

### **Bill C-42: Mounties Stripped of Basic Charter Rights**

The Charter Rights that all Canadians universally enjoy will no longer apply to members of the RCMP, Canada's largest police force, under provisions of Bill C-42, which recently passed third reading in Parliament.

Canadian citizens being investigated for wrongdoing cannot be compelled to provide incriminating evidence against themselves. This is a right protected under section 2 (d) of the Charter. In cases where a search warrant is required, it must be for criminal code investigations or serious provincial regulations breaches. Allegations must be supported by information and must be found reasonable enough by a justice of the peace to grant a search warrant.

Under provisions of Bill C-42, members of the RCMP will be required to:

1. Give incriminating evidence against themselves in an Ordered Statement to investigators assigned by management. This applies to Code of Conduct investigations where a conviction is based on a civil standard, a balance of probabilities, rather than the Criminal Code requirement of beyond a reasonable doubt. This would never be allowed for any other Canadian citizen.
2. Live with the possibility the RCMP may conduct an *ex-parte* search warrant on their homes for non-criminal administrative measures. This would never be allowed for any other Canadian employer against its employees.
3. Keep silent about abuse in the RCMP. Bill C-42 expressly prohibits a member from speaking publicly about issues within the Force and lays out the sanctions members will face for doing so.

On the surface, these may appear to be reasonable measures to keep the RCMP modern and accountable, but these changes will exacerbate the myriad issues plaguing the Force. Bill C-42 codifies the very behaviours it is supposed to correct, giving management unfettered power to abuse the rank and file under the pretext of accountability.

Members of the RCMP and public alike desire accountability, but not at the expense Charter protections enjoyed by all other Canadians. Canadians cannot be effectively and impartially policed by fellow citizens who lack the same Charter Rights.

The Mounted Police Professional Association of Canada was established in 2010 and is fighting for the right to engage in collective bargaining through an independent association on behalf of RCMP regular and civilian members across Canada. The Association does not seek or support the right to strike. For more information, visit [www.mppac.ca](http://www.mppac.ca).

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