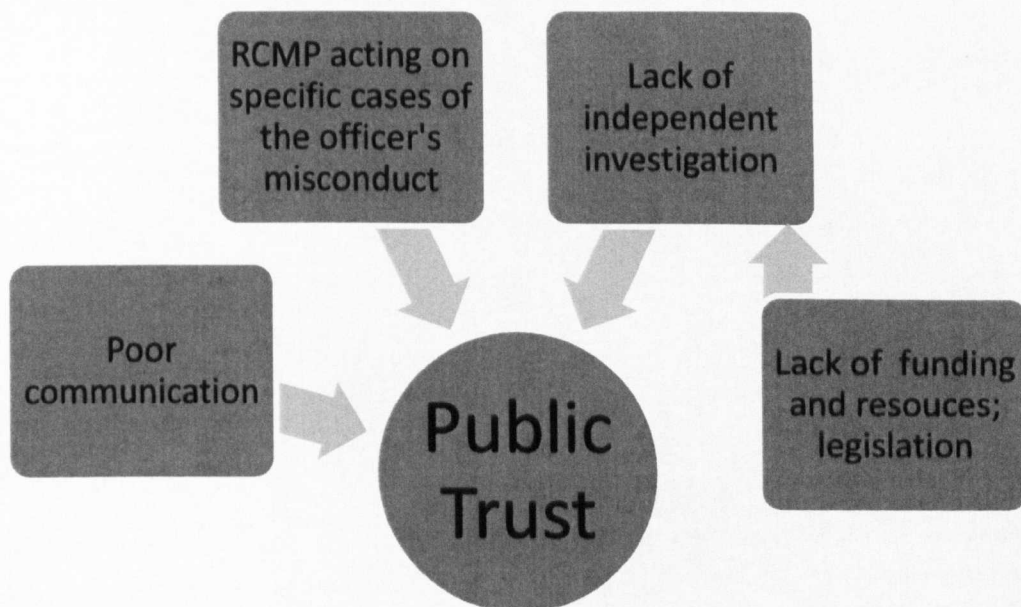


Table 7. The view of Group I on the current RCMP accountability model.

<b>Positive /Effective Strengths of the Current Model</b>	<b>Negative/ Ineffective Weakness of the Current Model</b>
The RCMP has tried to create a more publicly accountable model to respond to complaints	The lack of public trust in the RCMP when conducting their own investigations
Integration with the community and financial accountability as a result of tight municipal council processes	Poor media strategy
	Lack of independent oversight
	Lack of legislation to create independent oversight

The final area of the analysis proposed by Group I identified the means to improve the RCMP in the areas of public trust and accountability:

1. Civilian oversight and independent investigation;
2. Follow up on officer misconduct and provide public release on this follow-up;
3. Better media strategies; and

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4. Add a strong regional component to policing in BC, as opposed to centralization.<sup>49</sup>

### *Group II (Municipal Police Agencies)*

Police accountability for this group was characterized by the following concepts:

- “Public trust”
- “Transparency”
- “Integrity”
- “Acting on the officer’s misconduct”

Table 8. *Group II – Assessment of accountability.*

<b>Public Trust</b>	This group believes that public trust is affected by the ability of social media to capture misconduct in real time. The inability of the RCMP to conduct independent investigations also affects public trust, as well as the acts of an individual officer.
<b>Transparency</b>	This area needs improvement, as the RCMP tends to withhold information from the general public (i.e., what happened, who is responsible, and what steps will be taken to prevent similar situations in the future).
<b>Integrity</b>	Individual instances of misconduct do take place. The RCMP needs to ensure better training of their membership and improve ethics.
<b>Acting on officer misconduct</b>	Lack of independent investigation. The RCMP is unwilling to admit their mistakes and to take responsibility.

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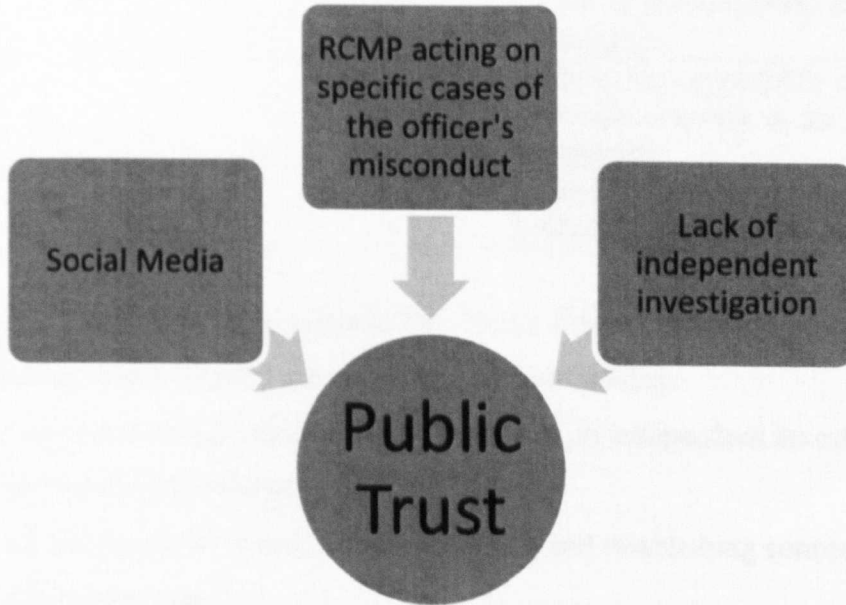
<sup>49</sup> Refers to the RCMP reporting lines to Ottawa.



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*Figure 5.* Public Trust is central to the concept of accountability. A proposed graph by *Group II* demonstrates the relationships between related concepts.



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Table 9. *The View of Group II on the current RCMP accountability model.*<sup>50</sup>

<b>Positive /Effective Strengths of the Current Model</b>	<b>Negative/ Ineffective Weakness of the Current Model</b>
	Lack of accountability and responsibility to the public
	Limited accountability on municipal and provincial levels, as the RCMP reports nationally.
	Lack of personal responsibility among the RCMP's senior management.

The final area of the analysis proposed by *Group II* identified the means for the RCMP's improvement in the areas of public trust and accountability:

1. Civilian oversight and the establishment of an independent investigative unit;
2. Becoming more transparent;
3. Enhancing local accountability structures and establishing connections in the local community; and
4. Admitting mistakes and accepting responsibility.<sup>51</sup>

### *Group III (Serving and Retired RCMP Members)*

Police accountability for this group was characterized by the following concepts:

- *"Responsibility to the local community"*
- *"Integrity"*
- *"Fair treatment of the public and RCMP officers"*

<sup>50</sup> This group did not contribute any positive comments to the RCMP's existing model.

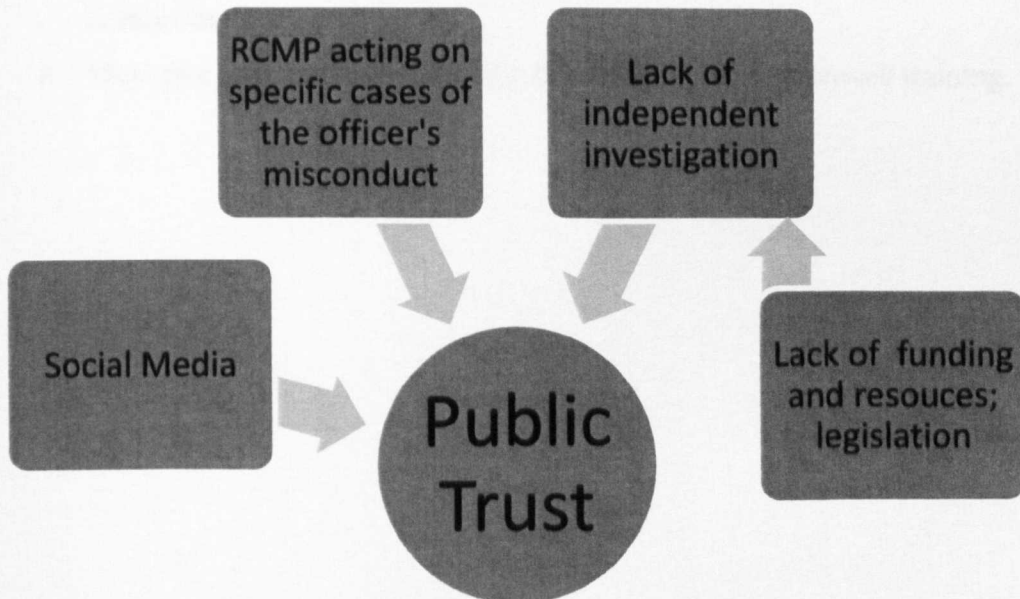
<sup>51</sup> Refers to the Robert Dziekanski incident at Vancouver International Airport.

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Table 10. *Group III – Assessment of accountability*

<b>Responsibility to the local community</b>	This group discussed cooperation with the municipal authorities, partnering with non-governmental organizations engaged in community processes, public safety meetings, and local detachment websites to share and exchanged timely information about the local issues.
<b>Integrity</b>	Public perception of individual instances of misconduct is largely influenced by mass media, while little is reported about officers that serve the community with due diligence.
<b>Fair treatment of public and the RCMP officers</b>	In most cases, the general public is treated fairly.

Figure 6. Public Trust is central to the concept of accountability. A proposed graph by *Group III* demonstrates the relationships between related concepts.



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Table 11. *The View of Group III on the current RCMP accountability model.*

<b>Positive /Effective Strengths of the Current Model</b>	<b>Negative/ Ineffective Weakness of the Current Model</b>
Reporting to local policing committees in areas the RCMP is responsible for in BC	Unwillingness to admit mistakes
Most RCMP officers are honest and well-trained	Lack of leadership apparent in the RCMP
Various methods of community interaction being implemented for positive results	The area of training needs improvement

The final area of the analysis proposed by *Group III* identified the means for the RCMP's improvement in the areas of public trust and accountability:

1. The RCMP's aversion to a better leadership is symptomatic, owing to its poor accountability processes in place;
2. Admitting mistakes and accepting responsibility,<sup>52</sup>
3. Better communications strategies, public relations strategies, and media response to critical incidents; and
4. More thorough selection of newly hired officers and improved training.

<sup>52</sup> Refers to the Dziekanski incident at Vancouver International Airport.

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## CHAPTER 6. The Themes from the Three Groups Distilled Through the Interviews

In addition to the content analysis of the interviews, the research team utilized the technique of distillation of key statements, themes, judgements, and principles. It is important to note that, in all three groups, the same themes kept re-occurring during the interviews. These themes uncover and characterize the respondents' views of the RCMP's accountability and the areas of policing, and supported the conclusions that follow in Chapter 10:

- Public Trust
- Oversight
- Transparency
- Better communication strategies
- Independent investigation

These themes and responses were distilled through this form of the analysis, and were subsequently compiled in three groups in the same configuration as previously identified. The thematic analysis identified commonalities amongst all of the responses, and later diverged into the three groupings to provide a more precise view of each group.

### Expectations for Police Accountability

All interviewees emphasized the importance of the following aspects of accountability:

- Consistency
- Fairness
- Transparency
- Professionalism
- Legal and ethical behaviour
- Fidelity to the community being served

With specific relation to the expectation of accountability, *Group I*, consisting of a Mayor, a civil rights activist, and the media, emphasized the role and the manner of the investigation and the resolution of the accountability process. Their views included the following:

- Investigation and resolution should be prompt, effective, and independent.

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- The investigation and resolution process should have serious consequences, up to and including dismissal, when warranted by the findings of the investigation.
- Any investigation of serious allegations, including those regarding bodily harm or corruption, should not be investigated by police, but by a civilian oversight body.

When interviewed, the Mayor was very supportive of the RCMP, and enthusiastic about their ability to contribute to the maintenance and well-being of communities. The Mayor also pointed out that, with respect to an oversight for complaints against police, police should not investigate police, as this creates the public impression that there is no meaningful oversight in place for police.

The response of *Group II* in the area of accountability expectations referred to Sir Robert Peel's principles of policing with respect to the policing function of the community as being the most important relationship in any policing agency. *Group II's* views are as follows:

- The importance of the relationship between police and the community/the public.
- The power and authority of the police is given to the police by the public, and the police must maintain the trust of the public.
- The people are the police, and the police are the people (i.e., the police have no legitimacy without the respect of the people, and the police are part of the community).<sup>53</sup>
- The ideal is for communities to view the police as a reliable institution of trust, who can also rely on the community's help.
- Respect for the police does not automatically come with the uniform, but comes from the police proving their accountability. This is particularly true with the advent and growing importance of social media.
- Public trust takes time to build, but does not take much time to erode.
- The police must be absolutely clear with the public, justifying why they do what they do every day.

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<sup>53</sup> Sir Robert Peel's principles are still relevant in the twenty-first century.

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*Group III* (the RCMP interviewees) also shared similar views about accountability as their counterparts from other groups. However, for *Group III*, fulfilling the duty of police officers, and being professional and proficient when no one is watching, was the most important aspect of police accountability. The most common, repeated words during the interview process in this group were: “fairness, consistency, and transparency.” The views of accountability reflected by *Group I* and *Group II* are associated with those of the UK government between 2008 to 2011, where the *Public Service Agreement* was an indicator of public confidence in police performance.

The views of the participants from *Groups I and II* are in agreement with Tyler and Fagan’s (2008, as cited in Jackson and Bradford, 2010) findings. According to Tyler and Fagan, police exist to serve all citizens equally, which requires input from as many of the stakeholders as possible, particularly from the public. Also, Myhill and Quinton (2010) argue that the moral connection between the police and the public is strengthened by encouraging greater civic participation and public engagement in policing matters. The author concurs that public trust, as described by *Group I* and *Group II* during the research, is based on a fair treatment with dignity and consultation.

### Models of Accountability that Exist in Other Police Organizations

It is important to point out that there were no commonalities found in this “core area of accountability” concept among the respondents from different groups, since the interviewees represented different organizations. The respondents were only able to discuss accountability models in relation to their own experiences. For example, *Group III* did not provide any responses since the interview questions were directed at non-RCMP respondents in order to examine what accountability models and processes exist outside the RCMP. *Group I* respondents were also unable to make any comments due to the limited knowledge of other agencies’ accountability models. *Group II* respondents consisted of two municipal police agencies, identified as municipal forces A and B. For example, municipal police force A has a four-pillar model of accountability characterized by: honesty, integrity, courage, and trust.

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- These values pervade and define the whole organization and its culture, driving it from the hiring stage, through general training, leadership training (which provides tools for demonstrating the core values to rank and file officers), and to strategic plans.

Every six months, municipal police force A gathers all of its personnel together for a one-day meeting to discuss the values and beliefs of the organization, including: how everything they do has to be legal, moral, ethical, and treating all people with respect is essential.<sup>54</sup> Municipal police force A differentiates between governance, which concerns the macro level, and accountability, which relates to the micro level.

- At the macro level, the Municipal police force A is governed by the Criminal Code of Canada, Provincial Legislation, the Police Act,<sup>55</sup> the Police Board,<sup>56</sup> and the Office of the Police Complaints Commissioner,<sup>57</sup> which act as a check and balance, and is the key piece to making sure officers “stay in line.”<sup>58</sup>
- The organization needs to have a consistent set of values, but, more than that, the values of the individuals hired by the organization truly need to be aligned with those values. Hiring is and needs to be based on the values and beliefs of the organization.

Municipal force A’s support for training is a priority, as it ensures that officers have the tools they need to do their jobs. If an incident occurs as a result of an officer who was acting in good faith, the appropriate response by the organization is to provide support and necessary training. Since everyone makes mistakes, learning from them creates development.

Municipal police force B also has an accountability model. It is governed by the *BC Police Act*, and has a municipal police board and is chaired by the Mayor. It has a mission, values, and a vision, as well as strategic plans. The Office of the Police Complaints Commission (OPCC) has taken a much more proactive role in the operations of all municipal

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<sup>54</sup> This is a reflection of Supt. Ward Clapham’s leadership mantra discussed earlier in the thesis.

<sup>55</sup> This is the legislation that governs municipal police forces and services within the province of British Columbia and sets out the legal requirements for municipalities to create their own police forces.

<sup>56</sup> There are eleven municipal police departments in British Columbia, serving the following communities: Abbotsford, Delta, Central Saanich, Nelson, New Westminster, Oak Bay, Port Moody, Saanich, Vancouver, Victoria and West Vancouver. The RCMP serves all other BC municipalities. The Police Act requires each municipal police department to have a board consisting of the mayor who acts as board chair, one person appointed by the municipal council, and up to five people appointed by the Province.

<sup>57</sup> The Office of the Police Complaint Commissioner (OPCC) provides an impartial oversight of public complaints lodged against municipal police force and/or certain tribal police officers or departments.

<sup>58</sup> This comes from Respondent #3.



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police forces including Municipal force B, thereby providing the external oversight that is lacking in the RCMP.

- Municipal police force B has a number of internal mechanisms to ensure good governance and accountability, including an early warning system through training and development of front line supervisors:

Municipal police force B is not interested in trying to clone newly hired recruits. “There is no such thing as the ideal police officer,” according to one respondent (Respondent #8, personal communication, March 18, 2011). Diversity makes each police department unique. Force B employs measures to ensure that supervisors are qualified and receive training in order to execute their duties well. Municipal force B is constantly looking for the best practices in how to deal with people in other organizations outside of policing. Jackson and Bradford (2010) discuss the legitimization of policing through training and discipline, and through what they consider more important: the standardization of these processes. They concur with the majority of respondents in all three groups for this study that, in policing, there is always different abilities, aptitudes, and levels of dedication to the public. As a result, there are different levels of service to the public that could potentially affect police accountability. The organization understands that it needs to be able to justify its performance, and in line with Jackson and Bradford’s findings, the municipal police force B places its trust in Constables and every other level or rank of officers to do their jobs. Municipal police force B has a low proportion of complaints per capita, which is a result of the culture of this police agency (Respondent #8, personal communication, March 18, 2011)<sup>59</sup>.

### Current Model of Accountability within the RCMP

With regards to the first basic question, what is the BC RCMP accountability model? All interviewees agreed that the RCMP has tried to create a more public model of accountability when dealing with complaints. This model includes turning to outside partner police agencies and using oversight bodies provided by other police forces and independent observers to build and restore the public’s trust.

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<sup>59</sup> This was confirmed by a review of all incidents reported to the OPCC in 2010.

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*Group I* noted that the RCMP has everything in their capacity to create a more public model of accountability when dealing with complaints, but stressed that the success of such efforts in building and restoring public trust is limited.

- This perspective emphasized the need for an independent investigative and decision-making body when dealing with complaints against police, particularly when complaints involve bodily harm and corruption.
- This perspective did not hold the RCMP at fault for this limitation, but noted that it is the role of the federal government to introduce needed legislation to create such a body, one that is independent and investigates and resolves complaints against police.

The Mayor interviewed believed that a close, working relationship between the municipality and the RCMP for that community is a vehicle for RCMP's accountability.

- In fact, s/he suggested that the greatest improvement to the RCMP's accountability would be the creation of a special relationship between the RCMP and the community that evolves and could be replicated in other jurisdictions.

*Group II* respondents (those from municipal police forces) noted that the RCMP, as a national institution and a large bureaucracy, has limited accountability at the local and regional levels.

- The RCMP does not fall under local reporting obligations, but reports nationally.
- It is difficult for a national police force to be very aware and vigilant to local issues. Provincial and national priorities of the RCMP get in the way of local solutions.
- Policing is unique in each community and must be addressed that way.

At least one person interviewed from a municipal police force believed that the RCMP is a secretive organization, and they do not have an obligation to inform the public of their performance. From his/her perspective, the way in which the RCMP handled the Dziekanski incident exemplifies this overall attitude toward public accountability.

- This interviewee noted that if the police involved had been municipal police, their Chief would have been on the front page of every newspaper, and would have stood up and spoken about what happened, thereby accounting for the actions of the officer. However, from his/her perspective, nothing like this came from the RCMP, which may suggest that the problem does not relate to accountability per se, but to something

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else that is lost when policing is performed by a federal bureaucracy headquartered in Ottawa).

- This respondent also suggested that employees of the RCMP are more worried about protecting themselves (and their institution) than about being held accountable for their actions. This notion of insularity resonated amongst interviewed municipal police officers.

*Group III* discussed specific, systemic problems related to the RCMP's accountability, stating:

- The current model is reactive. Leadership is lacking, and this may imply that things will not look good for the RCMP if they are only responding to problems. However, if leadership truly exemplifies the value and practice of accountability, this value will pervade the culture, its practice, and the core of the institution.
- The mission, values, and the vision set out by the RCMP's Commissioner does not seem to have the weight or effect that it may have had in the past.
- The promotional system, which is always changing, may be problematic and directly affect the accountability process. The competency required for someone to advance to a higher position needs to be drafted in such a way that it is reflected in accountability policies, and is verifiable.
- Who an officer knows or is connected to in the organization, influences not only his or her chances for promotion, but also the seriousness with which complaints against that officer may be investigated, and the discipline that may be received in such cases.

*Group III* respondents represented two of the RCMP detachments in BC. Both respondents felt that the RCMP has close and professional relationships with their respective municipal governments and are accountable to their stakeholders. These detachments report to local governments on a daily basis, and they provide information to the community through public meetings, through their websites, and through day-to-day interactions between officers and members of the public. One of the respondents—a high ranking and long-serving member of the RCMP—was clear that, in his/her opinion, the “RCMP is not broken and never was.” He/she maintained that the RCMP does not have an accountability problem, but that a handful of unfortunate incidents were reported by the media in a way that gave the public the

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impression that there is a problem with the RCMP's accountability. He/she maintained that criticizing the RCMP for corruption and misconduct has become a popular pastime for the media.

Research on the effect that the media has on the portrayal of police accountability suggests that, for most people, the media is their primary source of information (Skogan, 1990, 1994; Mawby, 2002). The research suggests that eighty percent of surveyed respondents named newspapers as one of their sources of information about the police: "The public's judgement that its sources of information are accurate is very much at odds with a police view which perceives a public seriously misled about the realities of policing by mass media reports" (Jackson & Bradford, 2010, p.10). Thus, the respondents' highly critical comments of the mass media reports concurred with the research, and in this particular case, the negative media attention the RCMP has attracted. Further into that interview, the respondent added that the RCMP is a professional and trustworthy organization that has "a few bad apples" and that media reports are unfounded. This statement is consistent with Bayley's (1995) findings that reflect on the Rodney King incident and the role the media played in exposing questionable police practices domestically and internationally. Goldsmith (2010) further concludes that perhaps it is increased police visibility that makes them more accountable for their actions.

- The interviewee noted that, while the RCMP is accused of being protectionist and not wanting civilian or public oversight of their conduct, the RCMP has, in fact been, very agreeable to independent oversight and to the OPCC maintaining some degree of oversight.<sup>60</sup>
- In his/her opinion, the biggest problem is the government, which needs to put the money, resources, and people in place for independent oversight.
- A number of vocal individuals, who are clearly not informed,<sup>61</sup> stated that the RCMP opposes civilian/public oversight, which is being picked up on and publicly

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<sup>60</sup> Assistant Commissioner MacRae, Acting Commanding Officer of BC in personal communications to BC RCMP officers December 7, 2011 states, " The RCMP has supported and advocated for the establishment of an independent investigative body that could take conduct of police involved serious injury and or death events."

<sup>61</sup> The respondent did not refer to the individuals by name. There has, however, been significant criticism directed towards the RCMP by local academics at the School of Criminology at Simon Fraser University in

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communicated by the media, thus leading to the erosion of public trust in the RCMP within BC.

### The Status of Public Trust in the RCMP within BC

All interviewees—except for those in civil liberties roles—argued that, although public trust in the RCMP seems to have eroded, it was not necessarily justified, but rather attributed to media reports.

- This is partly due to the growing role of social media.

All interviewees agreed that it may appear that incidents related to police misconduct and police impropriety have increased because the information on incidents is readily available through many sources, such as: publication of incidents in the media, capturing more incidents due to changing technology, freedom of information requests, and information provided by the police.

*Group I* concurred that public trust within the RCMP was an issue well before the Dziekanski incident, particularly in BC. To illustrate their arguments, respondents referred to the Asia Pacific Economic Conference (APEC) held in Vancouver, BC.<sup>62</sup> This conference resulted in 52 complaints against the RCMP, primarily dealing with the violation of the Canadian Charter of Rights. Some of the complaints were as follows:

- Prisoners were denied access to lawyers and access to washrooms at the Richmond RCMP cells;
- Prisoners were placed in overcrowded cells;
- Prisoners were denied blankets, given inadequate food, and threatened with pepper spray;
- Prisoners were held in custody for an excessive length of time; and

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BC, including harsh statements by the Chair of the Criminology Department, Dr. Rob Gordon (Author, September 10, 2010).

<sup>62</sup> “In November, 1997, Canada hosted the week-long Asia Pacific Economic Cooperation (APEC) conference in Vancouver, with high-ranking delegates from throughout the Asia Pacific region. On the last day of the conference, leaders and their senior advisors were to meet in a retreat-like setting at the Museum of Anthropology on the campus of the University of British Columbia. The RCMP was responsible for security. The conference dates were November 19–25. Several demonstrations were held by students and others against the regimes of some of the APEC members. Protesters and police came into conflict. The actions of the RCMP in response to the protesters are the subject of 52 formal complaints, and those complaints are the subject of this report.” (Commission for Public Complaints Against the RCMP, n.d.).

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- Female prisoners were unnecessarily strip-searched. (APEC Commissioner Findings Appendix A, Section 1.)

The list is fairly comprehensive, and was one of the first major incidents documented in BC that shed light upon the RCMP's tactics involving large protest groups and the alleged treatment of the protestors by the RCMP. The Honourable Ted Hughes, head of the Commission to the events, summarized the RCMP's actions in the closing observations contained in Chapter 30, as follows:

In Chapter 12 of this report I described police performance that did not meet an acceptable and expected standard of competence, professionalism and proficiency. . . In other chapters I described individual instances of police conduct that was inappropriate to the circumstances and, in some cases, inconsistent with respect for the fundamental freedoms guaranteed by the *Charter of Rights*. (*APEC Commission Interim Report*, 1997, para. 1 and 2).

*Group I* made repeated reference to the report and the APEC incidents. According to the respondents, since the incident, the RCMP has been scrutinized much more closely. The group held a consensus that public trust has eroded since APEC with respect to the RCMP investigating itself, de-escalating situations, like the APEC protests, and removing "bad apples" from its ranks. It is interesting to note that the group also included the Vancouver Police Department in this "erosion of trust," and felt that the VPD lost public trust as a result of its interoperability with the RCMP in large scale policing events that require integrated resources.

*Group I* contended that the media and public relations branch of the RCMP was "disastrous." Respondents stated that it is difficult for the public to understand many RCMP responses to crises they face. Since the RCMP does not understand the need to apologize for mistakes they make, the RCMP states that they will fix the problem and then report back to the public, which is not entirely accurate. There is supportive evidence to these statements. In 2006, a report drafted by the RCMP, which is now available to the public, revealed that it took an average of 34.5 months to manage a public complaint. This time spent does not consider the remedial actions or measures the RCMP commits to, following a decision

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regarding complaints made. The report continued to support the public erosion argument made by *Group I*, in that,

delays in public complaints management are of concern. The longer a public complaint remains unresolved, the longer the complainant remains unsatisfied. The longer the issue of misconduct or poor performance remains unresolved, the longer a subject member bears the stigma of an unresolved public complaint allegation”

(Professional Standards and External Review Directorate, 2006, p. 16).

The above statement identifies two areas of concern related to accountability. First is the area of public trust with respect to matters being resolved in a timely manner. The longer an issue of trust is unresolved, the less likely the public will trust the police. Second is the internal issue of stigmatization for a police officer involved in a matter, and his or her faith in the organization to conduct a timely and thorough investigation into an allegation, thereby either finding them guilty or absolving them. The latter issue was also addressed by *Group III* during their interviews, and is discussed in greater detail in the chapter exploring internal accountability.

*Group I* compared the RCMP media strategy to that of the Vancouver Police Department, and suggested that the VPD has a better process in place to deal with ethical issues and police misconduct. The Vancouver Police Department has a Chief of Police who represents their organization. The argument made here by respondents is that the RCMP, with its broad mandate, does not have one person who is known and trusted by the public to stand in front of the media and make statements related to police misconduct (Government of Canada, 1982). Consequently, and as the respondents put it, this generates the discussion around regionalizing policing within BC. Many pundits (i.e., Griffiths & Easton, 2008) argue that regionalization would prevent some of the issues as outlined by *Group I*. These authors argue that having a local community presence, improved trust, and consistency in policing, would make police more accountable. Others oppose the regionalization of policing on the grounds of cost and lack of political will.

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*Group I* discussed the Air India Inquiry<sup>63</sup> and how it revealed serious mishaps and incompetency on the part of the RCMP and the Canadian Security Intelligence Service (CSIS). The one area that was not clear to the interviewees was whether things have become progressively worse for the RCMP, or if requests for Access to Information<sup>64</sup> have also increased, thus revealing a greater number of police misconduct cases. This is an area under scrutiny by the media, as it appears the media has expressed interest in all aspects of policing related to accountability, internal investigations, and fiscal expenditures (personal communication, Respondent # 2, February 1, 2011).

For *Group I*, it was evident that dealing with misconduct in-house does not instill confidence in the mind of the public. Therefore, police should not investigate police, as this creates a perception of collusion and collaboration, with negative results. Finally, this group unanimously agreed that RCMP handled media and public relations related to the Dziekanski case very poorly.

*Group II* argued that both social media and technology have driven police misconduct to the forefront and into the minds of the public. According to the respondents, this is inaccurate, and the actual number of incidents in proportion to the number of officers violating their duties is quite low. The group concurred that the public's trust in police is at an all-time low in BC, particularly with the RCMP. However, since the RCMP has a difficult time dealing with negative publicity, they typically avoid bad press. *Group II* respondents observed that the RCMP fails to admit fault for their actions. This inability to be held accountable could be partly attributed to a tradition of being a para-military organization, and possibly to the insular nature of RCMP's culture. One vivid description provided by a respondent (Respondent #6, personal communications, February 18, 2011) was that "a chink in the armour leads to defensiveness, and protectionism." *Group II* concluded that the erosion of public trust is particularly acute in BC for a variety of reasons, including the number of RCMP officers posted to BC and their wide mandate.

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<sup>63</sup> On June 23, 1985, a bomb exploded on Air India Flight 182 en route from Toronto to London, England, killing all 329 people aboard, most of them Canadians. Twenty-five years later, the Air India bombing is still the worst terrorist attack in Canadian history (Retrieved from <http://www.publicsafety.gc.ca/prg/ns/ai182/ai-bk-eng.aspx>).

<sup>64</sup> The *Access to Information Act* gives individuals and corporations in Canada the right to seek access to federally controlled information and records (Retrieved from <http://www.rcmp-grc.gc.ca/atip-airp/index-eng.htm>).



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*Group III*, who represents the RCMP, recognized that public trust in BC eroded not only with respect to the RCMP, but also to policing in general. The respondents believed that public trust appears to have eroded; however, it is not entirely justified since the general public form their opinion of policing from mass media. This is not a nascent theory, and has been researched at great length, with empirical evidence supporting the position shared by the respondents. The conception of the public's social reality, as described by Ball-Rokeach and DeFleur (as cited in Bandura, 2001), are

greatly influenced by vicarious experiences—by what they see, hear, and read—without direct experiential correctives (1976). To a large extent, people act on their images of reality. The more people's images of reality depend upon the media's symbolic environment, the greater is its social impact. (p. 271)

*Group III* reverted back to some of their experiences decades ago, in which they suggested 'some' misconduct would have been tolerated in policing (personal communications with various respondents); however, times have changed, and such behaviour is no longer acceptable, particularly as it is captured by social media and discussed publicly at great length. For example, society's response to drinking and driving, and in particular when an off-duty police officer is found to have committed this violation, has changed significantly over the years. Approximately twenty years ago, there was very little stigma placed on those found driving drunk. Police officers were stopped by their peers and either placed in a taxi and sent home, or driven home by the street cop that pulled them over. This behaviour is generally not tolerated today, regardless who the offender is. The societal view towards off-duty police officers drinking and driving is much more unforgiving as a result of the carnage and destruction caused by this behaviour.

According to *Group III*, today's technology is capturing a greater number of incidents, such as Robert Dziekanski's death, which in turn it makes the public believe that police misconduct and lack of police accountability is rising, when the opposite is in fact true. Any negative attention police receive is on the 6 o'clock news. The respondents agreed that a number of recent incidents may have triggered the public's ire toward the police, and consequently eroded their trust in the RCMP; however these incidents are extremely rare. In reality, the police—including the RCMP—do not make it a habit of kicking people in the

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face,<sup>65</sup> or sleeping with witnesses,<sup>66</sup> or tasing Polish immigrants to death. The group of RCMP officers with much to lose from the creation of a regional police entity argued against this “knee jerk reaction” to police misconduct, and suggested that the creation of a regional police force is not the solution to police accountability. Contrary to their beliefs, the Chair of the Faculty of Criminology at Simon Fraser University in Burnaby, BC, Dr. Rob Gordon, is a proponent of the regionalization of police, and aggressively challenges the RCMP and the government of BC to consider this structure within BC.<sup>67</sup> Finally, the group believed that most RCMP officers act and behave ethically, and are “the lightning rod” for the Canadian Criminal Justice System, who contributes to making Canada a safe place to live.

**The Status of the RCMP’s Accountability within BC Over the Past Two Decades**  
There was little agreement between interviewees related to the status of the RCMP’s accountability over the past two decades, except:

- The RCMP approach to Public Relations (PR) has not been effective at giving the sense of accountability and building trust; and
- The size and scope of the institution may limit its accountability at the local and regional levels.

*Group I* underscored the incidents that have taken place over the past two decades, and reflected on the public’s primary concern with the RCMP’s self-investigations. Second, the group listed a number of cases and incidents that have given rise to the erosion of public trust over two decades, including: the Dziekanski incident, the Air India incident, events at APEC, and others.

*Group II* compared the issue of accountability of the RCMP with that of the VPD over the past two decades. It is important to note that, the VPD is responsible for policing the City of Vancouver with a population of approximately half a million people, employing

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<sup>65</sup> The images of the RCMP officer kicking a man in the face during an arrest were caught on tape and broadcasted Canada wide. The officer has now been charged with assault and it was determined this was the third such incident the officer was involved in while on duty with the RCMP (Source: CBC news March 24, 2011 accessed at <http://www.cbc.ca/news/canada/british-columbia/story/2011/03/24/bc-mantler-kelowna-rcmp.html>)

<sup>66</sup> Refers to the *Surrey Six* investigation.

<sup>67</sup> CBC news Canada September 3, 2011 (Source: <http://www.cbc.ca/news/canada/british-columbia/story/2011/09/02/bc-stanley-cup-riot-regional-force.html>).

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approximately 1300 police officers.<sup>68</sup> The VPD is the largest municipal police organization in BC, and there are some similarities in demographics when compared to larger RCMP detachments. The respondents, speaking from experience, felt that the RCMP has a propensity to transfer problems and malcontents in an effort to hide misconduct. Their accounts were not empirically qualified, and came only through knowledge gained at work. *Group II* stated that there is a large accountability gap between the middle management of the RCMP (comprised of Sgt. and S/Sgt. ranks) and higher management (comprised of Insp. and above). The argument was made that newly hired, younger in rank, and inexperienced police officers need to see their leaders act and not only speak. The current perception is that the RCMP engages in one way dialogue: from the top down. The observations by this group included the following:

- The RCMP is a para-military organization that is so strong that a large disconnect has grown between the middle and high managers and the rank and file, with most of the problems occurring at the level of the rank and file (i.e., Constable to Corporal rank).
- The RCMP needs to transform. Newly hired and younger, in-service members need to see their leaders act and not just speak. Within the RCMP, dialogue is one way: from the top down.

*Group III* believed that, at the individual level, RCMP officers are much more educated and aware of the society's expectations of police as compared to their predecessors. The respondents believed that in the past two decades, there has been a movement within policing to professionalize the occupation by taking it from the traditional, blue collar occupation it once was, to the codifying, professional, and accountable organization it should be. The group statements are in line with Moores's (Perez & Moore, 2002) findings, who argue that professionalism in policing can be nurtured through leadership. Lastly, the group conceded that efforts are underway by the RCMP's hierarchy to become more accountable through the reduction of bureaucracy and "red tape," which breeds secrecy and mistrust by the public.

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<sup>68</sup> Source: [www.vpd.ca](http://www.vpd.ca), Accessed September 4, 2011

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### The Effectiveness of the Current Model of Accountability Utilized by the RCMP

All interviewees agreed that the RCMP has tried to create a more public model of accountability in which serious complaints are turned over and referred to an outside police agency for investigation.<sup>69</sup> The report, compiled by Mr. Paul Kennedy, the previous Chair of the Commission for Public Complaints against the RCMP, was put under the respondents' scrutiny. Kennedy (as cited in MacAlister, 2010), stated that "in reviewing the sample of cases (found), more than two thirds of the cases being handled inappropriately" (p. 15). In a quarter of the sample, the investigator personally knew the officer under investigation. Mr. Kennedy recommended that other police agencies, or an external, provincial investigative body if available, be used to conduct the investigation of police-involved deaths and some other serious cases (MacAlister, 2010, p. 15). The RCMP concurred with the results of the research, and the interviewees agree that RCMP should not conduct their own investigations. For example, in the most recent investigation in Anaheim Lake, a local man was shot and killed by the RCMP. The RCMP has requested the Delta Police investigate the man's death. According to all of the respondents in the three groups, the first step of turning to other agencies to investigate police misconduct is also the first step in restoring public trust.

*Group I* conceded that the RCMP is restricted by legislation in the government in restoring public confidence and creating an independent body to conduct these types of investigations. During the research portion of this thesis, the BC provincial government, under the leadership of Premier Christie Clark, released a statement (Appendix H) identifying the creation of Bill 12 in the provincial legislature, which lays out the parameters and the creation of a new body of independent oversight for BC. The Premier stated, "It is critical that British Columbians have confidence in our police and that police are accountable to them. The ... legislation ... will strengthen public faith" (Government of BC Communications and Public Engagement, 2011, p. 1).

*Group I* was critical of the GoC for failing to introduce legislation in this area and for not exploring the creation of a resolution body to help restore public confidence in the RCMP.

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<sup>69</sup> Delta Police were called in to investigate a recent RCMP shooting which resulted in the death of a man in a small town in the North of BC. The RCMP has used the services of many of the local and municipal police forces in BC to conduct investigations into serious allegations. Retrieved from [http://www.ctvbc.ctv.ca/servlet/an/local/CTVNews/20110924/bc\\_rcmp\\_shooting\\_probe\\_110924?hub=BritishColumbiaHome](http://www.ctvbc.ctv.ca/servlet/an/local/CTVNews/20110924/bc_rcmp_shooting_probe_110924?hub=BritishColumbiaHome)).

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The Mayor, a respondent in this group, suggested a closer, working relationship with the community served by the RCMP as a strong, non-legislated vehicle for accountability. According to the Mayor, this relationship should be replicated across Canada, where a successful model of the RCMP and strong community ties should follow. The suggested model was supported by Bayley and Shearing (1996) in their examination of public and private policing:

It follows that accountability is best achieved through public policing operating according to principles of community policing. Community policing supplements the customary accountability of representative political institutions with grassroots consultation, evaluation, and feedback. (p.597)

This collaborative effort between the police and the community is not lost for the RCMP. It has, however, diminished. The federal “creep,” as the author refers to it, has reduced the ability of communities and the RCMP officers serving those communities, to be effective and accountable. The ability for the GoC to recall officers from a posting anywhere in Canada in order to deal with a terrorist attack, a prison strike, or any other serious matter is resource impressive; however, it has tethered the ability of communities to hold their officers accountable, and has led to recent debates in BC for regionalizing police.<sup>70</sup> There is an argument to be made about local policing and accountability. Researchers state that, “[The] belief that local police will be most responsive to local needs when under the control of local government” (Klockars, Ivkovic, & Haberfeld, 2004, p. 265). This belief, postulated by Kockars et al. (2004) was also expressed by many of the respondents interviewed by the author. The authors (Klockars et al.) further assert that there is ample historic evidence that the police in the United States have responded obediently to local concerns. *Group I* also believed this police practice should be implemented in BC

*Group II* echoed some of the responses of *Group I*. *Group II* respondents, however, felt that the RCMP, being a large bureaucratic machine dispensed from Ottawa, demonstrated a limited accountability at the local and regional levels in BC. The interviewees would like to

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<sup>70</sup> This comes from a report written on the benefits to regionalization and amalgamation of BC police agencies (Retrieved from [http://www.bcchamber.org/advocacy/policy/priority/crime/police\\_amalgamation.html](http://www.bcchamber.org/advocacy/policy/priority/crime/police_amalgamation.html)). The report identifies the current push by proponents to let the RCMP service contract expire in 2014 and create a provincial police force.

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see a RCMP model similar to the one presented by Jones (2008). According to Jones, the UK experience between 2005 and 2006 demonstrated the importance of “maintaining locally accountable policing. The ... premise that policing is delivered most effectively by locally responsive policing teams must not be underestimated (p.703). The group identified three shortfalls in the current RCMP accountability model:

- The RCMP does not fall under local reporting obligations, but reports nationally.
- It is difficult for a national police force to be vigilant in relation to the local issues. Provincial and national priorities of the RCMP get in the way of local solutions.
- Policing is unique in each community, and must be addressed that way.

One respondent from this group expressed a concern about the insular and secretive nature of the RCMP, and felt that the RCMP, in recent dealings with critical incidents, has taken the low road in their information sharing and information management. The respondent cited the Dziekanski incident as an example of this insularity. The respondent was quick to note that that the RCMP is more worried about the institution in protecting its reputation than being concerned about accountability at local or regional levels. Conclusive with the respondent's example, Halpenny (2010) refers to the APEC incident, in which the RCMP is “not entirely independent but are accountable to the federal government” (p. 30).

*Group III* reported the existence of a weak accountability model. They pointed to a number of areas that contribute to this weakness, including leadership and internal systems and processes, stressing the promotion process and leadership selection. The frustration and emotional allegiance to the RCMP were quite evident during these interviews. Some systemic problems with accountability within the RCMP discussed by some of the RCMP respondents are as follows:

- The current model is reactive, and leadership is lacking. This may imply that things will not look good for the RCMP if they are only responding to problems. However, if leadership truly exemplifies the value and practice of accountability, this value will pervade the culture, practices, and effects of the institution.
- The MVV set out by the previous Commissioner does not seem to have the weight or effect that it may have had in the past.

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- The promotional system, which is always changing, may be part of the problem. Required competencies for someone to advance on to a higher position need to be drafted in such a way to reflect accountability policies.
- Who you know or who you are connected to in the institution influences not only your chances for promotion, but also the seriousness with which complaints against you may be investigated and the discipline that may be received in such cases.

One respondent, a high-ranking and long-serving member of the RCMP, was clear that in his/her opinion, the RCMP is not broken and never was. S/he maintained that the RCMP does not have an accountability problem, but that a handful of unfortunate incidents were picked up and handled by the media in ways that gave the public the impression that there are problems with the RCMP's accountability. S/he maintained that criticizing the RCMP for corruption has become popular.

- S/he noted that, while the RCMP is accused of being protectionist and not wanting civilian or public oversight of RCMP conduct, the RCMP have, in fact, been very agreeable to independent oversight and to the inclusion of the OPCC.
- In his/her opinion, the biggest problem is the government, which needs to put the money, resources, and people in place for such an independent oversight.
- A number of academics who say otherwise are armchair quarterbacking in saying that the RCMP opposes civilian/public oversight, which is being picked up and communicated publicly by the media, thus leading to the erosion of public trust of the RCMP and police in BC.

*Group III* was vehement in responses related to the media's contribution to the public's perception of the RCMP's accountability. The respondents believed that the media has actually provided fodder to the public, who are generally unaware of how professional the RCMP actually is. One respondent talked about the newly created Annual Performance Plan (APP),<sup>71</sup> which the RCMP has implemented across Canada with the intent to hold each

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<sup>71</sup> The RCMP has created the APP, which in theory, delivers planning and performance management to the detachment or unit level, thereby allowing managers a structured format in which to consult with and provide tangible feedback to communities. It was created in part to support local input into policing issues and initiatives through public safety committees. The APP has now become a document that is created with or without public input and consultation in an effort to ensure yearly compliance in Ottawa. The document was created, and is intended, to be a living structure in which to guide and direct managers.

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manager responsible for policing services yearly in the communities they serve. The APP has, in theory, increased local accountability in some BC communities, but it still needs to be supported by the majority of managers in order to truly be effective. The APP is more informative than it is consultative, according to a manager of a large city.<sup>72</sup> This group also pointed out the role local mayors and councils play in selecting and appointing local police chiefs. This may be true; however, the ultimate decision on posting is held by the RCMP, which can disagree with a local mayor and council, and in the end, appoint a different candidate.

### The Status of Public Trust in the Police in BC, the RCMP in particular

With regard to the second basic question, has public trust in the BC RCMP eroded, and if so, can public trust be restored with the RCMP in BC? All groups, with the exception of the representative from the civil liberties, argued that although public trust in the BC RCMP seems to have eroded, according to surveys and public views, this is not necessarily justified, and should partially be attributed to media reports. The advent of social media and its ability to immediately disseminate information was commented on as well. All groups agreed that social media, improved technology, and greater access to information through freedom of information requests have held the police to a greater account, but have prevented them from responding fairly, as the public believe that they are already informed before the police have an opportunity to explain themselves.

*Group I* agreed that the handling of the Dziekanski's case by the RCMP was disastrous at all levels: from media releases to the inquiry revelations of alleged perjury. The Dziekanski incident, whether real or perceived, has significantly shaken public confidence with police in BC, Canada, and worldwide. The civil libertarian in this group reiterated a historical perspective of public trust in BC, and argued the following:

- Public trust has been an issue before the Dziekanski incident, particularly if we look back to the APEC incident. At least since then, public scrutiny of the RCMP has been the norm.

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<sup>72</sup> City of Surrey Manager, Murray Dinwoodie, 2008 speech updating BC city managers on contract negotiations with the RCMP.



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- If, since APEC, public trust in the RCMP has eroded, this is with respect to the RCMP investigating itself, de-escalating situations, and removing bad apples from its ranks. These are the areas in which people have lost confidence in the RCMP.
- The RCMP PR branch is a disaster. It is difficult to understand many of the RCMP responses to crises it has faced. The RCMP does not seem to apologize; they say they will fix a problem and then report back on what they have done to address a problem, which has not happened as regularly as the public would like.
- The VPD is much better at PR, perhaps because they have a more identifiable Police Chief, who becomes a focal point during incidents. For example, when a VPD officer was found, through investigation, to have been trafficking drugs, they fired him immediately and informed the public of this response. Instead, the RCMP traditionally takes “a wait and see approach” that does not instil faith in the public that the police will eventually admit to a mistake

*Group II* also referred to the Dziekanski incident, and used the phrase “pictures speak a thousand words and make complex issues seem black and white.” The RCMP, in their view, has a difficult time dealing with negative perceptions and consistently refuses to admit mistakes or any wrong doings. The group addressed that it is partially normal for all police agencies to traditionally behave this way; however, the culture of the RCMP cannot be discounted as influencing the way that they behave in times of crises. Duxbury’s (2007) work exploring the RCMP and its capacity for change, presents some of her conclusions and findings with regard to the culture of the RCMP. Duxbury describes the RCMP as an organization that does not support change, as “one that declares victory before achievement, risk adverse, defensive, siloed, and exploitive” (p. 2). She continues to depict the RCMP as a victim of the “success spiral,” which she suggests occurs in an organization when it retains its culture for far too long, believing that what has worked in the past will continue to work successfully in the future. This behaviour or inability to morph devalues the utility of the RCMP, and reinforces the current crisis in public confidence.

*Group III*, the RCMP, themselves acknowledged this inflexibility in culture, yet they argue that they are evolving and ceding to public demands for accountability. They expressed this view through examples of the RCMP’s willingness to accept an independent oversight

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body, the acceptance of the RCMP's management in recognizing the need to change, and to support change through the creation of a Change Management Team (CMT). The CMT is responsible for implementing a number of recommendations in line with the Duxbury Report.

For *Group III*, timing of the discussed incidents related to misconduct coincides with the renewal of the policing services contract between many provincial governments, including BC and the GoC. The current RCMP contract is set to expire in 2012 and negotiations are underway. The current political climate in BC is rather cool towards the RCMP, with some politicians arguing for the renewal with specific accountability clauses to be included in the new contract.<sup>73</sup> The views presented by *Group III* are in line with Duxbury (2007), who argues that the Force believes it can weather the storm as she describes it. Additionally, Duxbury (2007) suggests that the Commissioner of the RCMP must conduct an internal diagnosis of the RCMP's malaise while also setting a benchmark to be reached in ten years, arguing that "Successful transformational change depends on changing cultures as well as structures" (p. 4).

### Recommended Changes to Improve RCMP's Accountability

With regards to the third basic question, what steps or measures can be taken to restore this trust, including constructing an accountability model that may be better suited for the RCMP; all groups agreed that the RCMP needs immediate improvement. However, there was a difference of opinion on what specifically should be done and on the urgency for the various areas of improvement. Opinions ranged from a better communication flow to the public and to improved RCMP strategies in the area of media relations.

*Group I* strongly endorsed the creation of an independent civilian body for oversight. The former Commissioner of the RCMP released a report in which he comments on the work of Duxbury and others who had conducted extensive reviews into the RCMP's current standing. Commissioner Elliot (2010) opines on the current status of the RCMP when it responds to accountability, stating,

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<sup>73</sup> Premier Clark and Solicitor General Shirley Bond of the BC government asking for five year review periods of any new contract signed while the GoC is steadfastly rejected this call for renewal and insisting that either the province of BC signs the contract as it stands or policing by the RCMP in BC will be terminated in 2014. (Source: <http://www.cbc.ca/news/politics/story/2011/09/28/bc-rcmp-contract.html>. Accessed October 6, 2011.)

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Canadians do not want the police investigating themselves (Bayley 1995, Oppal 1994, Marin 2008, MacAlister 2010, Kennedy 2008), particularly in cases involving serious or sensitive matters. Neither does the RCMP, however, not all jurisdictions in Canada are ready to take on this responsibility. Recognizing that public trust and confidence are essential to the RCMP's ability to deliver effective policing; the Force has changed the way such investigations are handled. (p. 1)

*Group I* suggested restructuring accountability mechanisms within the RCMP relating to officer misconduct, review, assessment of misconduct, and incorporating dismissal without long delays, especially in the area of public trust and breach of trust. As the current process is neither clear nor consistent, the group also advocated a better release of information for the public and some consistency in the release. The creation of a policy in this area could potentially benefit the RCMP. Finally, improvement of the RCMP media strategy was arguably one of the major weaknesses in the RCMP characterized by *Group I*. The final suggestion by the Mayor in the group was to advise Ottawa to remain distant and uninvolved in the area of municipal contracts and the RCMP. Instead, local governments should be the organization dealing with local issues and the RCMP.

*Group II* presented a number of options to consider, ranging from a civilian oversight as collectively identified to a narrower, focused mandate for the organization. This group identified the following as the most important areas of reform that need immediate attention:

- The RCMP must increase transparency. They need to be more forthcoming and less insular in their information sharing.
- The RCMP must develop greater local accountability. Decisions are made centrally. Delays result in suspicion and diminished trust and legitimacy; the archaic red tape of the RCMP must be reduced in order to be effective and trusted. Individuals who work for the RCMP do not have connections to the communities they serve, as they are transferred frequently, and thus they do not develop a sense of ownership over the community they serve.
- The RCMP must have civilian oversight, a national police commission, and an oversight board that would monitor the RCMP and provide overall governance to budget and policies.

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- Their mandate needs to be more focused. They are doing too much, and bigger is not better. Ideally, they should only be involved in federal policing. However, this is not the reality of policing in Canada. Therefore, the RCMP should decide what level of policing they have the capacity to perform.
- Until a civilian oversight body is created, the RCMP should move to an integrated model of investigating complaints against their officers in order to remove the optics of police investigating police.
- Each municipality that has its own police force has a police board in order to make decisions democratically and with community insight. The RCMP would benefit from a hybrid of an ad hoc board to prevent group think, to be creative and dynamic, and to have a fresh perspective.

*Group III* seemed to take an internal position in this area of improved RCMP accountability. The group touched upon many of the areas identified by Duxbury (2007) as malignant or broken:

- Repair the broken leadership and promotional system. The RCMP does not prepare its membership for leadership positions.
- The RCMP should have a mentoring program using retired members who want to be there to help in key positions.
- The Division Representative Program focuses solely on management, and needs a counterbalance to consider the rank and file member.
- The discipline process is entirely inconsistent, with a number of downfalls, including life-altering issues for people put through the process, and significant damage to the individual involved. There is no mechanism in place to monitor this, nor is there an adequate representation of individuals receiving discipline. This falls short of fairness.
- A partnership needs to be developed with the media, particularly those who are independent and will represent the RCMP fairly.
- A better job needs to be done of getting positive messages of the RCMP out to the public. The RCMP needs something like a Strategic Director, along the lines of Paul

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Patterson.<sup>74</sup> He brings credibility to the VPD, and when he speaks, the public trusts and believes in the VPD. When there is an issue with the VPD, the Police Chief takes accountability at the onset, thereby ensuring public trust is not compromised and information is provided to all those who may be effected.

- The RCMP needs to tell its story aggressively and appropriately, but without appearing as self-serving. They need to be more proactive in their messaging to the public.

## Recommendations to Restore Public Trust in the RCMP and Policing in BC

The general themes of improving accountability and restoring public trust were touched upon by all interviewees, as was the idea that the RCMP's accountability may be challenged by the national scope of the institution.

- With respect to this final point (The RCMP's accountability limited by national scope), there were varying perspectives on whether the RCMP should become more decentralized, or whether they should focus exclusively on national matters.
- It is safe to say that all agree that if the RCMP is to remain a community police force, it should become more accountable at local and regional levels. A 2008 survey of local mayors and councils echoes this theme, as mayors suggested "National standards in decision making are not reflective of regional and local needs. The local detachment should be focused on understanding and delivering on the local police services priorities" (Union of BC Municipalities, 2009, p. 6).
- It was recognized by some that it is not currently feasible for small communities to provide their own police forces, meaning that the RCMP must remain a community police force in many towns across BC. It is not feasible for the RCMP to focus exclusively on national matters.

*Group I* recommended a few areas for restoring public trust in the RCMP:

- Public communications and media relations need to be reworked and modernized, although this is not the first thing that is desirable from a public policy perspective.

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<sup>74</sup> A retired media expert hired by the Vancouver Police Department and touted as strategic and proactive when dealing with the media.

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- Cultural change within the RCMP around the understanding of accountability. Currently, accountability is viewed as something to be resisted within the RCMP. After this change occurs, it will take a couple of crises before the public recognizes that the RCMP has changed.
- Civilian oversight.
- Stronger regional focus, particularly in BC. If a municipal government is paying for the RCMP services, there has to be local and regional say in what the RCMP does.

*Group II* echoed some of the responses as *Group I*, but used a different rationale:

- The RCMP needs to be more transparent and accountable, and operate under the rules that other police agencies have to comply with (i.e., the OPCC in BC) in order to regain public trust.
- They have to deal with local issues in a local manner, including:
  - The RCMP is trying to do too much under its current model. It is not working. Contract policing, which reports to Ottawa, is not successful. Having to go through Ottawa is not always appropriate for dealing with issues locally in BC. Red tape impedes response, and Ottawa cannot understand the full significance of local factors.
  - Communities deserve tailored policing suited to their specific communities.
- Recognize the power of technology and social media. There are cop chasers out there, and not unlike storm chasers, they will be monitoring the actions of police and releasing their photos, videos, and/or recordings to the media.
- An independent national police commission or investigative unit needs to be created.
- The RCMP must develop a comprehensive and strategic communications model, through which they are transparent. The RCMP must know what the public wants and what they can do to improve policing.
- Empower commanding officers.
- An integrated professional standards unit needs to be created. This needs to happen. It has been discussed so many times that it is having an effect on public perceptions.
- Bring the RCMP towards a blended *Police Act* in BC.

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Surprisingly, *Group III* believed that if the RCMP is willing to conform, comply, and adapt now, it may take as much as fifteen years before any noticeable difference is detected.

- The RCMP needs to be restructured. In particular, it needs to be made less top-heavy. Some of the positions in the higher ranks should be eliminated.
- The RCMP should get out of contract policing, thereby reducing its mandate.
- Changes will take approximately 15 years if the right changes to the organization are made now.
- Identify necessary remedies and inform the public where change is needed and where change is being made, so that people can see that efforts are being made to remedy problems.
- Management still has too much influence over how decision-making takes place, which increases the role of nepotism.
- Greater transparency can be healthy, and can benefit the organization and the public.
- The RCMP needs to be more proactive and assertive. They must do a better job of telling their story accurately and fairly, and admitting and apologizing when they have made a mistake, then move forward.
- Apologize sooner.
- Have a hard look at where the RCMP is currently modeling the right behaviours. It is not so much a matter of rebuilding as it is of reminding people that the RCMP is an ethical organization.<sup>75</sup>

### *Group I – Summary*

This group in particular was perhaps the most expressive in voicing their views in regards to the RCMP's accountability. During the interview process, the participants of this group generated numerous valuable themes for discussion and future research. According to *Group I*, the RCMP may have a problem holding its own officers accountable. This may be a

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<sup>75</sup> The case of Corporal Catherine Galliford surfaced November 10,<sup>th</sup> 2011 through an interview provided to the CBC, Canada. Galliford alleges sixteen years of sexual harassment and abuse by senior officers in the RCMP, and explains how this led her to chemical and alcohol dependency in trying to work through the harassment. She identifies an area of the RCMP that deals specifically with the area of modeling correct behaviors. Her interview can be viewed at: <http://www.cbc.ca/news/politics/story/2011/11/07/bc-rcmp-harassment-galiford.html>

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perception only, or it may be a reality. This can be attributed to the complexity of policing in the twenty-first century with the advent of social media, increased disclosure legislation, and training.

The most prominent question raised by this group is how to hold the RCMP accountable for its member's actions, especially as it relates to appropriate support stemming from the organization. The group ruminated over the RCMP's loss of public trust, and corroborated that this view is held by the public. The participants also elaborated on how to repair the erosion of trust. For this group, the solution to the RCMP's accountability included better transparency in media reports, particularly in the area of taking responsibility for its members in making apologies to the public for misconduct. This apology is to be characterized in the form of a follow-up release in keeping the public informed and updated on how the organization is handling a specific issue, and identifying what steps have been made to prevent it from reoccurring.

In addition, for this group, larger systemic and legislative changes are necessary to create an independent investigative body to resolve complaints against RCMP officers who are involved in serious issues such as causing grievous bodily harm and/or corruption. The group recognizes the limitations of the RCMP with regards to privacy and rights, and recognized that officers put themselves at risk on a daily basis to do the work tasked by the public. However, the officers also place faith in their organization, their management team, and ultimately the government, to protect them and to put them in situations that are safe, predictable, manageable, and resolvable. The balance between privacy and an individual's rights is complex and requires systemic change to create an improved system.

This group recognized that pending court cases, and investigations of an officer's misconduct can be problematic and sensitive, since it is difficult to reveal all the facts to the public. However, the RCMP can alleviate this by employing broader methods to correct problematic behaviour within organizational ranks. This type of approach is in the public's interest, as they are advised of a "bad apple," while, at the same time, it allows the officer the right to receive corrective opportunities before being cast away from the organization. The group described this approach as a balance between the rights of labor and the right of the public to know.



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*Group I* identified a perceived need to redefine the relationship between the RCMP and the public through the media. To them, the RCMP should recognize the need to be an evolutionary organism rather than a self-protective, insular institution. The media, on the other hand, should be exposed to the complexities of the RCMP, which forms part of the RCMP's strategic plan for the institution. A strategic communications plan should not only include media releases through interviews and press conferences, but should also include public service announcements, recruitment drive information, brochures, and pamphlets outlining RCMP services and programs. This communication strategy is not simply reactive—as the RCMP has been described—but provides a general idea of what the organization does and what it stands for: integrity, professionalism, and trust, just to name a few.

Respondents also explored the concept of an oversight agency to investigate police incidents. They questioned the federal government's lack of impetus to create and legislate a civilian oversight body. The consensus is that it is the governments—and not the RCMP's—responsibility to come up with a proper resolution to protect the public from police misconduct. The respondents added that there are a number of steps the RCMP could take without waiting for the government's decision. These steps should include improved follow-up on media reports after a serious incident that involves the police. For example, the RCMP should come up with better communication strategies that display a human element in policing, and not the robotic responses provided to the media for the public's view. Educating the media on the complexities and challenges officers face on a daily basis, in training, and through professionalism to serve and protect the community is necessary to win public trust.

*Group I* emphasized that the RCMP should immediately review current, internal processes related to police misconduct and/or serious unlawful activity. Finally, the RCMP should establish a protocol or guidelines on how to assess or determine whether a particular officer's misconduct warrants the classification of a "bad apple," as opposed to the behaviour that is amenable to reform, and can be subjected to corrective measures.

This group has provided a significant contribution to a new, more effective model of accountability for the RCMP, one that will be discussed in later chapters. Their views were in line with Mawby (2002), who directs readers to the importance of "image work" in policing,

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which are media and public relations of everyday practices that communicate images of the police that affect public opinion in some way. Bradford et al. (2009), in their study, present a survey that reveals that those informed by the police tend to have a more favourable view of the police. Both *Group I* and *Group II* concurred with these theories.

*Group I* clearly acknowledged that “some” erosion of public trust in the RCMP in BC has occurred. It was not clear as to what degree, but this recognition is important and significant as it concurs with a large body of research identified in earlier chapters. As opposed to historically, there has been a greater erosion of trust in the RCMP in recent years. However, this erosion has been identified as possibly a problem of perception. This group recognized and reiterated that the actual number of cases involving RCMP misconduct is quite low in proportion to the number of officers serving within BC. This particular group felt that, in BC, mayors and councils provide a layer of oversight for the police and the RCMP by holding them accountable to the local community. Mayors could and would suffer politically if the RCMP were not held accountable to some degree. The mayors’ role is to stand by the citizens in publicly acknowledging the RCMP’s misconduct, if it were ever required.

The one area that this group found difficult to accept was the concept of police investigating police. This practice, as the literature has documented (Bayley, 1995; MacAlister, 2010; Marin, 2008, Chan, 1999, Kennedy, 2007), does not instil confidence in the minds of the public. The one recommendation this group would like to implement in order to regain public trust is to turn to an independent oversight body to conduct in-house investigations. One finding particularly noteworthy was that this group supported other police agencies, such as the Vancouver Police Department, in investigating allegations against the RCMP. This is contrary to statements made earlier suggesting that, in order to rebuild trust, the RCMP should turn to independent oversight. When questioned further, this group maintained that any attempt to show the public that the RCMP is not investigating their own officers is a start towards regaining public trust.

This group strongly believes that the RCMP is involved in a unique, urban model of policing within BC. The rest of Canada has been described, by more than one respondent, as simply “different,” and that BC has recognized that the moniker of “one size fits all” is not appropriate for their needs. Therefore, the RCMP must stride to build and foster partnerships

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and develop community relationships, which, essentially, are based on trust and mutual respect. According to this group, currently, the RCMP provides strength to local BC communities through: progressive crime reduction strategies; the ability to move massive resources on short notice, especially when related to crisis situations such as 9/11, and natural disasters; and scenes that require diverse resources, such as plane crashes or large crime scenes like the recent one with at least 26 murdered women's remains, located in suburban Vancouver.<sup>76</sup> However, the progressive work of the RCMP is not without its shortcomings. These shortcomings directly and indirectly affect the RCMP's accountability to BC local communities. This includes the concept of fluidity, in which the RCMP transfers personnel without giving their membership or the community an opportunity to develop partnerships or relationships. In addition, the RCMP needs to improve their public relations strategies in order to be trusted by the public. Finally, the Dziekanski incident was handled poorly from the position of public relations and public opinion. This case is outlined in detail in Chapter 8, and is the case study for this thesis.

### *Group II - Summary*

Six particular themes were identified by this group during the interview process. Although some of these themes were introduced earlier, it is important to reiterate the views of this group in order to demonstrate a cluster or grouping of common themes. First, this group identified two cases that contributed to a general erosion of public trust within the RCMP. They are the Dziekanski incident that occurred at the Vancouver International Airport, and the Willie Pickton investigation, involving the missing sex trade workers in Vancouver's east-side. Second, this group discussed the change of social media in relation to policing. According to the respondents, the RCMP and other police forces in Canada should not deny any allegations related to their misconduct documented on tape, camera, or mobile recording devices. By doing so, the police may be publicly exposed as liars if they deny the occurrence of incidents brought to their attention without due diligence. The respondents

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<sup>76</sup> This refers to the Robert Pickton investigation, in which missing women, all believed to be sex trade workers, were kidnapped and murdered by a local pig farmer who had been committing these horrific crimes for years until he was caught. The investigation required millions of dollars, years to undertake, and hundreds of police officers and forensic experts. Many of the resources were invested by the RCMP.

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illustrated this view by giving international examples related to the strengths of social media, including the protests in Egypt and Syria, which affected a revolution in these countries; and the recent riot contagion in the UK that took place in August of 2011. These were both communicated through social media.

Third, the RCMP, although a national police force, must decentralize the command and control processes from Ottawa in order to devote more accountability to local, regional, and municipal communities. The statement, provided by one of the respondents, that “RCMP officers are not connected to their communities,”<sup>77</sup> is not a contemporary comment, but one that it is espoused by many municipal counterparts. One of the challenging questions brought up by this group was the notion of the RCMP’s accountability to their communities, when the RCMP is not part of such community. Fourth, and a profound, inferred statement, is that the RCMP is afraid to admit to their mistakes. The respondents stated that the traditional RCMP’s response to an internal crisis is often characterized by brushing the matter off and resorting to insularity and self-preservation. Conversely, the RCMP should admit to wrongdoings and make a clear commitment that a similar incident will never happen again. Fifth, owing to centralization and the bureaucratic machinery within the organization, the RCMP is slow in responding to the public. This type of approach conveys the community’s mistrust and a lack of accountability in the RCMP. Finally, *Group II* concluded that the RCMP has set a pattern of sacrifice, something like this: When an incident occurs, they are very quick to protect the reputation of the organization while sacrificing the accused party.

### *Group III – Summary*

The interviews for this group revealed the RCMP’s reactionary response to crisis situations. The RCMP was identified by this group as an institution that was not good at admitting to their mistakes, and slower at learning from them. This statement was evidenced through past examples of commissions and inquiries that were created to investigate the RCMP’s misconduct. The RCMP was identified as not driven by good and solid leadership. According to the respondents, this poor leadership results in very expensive litigations and court processes that award monetary judgements to those who file grievances. The RCMP

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<sup>77</sup> Respondent #6

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was described as “too top heavy,” with the role of senior management and mid-level management requiring a re-evaluation of their processes in order to determine what they bring to the table. For this group, the RCMP’s restructuring is required to restore the public trust that has eroded. The need for standardization across Canada in training, equipment, and discipline is also required to regain the professionalism and public trust lost.

The RCMP, as demonstrated in Chapter 2, are predicated and founded on community policing as evidenced by the March West. The large budget cuts in the mid-1990s have had a profound effect on the morale and workload of officers on the front line. Finally, the RCMP has been tasked and mandated by the government to do too much. The RCMP must focus only on specialty functions, not unlike the Federal Bureau of Investigation (FBI) model used in the United States, in allowing other organizations to assume responsibility for local policing and by keeping the RCMP specialized.

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## CHAPTER 7: The Conclusions from the Interviews

Following were the three specific conclusions extrapolated through the analysis of the interviews:

1. Concerning the first basic question, what is the RCMP accountability model in BC? The conclusions derived reveal the “accountability” concept largely shared by the interviewees in all three groups including notions such as:
  - Public trust,
  - Transparency,
  - Independent investigations,
  - Responsibility to the community, and
  - Acting on officer misconduct.
- The current RCMP’s accountability model, as perceived by the various interviewees, was also described. It is important to note that even serving and retired RCMP officers were not clear on the current model in existence as they provided different viewpoints and descriptions on the existing model. Of the three groups surveyed, the RCMP officers (*Group III*) provided the most positive feedback on the organization’s accountability model, emphasizing on-going communication with local authorities and the general public. Of the municipal officers interviewed, *Group II* respondents did not provide any positive feedback on the current RCMP accountability model. They believed that there are two major concerns that limit the RCMP’s accountability; one on the municipal and one on the provincial level, where the RCMP does not admit their mistakes, take responsibility, or apologize to the public, thus making it impossible to provide any positive feedback on the model. *Group I*, the general public, provided the most balanced outlook on the RCMP’s accountability model by stating both positive elements—effective integration with community and financial accountability—and the negative views—the lack of trust in the RCMP to conduct their own internal investigations, poor public relations and media communications, and a lack of an independent oversight body.

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2. Concerning the second basic question has public trust in the BC RCMP eroded, and if so, can public trust be restored with the RCMP in BC? All three groups agreed in general that public trust in the BC RCMP is affected by the following factors:
  - The RCMP's unwillingness to admit mistakes and a failure to inform the general public in a timely and accurate manner on what measures have been enacted to ensure an incident in question will not occur again.
  - Lack of an independent oversight body in police-related investigations (i.e., misconduct, corruption, in-custody deaths). This, admittedly, is caused by insufficient financial resources and the absence of legislation directing the RCMP to comply with an independent oversight investigator.
  - Lack of public relations strategies or media communication dialogue with the RCMP, which would assist the police in pre-empting bad news and providing accurate police responses to the public.<sup>78</sup>
3. Concerning the third basic question, what steps or measures can be taken to restore this trust, including constructing an accountability model that may be better suited for the RCMP?
  - With respect to the areas for improving the RCMP's accountability, the respondents in all three groups agreed that the RCMP needs to be more transparent about police misconduct by acting responsibly when a wrongdoing occurs. Respondents in *Group I* and *Group III* felt that the RCMP should improve their media strategies. *Group II* agreed with the general public's consensus that the RCMP must have an independent oversight body to investigate police incidents.

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<sup>78</sup> Interestingly, the survey participants outside of the RCMP placed more emphasis on the RCMP's inability to act with due diligence on misconduct cases, stating that the RCMP demonstrated a clear lack of an effective public relations or media strategy. Also, the RCMP representatives tended to blame their current poor image on mass and social Medias, claiming that the latter focuses solely on a distorted, negative police coverage.

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- The role of mass and social media appeared to be recurring themes within all three groups. Although their views on how the media can either help or hinder the RCMP achieve accountability differed slightly, the three groups spoke about the media in the context of transparency and in the form of a watchdog institution.
- Personal accountability, described by Jones as “individual dimensions of accountability” (as cited in Newburn, 2008, p. 694) effect the entire organization. All the respondents agreed that the actions of one or two individual officers can shed a negative light on the entire organization. This also means that the police should remain more vigilant and professional in other areas, such as hiring and training of officers, to avoid bad publicity.

The methodology of this thesis is not without challenges, limitations, and the problems encountered while investigating the issue of accountability. Although primarily qualitative in nature, this thesis also refers to quantitative results to provide empirical support into the areas of conducted research. According to Bryman (2004), in *Social Research Methods*, the value, criticisms, and concerns associated with quantitative research are echoed by qualitative researchers. There is a body of divide between these two main schools of research methods, although each has its merits within the social sciences. The quantitative school is concerned with general trends across populations and focuses on numbers, while the qualitative school tends to focus on in-depth examination of social and cultural phenomena using text (Bryman, 2004). The author recognizes the differences between these two types of research; both have their place in research and can work in tandem.

The growing body of literature (Reiner, 2000, p2008; Punch, 2010; Prenzler, 2001), in the area of accountability is extensive and written for various disciplines, including sociology, criminology, psychology, and anthropology. However, the literature specific to Canadian policing has not proposed the construct of a nascent model of accountability that should be applied to the RCMP. Therefore, the author will attempt to construct an accountability model that could be useful to the RCMP today. The proposed model could possibly aid in preventing or reducing incidents of police misconduct, and in turn, regain public trust in police. Since the



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area of police accountability has experienced an increase in theoretical debate as the study of policing, police organization, and management expands, this suggested model of the RCMP's accountability could provide a building block in this area of research.

While there is a significant body of research related to the RCMP's history and tradition,

there is a dearth of empirically-based social science research done with respect to the RCMP as a police organization, its operations, and its programs, etc. This omission reflects in part the force's historical insularity and suspicion of the outside, especially academic scrutiny and also a lack of interest or curiosity in researching its own activities for internal analysis and reflection. (Murphy & McKenna, 2007, p.10).

According to Murphy and McKenna (2007), in 1981, the MacDonald Commission examined the activities of the RCMP in matters of national security, providing some explanation into the RCMP's internal discipline processes and the organization's loyalty to commitment and discipline. The Commission described the RCMP as an effective and successful bureaucratic model, which instilled "esprit de corp" in each of its members, thereby creating a form of internal accountability and control. The disappearance of this "esprit de corp" in the last two decades is evident through the examples documented, and research results discussed in this thesis. The results of the research conducted by the author will provide valuable guidance towards creating a new accountability model.

Steinheider and Wuestewald (2008), characterize policing as a bottom-up model that offers a significant level of discretion and latitude for a frontline officer in the field. In Canada, policing, and specifically the RCMP, are not different in this characterization of how they operate. It is not uncommon within the RCMP that a field officer is responsible for a variety of aspects in policing, such as: organizational budgets, maintaining harmonious relationships with mayors and councils, and other administrative and operational functions which, in many cities and countries around the world (such as in the UK), are traditionally the purview of senior police officers at the Inspector or higher hierarchical levels. In the RCMP, a Corporal with as little as five years of service can be a Detachment Commander, overseeing budgets, discipline, and contact with stakeholders. For Steinheider and Wuestewald (2008) who reveal a number of areas within policing practices that require attention in order to

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develop a transparent and trusting organization; they describe the frontline policing model as a structure with greater resistance and autonomy at the bottom levels, generally referred to as the line officers. This autonomy at the bottom levels is often discretionary and far removed from supervision (Steinheider & Wuestewald, 2008). This is one of the internal levels of accountability that will be explored in greater detail as it is these internal processes that have been allowed to stagnate and wither putting the RCMP in the position it is in today.

In his lecture entitled, “Policing the Kaleidoscope,” Dr. Waters identifies challenges for modern police organizations in the areas of police reform, police accountability, and police governance (Waters, 2009). One of the challenges identified is policing in a modern society and the risks and issues surrounding this type of policing. In 2007, the GoC appointed a special Task Force on Governance and Cultural Change in the RCMP to investigate and create a detailed report on issues relating to the RCMP’s leadership, accountability, organizational structure, oversight, and governance. The Task Force served as a catalyst for action, providing the RCMP with the opportunity to prove their commitment to change and modernity. The terms of reference for the Task Force are important to revisit within the context of this thesis, and included the following:

- To review and consider the challenges faced by the RCMP and to make recommendations on the following issues:
- The internal management structure of the RCMP, and ways to better ensure that they are properly mandated according to modern governance principles of accountability and transparency.
- The means by which a challenge and oversight function could be introduced into the internal management of the RCMP.
- The means to ensure that senior management is held appropriately accountable.
- Identifying a process to better ensure that the Commissioner and senior management establish and maintain an appropriate ethical structure based on the RCMP’s Mission, Vision, and Values (Task Force terms of reference, Chapter 1.)

Forty-nine recommendations arose as a result of the work conducted by the Task Force. Seven of these recommendations require closer attention, since they strongly correlated with the results of the author’s research related to the three groups outlined in Chapter 3:

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1. Six elements of reform were identified as the theme of this report: accountability, adaptability, trust, engaged employees, outstanding leadership, and a world class organization.
2. The RCMP no longer provides its future leaders with management training, higher education, or exposure to other job experiences. Only limited training and educational opportunities exist within the RCMP for those who intend on leading the force into the next era.
3. The Task Force recognized a concern about the RCMP doing little to identify and nurture these future leaders from within and outside of the force. The RCMP should seek potential leaders that demonstrate the knowledge, skills, and capabilities, and who commensurate with those identified by literature as having leadership competencies. These include ethical and behavioural values that should be the litmus test for incoming senior managers. The report identifies the successes of the Canadian Forces, and the willingness of the Canadian Forces to provide the RCMP with the training and guidance necessary to overcome their current vulnerable and archaic model of leadership.
4. The report stresses that RCMP senior management must ensure that ethical principles underpin all management and administrative functions, which are an integral part of all policing activities.
5. The report suggests that ethics training should not be limited to police recruits in the early stages of their development, but must extend to all levels of the RCMP, and should be continually reinforced and regularly re-evaluated.
6. The Task Force commented specifically to the areas of effective communication and the unwillingness or the inability of the RCMP to respond proactively to issues that affect the public. The Task Force states:

[O]ur impression is that the RCMP has been unable to balance legitimate privacy and liability concerns with a need for openness and transparency. The Force confines its communications to progress reports and the results of investigations into public complaints, with little effort to ensure the public and stakeholders are truly engaged and informed. Negative press about the RCMP

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and their activities, is met with no response or correction by the Force, and is eroding public respect for the Force and hurting the morale of members and employees. (Brown, Black, Drouin, Inkster, & Murray, 2007, p. 40)

7. The Task Force recommended increased communication with local partners, such as mayors and council members, to develop local strategies (Recommendation #42).

It does not come as a great surprise that the respondents' views echoed some of the recommendations of the Task Force. It is, however, astounding that the Task Force recommendations were identified in 2007, and to date very little has been done to comply with or respond to the key recommendations of the report.

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## CHAPTER 8: Vancouver International Airport (YVR) Taser Death of Robert Dziekanski

As part of the overarching analysis into accountability, the death of Robert Dziekanski at the hands of RCMP officers is a proper and comprehensive case study into all areas of police accountability as it is discussed during this thesis. This includes, but is not limited to, training, communications strategies, public confidence, and police investigating police, leadership, and media involvement as watchdogs of the police. The Dziekanski case responds directly to the second basic question asked in this thesis; has public trust in the BC RCMP eroded?

The use of case studies for social science research and theory generation is not new. Eisenhardt (1989), in her study of building theories from within case studies, supports the use of case study research for theory generation. She believes that the use of a case study is a research strategy “which focuses on understanding the dynamics present within single settings” (p.534). Her works identify a number of case studies used in research, such as Allison’s (1971) study of the Cuban missile crisis, and Pettigrews (1973) research on the decision-making of a British Retailer. Yin (1984) concurs, and augments Eisenhardt’s work by suggesting that case studies can involve either single of multiple cases and numerous levels of analysis (as cited in Eisenhardt, 1989). Case studies typically combine data collection methods, such as interviews, questionnaires, observations, and literature reviews. “The evidence may be qualitative (e.g. words), or quantitative (e.g. numbers), or both” (p.535) such as the works of Eisenhardt and Bourgeois (1989), who conducted a study of the National Film Board of Canada and used interviews and questionnaires to gather evidence. The use of case studies to generate theory (Gersick, 1988), provide descriptions (Kidder, 1982), and test hypotheses (Pinfield, 1986), makes it a useful tool for social scientists and researchers alike. Stake (1978) claims that case studies are

Down to earth, and attention holding... He further asserts that case studies “will often be the preferred method of research because they may be epistemologically in harmony with the readers experience and thus to that person a natural basis for generalization. (Stake, 1978, p. 5)

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The Dziekanski case galvanized antipathy for the RCMP as an organization and for the four individual officers that were involved in the actual interaction with Mr. Dziekanski. The following case study has been drafted through the use of various sources, inquiry reports, and RCMP documents in order to provide the reader with the full picture of the incident as it pertains to accountability.

In the late afternoon hours of October 13, 2007, Robert Dziekanski arrived in Vancouver, Canada from Poland, and his flight landed at YVR. Mr. Dziekanski cleared Canada Customs at approximately 4:09 pm. Although he was observed by Canada Border Services (CBSA) officers to be sweating profusely and having difficulty communicating in English, he was allowed to proceed towards the public hall of the airport where his mother Sophia was waiting for him. For some unknown reason, possibly his lack of English skills, Mr. Dziekanski did not leave the secure Customs Hall, and walked around the baggage carousel and the secure area of the Customs Hall for over five hours. His mother, who waited until 1:20 am the following day, October 14, 2007, questioned CBSA officials, who conducted a brief search of the Customs Hall but not the entire area. CBSA officials did not check their computer records to see if they actually dealt with Mr. Dziekanski, and in short, dismissed her concerns by stating that there was no possible way in which Mr. Dziekanski could still be in the Customs Hall.

Mr. Dziekanski's mother was now distressed, frustrated, and tired under the circumstances, and left the airport believing that Mr. Dziekanski possibly did not board his flight to Canada, and perhaps was still in Poland or Germany, as his connecting flight departed to Vancouver from Frankfurt. Just after one am, Mr. Dziekanski proceeded towards the public waiting area of the airport, after almost a full day of travel (including the time change). Once in the semi-public area of YVR, where loved-ones await passengers and only a glass wall separates arriving passengers from their families, something terrible occurred in full view of the world. The second report of the Braidwood Commission accurately reflects the following events following an exhaustive, fact-finding inquiry:

The Airport's closed-circuit video showed him pushing his luggage cart into the public Meeting Area, apparently looking around for someone. Members of the public and people working at the Airport used various words to describe his behaviours — unusual, upset, nervous, angry, distraught, and bizarre. He was sweating, appeared to be talking to

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himself, and at one point hit the glass doors with his hands in an attempt to get back into the lounge. He used his suitcases and a chair to form a barrier. Several people approached and talked to him, but could not communicate with him. None felt threatened by him, although several were reluctant to encroach on his “territory.” Much of this interaction was caught on a bystander’s video (the “Pritchard video”), which also showed Mr. Dziekanski smashing a small folding wooden table against a glass wall and throwing a computer on the floor, breaking it. However one characterizes his agitation and frustration, it was not directed at other people.

Several people who were in the public Meeting Area called 911 or the Airport’s Operations Centre about the disturbance. At 1:23 a.m., the Operations Centre called the RCMP about an apparently intoxicated 40-year-old male in the International Reception Lounge throwing suitcases and chairs around. The Airport’s own security personnel were also dispatched to the scene, but on their arrival they did not approach Mr. Dziekanski in accordance with their “observe and report” mandate.

The four RCMP officers arrived at 1:28 a.m. (Braidwood, 2009, p. 87)

The officers that arrived on the scene subdued Mr. Dziekanski through the use of force. Unbeknownst to these four officers, the arrest of Mr. Dziekanski was caught on video tape by a private citizen. The difference between this arrest and the thousands of others performed by the RCMP each year is that Mr. Dziekanski died during the arrest. He was subdued using what is referred to as a conducted energy weapon (CEW), also commonly known as a “taser,” during his altercation with police, suffered a heart attack, and unfortunately passed away. Video footage of this arrest was taken by a young Canadian eventually identified as Paul Pritchard by way of his personal video camera. Pritchard was waiting for an early morning flight, and happened to be in the arrivals hall at the time of the altercation. Upon Mr. Dziekanski passing away, the RCMP initiated an in-custody death investigation, calling in homicide experts from the RCMP who solely handle homicides and in-custody death matters in the Metro Vancouver area. This team is called the Integrated Homicide Investigation Team (IHIT), and in RCMP circles, is considered the cream of the crop in terms of knowledge, skills, and abilities.<sup>79</sup> The IHIT team is not only comprised of investigators, but also a trained

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<sup>79</sup> For the reader to connect some of the local culture and issues surrounding the RCMP, it is important at this juncture to remind the reader of the Surrey Six Investigation, in which RCMP officers involved in that case were charged with obstruction of justice, breach of trust, and fraud related to the tampering and improper relationship with a witness. Two of the investigators involved in the Dziekanski matter were the primary investigators involved in the Surrey Six murders.

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media liaison person who deals specifically with the media and disseminates public information.

Pritchard turned over his entire camera, which included the memory device of the video footage, to the police after being interviewed, and was assured the camera would be returned within 48 hours following police review of his footage. Pritchard's memory device consisted of a video and audio recording, but was taken from some distance away from the actual incident. Nonetheless, the video was invaluable, as it is the only known footage to become public, and as will soon be apparent, contradict police's public statements. The police returned the camera as promised, however, the original memory device was replaced by a new one, and Pritchard was informed that his original would be returned pending the conclusion of the entire investigation. Pritchard took exception to this and contacted a lawyer who, within one month, received the original memory device and returned it to Pritchard, who then immediately released the footage to the media and the website, YouTube. Just hours after Mr. Dziekanski passed away, the RCMP held a news conference at the airport, releasing inaccurate and incorrect information about the incident to the public. Once the video—now referred to as the “Pritchard video”—was released to the public, and clearly showing a different account of what the RCMP had originally released to the public, the

release of the footage triggered considerable political pressure as well as public disquiet. In addition to the RCMP launching a homicide investigation, the British Columbia government announced an inquiry headed by retired Justice Thomas Braidwood into the use of tasers and the events themselves. (Goldsmith, 2010, p. 924). Not unlike the Rodney King incident, the public outcry and condemnation into the events brought to light RCMP accountability and public confidence once again.

Research by Goldsmith (2010) reveals the intensity of public interest and public dismay into the ways the RCMP handled the matter, from their arrival to their media release to the actual inquiry, in which Justice Braidwood chastised RCMP officers and the organization for their mishandling of the entire matter. Not only on an operational level did the inquiry find inconsistencies in testimony, but at the senior management level, in which RCMP managers exchanged emails with narratives that differed from what occurred on the Pritchard video. In all, 18,000 RCMP emails and documents were requested by Justice



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Braidwood for scrutiny, as the inconsistencies were overwhelming and concerning. Justice Braidwood, in his summary of the incident, states:

I reject both (officers statements) of these after-the-fact rationalizations as patently unbelievable. They were both, in my view, desperate attempts to explain away important inaccuracies in their police notes and statements to homicide investigators. I think the public is entitled to expect that officers involved in a serious investigation, especially a police-related death, will apply care and professional judgement in how they record their recollection of important events, especially when giving a statement to a homicide investigator. These two officers failed that test miserably. The public is equally entitled to expect that when officers testify under oath, they will be candid and forthright, and if their earlier notes or statements are shown to be inaccurate (as the Pritchard video showed in this case), they acknowledge the inaccuracy. These two officers did just the opposite by offering revisionist interpretations of their previous statements that were unbelievable.

The initial claims by all four officers in their police notes and statements to IHIT investigators that they wrestled Mr. Dziekanski to the ground has been shown, by the Pritchard video, to be untrue. These were either innocent inaccuracies by the four officers or deliberate misrepresentations of what had happened. In my view, they were the latter, and they were made for the purpose of justifying their actions. But for the Pritchard video, we would likely never have learned what really happened, and these officers' revisionist accounts would have lived on. These findings of fact and conclusions satisfy me of their willingness to repeatedly misrepresent what happened at the Airport for self-serving purposes, to mislead the IHIT investigators, and to continue to do so in front of this Commission, even in the face of such incontrovertible evidence as the Pritchard video. I had ample opportunity to observe the four officers during their lengthy examination at our evidentiary hearings. They stubbornly stuck to their version of events long after it had been shown to be unbelievable, and in their answers they were, at times, evasive. This assessment of them, which I must say I have reached reluctantly after careful consideration (but with a high degree of certainty), undermines their credibility in my eyes.

Taking into account their opportunity to discuss the incident, an understandable motivation to present an account that would justify their conduct, and the similarities in their post-incident statements, I conclude that the four officers did discuss the incident among themselves before they were interviewed by the IHIT investigators. While the evidence does not justify a conclusion that they colluded to fabricate a story, I am satisfied that their discussions resulted in them giving surprisingly similar accounts of the incident that tended to misrepresent what had happened and to portray Mr. Dziekanski's actions in an unfairly negative light and their own actions in an unfairly positive light. (Braidwood, 2009, p. 256).

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The outcome of the Inquiry resulted in the approval of criminal charges<sup>80</sup> for obstruction of justice and perjury for all four RCMP officers involved in the arrest of Mr. Dziekanski.<sup>81</sup> Justice Braidwood made very damning and highly critical comments about the four individual officers, and as a segue, continued with his vilification of the RCMP as an organization that has lost public confidence as a result of numerous, high profile cases (such as the Dziekanski matter), which have proved the RCMP to be involved in less than professional behaviour. The final comments of Justice Braidwood are germane to this discussion of accountability, and lead us toward an analysis of the current RCMP model, and perhaps even to the construct of a more suitable model. He concludes his report with the following statements:

In my 23 years as a criminal defence lawyer and prosecutor, and in my 16 years as a trial and appellate judge, I have had professional dealings with hundreds, if not thousands, of RCMP officers. Those dealings reinforced the respect I have had for the Mounties since my childhood. The RCMP is an iconic institution in Canada, and for nearly a century its officers have served their country and its citizens with integrity and bravery, often in harsh and dangerous circumstances.

The unprofessional manner in which (all four officers) dealt with Mr. Dziekanski, and all four officers' less-than-forthright accounting for their conduct, has had repercussions that extend far beyond this one incident and well beyond this province — Mr. Dziekanski's death appears to have galvanized public antipathy for the Force and its members. That is regrettable. As I have said several times in this report and in my earlier one, the most important weapon in the arsenal of the police is public support.

During the past few years, several other high-profile incidents appear to have undermined public confidence in the RCMP. I cannot comment on these other matters, but I can comment about this one tragic case. At its heart, it is the story of shameful conduct by a few officers. It ought not to reflect unfairly on the many thousands of other RCMP officers who have, through years of public service, protected our communities and earned a well-deserved reputation in doing so. (Braidwood Inquiry, 2009, p. 269)

It was this final statement by the Inquiry Commissioner that prompted the government of BC to seek charges and bring the officers before a criminal court to face the charges discussed. The Government of Poland has also conducted its own investigation, and can

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<sup>80</sup> Charges approved by a Special Prosecutor under the Criminal Code of Canada.

<sup>81</sup> The trials are scheduled for late 2011.

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request charges be approved for manslaughter or murder of a Polish citizen within the jurisdictional boundaries of Poland. This has yet to be determined; however, the implications for this incident have traversed well beyond the boundaries of Canada. As for the media inaccuracies, the Commissioner, in his ruling, states:

I consider the RCMP's media response to be a continuation of the chronology, falling within the wording of the Terms of Reference; that is, "the events and circumstances of and relating to Mr. Dziekanski's death." Further, there was an intensely negative public reaction to the RCMP's media response, which in my view had the potential to undermine public confidence in the RCMP. When public confidence in such an important institution (that polices more than half of our province) is brought into question, it is in my view one of the principal functions of a public inquiry to address that issue and report to the government and public on it. (Braidwood, 2009, p. 357)

It was found that the RCMP presented media inaccuracies which were attributed to the desire for transparency and responsiveness on the part of the RCMP, according to evidence provided at the inquiry. This urgency to provide the public with information, while well-intentioned, was inaccurate, and as described by Justice Braidwood, had the ability and potential to undermine public confidence and bring the RCMP's accountability into question. The facts of this case require an analysis in the area of police conduct, police misinformation, and police investigating police. A three-pronged approach to analyzing accountability, using Dziekanski as the case study, is necessary to further expand this thesis and assist in the development of a model better suited for the RCMP and its current position in Canada. For future studies in the area of police accountability and technology, the Rodney King case and the Dziekanski case both demonstrate the potential of technology in the hands of private citizens to expose questionable police practices (Lasley 1994. Martin 2005; as cited in Goldsmith 2010).

The Dziekanski case brings the reader back to the areas of accountability identified in Chapter 3 by the Law Commission of Canada, more specifically legal and democratic accountability. as it is described by the Law Commission. Dziekanski reflects the perception of the RCMP's inability to investigate its own officers objectively and the public's distrust of any investigation entered upon by the RCMP (Marin, 2008). The results of the Dziekanski case call for independent oversight, possibly a civilian oversight mechanism, an investigative

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body, and a review of the RCMP's media communications strategies. All of these reforms were identified through the research component and interview data analyzed in this thesis. These results echo the Oppal Commission report in 1994, in which Justice Oppal conducted a detailed review of policing in BC. As a part of the report, Oppal made recommendations to government; among them were calls for reform or change in the way investigations into serious police incidents are handled. The key recommendation by Justice Oppal that may have prevented some of the issues surrounding Dziekanski was ignored by the BC government. This recommendation insisted that the RCMP, albeit a federal police agency working in a contract position in BC, should be subject to the same review mechanisms as local police agencies, such as Vancouver Police and the ten other municipal police agencies in BC. This would create consistent oversight while holding the RCMP accountable, as opposed to the GoC, to the province it serves (Oppal, 1994).

A follow-up report prepared by the Commission for Public Complaints against the Royal Canadian Mounted Police (CPC) identified a number of factors that contributed to the flawed response and investigation into the death of Dziekanski. The interim chair, Mr. McPhail, identified a number of findings and recommendations relating to accountability and the RCMP's handling of the Dziekanski case. The list is extensive; however, key findings have been highlighted for this thesis that supports this case study of accountability. The Chair's report reaffirms many of the observations made by the interview respondents, and the Chair summarizes his report with the following statements:

Overall, I found that the conduct of the responding members fell short of that expected of members of the RCMP. The members demonstrated no meaningful attempt to de-escalate the situation, nor did they approach the situation with a measured, coordinated and appropriate response. The failure of the senior member to take control of the scene, communicate with and direct the more junior and inexperienced members negatively manifested itself throughout the interaction with Mr. Dziekanski.

I do not accept the version of events as presented by the four responding RCMP members. The statements provided by the members are sparse in terms of detail of the events and the thought processes of the members as events unfolded. When tracked against the witness video, the recollections of the members fall short of a credible statement of the events as they actually unfolded. The fact that the members met together prior to providing statements causes me to further question their versions of events.

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I also found issues with the RCMP's media releases related to this incident. It is essential that the RCMP develop a media and communications strategy specifically for in-custody death investigations that recognizes the need for regular, meaningful and timely updates to the media and to the public. In addition, the media and communications strategy should include a publicly available general investigative outline of the steps to be taken and the anticipated timeline for each step.” (Mcphail, 2011, para 7 and 8).

Key findings to support this summary include the incorrect information provided to the media and the public by the RCMP at the onset of the investigation. The Chair voices his concern over this area, and in his key recommendations, suggests the RCMP develop a media and communications strategy that recognizes the need for regular, meaningful, and timely updates to the media and the general public. The Chair further recommends the RCMP provide a detailed timeline for the public in which to monitor investigations and provide the public with a general outline that the RCMP follows in any serious investigation in which public trust is at stake.

The Chair found other meaningful areas to note during his investigation. The failure of the RCMP to provide first aid to Dziekanski following the taser deployment, demonstrates how they failed in their duty to provide medical assistance to those in custody. The RCMP officers at scene did not make adequate or detailed notes required of any good investigator and in compliance with policy and training. The senior officer at the scene, a Cpl. with the RCMP, did not take adequate control of the scene, and junior officers were also criticized by the Chair for their in/actions. The Chair examined the RCMP unit responsible for investigating the matter (bringing attention to the area of police investigating police), and admonished the homicide team, IHIT, for their improper, preliminary investigation. It is standard and generally accepted basic training of police to question witnesses or suspects involved in any crime or police investigation separately and in private. There is much research that indicates the implications of not following this international standard (Denov & Campbell, 2005). The IHIT did not comply with this basic police procedure, and one of the four officers involved in the Dziekanski matter was present during the IHIT's first briefing and strategy session on how to investigate this file.<sup>82</sup> The CPC Chair points to this serious

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<sup>82</sup> An interesting point is that lead investigator in Dziekanski, and the one who allowed one of the involved officers to be present during the investigative briefing, was also recently identified as a lead investigator in the

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mistake, suggesting the police revisit this strategy—mistake or not. Finally, the Chair consistently discusses the training requirements of the RCMP within the body of his exhaustive report. The Chair cites the conduct of the four officers at the airport as far short of standards expected by the public.

The Dziekanski case reflects on the concept of accountability as largely shared by the three groups interviewed. As the reader will recall, the three groups identified “public trust, transparency, independent investigation, and responsibility to the community” as the basis of accountability. In the case of Dziekanski, these elements reveal failure on the part of the RCMP. The RCMP spokesperson at the time was quick to respond to the incident, providing a statement to the public that later proved to be inaccurate, as it was verified by evidence to the contrary (the Pritchard video), and as the Braidwood Inquiry pointed out, misled the public. This weak communications strategy of the RCMP has been one of the key results of the research conducted by the author. Many of the respondents, particularly *Group I* and *II*, believe the RCMP response to the media is inadequate and lacks sufficient information for the public. The RCMP spokesperson responding to the Dziekanski matter presented an apology to the general public and the Dziekanski family two years later, following the inquiry, in which he stated:

I’m certainly sorry that — absolutely sorry that misinformation got portrayed and we’re here today to try and sort that out. Absolutely. It’s never been my intention, ever, ever, to mislead the public. I’m not a liar. I don’t intend to lie to anybody ever, and absolutely I’m sorry that this has gotten to the point that it is today. (Carr, 22 April, 2009, para. 20)<sup>83</sup>

The relationship between the media and the police has been described as “enduring, if not ecstatically happy, marriage” by Sir Robert Mark (Reiner, 2008, p. 314). The police services in the UK have similar experiences as its Canadian counterparts, as Reiner points out in his piece on the media. Some readers may recall the tragic incident involving Mr. de Menezes in

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Surrey Six homicides, and is currently facing criminal charges of breach of trust and fraud, with a court case pending in 2012.

<sup>83</sup> Retrieved from [http://www.braidwoodinquiry.ca/report/P2\\_html/08-RCMPsMediaResponse.php](http://www.braidwoodinquiry.ca/report/P2_html/08-RCMPsMediaResponse.php).

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July of 2005, following the terrorist attacks launched on British Tube Stations.<sup>84</sup> Sir Ian Blair apparently had a fraught relationship with the media following the shooting of the Brazilian electrician Jean Charles de Menezes at the Stockwell tube station in July of 2005. Blair was in the spotlight for not only the shooting of de Menezes, but also for allegations that he deliberately sought to mislead the media about the incident itself. Reiner (2008) confirms the media-police climate in Canada is not unlike that in the UK:

The police are sensitive about the regular appearance of stories that focus on police deviance. Corrupt police officers have high news value, as do all stories of authority figures caught in wrongdoing. The news media will hunt down these scandals with gusto. (p.323)

One of the respondents in *Group I* is a media representative who supports Reiner's assertion that the media loves a "good and juicy" story. However, this respondent highlighted the RCMP's inability to admit mistakes, their failure to inform the public in a timely manner, and to fully inform the general public of any follow-up responses to police incidents. In an upcoming chapter that provides a new framework of accountability, the creation of an effective and trustworthy media strategy will be explored.

The use of a case study for this thesis provides the reader with an example that incorporates discussions surrounding this thesis about police accountability. With reference to the second basic question asked, has public trust in the BC RCMP eroded? The Braidwood Inquiry believes public trust in the BC RCMP has eroded. The Dziekanski case is one of many that were reviewed for this thesis, and it provided the most practical example of RCMP accountability and independent investigation. The case study methodology has been criticized by many who contend that, "Any appearance of absolute knowledge or intrinsic knowledge about singular isolated objects is found to be illusory upon analysis" (D.T. & Stanley, 1966, p. 6). Flyvbjerg (2006) disagrees, and is a proponent of the case study methodology in social research. He incorporates Eysenck's (1976) thoughts to support his view of case studies:

Sometimes we simply have to keep our eyes open and look carefully at individual cases – not in the hope of proving anything, but rather in the hope of learning

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<sup>84</sup> *The Independent* posted the article on Friday, November 22, 2007. Retrieved from <http://www.independent.co.uk>.

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something. Proof is hard to come by in social science because of the absence of “hard” theory, whereas learning is certainly possible (p. 224).

Therefore, in the case of Dziekanski, this particular case study adds to the body of knowledge that the RCMP and other police agencies will no doubt learn from. It reveals the need for forthright and timely information to be presented to the public. It re-affirms the need for continuous learning and training in the area of use of force, finally, it reveals the fragility and hesitancy with which the general public views police investigating their own. These lessons learned from Dziekanski should resonate with every police agency in Canada, and should echo the need for increased accountability and trust the public is hungry for.



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## CHAPTER 9: Future Calls to Strengthen Accountability within the RCMP

The RCMP has recently published what it refers to as a progress report<sup>85</sup> on its transformation. The report is suitable for public consumption, and outlines strategies and steps taken by the force to become more accountable. The report itself focuses on six key areas, identified through public confidence surveys and internal employee surveys, which it uses as a framework towards the path to accountability (Royal Canadian Mounted Police, 2010). The six areas are as follows:

1. An Adaptive Organization
2. Accountable Organization
3. A Trusted Organization
4. Engaged Employees
5. Outstanding Leadership
6. World Class Police Services

Five of the six areas (Sections 1-5) are reflective of the results of the research conducted by the author and the gaps identified through the literature review stage of this thesis and can be further grouped under the themes identified in Chapter 6. To refresh the readers memory, the respondents in this research identified five themes during their interviews; 1) public trust, 2) oversight, 3) transparency, 4) better communication strategies, and 5) independent investigations. However, the first three sections of this progress report directly apply to the basic questions posed throughout the thesis.

Under the first section entitled, “An Adaptive Organization,” the report suggests that listening to communities is critical to the credibility of the RCMP (p.12). This speaks directly to the theme of public trust. It is this very area that causes concern for BC municipalities as they reflect on their choice of the RCMP as their police of jurisdiction. Jones (2008) reiterates

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<sup>85</sup> This is one of many reports published internally on progress and transformation within the RCMP. These reports are accessible to the public and are not classified or protected materials.

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the need for increased local electoral input into policing, as has Oppal (1994) in his report addressing policing issues in BC. The respondents that commented on the research phase of this thesis concur that community and local government input and consultation into priorities and strategies are instrumental in achieving low crime rates and success.<sup>86</sup> The second section entitled, “An Accountable Organization,” re-affirms the challenges that the RCMP faces in achieving this goal. This section speaks directly to the theme of transparency as identified in Chapter 6. The Brown and Duxbury Reports, which culminated into the Task Force of Governance and Cultural Change Report (2007), have highlighted a plethora of recommendations, many of which are still not implemented. It is certainly fair to acknowledge the efforts of the RCMP as they work to implement change in what can only be referred to as a Sisyphean task. The instability at the senior executive leadership level of the RCMP has certainly slowed down progress. This particular section in the RCMP progress report agrees that the “RCMP has committed to being more transparent and to communicating more openly” (p. 14) The report cites greater access to information by the public and the media, and the RCMP’s openness to referring any serious incidents that may affect public confidence or trust in the RCMP to an outside agency to investigate. This informal system of referral to outside police agencies has been occurring in BC since 2009; however the public and civil liberty groups have been demanding a more formal process of independent review as opposed to an informal, external police review of these types of cases.<sup>87</sup> The RCMP must transform beyond mere words and demonstrate to Canadians what it will do to ensure that public confidence and trust are fully regained at a level far greater than the survey results included in this thesis.

The third section, entitled, “A Trusted Organization,” speaks directly to the themes of public trust and oversight, and provides for the creation of Regional Ethics Officers across Canada to offer advice and guidance to senior managers and employees across the RCMP, as “ethical decision making and behavior are part of the everyday operations of the RCMP” (p.18). The author agrees with the creation of these ethic centers in support of operational decision-making, yet feels that a more comprehensive and robust discussion needs to take

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<sup>86</sup> See research conducted in Chapter 3.

<sup>87</sup> BC Civil Liberty website. Retrieved from <http://www.bccla.org/policeissue/policeissuesub.html>

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place around issues surrounding ethics and policing. Without entering into a complex discussion into the issue of ethics, it is important that the reader recognize the implications for accountability through the exploration of ethics and ethical behavior in policing. Neyroud (2009) explores the history of police ethics and through his piece, joins in the UK debate on police ethics, which appears to focus on policing as a profession and as a culture: “It is particularly important as a number of studies, but in particular Chan (1997), have shown, to note how changes in the external framework such as legislative changes in the Human Rights Act combined with and underpinned by leadership recruitment, education, training and a focus on the decision making processes in the police service” (p.676) can have a significant impact on accountability.

The ground-breaking Canadian research into professionalism by Maguire and Dyke (2012), entitled the “Professionalism in Policing Study,” revealed very similar results as those espoused by Neyroud (2009) and Chan (1997), and those discovered during the research portion of this thesis. Maguire and Dyke surveyed 10, 264 police officers in 31 different police agencies, Canada-wide over a three year period. The primary objectives of the survey were to determine the following:

- Police officers assessments of integrity and organizational commitment
- Officers assessments of management practices
- Officer integrity
- Officer professionalism. (p.4)

The survey results were released in February of 2012, reflecting that only a quarter of respondents believe that their police organization cares about their opinions, goals, and values (p.7) and that only half of the respondents believed their managers make decisions ethically (p. 7). This study affirms the need for ethics training, the role that education plays within policing and accountability, and sound decision-making. Although five of the six areas within this progress report relate to this thesis, the remaining three sections of the report (4-6) fail to reveal anything of salience related specifically to this discussion.

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### Internal Accountability

There has been a move afoot to amend the current Royal Canadian Mounted Police Act (RCMPA) and RCMP Regulations to make the RCMP more accountable, establish a new RCMP Civilian Complaint Agency, and increase transparency through externally investigating RCMP incidents that are serious in nature or involve a significant act of misconduct (Casavant & Valiquet, 2010). In 2007, an Ontario Court struck down certain sections of the RCMPA and the Regulations dealing with labour relations and the right of the RCMP to create a union or association as unconstitutional and as having no force or effect, thereby shedding some light on the antiquity of this Act and Regulations (Union of BC Municipalities, 2009).

With regard to the basic question, “What is the BC RCMP accountability model?” it is incumbent upon the writer and necessary for the reader to examine and explore the RCMPA and the Regulations, as these form part of the current BC RCMP accountability model. The RCMPA and Regulations addresses issues such as internal discipline, grievance processes and mechanisms, and other administrative areas, such as duties, oaths, code of conduct, and behaviour. The RCMPA and Regulations provides direction to the Commissioner of the RCMP in matters of internal discipline, and in many ways, fetters the hand of the Commissioner with strict time limitations, procedural bureaucracy, and inefficiencies. The RCMPA and its Regulations bear some similarity, to a small extent, to the legislation enacted in BC that governs all other police agencies and entitled the BC Police Act and Police Discipline Regulations (BCPA and Regulations).

The BCPA and Regulations clearly articulate fourteen disciplinary defaults and provide a public complaints model, referred to as the Office of Police Complaint Commissioner (OPCC). Both pieces of legislation (the RCMPA and Regulations and the BCPA and Regulations) govern misconduct, the legislated response to misconduct, and the statute of limitations in resolving a complaint by a member of the public (Government of Canada, 1991). The argument posited by a GoC discussion paper (1991) is the large scope of the RCMPA and Regulations, the broad inclusion of discipline, combined with labour relations and an internal grievance process, which appears to be the catalyst to a slow and

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cumbersome system. The RCMPA and Regulations should be re-examined and re-classified into different pieces of legislation. The authors of the discussion paper stress this delineation of issues and state:

It seems clear that there is a need for a multi-directional consultation process, with management, employees and the public exchanging views and concerns about the disciplinary process within law enforcement. The public interest should be more relevant in those areas involving police contact with the public, and less relevant where the matter is related more to labour relations. (Government of Canada, 1991, Chapter VII, para 3).

The paper concludes by emphasizing public trust and the need for police managers and government to balance the needs of individual employees and those of the public when exploring accountability issues.

The current system of internal and external grievances is bifurcated and highly complex. The RCMPA and Regulations are antiquated and ill-equipped to respond to the needs of the public while tightening the lines of accountability required in the twenty-first century. For example, Kasurak (2007) has researched the RCMP Act and Regulations and the internal mechanism for investigations of RCMP misconduct: this is the CPC. According to the CPC's website,<sup>88</sup> the CPC is an independent agency created by the Parliament of Canada to ensure that public complaints against the conduct of individual RCMP officers are investigated fairly and impartially. The CPC, although created in 1988 through an amendment to the RCMPA, does not view itself as part of the RCMP, and through their mandate, promote "excellence in policing through accountability" (para. 1.) The CPC does not have the power to impose discipline on RCMP officers who are identified and confirmed as committing acts in contravention of the various bodies of legislation that govern them. The CPC can only make a recommendation to the Commissioner of the RCMP, who responds to the CPC recommendation. However, the Commissioner is not bound by the recommendations of the CPC. The CPC does not have the ability to investigate the policies or procedures of the RCMP that may be in question, such as the media and communications strategies that were regarded as misleading in the Dziekanski matter (Kasurak, 2007). The former Chair of the

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<sup>88</sup> Retrieved from <http://www.cpc-cpp.gc.ca>

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CPC voiced strong concerns and frustrations into the lack of cooperation provided by individual RCMP officers into various matters, and concluded, “there appears to remain a belief within elements of the RCMP that secrecy is to be preferred over transparency and accountability” (Kasurak, 2007, p.63). Through experience, the Patten Report strongly suggests that any attempt to be secretive by the police undermines the effectiveness of public policing, also undermining the principles of democratic policing (1999). The current CPC chair is much more vociferous for more power in his discussions with the GoC, which arguably allows for greater transparency and accountability, and a means through which to thwart roadblocks by individual RCMP officers (Kennedy, CPC 20th Anniversary Opening Address, 2008).

Kasurak (2007) has taken the position to compare the current ailments of the RCMP to former issues encountered by police services in the UK. He suggests that the RCMP is deficient in three areas of governance, which he identifies as the Doctrine of Constabulary Independence, lack of capacity, and ineffective oversight. The contention that the RCMP is deficient in only three areas should be reassuring to the reader; however, the areas identified are significant and encompass large parts of its organizational structure and processes. Kasurak believes it is important to examine the specifics undertaken by the UK to modernize its police services under a large cloud of crises. Chan (1999) contributes to this discussion in her examination of the New South Wales (NSW) police force in Australia and the response to crisis situations. The direction the RCMP is taking can be construed as one of organizational malaise and even arrogance, if the reader reflects on the numerous inquiries and commissions that have repeatedly recommended, suggested, and even demanded, transparency and accountability in how the RCMP operates.

The Patten Report documents how the UK undertook several police reforms in the 1990s, when crime rates in England and Wales were deteriorating. Kasurak (2007) supports assertions made by this report, and suggests the political “rapprochement” in Northern Ireland created opportunity and pressures for change (p.64). The similarities between Canada and the UK are worthy comparisons, and the overarching recommendations from the Patten Report are noteworthy in this examination of the RCMP. The Patten Report highlights 175 recommendations, of which the following are germane to this discussion of RCMP

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accountability and the RCMPA and Regulations. The Report calls for the creation of a new Code of Ethics (Recommendation #3) to replace the existing Code. Although the RCMP does not have a Code of Ethics per se, the RCMPA and Regulations form the basis of a Code of Ethics, and direct and guide behaviour on and off duty. The current RCMPA and Regulations should therefore be re-visited, and a clear delineation of internal procedural processes should be separate from the investigation of public complaints. The two are inextricably linked at present.

The Patten Report recommends the creation of a new Police Board, one similar to that which BC municipal police agencies have in place. The RCMP does not respond or report to local Police Boards, as do its municipal counterparts in BC. The RCMP reports to local mayors and Councils, with final direction provided by Ottawa. The Board for municipal police in BC have ten responsibilities (Lalonde, 2002).

1. Determine the organization's mission and purpose;
2. Select the Chief Executive;
3. Provide proper financial oversight;
4. Ensure adequate resources;
5. Ensure legal and ethical integrity, and maintain accountability;
6. Ensure effective organizational planning;
7. Recruit and orient new board members and assess board performance;
8. Enhance the organization's public standing;
9. Determine, monitor, and strengthen the organization's programs and services; and
10. Support the Chief Executive and assess his or her performance.

To some degree, the RCMP responded to and took ownership for some of these responsibilities; however, the national spread of the RCMP limits its ability to be as truly accountable as its local, provincial, and municipal counterparts. For example, the mission and vision statement for the RCMP is drafted through Ottawa, which, in a sense, alienates the local government structures the Force is held accountable to. The support structures in place for RCMP's various executives are convoluted and dysfunctional, and result in a broken reporting structure to local politicians, mayors, and to Ottawa. The ability for a Board to make decisions and to support the local community efficiently and effectively is not something the

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RCMP is currently capable of without turning to Ottawa for direction and advice. In a 2009 meeting held between the Union of BC Municipalities (UBCM), comprised of all city mayors in BC, and their provincial counterparts (BC Solicitor General's Office) responsible for policing services, the following recommendations were presented to the federal government, asking for local accountability and efficiency. The UBCM requested the development of a five-year financial plan from the RCMP, a local role in the selection of RCMP leadership within respective communities, and approval of local community goals and priorities to be established and adhered to by the RCMP. The UBCM also asked for an independent public complaints process in which the RCMP could be held locally accountable (Union of BC Municipalities, 2009). These are the responsibilities a Police Board assumes and is held to account for within local policing in BC.

Prenzler (2000) conducted research into the New York Police Department (NYPD) and the 1972 Knapp Commission Report into corruption and police investigating police. He augments his discussion by comparing the issues faced by the NYPD to the 1962 Royal Commission in England and Wales, and also the race riots of 1981, which resulted in the Scarman Report. The recurring theme within these reports is that public confidence in the police cannot be achieved without independent investigation of all public complaints. Prenzler also reviewed the results of the Fitzgerald Commission and the Wood Commission, as both examined the inadequacy of police investigating police in Australia and the creation of specialist civilian bodies to investigate serious and non-serious complaints against police.

The RCMP Commissioner's office published an Annual Accountability Report in 2006 (non-classified), identifying the processes and mechanisms a complaint undergoes, from start to finish. The RCMP disposes of a public complaint through three means, investigation, informal disposition, or refusal to investigate entirely. The concluding comments on this report revealed that it took the RCMP an average of 34.5 months to manage a public complaint from start to finish. The author of the report argues that

delays in [the] public complaint management are of concern. The longer a public complaint remains unresolved, the longer the complainant remains unsatisfied, the longer the issue of misconduct or poor performance remains unresolved, and the



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longer a subject [police officer] bears the stigma of an unresolved public complaint allegation. (Professional Standards and External Review Directorate, 2006, p. 16)

These delays are directly attributed to public trust in the RCMP to investigate allegations of wrongdoing and misconduct, and also to inform the public on the results and the necessary follow-up recommendations to be implemented. *Groups I, II, and III* echo the results of this report, as evidenced by the research results. *Group I* conceded that the RCMP needs to act swiftly and promptly on each case of misconduct while keeping the public informed. *Group II* believed that a stronger, regional component of accountability placed on the RCMP, which is similar to that commented on by Justice Oppal, would improve this delay in reacting to allegations of misconduct. *Group III* commented on the unwillingness of the RCMP to admit mistakes; perhaps this may be one of the reasons the public distrusts the RCMP.

### Transformation of the Royal Canadian Mounted Police

Travers (2007) pointedly sums up the last three decades of the RCMP. He argues: With depressing regularity the RCMP wanders to the dark side. It has burned barns, dipped into federal sponsorship funds, spied on political parties and blinked at internal wrongs. Connect those dots and find two common denominators. One is an unstable relationship with politicians; the other is a cultish, xenophobic cohesiveness that thwarts oversight and reform. (p. 17)

Rebuilding trust with the public is critical for the RCMP to remain in policing in BC. However, if the efforts spent at rebuilding the public's trust with the RCMP are attempted within the current system of accountability, any efforts will be fugacious at best. Thus, one can conclude that it is logical to first ensure a substantive model of accountability is in place before any attempts to rebuild trust are undertaken. It is abundantly clear that the future of the RCMP depends on transforming to restore public confidence and credibility in the Force. The newly sworn Commissioner of the RCMP, in an acceptance interview with the *Globe and Mail* newspaper (Mason, 2011), intimated that the "RCMP is only one or two scandals away from extinction" (para. 5). This shocking revelation sent shivers across Canada, in particular in BC, where the largest numbers of Mounties are currently posted. Bayley and Shearing (1996) do not put forth such a startling statement in their analysis of the future. They do, however, share their vision of policing in the future by exploring and including all aspects of

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visible crime control models and not limiting themselves to the public police. The authors stress the future of policing is dependent on the pluralization and privatization of certain policing functions. This piece, crafted by them, cannot define the current position of the RCMP any better. The argument is that police in democratic and developed nations are stretched so thin that they are increasingly questioning their roles in areas of management, operational strategies, effectiveness, and traditional policing methods. This had led to a transformative acknowledgement that perhaps policing belongs to everybody, and that a new and balanced equilibrium must be found between state and non-state actors in the area of policing. Bayley and Shearing conclude their argument by reminding the reader that “grassroots communities must be made responsible for . . . governance” (p.604).

The steps toward transformation refer the reader to the third basic question, “What steps or measures can be taken to restore this trust, including constructing an accountability model that may be better suited for the RCMP? What would this new model look like?” The author has proposed a nascent model for discussion and future testing; one that integrates strands from interviews, research results, and incorporates literature reviews. The current systems of the RCMP are not as effective as they can and should be, and this is confirmed through the research portion of this thesis. This nascent model incorporates the following seven areas that were identified as weak and flaccid during the research and literature review portion of the thesis. Each component, on its own, creates a layer of accountability, and transparency, however, if any number of these components are combined, they can form a revitalized, salient, and sanguine model of accountability that the public and interview respondents envisage:

1. The RCMPA and Regulations are antiquated and ill-prepared for the twenty-first century. Tied into the RCMPA and Regulations, the internal review mechanisms of the RCMP that are related to public and internal complaints are ineffective, disinclined, and bureaucratically cumbersome. The creation of a hybrid model of internal and external oversight or an Ombudsman model.
2. The systemic—rather than episodic—internal issues, including harassment in the workplace and a promotional system that is ailing, result in leadership that is barren and lacking the skills necessary to bring the RCMP into the twenty-first century. The

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area of unionizing or the creation of a professional association for the RCMP is at the very core of any discussions surrounding a new model of accountability for the RCMP.

3. An early intervention system for the RCMP.
4. The area of police investigating police breeds mistrust in the RCMP, and the public has repeatedly called for change in this area of police investigation.
5. The RCMP media strategies are anaemic and frail.
6. The need for decentralization within the Force to prevent the impotence of local decision-making authorities.
7. Separate employer status. The Doctrine of Constabulary Independence. The RCMP is closely connected to the central government, which can lead to conflicts of interest and the mismanagement of RCMP resourcing (Recommendation #1, The Brown Report, 2007).

The first step in the creation of a new accountability model for the RCMP is re-visiting the RCMPA and Regulations. As identified earlier in this dissertation, the Act and Regulations require clear separation from internal grievance matters and external, public-related complaints. The Marin Report, which was commissioned to examine the RCMPA and its ability to dispense with internal discipline, concluded that the RCMP needed to take a careful look at the Act itself. The mandate of the Marin Commission was to explore the effectiveness of the RCMP in resolving public complaints, and whether the RCMPA and Regulations possessed the capacity to do this in a timely manner. The report suggested that

while a remedial approach to discipline recognizes that sanctions may sometimes be necessary, it also recognizes that there are many situations in which punishment is not only inappropriate, but unfair. Problems of performance and conduct may be due to inconsistencies between rules, regulations and directives and the operational requirements of policing. In other cases, local conditions such as a shortage of adequate manpower, ineffective leadership and supervision or a protracted stress situation may give rise to problems of either conduct or performance. (Marin, 1976, Section 2.2 (i))

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The Marin Report contributed positively to the revised RCMPA and Regulations, and spent considerable effort examining the area of discipline and complaint resolution. A newly crafted RCMPA and Regulations can rebuild public trust by improving the timeliness of a disciplinary decision and by providing transparency to the public during the discipline process, through regular, meaningful (as opposed to gratuitous) updates to complainants. As the reader may recall, *Group I* spoke specifically on the lack of information sharing with the general public when an officer is being investigated for misconduct. *Group II* spoke to the lack of responsibility by the RCMP to the general public, and to the notion of admitting mistakes and accepting responsibility. *Group III* expanded on both these concepts, and suggested a lack of leadership in the RCMP, which impacts the discipline process. Marin (1976), in his conclusions, supports all three groups in their views of the discipline process, which is directly linked to the RCMPA and Regulations.

In a recent radio interview with the Commanding Officer (CO) of BC, A/Comm. Callens (2012) was questioned as to the current state of internal and external complaints about the RCMP and he states that “the challenge for the RCMP is one of public confidence, externally and member (internally) confidence.” The CO was questioned as to his position on grievances and the timeliness of the process, including leaving complainants languishing while a complaint is mired in bureaucracy and red tape. A/Comm. Callens responds to the very issue central to the Marin Report (1976) by stating,

we need new systems. Timelines are to be established to respond to serious situations. The grievance process has overtaken the issues that gave rise to the grievance to begin with. If we treated victims of crime the way we treat our people, we would fail as a business.

The current Commissioner of the RCMP, Paulsen (2012), describes his feelings when questioned about the current sexual harassment allegations that have been revealed publicly, “I was ashamed to take a question regarding sexual harassment on a recent meeting in Vancouver.” These are staggering admissions by the most senior leaders of the RCMP. In a comparative review with a number of police agencies, including the American Federal Bureau of Investigation, the Ontario Police Commission, the Chicago Police Department, and various Australian and British Police forces, it is obvious that the RCMP has one of the poorest

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records in the area of internal grievances (Buren, 2007, p.7). A majority of the questions directed to A/Comm. Callens focused on the internal processes of the RCMP's grievance systems, including one anonymous caller who stated his complaint is well over the five-year mark, still without resolution. The model envisaged by the author would include a prescribed reporting formula for responding to internal and external complaints. The new CO (2012) proposed a seven-day reporting scheme in which, every seven days, a report be submitted on serious events that have taken place and the steps to resolve them, address them, and to discipline those involved. This would, presumably, increase accountability and transparency for the internal and external complaints process within the RCMP. There would need to be legislative reform in order for this reporting scheme to come to fruition, however. The Brown Commission (2007), in their list of recommendations (#20), proposed the RCMP implement a one-year investigation standard, and that all grievances and investigations be concluded in this time unless extenuating circumstances exist. This is a reasonable approach, as opposed to some investigations that are still ongoing five years later, as alluded to by the telephone caller.

There has also been the suggestion (Casavant et al., 2010) that both internal and external complaints be resolved and dealt with through one separate commission, as opposed to the CPC dealing only with public complaints and the RCMP External Review Committee (ERC), who responds to internal grievances. This merger or hybrid of sorts will allow for the Director or Commissioner of this newly created agency to enjoy broader powers, conduct reviews and investigations into RCMP misconduct, and identify, deal with recurring problems, and acknowledge shortcomings in policy, training, and procedures of the RCMP while striving for reform. This approach would streamline reporting while acknowledging the Brown Report (2007) into Governance, which recommended that the new Commissioner of this hybrid agency possess the power to "consider any incident or aspect of the activities of the RCMP" (p.14) without any restriction.

Another approach to this process or mechanism for dealing with complaints is the traditional Ombudsman model used in various provinces, federal and provincial government ministries within Canada. Hyson (2007) first proposed the concept of an Ombudsman to the RCMP Task Force on Governance and Cultural Change in 2007. His report highlighted breakdowns within the current model in place, which utilizes the CPC and the ERC to resolve

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internal and external complaints. Hyson supports the assertions by Levine (2007), Hill (1974), Caiden (1983a.), and Bernt and Owen (2000) in that the Ombudsman model currently used elsewhere in Canada, Sweden, Northern Ireland, and New Zealand proposes an independent party, one with legitimacy in the eyes of the public, one with impartiality, and one with the ability to conduct investigations into a wide range of activities, including those internal and external to the RCMP. The Ombudsman model is perhaps best known for its ability and authority to initiate an enquiry without having to wait for a complaint to be officially introduced (Hyson, 2007, p.7). The model implemented by the police in Northern Ireland (PONI) was established under the Police Act of 1998, with a mandate and role of handling complaints against the police efficiently, effectively, and maintaining independence while increasing the confidence of the public (Mac Alister, 2010, p.38). The system in Northern Ireland appears to be working, albeit with criticisms directed at the hiring of former police to investigate police. That being said, the process is considered independent (Seneviratne, 2004, p.340) and is perceived to be accountable by the public (Mason, 2008). The experience of Australia is similar to that of Northern Ireland and Canada in that oversight bodies for police were created in response to public mistrust and lack of confidence in the police. The South Australian Police Complaints Authority (PCA) was created in 1985 in response to allegations of police corruption, misconduct, and criminality. The PCA model is criticized in that it is essentially police investigating police without the independent and impartial component that an Ombudsman would perhaps provide (MacAlister, 2007). The area of police investigating police is discussed further within this chapter.

The Ombudsman model may be an option for the RCMP; however, the difficulties in introducing an Ombudsman system within the RCMP lie in its rigid para-military structure and stagnant culture. These are two roadblocks that could prevent the RCMP from moving forward with many of the recommendations of the Brown Task Force (2007) and the various recommendations from Commissions and Inquiries. The recommendation (#17) by the Brown Commission that the RCMP create an independent system of oversight alluded to the concept of an Ombudsman without clearly arguing for one model or another. This, along with dozens of recommendations by the Brown Task Force and various other Commissions, remain largely untouched.

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The second component of the proposed model lies in the area of unionization or the creation of a formal<sup>89</sup> RCMP Association. The RCMP is currently prohibited from unionizing, per a 1918 act that prohibits the forming of, or participation in, a union (Mckay et al., 2007). There is a current court challenge (Ontario Supreme Court) underway, in which a group of RCMP members argue for the right to unionize, and that prohibition from unionization is against the Canadian Charter of Rights and Freedoms (1982) and contrary to the basic freedom of association, as allowed by the Charter of Rights in Canada. The current literature in the area of unionization and accountability is plentiful and abundant. Marks and Fleming (2006) argue that if police are expected to behave democratically, it is “important for police themselves to experience democratic engagement within organizations in which they work” (p. 179). Scholars such as Pateman (1970) and Mansbridge (1980) are supported in their belief by Sklansky (2007), who concludes that autocratic workplaces stunt the political development of employees while weakening democracy in the broader society. Sklansky (2007) surmises that participatory behaviour by police such as a union or association breeds positive behaviour and attributes in a police organization that will contribute to society as a whole:

There are two special reasons to want *police officers* to internalize democratic values and habits. First, the police are often placed in positions where they can actively support or actively threaten democratic activities: they can protect political protesters, for example, or they can attack them; they can help create a climate of respect for individual privacy and autonomy, or they can make privacy insecure and nonconformity difficult; they can enforce norms of tolerance, or they can reinforce bias and prejudice; they can teach citizens that authority may safely be challenged, or they can teach the opposite (see, e.g., Goldstein 1977). Second, there are reasons to think that effective policing *in general*—at least the forms of effective policing most congenial to a free and open society—depends on some of the same values and skills often thought important for democratic citizenship more broadly. (p.11)

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<sup>89</sup> There is a current ad hoc RCMP Association with representation primarily in the provinces of Ontario and Quebec, however, the organization does not have the legitimacy and the acceptance of the RCMP and many of its members across Canada.

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The challenge in creating or forming an association or union within the RCMP involves overcoming the “constraint of structural forces” (Mckay et al., 2007, p. 9) such as the culture of the RCMP, the hierarchical model currently in place, and the historical resistance to change. These are by no means insurmountable challenges, yet they will take a generation or more to experience the transformation necessary for the RCMP to be a twenty-first century police organization. A union would represent an internal force for change and, as Clark (2007) proposes, a voice for those of less power while creating transparencies for biases in the system (as cited in McKay, 2007, p. 10). The concerns surrounding processes such as promotion, grievances, and compensation can be addressed through this particular vehicle. The recent allegations of sexual harassment and abuse within the ranks of the RCMP,<sup>90</sup> arguably, would be best addressed through this forum in which all voices—especially of those affected—can be heard. This addition to a model of accountability has merit, and may provide that additional levels of accountability or transparency in the RCMP, at least internally.

The third component of the proposed model would be an early intervention system (EIS) as is currently in place with certain American, Australian, and select few Canadian police agencies. Walker (2001) has conducted significant research in this area, and refers to Goldstein’s (1970) work involving the “problem officer.” Walker (2001) surmises that only a few or a small percentage of police membership engage in behaviour that is problematic. It is these few problematic police personnel that a police agency must be able to identify, intervene, and engage with prior to a serious incident occurring, and public trust eroding. The RCMP provides ample examples of how an EIS would benefit them, such as the current sexual harassment complaint against a senior member of the RCMP, who is alleged to have committed at least seven sexual assaults over a number of years while serving as a supervisor. As recently as January 9, 2012, the RCMP discovered an eighteen-year veteran stealing and using cocaine from an exhibit locker in a small detachment area in BC. The officer self-disclosed his theft and drug use to a colleague, resulting in a large investigation dating back eighteen years to see if any other drugs had been stolen from the officer’s previous postings.<sup>91</sup>

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<sup>90</sup> Galliford and others have recently come forward with dozens of sexual harassment allegations dating back sixteen years.

<sup>91</sup> Senior RCMP S/Sgt caught stealing drugs, as confirmed by the RCMP. Retrieved from <http://www.cbc.ca/news/canada/british-columbia/story/2012/01/11/bc-mountie-investigated.html>



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An RCMP-wide EIS model could possibly have identified these individuals in the first or second instance as the complaints occurred in different regions of Canada and were not collated in one area.<sup>92</sup> The number of public complaints has risen from 1,258 in 2007-2008 to 1,692 in 2008-2009, and continued to increase to 1,802 in 2009-2010, which shows a steady increase in the number of official complaints launched by members of the public (Commission 2010b: 20). Interestingly enough, this increase in complaints has occurred over a time period in which very little has changed within the RCMP accountability system.

During confidential discussions with a senior Non-Commissioned Officer (NCO) of the VPD Professional Standards Unit (PSU), it was learned that the VPD uses a basic risk management model of EIS that incorporates the identification of police officers with higher than usual sick leave, excess number of complaints against them by the public, those observed by their NCO's to be acting differently, and those with exorbitant overtime claims (personal communication, January 12, 2012). This mechanism of early identification may be critical to prevention of behavior the public deems as unacceptable, and behaviour that can topple public confidence in the police. EIS involves the populating of internal police performance data bases with information that would help identify problematic police officers (Walker, 2007). In a study of three large American police forces, conducted by Walker, Kenney, and Alpert (2001), the results revealed that departments that had implemented EIS mechanisms were effective in reducing the police misconduct complaints as well as successful in identifying problematic officers (Walker, 2007, p. 16). The use of EIS, however, generates further discussion due to the dearth of the literature, and the research in the area is very preliminary, yet it may be an avenue that the RCMP should explore as part of an overall comprehensive approach to accountability.

The Professionalism in Policing Study by Maguire and Dyke (2012) address the area of risk mitigation through an EIS mechanism. The study referred to qualitative research in the US, which shows the "effectiveness of an EIS in identifying and correcting patterns of behaviour which may jeopardize careers and most certainly undermine public trust" (p.13).

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<sup>92</sup> This is a complicated example involving at least seven complainants, all by female RCMP officers, who claim to have been sexually assaulted during duty by this senior member. There is a current civil suit underway in this matter, and the information is therefore limited.

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The concept or process of EIS, though fairly nascent in Canada, deserves some consideration by the RCMP, especially if there is potential to restore public trust.

The fourth component of a new accountability model proposed by the author is a doctoral thesis on its own, as evidenced by the plethora of literature and reports available. The area of police investigating police (in serious matters<sup>93</sup>) has been debated for decades with varied responses, systems, and processes implemented throughout the globe.

In Canada, there are three models that currently exist. The first is Model A, used by the majority of police agencies, which is police investigating police in matters of serious injury, such as in-custody deaths, or police altercations that result in death or serious injury to members of the public. Examples cited throughout this thesis include the Dziekanski investigation. Police pursuits that result in deaths and police shootings also fall in this category of serious incidents. Police forces that currently use this model are subject to extreme criticisms by the public and the judiciary in Canada. In this model, the agency involved could be the agency investigating itself, or it could “contract” out the investigation to another police force. The RCMP has recently adopted a “new scheme,” as described by McAlister (2010) in that the RCMP has the discretion to use police investigators from an outside department, such as the VPD, the Victoria Police, or even police agencies from outside the province, such as the Ontario Provincial Police, to assist in serious investigations involving police. The UK Police Act of 1964 introduced the use of external police investigators to conduct investigations considered serious. Despite the introduction of this external investigator, the pioneer study by Russell (1976) identified a lack of public confidence in this model (as cited in Prenzler, 2000, p. 660). The literature in this area is extensive and tends to revolve around substantiation rates, public confidence in the process, as well as perception of transparency (Liederbach, Boyd, Taylor and Kawucha, 2008; Tomassen, 2002; Prenzler, 2000; Smith, 2009, as cited in MacAlister, 2007).

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<sup>93</sup> “Serious” is considered in-custody deaths at the hands of police, police corruption, and police abuse of authority leading to serious or grievous bodily harm. Matters such as police officers being rude, completing poor paperwork, and others of this nature are not considered serious in the context of police investigating police. The Ontario model defines “serious” as “those that are likely to interfere with the health or comfort of the victim and are more than merely transient or trifling in nature and will include serious injury resulting from sexual assault” (SIU, 2008, p.19).

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The second model of investigating serious incidents is a hybrid of Model A, which includes police investigating themselves under civilian oversight. This Model B is employed by the RCMP in certain areas where it is not possible to use outside police agencies, such as the extreme northern areas of Canada or remote locations in which it is only the RCMP that are the police of jurisdiction for thousands of kilometres. This model is referred to by the RCMP as the Independent Observer Program (IO). In 2007, the CPC developed a pilot project in which members of the CPC staff were assigned to observe investigations conducted in BC by members of the RCMP, and to assess the impartiality of the investigations into serious incidents (Casavant et al., 2010, p. 19). This system has been criticized as ineffective and non-independent (McAlister, 2007). Proponents of this model cite the independent reporting structure for the IO, and if the observers assigned IO status feel that an investigation is flawed or improperly conducted, they can provide a report to the CPC Chair, the Commissioner of the RCMP, and any other agency head that is involved, i.e., the Coroner Service or another outside police force (Casavant et al., 2010). This is a check and balance according to the RCMP, and is an added accountability measure to appease the public. There is no disputing the attempt by the RCMP to create impartiality and independence through the IO model. Unfortunately for the RCMP, there has not been a legislative arena for the RCMP to put forward a civilian or independent oversight body, which the public is demanding, until very recently,<sup>94</sup> opening the proverbial door to greater accountability and the re-building of public trust.

The third and final model in existence in Canada, Model C, is the one that is most discussed by academics, politicians, and police. This is the civilian oversight, which has been suggested by Bayley, (1995), MacAlister (2007), Brown (2007), Oppal (1994) and Marin (2008). The bulk of scholastic literature examining civilian oversight of police originates from American scholars and studies of American police departments (Buren, 2007; Clarke, 2009; Stone, 2007; Walker, 2001; Worrall, 2002), while a smaller number of studies focus on Canadian police forces (Cooley, 2005; Landau, 1996; Lewis, 2000; Stenning, 2000), and a small but prominent amount of research originates from Australia (Prenzler & Ronken, 2001;

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<sup>94</sup> Bill 12, created the Independent Investigations Office (IIO) for BC, with a potential start date of July, 2012. This legislation mandates ALL police agencies in BC to comply with the IIO mandate to have civilians investigate serious police incidents involving death or grievous bodily harm.

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Prenzler, 2004; Prenzler & Lewis, 2005). This comes in contrast to the vast amount of literature written with regard to the British police force, (Jones, Newburn, & Smith, 1994; King & Brearley, 1996).

It is imperative to note that these proponents, and others, do not endorse a simple model of civilian-led oversight in serious incidents involving the police. They provide detailed structures and mechanisms that must be in place for this oversight to occur. Kennedy (2007), implores the GoC to consider a more transparent model of accountability involving police serious incidents, or, as he suggests, the RCMP will “lurch from crisis to crisis” without public confidence (p.4), ominously echoing the sentiment of Commissioner Paulson, who believes the force is one or two scandals away from extinction. This civilian oversight model exists in various regions of Canada, including Alberta and Ontario. The first such province to develop a civilian model of oversight for police was Ontario with the creation of the Special Investigations Unit (SIU) in 1990 (McAlister, 2007). The SIU is led by a civilian director appointed by government, and employs a mix of investigators, including police and civilian. This model is akin to the suggestion by Bayley (1995) that, for a model to succeed, it requires acceptance and legitimacy by the police themselves. To achieve this, Bayley suggests that any model implemented include some police input and expertise. The SIU legislatively prohibits a former or current police officer from serving as the Director, and as another safeguard against bias, the SIU prohibits SIU investigators from being involved in matters related to their former police employers. The Alberta model uses a blend of civilians and seconded police officers to investigate serious police incidents. The criticisms directed at this unit are mainly towards the real or perceived lack of independence, impartiality, and the appearance of bias (McAlister, 2007). The key to any civilian oversight model is independence, public trust, and impartiality: “Not only must justice be done; it must also be seen to be done” (McAlister, 2007, p.71). The BC government (2011) reviewed the Braidwood Commission recommendations (2009) and, in an attempt to regain public confidence, created the Independent Investigators Office (IIO) with a clear mandate to “conduct criminal investigations into incidents that involved BC police officers and result in death or serious harm” ( p.1). The BC Premier, Honourable Christy Clark (2011), in her introductory statement announcing the IIO states,

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It is critical that British Columbians have confidence in our police and that the police are accountable to them. This legislation is an historic step for policing in BC, and will strengthen our public faith in the dedicated officers who work so hard to keep our families safe. (2011, p.1)

The respondents within this thesis all recognized the need for independent oversight, and correctly identified a lack of legislative impetus to form this oversight. The timeliness of the creation of the IIO coincides with the recommendations of this thesis on how to regain public trust and confidence with the RCMP in BC. Marin (2008) supports this legislative drive towards the creation of the IIO, and succinctly laments on the creation of the SIU”

It has been said that the worst enemy of effective policing is the absence of public confidence. Public trust in the ability of the police to function lawfully is therefore essential. Over the last three decades, Ontario’s legislators and public policy makers have struggled to ensure that police are not unduly fettered in carrying out their responsibilities, while at the same time holding them sufficiently accountable to the communities they serve. (p. 8)

Model C appears to be the best choice overall for the current RCMP situation, with public antipathy and confidence rates on the decline, as evidenced by the surveys included in this thesis. The RCMP are certainly behind in this area of external/ civilian oversight, and through no fault of their own, have resorted to Model B in an attempt to pacify the media and assure the public that police investigating police can be done although, if there is a better model, the RCMP has always maintained that they would be glad to explore any such mode, as suggested by former Commissioner Elliot (2010): “We are willing to work with the Province of BC and Public Safety Canada and others to come up with a tailor- made solution that works for the people of British Columbia” (p.1).

The RCMP has actually never dismissed civilian or external oversight,<sup>95</sup> and has embraced the suggestions of oversight, but it has not been a very strong lobby for model C. The author refers to this tactic by the RCMP as “acceptance by silence.” Chan (1999) concurs with this model of oversight as she describes the “new accountability,” which involves a shift

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<sup>95</sup> Personal communication to all RCMP employees in BC by Deputy Commissioner Peter Hourihan regarding the creation of an external oversight process and the support of the RCMP for this process. Communication dated May 18, 2011.

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in regulatory style away from centralized control towards a model of external oversight (p.255). Whichever model the RCMP utilize, their first concern must be with public trust and confidence while ensuring fairness and transparency for all involved beyond mere words. This discussion sheds light on the important trends on the increase in policing. These include surveillance of the police through technology referred to by Murphy et al. (2011) as the “new media” (p.4). These trends amplify incidents and events such as Dziekanski, feeding public arguments for more civilian review and oversight (Murphy et al., 2011, p.4). Murphy and McKenna (2011) have developed a typology of the various police complaints and oversight models across the world, and have researched the creation of various models supporting the assertion that the current system employed by the RCMP is archaic and historically based. The RCMP formed its systems in 1920 under the RCMPA, while many other systems—including the Australians, the British, and the Dutch—have re-created their systems in response to public demands, and have put systems in place in the past two decades. This oversight will satisfy the public and serve as a litmus test of accountability as it relates to the confidence of the public with police investigating police. The choice of models will obviously lie in the purview of impartiality, trust, effectiveness, and legitimacy the public views as the chosen model of oversight.

The fifth area proposed for a new model of accountability lies in the communications strategy of the RCMP, as evidenced by the respondents’ interview results. Publicly criticizing the RCMP is in vogue, and generally pervades mass media for public consumption daily in BC as recounted by the interview respondents. The inability of the RCMP to respond is what concerns the interview respondents and the internal membership of the RCMP.<sup>96</sup> The former Commissioner of the RCMP states, in a public report (2010) to the GoC responding to calls for transformation within the RCMP, “the nature of the RCMP’s work does not always allow the organization to communicate as openly as the media and public would like” (p.2). The vast majority of respondents interviewed for this thesis agree that the RCMP is sorely lacking in a consistent, credible, and transparent messaging model. Goldstein (2010) eloquently surmises that the, “changing circumstances of policing’s in/visibility” (p. 915) results in

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<sup>96</sup> The respondent speaking qualifies this through daily anecdotal experiences and internal discussions that take place at their work site.

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increased accountability occurring in the public court of opinion instead of a court of law. Goldstein explores the visibility of the police as they perform in the public eye. This observation by Goldstein only re-affirms the importance of police media strategy and the dependence the public has on the media. Thompson and Lee (2004) remind the reader of police visibility as it relates to the use of force, which scandalizes a police force (e.g. Dziekanski case). The Brown report made similar recommendations in 2007 in an attempt to improve communications internally and externally as related to the RCMP. The report recommended:

The RCMP should review and further develop its public affairs function, implementing a public affairs plan that contains a comprehensive internal and external communications strategy that keeps stakeholders appropriately informed. It should also include a crisis management strategy that will permit quick and accurate responses to the media and Canadians. (Recommendation #39, p.40)

The report supports the argument proposed by the interview respondents that the RCMP take an approach of less is best when it pertains to information:

In the course of its consultations, the Task Force became aware of many examples of an organizational unwillingness or an inability to respond pro-actively to issues or to communicate effectively. Our impression is that the RCMP has been unable to balance legitimate privacy and liability concerns with the need for openness and transparency. The Force confines its communications to progress reports and the results of investigations into public complaints, with little effort to ensure that the public and stakeholders are truly engaged and informed. Negative press about the RCMP and its activities which is met with no response or correction by the Force is eroding public respect for the Force and hurting the morale of members and employees. (pp. 40-41)

The Dziekanski matter is another example of how, once the Pritchard video surfaced, the RCMP resorted to obfuscation in its attempt to appease the legitimate demands from the public for the truth.

The author contends that the literature has properly highlighted the significant shift in media, communication, and accountability as related to policing (Reiner, 2008; Boyle, 1999; Loader, 1997). Shutting out the public will destroy accountability (Rhodes, 1997). Murphy et

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al. (2011) reminds the reader of the secrecy policing has historically held. The occupation has been very clandestine, and thus beyond critical examination. The police were the primary suppliers of information to the media and the public until the media underwent a cultural shift, emphasizing drama and crises as newsworthy. This shift resulted in the media being more aggressive in their line of questioning, and as the literature demonstrates, critical of police and, in particular, police accountability. One of the interview respondents from *Group I*, a media representative suggested the media are the “watchdogs for the public” (personal communication, Respondent # 2, February 1, 2011) and as such, will continue to hold police accountable. The respondent suggested that the RCMP are doing an ineffective job of communicating with the public and should perhaps reconsider their communications strategy. The Braidwood Commission (2009) formed the same conclusion, and suggested the RCMP revisit their media strategies particularly involving cases surrounding police-involved deaths. The reader may recall the tenuous relationship between Sir Ian Blair and the media, not only for his comments in the Menezes matter, but for his reformist efforts to improve the Metropolitan Police (Reiner, 2008). Reiner (2008) explores the historical shift between police popularity and the current position of the media to spotlight the ugliness of policing:

As crime and disorder increased and the police tried to stem this, the unintended consequences were the reversal of the ingredients of the Peelian police image. The media began to spotlight scandals concerning police corruption and malpractice, miscarriages of justice, racism, sexism and a militarization of public order tactics. The result was declining public confidence, as indicated by many surveys and other evidence . . .” (p.320-321)

This description appears prophetic to some degree, as this is the current phenomena in existence today. The evolution of technology such as Facebook, Twitter and the Internet deliver these stories instantly to the public before the opportunity for police to even address them.

Public and municipal police interview respondents suggested that the RCMP shield themselves in a cloak of secrecy, and are not willing to apologize when wrong. While the RCMP is instinctively circling the wagons around any crisis situation, protecting their own, they arguably have been accused of disparaging the victims involved in many of these crises.



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Dziekanski, for example, was tarred as an alcoholic with a criminal past in Poland, which in reality has nothing to do with the incident that resulted in his death.<sup>97</sup> The RCMP officers interviewed for this thesis, on the other hand, extend blame to the media and their inaccurate reporting and inflammatory stories that are highly critical of police in BC. The model proposed by the author would suggest a component related to an improved regional media and communications strategy. A province-wide, consistent approach to communicating with the public would be a start, followed by a degree of timeliness and frequent updates on matters that effect public confidence. Dziekanski is an excellent example of the inaccuracies reported to the public by the RCMP, and even when the RCMP was made aware of the “true version of event” through the Pritchard video, they did nothing to correct or amend their version of events, thereby breeding mistrust of the RCMP in the eyes of the public.

The sixth component of the accountability model is based on the premise that the RCMP is doing too much, have a large mandate that they cannot fulfill, and must be sensitive to their capacity and work within such capacity. The problem here in lies with the GoC, as articulated by several interview respondents, who believe that the RCMP mandate is defined, prepared, and dispensed centrally through Ottawa, with a political focus and political agenda. This said, the RCMP is fettered in their ability to reduce or redefine their capacity, as the decision is usually political, as the reader will discover in the proposed seventh component of a new accountability model. In considering its renewal of its contract with the RCMP, the BC government spent a considerable amount of time discussing accountability and governance with senior BC RCMP staff as well as the GoC.<sup>98</sup> The discussion of whether the RCMP is doing too much is not nascent, and certainly will not end any time soon, as evidenced by the literature. The difficulty with this component of the accountability model is that the RCMP is a political organization, and as such, is directed to their day-to-day responsibilities by the

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<sup>97</sup> Many articles in various news media have identified the RCMP as using this tactic to shift blame. *The Globe and Mail* identify one such example. Retrieved from <http://www.theglobeandmail.com/news/opinions/opinion/what-the-rcmps-saviour-must-do-to-regain-canadas-trust/article1901072/>.

<sup>98</sup> The tentative deal between BC and the GoC for RCMP services revolved around fiscal accountability and good governance practices while including municipalities in decision-making. The *Vancouver Sun* online news service states, “significant accountability gains” for the BC municipalities involved in the contract discussions. Retrieved from <http://www.vancouversun.com/news/Deal+reached+extend+RCMP+contract/5791013/story.htm>

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GoC. Contrary to studies and research, the current RCMP Commissioner (2012) does not believe that the RCMP is “doing too much,” strongly feels that the current model is successful, and that the RCMP is well-positioned to respond to all the requirements of government. The author would suggest a comprehensive review of RCMP resources and mandates to determine which areas the RCMP can relinquish either to local or provincial policing agencies, or as Stenson (2009) suggests, the formation of “hybrid policing involving partnerships across the public/state and private/commercial sectors and the outsourcing and civilianization of police functions” (p.6). The sharing of police services and the pluralisation of policing is beyond an emerging trend. It is the future of policing and pluralisation of functions will fill the vacuum left by the state. The RCMP must recognize this and consider a tactical and accountable retreat in areas of policing that can be shared or downloaded to private policing. The Brown Task Force (2007) was quite clear in its recommendation for future success of the RCMP:

The RCMP must set its own priorities with a clearly defined set of responsibilities. Every request made of the RCMP is legitimate – but only the RCMP itself can assess whether it has the funds and personnel to support any new responsibility. New requests must be accompanied by new resources or decisions to reduce existing commitments. An RCMP with clear accountabilities will be able to eliminate the time it spends balancing complex demands and focus on critical policies that protect citizens, police officers and the integrity of the RCMP. (p.47)

Much scholarly debate (Brown et.al. 2007; Joshi, 2007) brings the reader to the seventh and final area to address in the creation of a new model of accountability: as identified by Kasurak (2007), the Doctrine of Constabulary Independence. There is currently little dispute concerning the general proposition that police, and in particular, the RCMP, must be bound by rule of law, accountable to the public, and be independent of a political master. The author refers the reader to the MacDonald Commission, which cites *R. v. Metropolitan Police Commissioner, ex parte, Blackburn* in 1968, in which Lord Denning is cited as saying:

in all these things [the police commissioner] is not the servant of anyone, save of the law itself. No minister of the crown can tell him that he must, or must not, keep observation on this place or that; or that he must, or must not, prosecute this man or

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that one. Nor can any police authority tell him so. The responsibility lies on him. He is answerable to the law and to the law alone (1981b: 1010-1011).

The Commissioner of the RCMP is appointed by the Prime Minister of Canada, and is, in essence, granted the status of a Deputy Minister of Cabinet. As part of any government decision-making model, the RCMP will face dilemmas and challenges related to operations, finances, administrative issues, and policy. It is made more complex and difficult with the involvement of government and ministers (Mills, 2003). Senator Kenny et al. (2010), in their discussion paper that examines the transformation required to rebuild the Force, reminds the reader of the RCMP Task Force on Governance and Change, which made a recommendation that the RCMP must operate independent of government restraint (as cited in Brown et al. 2007). The RCMP, as acknowledged by the Task Force and Kenny et al., is poorly positioned to properly discharge its responsibilities under the present organizational structure and framework. The Task Force asserts that the current rules, regulations, and policies the RCMP are subject to, are “inappropriate for a national police service—many actually compromise the effectiveness of the Force” (as cited in Brown et al., p.1, 2007). The Force is operating on a model and style of policing that was developed in another era, which prevents modernization and transformation. The Force, as the author can confirm, is steeped in tradition and culture. Most of it is colourful and regal, instilling pride and honour. However, some of the traditions are rigid, inflexible, and as recently revealed by Galliford’s alleged accusations of sexist and misogynist harassment, mired in history:

The modern day RCMP now appears to be a confusing mixture of traditional and modern ideas, philosophies, practices and programs. Only a radical overhaul of the RCMP’s governance structure and a re-thinking of accountabilities” will allow it to successfully reform. (as cited in Brown et al., p.1, 2007).

The RCMP should be a separate government entity, similar to that of the Canadian Revenue Agency (CRA) and CSIS. Both of these government agencies operate at arm’s length from the GoC while still reporting to an oversight body that is responsible and accountable to the GoC. The argument behind this separate employer status has been made by Jones (2008), as he reflects on the Patten Commission Report, which critically examined the doctrine of Constabulary Independence and proposed replacing this with the notion of operational

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responsibility. The argument posited is that police work requires professional autonomy from political interference and partisan politics (Jones, 2008; Reiner, 1995). This autonomy should be extended to the RCMP, and only then, meddling in the operations of the RCMP by government would cease. The misuse of the police for partisan interests in one of the two areas of research is conducted by Joshi (2007), as he explores political control of policing in the Commonwealth and the relationship between the police and the executive arm of government. Joshi supports the assertion that the RCMP operate at arm's length from the government, and as interview respondents have alluded, the creation of a police board to oversee RCMP functions in BC municipalities. Joshi (2007) believes Boards serve two reasons: "One, to provide general direction to the police in accordance with law and in response to the community needs, and, two to protect the police from illegitimate influences of politicians" (p.25).

In a similar vein, Beare (2008) also argues that there are currently two controversial issues surrounding policing. The first is relationship between the police and politics, and the second is police accountability (p. 1). The RCMP was created to carry out government intentions and is dependent on the government for funding, authority, and in essence, their existence. There are very few cases in Canada that reflect the extreme case of political control over police (e.g., the APEC controversy and the McDonald Commission into RCMP dirty tricks), yet the notion of police independence and autonomy are arguably critical to the successful transformation of the RCMP into a more accountable police force. James Q. Wilson (1974) acknowledges the fact that most policing that takes place is not generally under day-to-day political direction. Most policing issues are of no real concern to the state; it is what Wilson describes as the "zone of indifference" (as cited in Beare, p.10, 2004). This zone can be easily shifted if the issues of political concern give rise. Historically, the RCMP was created in large part in response to violence and threats to national borders. The mobilization and deployment of the RCMP was at the behest of the federal government. This immersion into politics by the police continued into the 1980's, when the McDonald Commission revealed the unlawful activities taking place by the RCMP, which alerted the GoC to its vulnerabilities and its decision to impose additional political control over the RCMP (Palango, 1994). Palango (1994) cites a number of high profile cases in Canada in which the RCMP and

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their political masters, the GoC, worked together to investigate a member of the media and others who the GoC believed were a threat to their political existence (pp. 26-27). The RCMP has, over the years, investigated over thirty cases involving persons appointed to elected positions, and many of these have been controversial in nature, resulting in a lack of charges, or charges being stayed at a later date (Palango, 1994, p. 27). The issue of political independence has been raised over the years by the media and writers such as Palango and Martin. The difficult part of this discussion is that, once again, the RCMP is limited in their ability to speak on this issue, as they are fixed in terms of their duties and responsibilities as legislatively obligated. The “dichotomous doctrines of police accountability to the state and police autonomy from the state,” appear challenging and are the subject of a growing body of literature (Caul, 1996, p.83).

Following the APEC inquiry, Commissioner Hughes (2001) made several recommendations. The most useful to the argument of independence are as follows:

When the RCMP are performing law enforcement functions (investigation, arrest and prosecution) they are entirely independent of the federal government and answerable only to the law. When the RCMP are performing other functions, they are not entirely independent but are accountable to the federal government through the [minister responsible] or any other branch of government as parliament may authorize. In all situations the RCMP are accountable to the law and the courts. (p.113)

Through these recommendations, it appears that the concept of governance and accountability go hand-in-hand, yet neither takes precedence over the other. Sossin (2004) seeks to answer the following questions, “[W]hat are the mechanisms which constrain and define executive accountability and police oversight in Canada ... and can the need for police to remain apolitical and autonomous be reconciled with the mechanisms of governance and accountability?” (p.96). Sossin (2004) concedes that autonomy does not imply independence, and believes that a fulsome and vigorous mechanism to oversight for police requires the input of all three branches of government in Canada, which are comprised of the executive, the legislative, and the judiciary. Caul (2009) conducts a review of five major Canadian public inquiries into alleged political interference, and abuses of police independence. He disputes the argument that “independence is that antithesis of accountability and suggests that the

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current literature may offer new ways of thinking about these notions as competitively interdependent and compatible” (pp. 30-31).

The Brown Task Force (2007) confirms what the literature suggests: The balance between independence and accountability is at times blurred, and the creation of a separate government entity representing the RCMP is necessary to move forward in the area of public trust and accountability as well as modernization of the force. The former Commissioner, Mr. Elliot (2010), in a speech to the Canada Club, advanced this argument, stating that he “supports the transformation of the organization into an independent federal agency with its own board of directors” (para. 1). It is unfortunate that Mr. Elliot is no longer with the RCMP, and his position, which is supported by the Task Force on Governance and Cultural Change (2007), is not on the horizon at the time this thesis was written.

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## Conclusion

The goal of this investigation was to answer three basic questions: (1) What is the BC RCMP accountability model?; (2) Has public trust in the BC RCMP eroded, and if so, can public trust be restored with the BC RCMP?; and finally (3) What steps or measure can be taken to restore this trust, including constructing an accountability model that may be better suited for the RCMP? The thesis has answered these three questions, and having examined in detail the findings of this study, the author contextualizes the findings and considers their implications in this concluding chapter. Reflecting upon the three research questions, the results of this research is considered in light of relevant existing research, highlighting the key findings that offer significant contributions to the concepts of accountability and trust with the RCMP in BC.

With regards to the first basic question, “What is the RCMP accountability model within BC?” the study has identified a current national model that is archaic, a model that is malignant and ill. The respondents in this particular research piece all agree that a modernized RCMP accountability model is necessary to serve the public within BC and the membership of the RCMP in the twenty-first century. Where the respondents disagree is in defining what the current model actually is. *Group I* (civilians) and *Group II* (municipal police officers) respondents believe the model is broken, while the respondents in *Group III* (current and retired RCMP members) disagree with this particular interpretation, and believe that it is public perception through the lens of the media that led to this description of a broken model (refer to Chapter 6 for research results into this question). All three groups agree that, although the current model is reactive in nature, and that the RCMP respond to problems as opposed to preventing them, the RCMP has made strides in developing a more robust and public model of accountability when dealing with complaints and oversight into serious police incidents. Through content analysis of the interviews conducted, the research has determined that the current model in use by the RCMP is in need of repair in five specific areas, which include: public trust, transparency, independent investigations, improved responsibility to the community, and decisive action on officer misconduct. The current model, as described by the respondents of *Groups I* and *II*, suggests the RCMP culture of hubris is anachronistic and insular in its response to crises situations. Public trust and confidence in the RCMP, according

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to the research results, is lacking, and there is clear evidence of dissatisfaction with the current RCMP accountability model within BC and nationally. The literature relating to RCMP accountability models is scant; the study in this dissertation confirms and adds significantly to the existing literature, providing the reader with a rich historical overview into the RCMP model and the erosion of public trust in BC as a result of this model.

With regard to the second basic question, “Has public trust in the BC RCMP eroded, and if so, can public trust be restored with the BC RCMP?” the prevailing literature and research results into this epochal area of policing suggest that the general public in BC and nationally, stands to gain from a new model of accountability. When surveys and studies (RCMP Core Surveys) reveal figures that 56% of the public does not believe the RCMP is an accountable organization (Chapter 3), this speaks to the current crises that the RCMP is faced with. An Angus Reid Poll (2009) revealed trust in the RCMP has declined by 32% nationwide, and there is little or no trust in the RCMP amongst half of Canadians polled. The former Chair of the Complaints Commission, Mr. Paul Kennedy, uses the term “trust deficit” to describe the relationship between the Canadian Public and the RCMP (Commission Report, 2009, p.34). His report continues by stating that failure by the RCMP to address these “seeds of distrust” increases the risk that distrust will become the dominant characteristic of any discourse between the public and the RCMP.

The thesis has affirmed this erosion of public trust in the BC RCMP, as evidenced by the research conducted by the author, surveys, literature, and reports (Brown, 2007; Duxbury, 2007; Braidwood, 2009; Callens, 2012; Mason, 2011). The erosion has occurred over time, and it therefore stands to reason re-building of trust will also occur over time. The second part of this question refers to the ability of public trust to be restored with the BC RCMP. The research in this thesis and the literature both concur: Public trust can be regained and restored with the BC RCMP if certain processes and reforms are put in place. These processes and reforms include re-crafting the RCMPA and Regulations to modernize this legislation; a complete overhaul of the RCMP internal and external complaints process; the creation of independent oversight for police in serious investigations; and the review of RCMP mandates, which currently fetter the ability of the RCMP to act independently and efficiently.



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Critics of this thesis will contend that the only way to regain trust and public confidence is to expel the RCMP from British Columbia and create a brand new policing agency for the province (Derosa, 2011). The most vociferous critics of the RCMP include the former Solicitor General for BC, Mr. Kash Heed, Retired Chief Constable Stewart from the Vancouver Police Department, and current chair for the School of Criminology at Simon Fraser University, Dr. Robert Gordon. All three trenchantly hold the myopic position of abandoning the RCMP for a more accountable, regional police force.<sup>99</sup> They, however, do not describe what this seminal organization will look like or how it will come to fruition. The author takes an opposite view in that the RCMP does not need to be expelled provincially, nor does there need to be a provincial police force created. The opportunities for the RCMP to improve and develop robust, incremental, and accountable measures in response to public concerns exist as demonstrated within this thesis. The research supports a revitalized and inchoate model of accountability for the RCMP that will restore public trust.

With regards to the third basic question, “What steps or measures can be taken to restore public trust, including the construction of an embryonic accountability model that may be better suited for the RCMP?” the research supported by the literature identifies seven key components that contribute to a revitalized and sanguine model of accountability for the RCMP. The components include: a comprehensive review and re-crafting of the RCMPA and Regulations; the creation of a professional body or association to democratically represent RCMP members within the workplace; the creation of an EIS mechanism; introduction to independent oversight; the re-evaluation and creation of a media and communication strategy (internal and external); the need for decentralization; and finally, the creation of separate employer status for the RCMP in order to respect the Doctrine of Constabulary Independence. It is only through the implementation of these components into a new structural accountability model that the RCMP has a fighting chance to succeed and restore that public trust which has eroded.

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<sup>99</sup> The Canadian Press, August 3, 2011 article by Terri Theodore. Retrieved from <http://www.globaltvbc.com/canada/vancouver+riot+website+gets+88000+hits+less+than+24+hours+after+launch+6442473285+story.html>.

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The examination into the case of Robert Dziekanski (Chapter 8), and the recommendations of the Braidwood Inquiry, should encourage the reader to lament on the principles and concepts of accountability shared by all three groups of respondents, including transparency, independent investigation, public trust, and community responsibility. As evidenced by the Dziekanski case study, key to this concept of accountability is the notion of responsibility to the community. Commissioner Braidwood castigates the RCMP for failing the public in this area during his inquiry into the death of Robert Dziekanski. The Dziekanski case convinced the provincial government of BC to deal with the entire issue of police investigating police, and in turn, established the IIO in BC. The Dziekanski case highlights the failures of the BC RCMP, at all levels, to communicate not only externally to the public, but internally within its membership in matters of public importance. The reader may recall the ground-breaking study by Macguire and Dyke (2012), which involved over ten thousand Canadian police respondents and their views of ethics and professionalism (Chapter 9). The study's key findings relate to communications between front-line staff and senior executives, and the lack of information sharing during decision-making, resulting in a lack of trust. The Dziekanski case provides an opportunity for future research in the area of social media and police accountability, thereby expanding on the works of Chermak and Weiss (as cited in Goldman, 2010) exploring the power of technology and how it has the capability to force police organizations to recognize their vulnerabilities while holding them publicly accountable.

The current study adds significantly to the existing literature in the area of accountability. First, this research builds on previous efforts in the field, reflecting many of the major themes identified in previous qualitative and quantitative work. Second, the study adds to the field by elaborating on the RCMP experience in BC as it relates to accountability. Significantly, the findings from this research fill in gaps in the literature by gathering rich descriptions of accountability by those in the field. The paper concludes with a warning to the RCMP that accountability will always be an issue within policing, but when actions of an individual or an organization such as the RCMP (for example, the Arar case, the Dziekanski case, the Pickton Inquiry, and the pension scandal) are found to be unacceptable, unethical, or illegal, all efforts should be made to ensure that such actions never happen again. To do

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otherwise is to condone such activity. In short, the emphasis on accountability and public trust must resonate with all those serving in the RCMP. Anecdotally speaking, within policing, there are two types of responses to a crisis: preventative or reactive. The RCMP in BC must consider strategies such as EIS or other predictive accountability mechanisms, the creation of a professional body or association, and decentralization in its response to local needs, in order to prevent reactive response to these crises. Preventative measures as supported by the research (Arnold & Arnold, 2010), and the literature, and these measures are critical for the RCMP to restore that public trust, which has eroded and can only serve to build on the iconic reputation of the RCMP so richly described in Chapters 1 and 2.

The entire RCMP is at a proverbial crossroads, and their ability to survive is dependent on their ability to change, and change swiftly. In a recent interview with the CBC (2012), Commissioner Paulson was asked about the current position of the RCMP and accountability. He suggests that the need for reform within the RCMP is urgent, and the organization is at risk from a perceived lack of urgency. He suggests reform and transformation involves risk, and the RCMP will not be innovative unless they take risks. All available evidence suggests that the culture of the RCMP is “horribly broken”(Brown, 2007); “the RCMP is in need of serious repair” (Kenny, 2010b); “the RCMP is unravelling and nobody seems to care” (Kenny, 2010a); “fundamental cultural, structural and governance changes are needed” now (Kennedy, 2009); and that the “RCMP are not change ready, and that the RCMP culture is crippling the force” (Duxbury, 2007). The usual theoretical claims of cultural transformation through a “magic bullet” (Arnold & Arnold, 2010), are rather rash and ill conceived. The commonplace approach of ousting leaders, changing management, evicting rogue employees, rewriting the regulations, and apologizing to victims and paying reparations are no longer suitable. There have been four Commissioners in ten years, each saccharine and strident in their mandate for change. Unfortunately, the transformation has been apathetic in appearance while the leaders have been impotent in their commitment to change for the RCMP.

In sum, contributions of this study include: (a) providing insights into the current national and BC RCMP accountability model and it’s in/effectiveness; (b) offering a nascent model for the RCMP that allows for public trust to be restored; and (c) identifying reasons for

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the erosion of public trust and the implications for the RCMP should they not heed the warnings of academics and practitioners alike that the “RCMP is only one or two scandals away from extinction,” as articulated by the current Commissioner of the RCMP (Mason, 2011, para. 5).

Commissioner Paulsen (2012) has laid a clear vision and mandate of accountability and leadership with his senior commanders across the country, something the previous Commissioner did not clearly establish. He does not dispute the current challenges faced by the entire RCMP, including a contentious traditional, paramilitary hierarchical structure, a lack of leadership, an organization that is change- and risk-adverse, and he has admitted to seeking advice from the Canadian military in resolving these challenges. As the reader may recall, the comparison of the CF to the RCMP, and the successful transformation the CF undertook to improve its accountability and governance structures in Canada. Accountability does not rest solely with the individual, but transcends to the organization. The thesis has identified research in police accountability as long on prescriptive advice, while short on empirical data. Therefore, further research is required to examine the structural conditions that give rise to police misconduct, and should emphasize corrective measures that focus on resolutions. Additional research can explore the cultural dynamics of the RCMP that can give rise to misconduct or create a culture in which misconduct breeds, which inevitably leads to erosion of public trust. The process of rebuilding and repairing public trust cannot be solved with one swift act of Parliament. It may take a longer, more sustained effort on the RCMP and those employed by it to repair that trust. The Brown Report (2007) clearly recognized that cultural and organizational change requires a collaborative effort on the part of RCMP leadership and the chain of command, right to the front-line Constable, to produce a more self-reflexive force with a stronger, modern, transformed model of accountability.

Three wider lessons learned from this thesis that could be applied to other policing institutions in advanced democracies include; (a) Developing public confidence as a key component to the success of police organizations, through consistent, credible and transparent communications models; (b) Establishing independent oversight of police conduct as necessary for transparency and good governance; and, (c) Developing a predictive

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accountability model such as an EIS mechanism that can prevent and mitigate systematic crises currently experienced by the RCMP.

An RCMP organization that does not derive its authority from the consent of the general public, is a police organization that stands to lose its position in BC and is in danger of being replaced by a British Columbia Police Force. The author will end with this advice for the RCMP as an organization: “Et pour promouvoir les relations professionnelles je crois qu'il faut régler les problèmes aussitôt qu'ils se manifestent.” (“The longer you wait the worse it gets.”)

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## Appendix A

### (Interview Questions)

Name of Interviewee:

Date and Time of Interview:

Rank of Interviewee:

Years of Service of Interviewee:

Organization interviewee with:

1. Can you please describe to me your idea or concept of accountability within policing in Canada?
2. Do you have an existing model of accountability or governance within your organization if not part of the RCMP? If a member of the RCMP, proceed to question 3. Can you describe it?
3. What do you think is the current accountability model used within the RCMP?
4. Has public trust eroded in regards to the policing in BC and in particular the RCMP? Can you describe this in greater detail?
5. Has accountability as you have described within the RCMP eroded over the past two decades? If so, can you provide any examples of this erosion?
6. Do you think the current model used by the RCMP as you have just described is effective and why do you believe this to be the case?
7. If you could change any two areas within the RCMP dealing specifically with accountability, what would these two areas be?
8. What will it take for public trust to be regained in relation to the RCMP and policing in British Columbia?
9. Do you wish to add anything else to this interview document?

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## Appendix B

### Participant Consent Form

#### **INFORMED CONSENT FOR PARTICIPATION IN DOCTORAL THESIS EXAMINING THE ROYAL CANADIAN MOUNTED POLICE.**

#### **Research Project:**

**Into the Sunrise....Reclaiming a National Icon! Increased Accountability and  
Effective Transition into the 21<sup>st</sup> Century.**

#### **Researcher**

**Galib Bhayani MA**

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Dear Participant,

My name is Galib Bhayani. I am a serving member of the Royal Canadian Mounted Police (RCMP) and a doctorate student at the London Metropolitan University (LMU) in the United Kingdom. I am examining the area of accountability and public trust with the RCMP as part of the requirement for the completion of a Doctorate in Policing and Community Safety Studies at the LMU. My credentials and affiliation as a student at the LMU can be established by contacting Dr. Nicholas Ridley, senior lecturer for the Department of Applied Social Sciences (DASS) at the LMU. He can be reached at:

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email: [ridleynicholas@yahoo.co.uk](mailto:ridleynicholas@yahoo.co.uk)

tel: +44 (0) 20 7133 5179

+44 (0) 20 7133 5179

This document constitutes an agreement to participate in my research project, the objective of which is to identify areas within the RCMP in which accountability is lacking or present and to identify areas in which public trust with the RCMP has eroded.

This portion of my research project consists of a participant's interview consisting of several open ended questions regarding your views and opinions in this particular area. Your involvement in this process is foreseen to last no more than 45 minutes.

Information will be recorded in hand-written format and/or will be captured by computer data entry or audio recorded for future transcription. Any information you disclose will be coded, analyzed, and compared to data obtained from other research participants. Where appropriate, information will be summarized in an anonymous format in the body of the final report. At no time will any specific comments be attributed to any individual unless specific agreement has been obtained beforehand. Audio recordings will not be disseminated publicly. Raw data including notes and tapes obtained from interviews will be retained for a period not exceeding two (2) years. All documentation will be kept strictly confidential under lock and key in a safe at an RCMP facility.

In addition to submitting my final report to the LMU in partial fulfillment for a Doctorate of Policing and Community Safety Degree, I may be sharing my research findings with the RCMP Learning and Development Branch in Ottawa. Further to this, I will retain a copy of the final report for personal reasons and may include all or portions of it in future presentations, workshops or seminars to members of the RCMP and to other agencies. In the future, I may also use my findings and completed report for a journal submission or to be included in a book.

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A copy of the final report will be available through the London Metropolitan University; access will be unrestricted to member of the University. I will make copies available to all participants should they want to view the final research report.

In the interest of transparency, I am advising you that I am a member of the RCMP currently based in E Division and working for the Combined Forces Special Enforcement Unit – British Columbia (CFSEU-BC). This means that my role as a researcher could be seen to be a conflict of interest. To offset this, I have taken specific measures such as not involving those supervised directly by me or those I am directly supervised by as research participants.

Be advised that you are not compelled to participate in this research project. If you choose not to participate in this research project, this information will be maintained in confidence. If you do choose to participate, you are free to withdraw your consent at any time without prejudice, though any research data obtained from you to the point of your withdrawal may still be analyzed and included in the final report.

If you would prefer to decline any audio recording and instead complete a written questionnaire, please let me know.

If you have any further questions, I will be pleased to answer them prior to beginning this interview process.

By signing this letter, you give free and informed consent to participate in this project.

Name (Please Print) \_\_\_\_\_

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Signed: \_\_\_\_\_

Date: \_\_\_\_\_

Further to the above, if you do not wish to review the audio recording or transcribed version of your interview, please complete the below portion:

Name (Please Print): \_\_\_\_\_

Signed \_\_\_\_\_

Date \_\_\_\_\_



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## Appendix C

### Anonymous Interview List

The following is the list of respondent's titles/ positions interviewed for this document. The interviewee is not named for confidentiality reasons; however, the original data is currently stored in a secure, private and confidential location. The interviews were conducted between January 2011 and July 2011.

**Respondent #1 – Civil Liberties**

**Respondent #2 - Media**

**Respondent #3 – Chief Constable Municipal Police**

**Respondent #4 – RCMP Superintendent**

**Respondent #5 – Retired RCMP Sergeant**

**Respondent #6 – Staff Sergeant Municipal Police**

**Respondent #7 - Mayor**

**Respondent #8 – Inspector Municipal Police**

**Respondent #9 – Chief Superintendent RCMP**

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## Appendix D

### Rank structure for the Royal Canadian Mounted Police in Canada

Constable (CST)

Corporal (Cpl)

Sergeant (Sgt)

Staff Sergeant (S/Sgt)

Inspector (Insp)

Superintendent (Supt)

Chief Superintendent (C/Supt)

Assistant Commissioner (A/Comm)

Deputy Commissioner (D/Comm)

Commissioner

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## Appendix E

### Rank structure for the Municipal police forces in British Columbia

Constable

Sergeant

Staff Sergeant

Inspector

Superintendent

Deputy Chief Constable

Chief Constable

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## Appendix F

Inquiries and Commissions referred to within this thesis:

1. The Somalia Inquiry
2. The Braidwood Commission on the Death of Robert Dziekanski, 2010
3. The Inquiry into APEC. Ted Hughes.
4. The Maher Arar Inquiry
5. The Air India Inquiry
6. *The McDonald Commission*
7. The Oppal Inquiry into Policing
8. The Patten Commission

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## Appendix G

"The Canadian Security Intelligence Service," found in the library of Parliament (Rosen, 2000, p.3)

"The Security Service in the early 1970s was in a precarious position. Its members retained all the extraordinary powers accorded to peace officers. It also remained almost exclusively composed of RCMP members who had risen through the ranks. For the force, tight-knit, highly disciplined and loyal, strenuously resisted the infusion of civilian personnel. By the end of the decade there was not a single civilian in an officer-equivalent position in planning or operations of the Security Service.

Thus the service's post-1970 personnel remained essentially similar. But organizationally they found themselves increasingly independent in matters of policy, budget, and operations. Service employees had the best of both worlds - police powers and a large degree of autonomy from the police command structure. This independence was reinforced by the government's policy with respect to the RCMP - "non-interference." Politicians were not to be involved in controlling the police or directing their operations. This is a laudatory and effective principle when one is dealing only with the police who operate in a public context of checks and balances. It is not, however, ideal for a security intelligence agency which, perforce, acts in secrecy; and which, indeed, requires a degree of political control. Because the RCMP was both a police force and a security agency, abuses by the latter element were not immediately apparent.

It took the mere pressure of events to disturb the precarious position of the Security Service. The 1970 October Crisis stunned the government, which found itself with inadequate information as to the nature and scope of Quebec separatism. The government requested the RCMP to undertake a "proactive" strategy in this area - to try and get advance information as to the intentions and activities of nationalist organizations and, if possible, to prevent or "counter" disruptive acts. It embarked on an extensive campaign of intelligence-gathering, infiltration, harassment and disruption directed at virtually all stripes of nationalist sentiment in Quebec. In many

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circumstances, the Service committed clearly illegal acts. Three of the most spectacular examples were: the burning down of a barn to prevent a meeting of militant nationalists and American radicals; a break-in at the offices of a Montreal left-wing news agency, followed by the theft and destruction of some of their files; and a break-in and theft of the membership lists of the Parti Québécois. Operations such as these had not, the McDonald Commission found, been ordered by the government. They were generated from within the Service in response to government directions to find out more about separatism. Quite aside from being illegal, these operations showed a lack of discrimination between true threats and legitimate dissent. None had any major effect on the organizations targeted, and none brought in intelligence of much importance.”

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## Appendix H

Statement by the Government of Premier Christy Clark introducing the new Independent Investigators Office.



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## NEWS RELEASE

For Immediate Release

Office of the Premier

2011PREM0052-000555

Ministry of Public Safety and Solicitor General

May 17, 2011

### **Civilian office to investigate serious police incidents**

VICTORIA – A new, independent, civilian-led office will conduct criminal investigations into incidents that involve B.C. police officers and result in death or serious harm, Premier Christy Clark announced today.

“It is critical that British Columbians have confidence in our police and that the police are accountable to them,” said Premier Clark. “This legislation is an historic step for policing in B.C. and will strengthen public faith in the dedicated officers who work so hard to keep our families safe.”

Bill 12 will create an Independent Investigations Office, which will fulfil a central recommendation of the Braidwood Commission and strengthen public confidence in police.

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The office will be the lead investigative agency in cases under its mandate, interviewing witnesses and gathering evidence. Specifically, it will:

- Be led by a civilian who has never served as a police officer.
- Conduct criminal investigations into police-related incidents involving death or serious harm, and will be able to do investigations involving other serious incidents.
- Be able to investigate members of all B.C. police agencies, including independent municipal departments and the RCMP.
- Have its powers entrenched in legislation.
- Report to the Ministry of Attorney General.

“Justice Braidwood said that the most important weapon in the arsenal of the police is public support,” said Shirley Bond, Minister of Public Safety and Solicitor General. “The government agrees – as do the police in B.C., who have endorsed an independent agency to do these difficult investigations.”

“The B.C. Government supports Commissioner Braidwood’s recommendation that we establish an independent civilian office to investigate serious incidents involving police officers,” said Attorney General Barry Penner. “The establishment of this new office should help build public confidence that allegations against police are investigated in an impartial way.”

B.C.’s office will investigate a broad range of serious police-involved incidents and be more independent than those in other provinces such as Alberta and Ontario, reporting to the Attorney General rather than the minister responsible for policing.



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In addition, the legislation will allow the office's civilian director to appoint a civilian monitor with access to all information on an investigation. The monitor will be free to raise concerns to the director about the integrity of an investigation and submit a final report within 30 days.

The Province is currently assessing the office's location, budget and staffing requirements, and expects the office to be operational by the end of 2011.

### **Quick Facts:**

- The IIO was established under amendments to B.C.'s Police Act that came into force this July. An IIO transition team will assist the CCD with setting up the office.
- To ensure there is no perception of bias, the CCD cannot be a person who is a current or former member of a police force or RCMP.
- The director will have the discretion to hire ex-police officers as investigators, as long as they have not served as police officers in B.C. or, in the case of members of the RCMP, not within the past five years.
- The IIO will conduct criminal investigations regarding police-related incidents that result in severe injury or death.
- In comparison, the Office of the Police Complaints Commissioner (OPCC), an independent office of the legislature, examines conduct issues in municipal police departments, but does not have a mandate to engage in criminal investigations.
- Conduct issues involving RCMP are dealt with by the federal Commission for Public Complaints Against the RCMP.
- The OPCC will have the jurisdiction to investigate incidents or complaints that involve investigative staff from the IIO.