



# YEAR-END REVIEW 2020

## INTRODUCTION

Policing is one of the most important institutions in our society and one of the most challenging of professions.

Canadians demand that police serve their communities in a manner that respects the rights, freedoms and equality of all.

Amidst renewed public scrutiny and rightfully high expectations for police, the CRCC remains committed to:

- delivering a robust complaint process that holds the RCMP accountable for its activities and conduct; and
- delivering effective, independent review of Canada's national police service.

As we look forward to the opportunities ahead, the CRCC reviews the year that was 2020.

## STRATEGIC INVESTIGATIONS

Greater police accountability is achieved through effective oversight, not only for public complaints, but also through reviews of systemic issues.

Section 45.34(2) of the *Royal Canadian Mounted Police Act* stipulates that, in order to conduct a review on its own initiative, the CRCC must be satisfied that "sufficient resources exist for conducting the [specified activity] review and the handling of complaints under Part VII will not be compromised."

Consequently, the CRCC, faced with a year-over-year increase in public complaints, must evaluate whether it has sufficient resources to undertake these vital examinations of RCMP policing activities.

In 2020, the CRCC completed two specified activity reviews.

## Systemic Review of the RCMP's Policies and Procedures regarding Strip Searches

Strip searches are inherently degrading. Regardless of the circumstances that may sometimes warrant such action by police, without appropriate policy, training and supervision, strip searches can easily violate protections guaranteed to each of us under the *Canadian Charter of Rights and Freedoms*.

The CRCC's report is available [here](#).

## Review of the RCMP's Crime Reduction-Type Units

The CRCC evaluated crime reduction-type units in New Brunswick, Alberta and British Columbia.

The success of crime reduction units in enhancing community safety was evident in places like Surrey and Mission, British Columbia; rural parts of Alberta; and in the Codiac Regional Detachment in New Brunswick.

Of particular note, the CRCC was encouraged that, subsequent to the CRCC's review, the RCMP implemented a national crime reduction policy.

Click here to read the [report](#).

## PUBLIC ORDER POLICING & INDIGENOUS-LED PROTESTS

Everyone in Canada has the right to express themselves, assemble peacefully, and associate freely with each other.

These same rights, enshrined in the *Canadian Charter of Rights and Freedoms*, empower people to voice dissent by engaging in lawful, non-violent protest.

The CRCC recognizes the challenges of policing protests, which include balancing the right to peaceful demonstration while enforcing the law and maintaining police and public safety.

This year, the CRCC finalized reports that examined issues arising from the policing of protests, including:

- the use of arrest;
- the use of detention and search powers;
- the use of force;
- the adequacy of communication with members of the public;
- the planning, management, and execution of the arrests at protest camps;
- the handling of spiritual items, and/or interference with the spiritual practices of Indigenous peoples involved in the protests;

- the role of the RCMP in the policing of protests by Indigenous peoples pertaining to Indigenous land rights, and whether there was differential treatment of Indigenous peoples compared to other protesters.

### Final Report into the RCMP's Response to Anti-Shale Gas Protests in Kent County, New Brunswick

A number of issues identified in this report will resonate in many parts of Canada, where the RCMP is responsible for maintaining public order as police of jurisdiction.

The full report is available [here](#).

### Wet'suwet'en territory in British Columbia

The British Columbia Civil Liberties Association, along with the Wet'suwet'en Hereditary Chiefs and the Union of BC Indian Chiefs, expressed their concerns with the RCMP's "checkpoint and exclusion zone" in the ongoing dispute over the Coastal GasLink pipeline project.

In its [reply](#), the CRCC pointed out that many of the public interest issues highlighted by these organizations were addressed in the [Kent County](#) report.

### Investigation into the Events and the Actions of the RCMP Members Involved in the National Energy Board Hearings in British Columbia

While there are legitimate reasons for the police to collect personal information from open sources, Canadians have the right to expect that the police will not retain their personal information simply for engaging in peaceful protest.

The CRCC found, and the RCMP agreed, that, among other things, RCMP policies lacked clear guidance when it comes to the collection, use and retention of such information.

The full report is available [here](#).

### **BARRIERS TO ACCESSING POLICE COMPLAINT PROCESS FOR INDIGENOUS PEOPLE AND RACIALIZED COMMUNITIES**

As the Minister of Public Safety [recently indicated](#) to the Standing Committee on Public Safety and National Security (SECU), Indigenous people, Black Canadians, and other racialized people experience systemic racism and disparate outcomes within the criminal justice system.

That system includes all police forces, including the RCMP.

The CRCC also [presented](#) to the SECU on the subject of systemic racism in policing. Consultation with stakeholders in 2019 confirmed for the CRCC that many Indigenous people are either unaware of the public complaint process or do not trust it. The process was described by some as excessively bureaucratic and difficult to navigate.

The CRCC remains committed to ensuring that all Canadians policed by the RCMP are aware of the complaint process. Public education is a critical component of the CRCC's mandate but requires committed resourcing to be effective.

### Heads of Police Oversight Agencies

For more than a decade, the CRCC has hosted an annual meeting of the heads of provincial police oversight agencies. This year's virtual meeting focused on issues of systemic racism in policing and included University of Toronto Professor Akwasi Owusu-Bempah and Christa Big Canoe, Legal Advocacy Director, Aboriginal Legal Services.

## PUBLIC DEMAND FOR ACCOUNTABILITY & TRANSPARENCY

Communities are demanding greater transparency and accountability from police. People want to feel safe and they want to know that police are delivering their services in an ethical and equitable way, consistent with their values and sense of justice.

### Summaries of Public Complaints Reviewed by the CRCC

To enhance RCMP accountability and demonstrate further transparency, the CRCC is posting depersonalized [summaries](#) of RCMP public complaint investigations that it has reviewed.

### Wellness Checks

Following growing public concern surrounding police-led wellness checks, the Chairperson issued a statement outlining key recommendations made to the RCMP, over the past four years. The statement is available [here](#).

## MOU with the RCMP

The CRCC and the RCMP signed a [memorandum of understanding](#) (MOU) in late 2019. This MOU includes agreed-upon timelines for both organizations.

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

As of December 15, 2020, there are 158 complaint review files awaiting RCMP response.

4 years+	1
3-4 years:	21
between 2-3 years:	39
between 1-2 years:	50
less than a year	47

The CRCC will continue to raise concerns over delays of RCMP responses to CRCC reports.

## LEGISLATIVE CHANGE

As the CRCC Chairperson stated in July during her [presentation](#) to the Standing Committee on Public Safety and National Security, there is an opportunity to further enhance and strengthen the oversight regime.

September's [Speech from the Throne](#) included the reiteration of an earlier commitment by the Government of Canada to move forward on enhanced civilian oversight of law enforcement agencies, including the RCMP.

With over 30 years of experience in overseeing law enforcement in Canada, the CRCC looks forward to continuing to contribute to this important conversation.

## CONCLUSION

In a year that was anything but typical, the CRCC continued to deliver its mandate of independent civilian review of the RCMP. Our goal, as always, was to improve Canada's national police service through public accountability. We look forward to helping develop and contributing to an even more robust oversight regime for Canadian law enforcement in the time ahead.