

Civilian Review and
Complaints Commission
for the RCMP



Commission civile d'examen
et de traitement des plaintes
relatives à la GRC

ANNUAL REPORT 2021-2022

The Civilian Review and Complaints Commission for the RCMP (the Commission) is an agency of the federal government, distinct and independent from the RCMP.

VISION: The CRCC will become the national leader for independent review of policing activities through the provision of a relevant, timely and transparent complaint process.

MISSION: Deliver a robust complaint process which holds the RCMP accountable for its activities and the conduct of its members.

MANDATE: As set out in Parts VI and VII of the *Royal Canadian Mounted Police Act*, the mandate of the Commission is to:

- receive complaints from the public about the conduct of RCMP members;
- conduct reviews when complainants are not satisfied with the RCMP's handling of their complaints;
- initiate complaints and investigations into RCMP conduct when it is in the public interest to do so;
- review specified RCMP activities;
- report findings and make recommendations; and
- promote public awareness of the complaint process.

STRATEGIC OBJECTIVES:

- Strengthening the public complaint process.
- Strengthening the Commission's review and investigative capacity.
- Enhancing relations with provincial and territorial governments, as well as police and federal review bodies.
- Conducting specified activity reviews of RCMP programs, policies and practices.
- Increasing outreach, public education and engagement efforts.

The Civilian Review and Complaints Commission for the RCMP can be found online at:
www.complaintscommission.ca.

Minister of Public Works and Government Services

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The Honourable Marco E. L. Mendicino, MP

Minister of Public Safety and Emergency Preparedness
House of Commons
Ottawa, Ontario
K1A 0A6

Dear Minister,

Pursuant to section 45.52 of the *Royal Canadian Mounted Police Act*, I hereby submit the annual report of the Civilian Review and Complaints Commission for the RCMP for the 2021–2022 reporting period for tabling in Parliament.

Yours truly,

A handwritten signature in white ink, appearing to read 'Ms. Lahaie', is positioned above the printed name.

Michelaine Lahaie
Chairperson

June 2022

TABLE OF CONTENTS

MESSAGE FROM THE CHAIRPERSON	1
ORGANIZATION CHART	4
THE COMPLAINT & REVIEW PROCESS	5
FINDINGS & RECOMMENDATIONS	7
YEAR IN REVIEW	7
SERVICE STANDARDS.....	9
PUBLIC COMPLAINTS.....	10
REVIEWS	11
SYSTEMIC INVESTIGATIONS	12
STRATEGIC INITIATIVES	13
MULTIPLE COMPLAINT SUBJECT MEMBER PROJECT	13
DATA STRATEGY	13
DISAGGREGATED DATA COLLECTION.....	14
HEADS OF POLICE OVERSIGHT AGENCIES ANNUAL MEETING	14
INCLUSION, DIVERSITY AND EQUITY ADVISORY COMMITTEE (IDEAC)	14
TRANSPARENCY & ACCOUNTABILITY	15
SEARCHABLE FINDINGS & RECOMMENDATIONS	15
PROVINCIAL/TERRITORIAL REPORTS ON RCMP PUBLIC COMPLAINTS.....	15
ADMINISTRATION OF THE PUBLIC COMPLAINT PROCESS	16
TOTAL EXPENDITURES	16

MESSAGE FROM THE CHAIRPERSON



To effectively fulfill their role as stewards of public safety, police officers in Canada are afforded extraordinary powers. To safeguard against abuse of these powers, a robust accountability framework is necessary. With accountability comes trust. With trust comes public confidence. With public confidence comes legitimacy and effectiveness.

Review and oversight of law enforcement are critical to the legitimacy and effectiveness of law enforcement. However, that legitimacy and effectiveness erodes when police response to review and oversight suffers delays.

Canadians have the right to expect timely responses from their public institutions, particularly the ones with powers as great as those given to police.

Consequently, I was encouraged to read the RCMP Commissioner's statement in January 2022 following the Federal Court's decision that the RCMP's 2020 response to a British Columbia Civil Liberties Association (BCCLA) complaint filed in 2014 was not provided, per the provisions of the RCMP Act, "as soon as feasible."

Late last year, the RCMP cleared their backlog of responses to CRCC interim reports, and since April 1, 2021, all new CRCC interim reports have been responded to within the agreed-upon six-month time frame.

The Commissioner's commitment to addressing the backlog and the subsequent RCMP effort brought closure to members of the public as well as RCMP members bogged down for years by a slow-moving complaint process.

“ **In my view, it is in the public interest to have a police oversight institution that functions properly and is unobstructed.** ”

British Columbia Civil Liberties Association v Canada (Royal Mounted Police),
2021 FC 1475 at para 31

Again this year, the Commission saw the public availing themselves of the public complaint process, resulting in a high volume of public complaints, including hundreds of complaints related to environmental protests and the RCMP's enforcement of court injunctions at locations such as Fairy Creek, British Columbia, and on unceded Wet'suwet'en territory.

Each complaint, review, investigation and systemic investigation represents an opportunity to improve policing for all Canadians, but in particular, for those who experience disparate outcomes due to race, gender, or mental health status. The Commission will continue to focus on improving policies, procedures and training, with a view to achieving the aspirational goal of excellence in policing.

Looking ahead

Legislation related to enhanced oversight of the RCMP was once again introduced this spring. Bill C-20, An Act establishing the Public Complaints and Review Commission and amending certain Acts and statutory instruments, would create a single agency responsible for both the RCMP and the Canada Border Services Agency (CBSA): the Public Complaints and Review Commission (PCRC).

I welcome this draft legislation, as it addresses many of the Commission's calls for reform, highlights the independence of the new agency through standalone legislation, and contains substantive provisions to strengthen both RCMP and CBSA accountability.

Amongst other things, this new legislation codifies the Federal Court ruling referenced above and mirrors previous calls for statutory timelines for the RCMP to respond to PCRC reports.

Canadians have a right to expect timely responses to their concerns about the conduct of law enforcement officers. When the new legislation comes into force, the Commission will work with both the RCMP and the CBSA to deliver a timely, transparent and accessible public complaint process.

Without a doubt, the coming years will be both challenging and rewarding times for the Commission. We are up to the task of taking on this new mandate, while continuing to deliver on a solid track record of holding the RCMP accountable.

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Commission for the RCMP
www.complaintscommission.ca

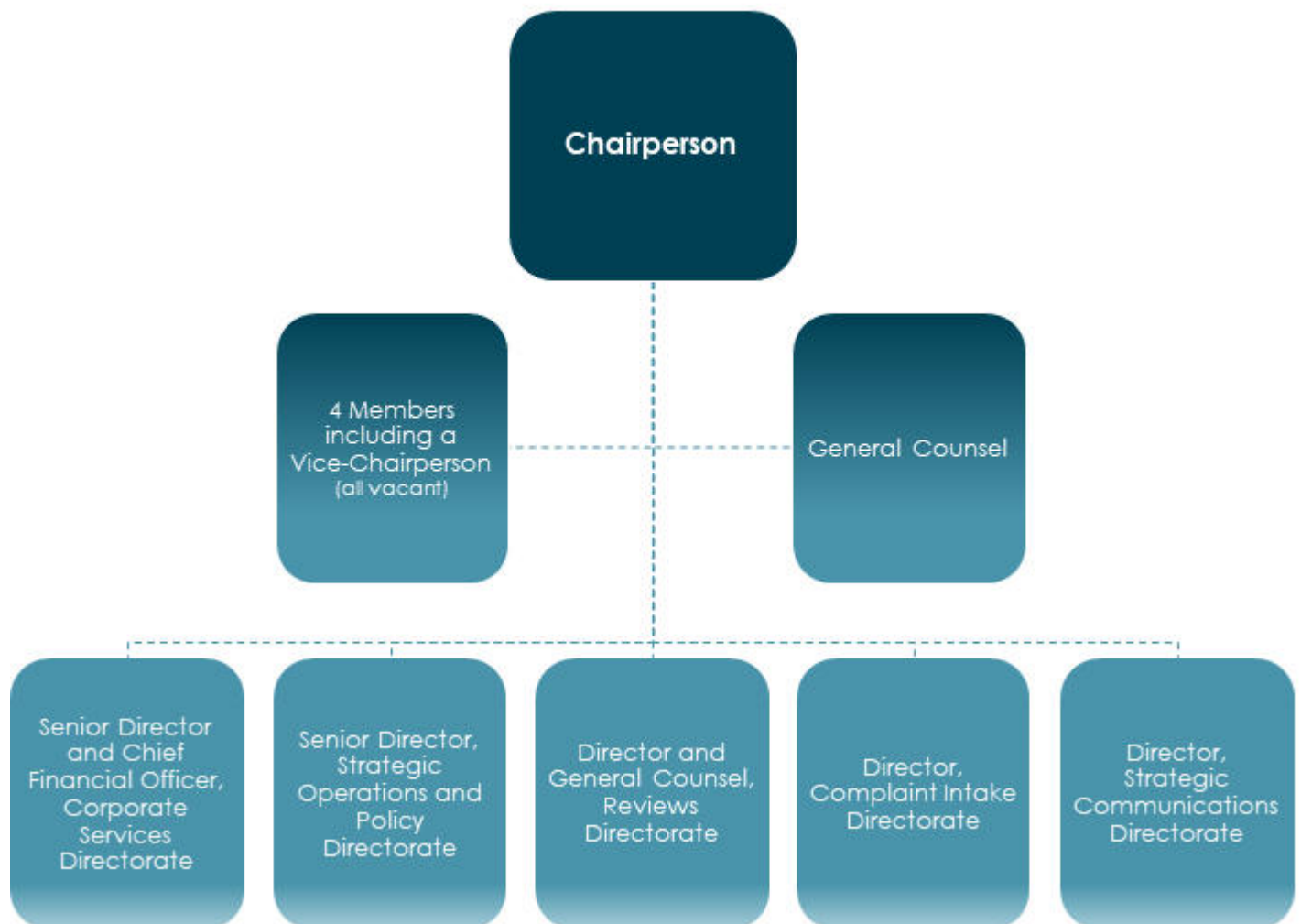
ORGANIZATION CHART

The Civilian Review and Complaints Commission for the RCMP (CRCC) consists of a full-time Chairperson and not more than four other full-time or part-time members, one of whom may be a Vice-Chairperson, appointed by the Governor in Council.

A person is not eligible to be a member of the Commission if that person

- is a member or former member; or
- is not a Canadian citizen or a permanent resident

In 2021-22, the CRCC's senior management team was comprised of:



THE COMPLAINT & REVIEW PROCESS

THE PUBLIC COMPLAINT PROCESS

The CRCC accepts complaints about the on-duty conduct of RCMP members from individuals:

- Directly involved;
- Who witnessed the conduct itself;
- Authorized to act on behalf of the complainant.

When a complaint is made, typically the RCMP carries out the initial investigation into the complaint and reports back to the complainant.

The Chairperson can also initiate a complaint. Chairperson-initiated complaints allow the Chairperson to set the scope of the investigation of a public complaint. These complaints are investigated in the same manner as a complaint from a member of the public.

A complaint must be made within **one** year of the alleged conduct occurring.

Requests to review the RCMP's handling of a public complaint must be made within **60 days** of receiving the RCMP's formal response to a complaint.

THE REVIEW PROCESS

If a complainant is not satisfied with the RCMP's handling of their complaint, they may request that the CRCC conduct a review of the RCMP's investigation.

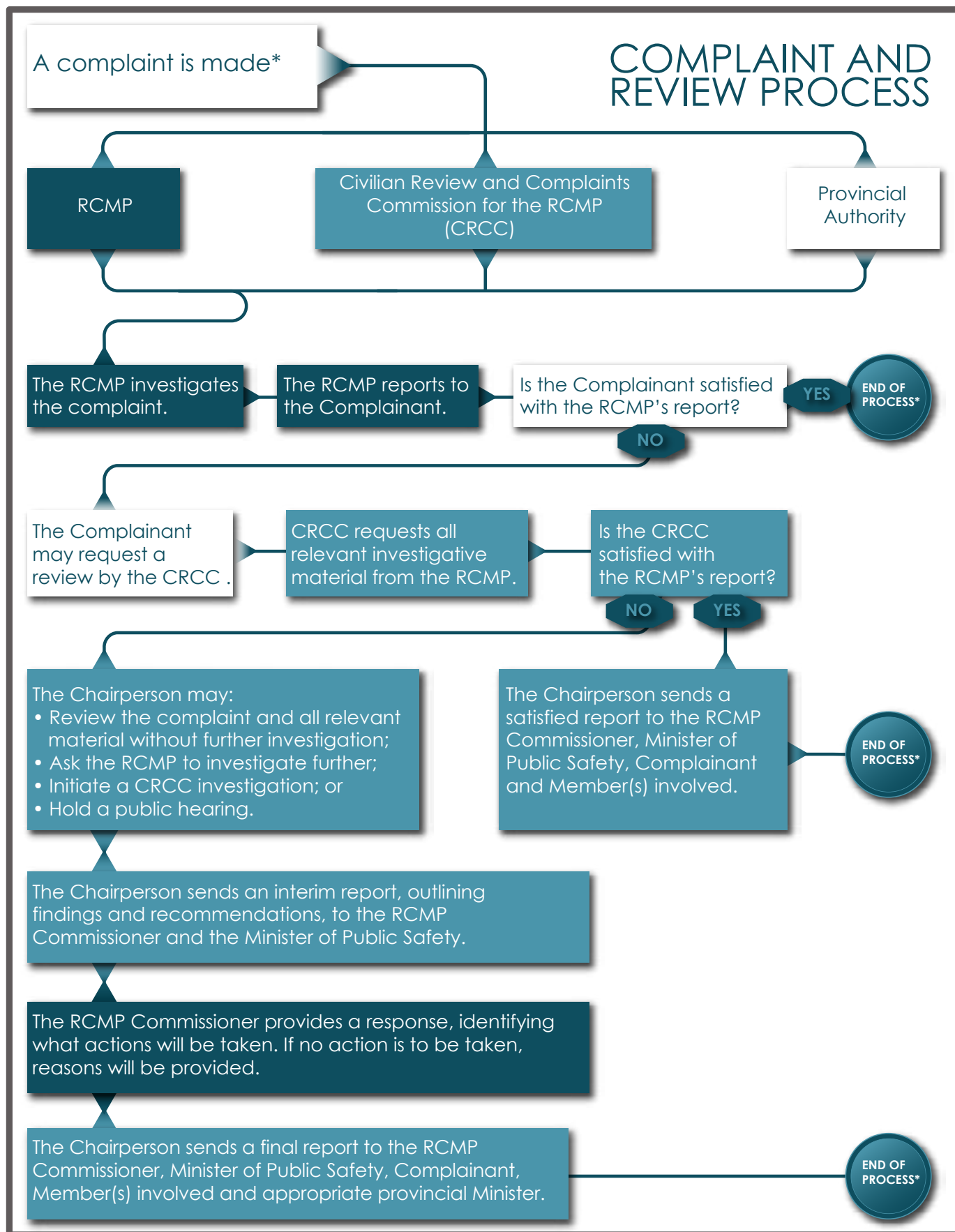
If the CRCC is satisfied with the RCMP's investigation, the Chairperson issues a **Satisfied Report**, thereby ending the review process.

If the CRCC finds that the RCMP did not conduct a thorough investigation, the Chairperson can request that the RCMP make further enquiries.

If the CRCC is not satisfied with the RCMP's handling of the complaint, the Chairperson will issue an **Interim Report**, outlining various findings and recommendations directed at the RCMP.

Once the **Interim Report** has been reviewed by the RCMP, the RCMP Commissioner gives notice, identifying which recommendations the RCMP will act on. If no action is to be taken, the Commissioner must provide reasons.

After receiving the **Commissioner's Response**, the Chairperson considers the RCMP's position and prepares a **Final Report**. This completes the CRCC's review process.



* The Chairperson can initiate a complaint. In addition, at any stage of the process, the Chairperson may institute an investigation or a hearing where it is considered in the public interest to do so.

To learn more about the complaint and review process, visit the [CRCC website](#).

FINDINGS & RECOMMENDATIONS

RCMP responses to CRCC reports outline which of the CRCC's findings have been accepted and what remedial measures are being actioned to address CRCC recommendations. Since 2020, the CRCC publishes depersonalized numbered summaries of all complaint reviews to its website.

In 2021, the CRCC's findings and recommendations led the RCMP to take significant remedial steps, including

Updating policies and procedures for response to mental health crises and wellness checks (summary numbers 21-282, 21-283).

Creating a national sexual assault investigation course, making changes to national policy surrounding sexual assault investigations, and creating a best practices guide (summary number 21-059).

Revising the policy on strip searches to ensure that strip searches are conducted in private and are not live-monitored, and providing additional training to RCMP members to address the improper strip search of an Indigenous woman (summary numbers 21-279, 21-281).

Changing policy concerning prisoner care and handling, such as the provision of adequate meals, blankets and mattresses, access to showers, reasonable medical attention and access to medications (summary numbers 21-035, 21-236, 21-281, 21-285, 21-278, 21-038).

Revising its definition of "street check" to align with the RCMP's community policing philosophy and bias-free policing policy, and implementing a policy for the collection, analysis and reporting of data from police interactions with racialized and Indigenous peoples (systemic investigation).

Creating an updated guard training course to improve the training of RCMP jail guards (summary numbers 21-236, 21-278).

Making changes to the police service dog policies and training (public interest investigation and summary number 21-242).

Reviewing its policies relative to ensuring welfare of children whose parents or caregivers are arrested or otherwise indisposed (summary numbers 21-088, 21-140).

Creating a new public complaint investigator and Commissioner's delegate training course (Chairperson's complaint and public interest investigation)

Changing RCMP policies and forms, and the National Public Complaints Guidebook to address concerns noted by the CRCC (Chairperson's complaint and public interest investigation).

Conducting a management review of a detachment and instituting measures to prevent racist conduct (summary number 21-277).

A full list of the [types of recommendations](#) the CRCC makes and [numbered summaries](#) is available on the CRCC website.

2021 • YEAR IN REVIEW • 2022

SERVICE STANDARDS

PUBLIC COMPLAINT PROCESS	RESPONSE TIME
The Commission forwards public complaints it receives to the RCMP	30 business days from the date the CRCC receives all the information necessary to determine if the complaint meets the criteria set out in s. 45.43 of the RCMP Act.
The RCMP investigates and delivers a report to the complainant	Determined by the RCMP
REVIEW PROCESS	
Where a complainant requests a review of a decision, the CRCC notifies the RCMP and requests relevant materials	10 days
The CRCC conducts its review and sends either: <ul style="list-style-type: none"> a Satisfied Report to the complainant, the RCMP and the Minister of Public Safety or an Interim Report to the RCMP with findings and recommendations 	120 business days from the date the CRCC receives the relevant material from the RCMP and the individual who files the complaint
The RCMP responds to the CRCC Interim Report	Within 6 months
The CRCC issues its Final Report	30 business days following the CRCC receiving the RCMP Commissioner's Response

97%

of complaints were sent to the RCMP within the **30-day** service standard

96%

of requests for review were sent to the RCMP within the **10-day** service standard

43%*

of Satisfied & Interim Reports were completed within the **120-day** service standard

97%

of Final reports were delivered within the **30-day** service standard

RCMP RESPONSE TO CRCC REPORTS

In 2021-22, the RCMP provided **179*** Commissioner's Responses to CRCC reports.

25% were received within the six-month service standard, while **75%** were received outside of the service standard.

This unprecedented influx of RCMP responses to CRCC reports impacted the CRCC's ability to meet its 120-day service standard.

In November 2021, the RCMP cleared their backlog of responses to CRCC interim reports.

Since April 1, 2021, all new CRCC interim reports have been responded to within the agreed-upon six-month time frame.

"The Commissioner's commitment to addressing the backlog and the subsequent RCMP effort brought closure to members of the public as well as RCMP members bogged down for years by a slow-moving complaint process."

- Michelaine Lahaie

24

AS OF MARCH 31, 2022,
A TOTAL OF **24** INTERIM REPORTS
WERE WAITING FOR RCMP RESPONSE

This is down from 132 on March 31, 2021

2021 • YEAR IN REVIEW • 2022

Public Complaints

TOP ALLEGATION CATEGORIES

Again this year, the most frequent complaint allegations were:

- Neglect of duty
- Improper arrest
- Improper attitude
- Improper search of premises
- Improper use of force
- Irregularity in procedure

A full list and explanation of the [16 allegation categories](#) is available on the CRCC website.

Of the 3,938 public complaints filed, 2,573 were sent to the RCMP for investigation, while 1,353 did not meet the criteria set out in Part VII of the RCMP Act.

Total number of public complaints filed

up 49%
since 2017-18

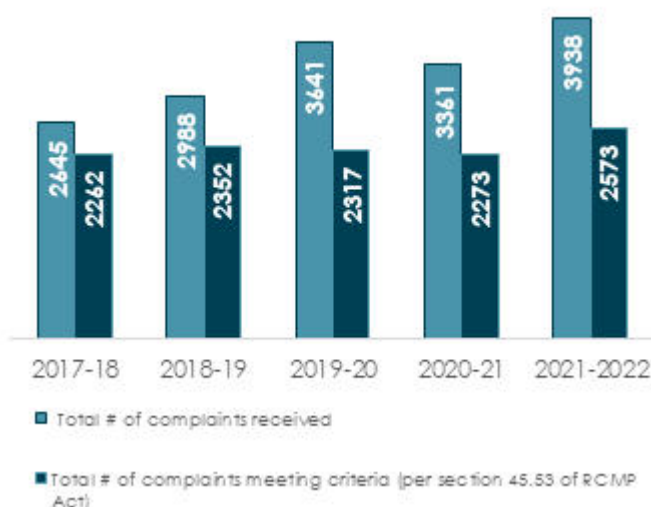


Total number of public complaints within the mandate of the CRCC and sent to the RCMP for investigation

up 14%*
since 2017-18

*2021-22 included a large number of complaints from individuals who were not directly involved or physically present during the incident. While these complaints were not sent for investigation, the allegations were forwarded to the RCMP for their awareness and any action(s) they deem necessary.

Public Complaints Five-Year Trend



The [breakdown by RCMP division](#) is available on the CRCC website.

Complaints that were not sent for investigation may include:

- Complaints from an individual who was not directly involved and/or was not physically present during the incident
- Complaints filed outside the one-year time limit
- Complaints about the conduct of non-RCMP police officers
- Complaints that are trivial, frivolous, vexatious or made in bad faith
- Complaints that are more appropriately dealt with under other Acts of Parliament (e.g. privacy, human rights, official languages)

2021 • YEAR IN REVIEW • 2022

Reviews

The CRCC issued **403** review reports



and made **475** adverse findings
and **539** recommendations

In response, the RCMP accepted approximately

86% of CRCC
recommendations

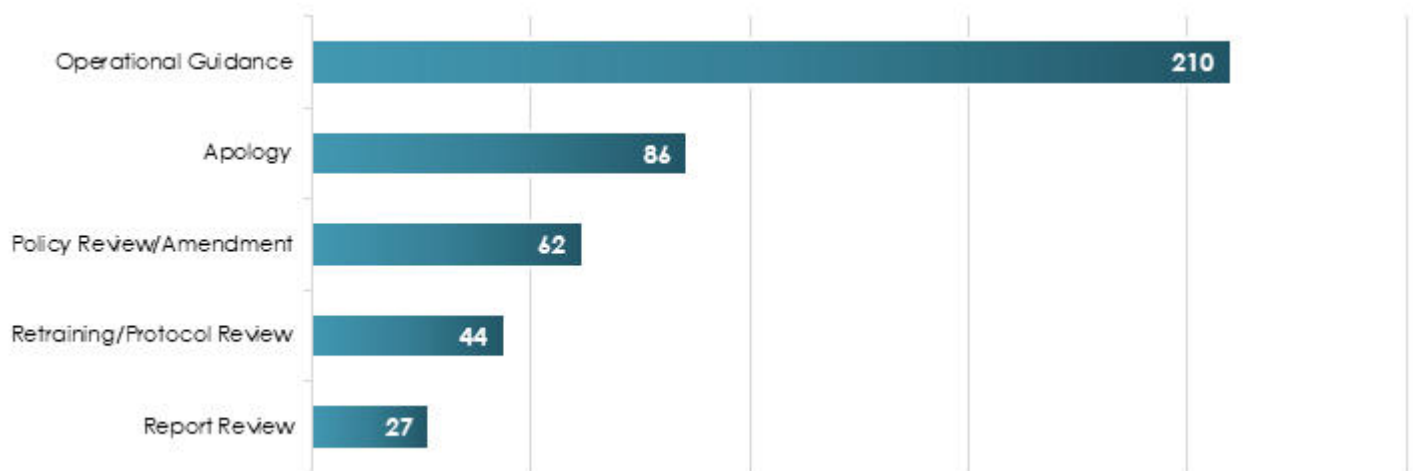
89% of adverse CRCC
findings

Sample recommendations the CRCC can make following the review of a public complaint investigation include:

- RCMP member(s) receive operational guidance from a supervisor
- RCMP issue an apology
- RCMP member(s) receive additional training or review of existing protocol
- RCMP review, amend or establish policy

A description of the [review recommendations](#) are available on the CRCC website.

Top five Recommendations made by the CRCC



The CRCC received **236** new requests to review the RCMP's handling of public complaints.

Systemic Investigations



Did you know?

The CRCC has the authority to conduct reviews of specified RCMP activities for the purpose of ensuring accordance with legislation, regulation, ministerial direction, or RCMP policies, procedures or guidelines. These reviews can be initiated by the CRCC, or at the request of either the Minister of Public Safety or a provincial minister responsible for policing in a province where the RCMP provides service.

To date, the CRCC has completed a total of five systemic investigations of RCMP activities:

- RCMP's Bias-Free Policing Model (2022)
- RCMP Policies and Procedures regarding Street Checks (2021)
- RCMP Crime Reduction-Type Units (2020)
- RCMP Policies and Procedures regarding Strip Searches (2020)
- Workplace Harassment in the RCMP (2017)

These [reports](#) are available on the CRCC website.

Number and Type of Systemic Recommendations made by the CRCC



These systemic investigations include

56 recommendations

The RCMP accepted

89% of these CRCC
recommendations

Sample recommendations the CRCC can make following a systemic investigation include:

- The RCMP implement more widely a method, procedure or protocol worthy of emulating
- RCMP members receive guidance regarding specific roles and responsibilities
- RCMP policies, procedures, or guidelines be developed, clarified or amended
- RCMP members receive new and/or additional training regarding roles and responsibilities

Significant Recommendations made by the CRCC and accepted by the RCMP

- Depot Division to enhance basic training to ensure that cadets are cognizant of the legal requirements, and relevant policies and procedures for all types of personal searches
- RCMP divisions to provide operational guidance to members regarding strip search policies, proper articulation and documentation of the search and of supervisory approval.
- The RCMP to amend the definition of "street check"
- That the RCMP institute in-person harassment training, conducted by trained and qualified experts, on a regular basis. Specialized training should also be mandatory for all existing as well as newly appointed supervisors, managers and executive officers on a continuous basis.

A description of the [types of systemic investigation recommendations](#) are available on the CRCC website.

STRATEGIC INITIATIVES

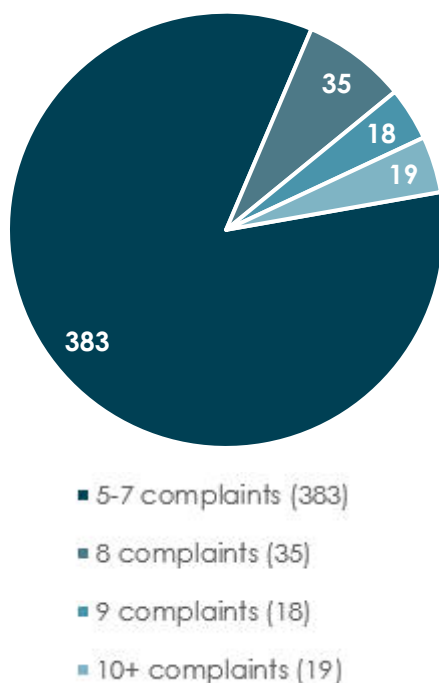
Multiple Complaint Subject Member Project

As part of its ongoing effort to hold the RCMP accountable for its activities and the conduct of its members, the CRCC reviewed existing complaint data from October 6, 2015, to July 21, 2021, to identify RCMP members who were the subject of multiple complaints.

A qualitative analysis was performed on members who were the subject of five or more complaints within the five-year time period to identify potential trends.

The CRCC identified 455 members who were the subject of five or more complaints over a five-year period.

RCMP Members with Five or more Complaints



The project's preliminary analysis and results were provided to the RCMP.

Moving forward, the Commission will conduct bi-annual reviews of the complaint data and report to the RCMP on members that are frequently identified as subject members.

Data Strategy

In 2022, the CRCC released its first Data Strategy to begin to more effectively report on existing data, meet open government and public expectations, and honour its commitment to begin collecting disaggregated data.

The goals of the strategy are to:

- Further inform decision-making;
- Strengthen policies to ensure effective, ethical and secure data collection;
- Contribute to the delivery of a more accessible, timely and efficient complaint process;
- Enable a transition to digital approaches, aligned with GC direction and policy, to foster innovation.

The [data strategy](#) can be found on the CRCC website.

Disaggregated Data Collection

In 2021, the Commission began an initiative to appropriately collect race-based and other demographic information.

This initiative will assist the CRCC in ascertaining whether there are significant racial disparities related to:

- how public complaints are filed;
- whether public complaint investigation outcomes vary by racial group;
- whether there are racial differences with respect to the types of complaints made against RCMP members;
- the frequency of complaints that include allegations of racial or other forms of bias; and
- whether satisfaction with the CRCC's complaint or review processes varies by racial group.

The second half of the project, which will include community engagement, is planned for mid-2022.

Heads of Police Oversight Agencies Annual Meeting

October 2021's meeting once again brought together the senior leadership of police oversight bodies from across Canada to discuss issues that shape the future of policing and police accountability.

The virtual meeting focused on issues of systemic racism in policing and included a presentation by Dr. Allen Benson. [Dr. Benson's presentation](#) to the Federal Public Safety and National Security Committee in June 2020 on the topic of systemic racism in policing in Canada.

Inclusion, Diversity and Equity Advisory Committee (IDEAC)

The IDEAC provides advice and guidance, through the lens of inclusion, diversity, equity and GBA+ analysis, to the Chairperson and the Senior Management Team related to issues and/or emerging trends that affect the CRCC's ability to meet its statutory mandate as well as public expectations.

In fiscal year 2021-2022, the IDEAC conducted research in line with the Treasury Board's Accessibility Strategy for the Public Service of Canada and submitted its recommendations.

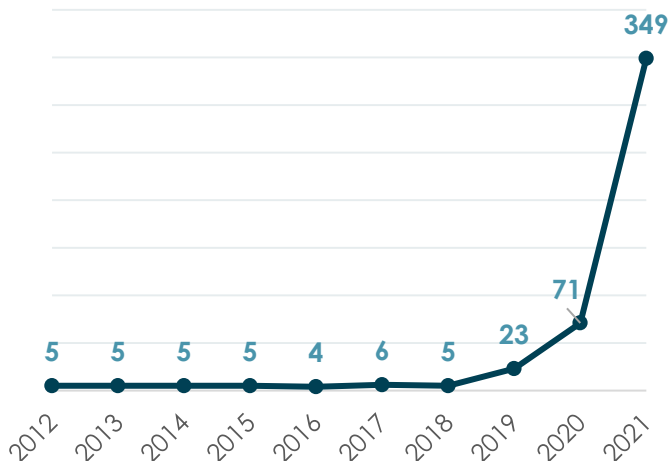
TRANSPARENCY AND ACCOUNTABILITY

Searchable Findings & Recommendations

In early 2020, the Chairperson directed that summaries of all complaint reviews be published to the website. Prior to this, only a small sample were posted annually.

As the diagram below illustrates, this directive led to a dramatic surge in the number of summaries published to the website.

Published Summaries



All summaries have been depersonalized to protect the privacy of individuals who file complaints against the RCMP.

The CRCC's website now includes over 475 searchable (by year, report type, keywords, and issue) summaries of reports where the CRCC is:

- satisfied with the RCMP's handling of a public complaint; or
- has issued recommendations for the RCMP

Provincial/Territorial Reports on RCMP Public Complaints

In addition to its annual report to Parliament, the CRCC, per section 45.52(2) of the RCMP Act, is required to submit an annual report to the minister who has the primary responsibility for policing in the province or territory, the federal Minister of Public Safety, and the RCMP Commissioner.

The report must:

- Set out the number and nature of complaints relating to conduct that occurred in that province or territory;
- Classify how those complaints were disposed of; and
- Identify trends, if any.

The [reports](#) are also published on the CRCC's website.

Administration of the Public Complaint Process

To ensure transparency of the public complaint process, related [CRCC policies and agreements](#) are published on the website. These include:

- Policy on the Discretion to Change or Restrict Access to Staff or Services due to Unreasonable Complainant Behaviour
- Policy on the Discretion to Refuse to Deal with a Complaint
- Policy on the Extension of the Time Limit to Submit a Complaint to the CRCC
- Memorandum of Understanding between the CRCC and the RCMP

TOTAL EXPENDITURES

TOTAL EXPENDITURES	
Salaries	8.2 M
Operating Costs	1.3 M
Employee Benefit Plans	1.1 M
Total	10.6 M

Note: Numbers represented are in millions