

Royal Canadian Mounted Police
Commissioner



Gendarmerie royale du Canada
Commissaire

Guided by Integrity, Honesty, Professionalism, Compassion, Respect and Accountability

Les valeurs de la GRC reposent sur l'intégrité, l'honnêteté,
le professionnalisme, la compassion, le respect et la responsabilisation

DEC 22 2016

Protected "A"

Mr. Ian McPhail, Q.C.
Chair
Civilian Review and Complaints
Commission for the RCMP
P.O. Box 1722, Station "B"
Ottawa, Ontario
K1P 0B3

Dear Mr. McPhail:

I acknowledge receipt of the Commission's interim report on the public interest investigation into the public complaint of the British Columbia Civil Liberties Association, file number PC-2013-0358.

I have completed a review of this matter, including the findings set out in the Commission's interim report.

I agree with the finding that Corporal Colin Warwick had reasonable grounds to arrest Ms. Lorraine Matters for obstructing and assaulting a peace officer. Although I agree that Corporal Warwick had reasonable grounds to arrest Ms. Matters for obstructing and assaulting a peace officer, I find on a balance of probabilities that Corporal Warwick did not have reasonable grounds to arrest Ms. Matters for mischief.

I agree with the finding that Corporal Warwick did not point his firearm at Ms. Matters and did not press it to her chin.

I agree with the finding that the force used to effect the arrest of Ms. Matters was reasonable in the circumstances.

I agree with the finding that Ms. Matters' continued detainment following her initial arrest pending the apprehension of Mr. Matters on the family property was reasonable in the circumstances.

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I agree with the finding that Ms. Matters' detainment following the death of her son was unnecessarily prolonged due to a misunderstanding on the part of the RCMP with respect to the next-of-kin notification, which resulted in its delay. Having said that, I must highlight that it is clear from a review of the information available that Ms. Matters' prolonged detainment was not intentional, but rather, the result of a misunderstanding on the part of the RCMP with respect to the next-of-kin notification.

I agree with the finding that Corporal Warwick did not make Ms. Matters position herself in a way that he knew would cause her pain and injury.

I agree with the finding that there is no credible information to support the allegation that an unidentified RCMP member accused Ms. Matters of lying and refused to listen to her.

I agree with the finding that RCMP members did not prevent Ms. Matters from contacting legal counsel and reasonably restricted any requests made by her to call Mr. Matters directly.

I agree with the finding that no strip search was conducted on Ms. Matters by RCMP members following her arrest on September 10, 2012.

I agree with the finding that the search conducted by Constable Reis was minimally invasive and reasonable in the circumstances.

I agree with the finding that members removed the handcuffs from Ms. Matters within a reasonable period of time following their arrival at the RCMP detachment.

I agree with the finding that RCMP members did not ignore Ms. Matters' pleas to contact the doctor treating her son, but rather, made significant efforts to contact him and were ultimately successful in reaching him.

I agree with the finding that Corporal Claudette Garcia did not make an unwarranted comment to Ms. Matters that her son was "out of it" and would not recognize her.

I look forward to receiving your final report on this matter.

Yours sincerely,

A handwritten signature in blue ink, appearing to read "Bob Paulson", with a large, stylized initial "B" that loops around the first part of the name.

Bob Paulson
Commissioner