

the Service Star

The Official Newsletter of the British Columbia Mounted Police Professional Association

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Judge denies government's claim –

Documents "reliable, relevant" in battle over fate of fund \$30 billion surplus

EDITOR'S NOTE: As we reported in the last newsletter, government lawyers, in a surprising turn, decided to question the admissibility of the documents. Due to this action the pension trial has been delayed until March 2007. The following article appeared in Ottawa Citizen on December 31, 2005. We would also like to remind our readers that this court action is financially supported by the RCMP Associations together with other public service unions and pensioner groups. The SRR, as well as the Members' Legal Fund, have decided that it would not be part of this legal challenge.

A controversial stack of internal and secret government documents will be allowed as key evidence in an unprecedented court battle over who owned the \$30-billion surplus in federal workers' pension plans. Ontario Superior Court Justice de Lobe Panet recently ruled the 128 documents, which include reports, secret memos, correspondence, notes and briefing papers to and from the highest ranks of the bureaucracy, can be admitted as evidence when the long-awaited trial resumes later this year. In a 24-page ruling, Judge Panet concluded the documents were "reliable," "accurate," "relevant" and even necessary" to sorting out the critical issues at the centre of the \$30-billion dispute, including how the pension plan was created, structured, managed and financed, as well as how its books were kept. The ruling didn't accept the claims or facts made in the documents as gospel, but Judge Panet concluded they were "reliable" because they were written by senior or "knowledgeable" bureaucrats, who often explained to ministers how the three pension plans at the centre of the lawsuit were managed. "In my view, it is reasonable to expect that a high premium would be placed on their accuracy. There is also the expectation of can-

dour, given the circumstances and the fact that there was no litigation existing at the time," Judge Panet wrote. The ruling is a significant win for the 18 unions and pensioner groups representing about 700,000 existing and retired public servants, military workers and RCMP officers. The two sides had spent a week in court arguing over the relevance and admissibility of the documents. "It's significant because it allows us to get before the court the evidence of what was happening behind closed doors in terms of how the pension plans were operated and how that surplus was used," said lawyer Douglas Brown, who represents 13 of the plaintiffs. The government had argued the documents, all written by bureaucrats, were hearsay and could not be counted on as "truth" of what was happening at the time. Hearsay evidence is something that someone learns from someone else rather than having personal knowledge or directly observed it. If federal lawyers had successfully barred the documents, the unions would be forced to call the bureaucrats who wrote the documents as witnesses — most of whom would be reluctant to testify against their employer — to explain the contents of the documents. The ruling means the federal government will now be obliged to call the authors of the documents or other officials if it wants to challenge or disprove their contents. "It would be somewhat unfair to require the plaintiffs to call witnesses to tender in evidence these

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The BCMPPA
is a proud
member of
the Canadian
Professional
Police
Association,
which
represents
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NOTE
NEW CONTACT
INFO!



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Our Mission

The B.C. Mounted Police Professional Association is comprised of regular and civilian members of the Royal Canadian Mounted Police.

We provide a forum to identify, debate and reach consensus on professional and employment concerns.

We seek the right to engage in free collective bargaining with our employer, a right enjoyed by all police officers in Canada, except the RCMP. **We do not seek or support the right to strike.**

We strive for excellence in our conduct and obligations. We provide leadership, in affiliation with the Canadian Police Association, on justice issues which affect the quality of life of all Canadians.

Profile

The B.C. Mounted Police Professional Association used to be known as the "E" Division Members' Association.

We are a professional association looking out for the interests of employees of the Royal Canadian Mounted Police stationed in British Columbia ("E" Division).

President's Corner

by Pat Mebain

I am pleased to report to the membership that since our last newsletter in December there had been a number of positive developments. As you see from the front cover of this issue our pension grab legal challenge is still going ahead albeit now has been delayed by another year. With a new federal government the RCMP Associations Executive members had an opportunity to meet up with various Members of Parliament at the last CPPA Executive Board Meeting held this past April. Again the issue of our right to vote on unionization was brought forward. We received support from some MPs but there is still a lot of work that needs to be done in order to dispel some negative attitudes some harbour towards a unionized RCMP. At this time we expect that the bill initially introduced in the Senate by Sen. Pierre Nolin will be introduced in the House of Commons by one of the Members of Parliament. On the legal challenge front our law firm is slowly and painstakingly putting together the large amount of expert evidence and affidavits. To date they have not given us a definite day when the master affidavit will be filed in Ontario Supreme Court. On the downside of the legal challenge is the mounting costs which we are facing. Luckily due to our large contingency fund there will be no cuts in any of our services (i.e. legal coverage, Professional Development Fund, bursaries, newsletters etc).

In February I attended the BC Federation of Police Officers ("BC Fed") AGM in Victoria which included a follow up on the provincial lobby day agenda which was presented to the MLAs last fall. The agenda included amalgamation of the Lower Island (again), blood legislation, change to drivers license regulations.

Furthermore, it is now official—the BC Fed had changed their Constitution to now allow associate membership into the Federation. The associate membership is now open to all other police associations (ourselves, Transit, Aboriginal police) aside from the Vancouver Police. We plan on taking advantage of this opportunity as a means to better serve our members.

On the first issue of amalgamation. Initially not only did the talks rotate around the Lower Island but they also branched out to a Lower Mainland regional police force all the way to a provincial police force. Until this meeting I was of the firm belief that this issue was a matter of not if but when. It now appears that the provincial government has changed their position in regards to the amalgamation. You may recall that 3 years ago the then Solicitor-General Coleman's office was in favour of an amalgamated police force in the province. While meeting with the new Solicitor-General John Les he stated very clearly that he did not have an appetite for ANY amalgamation or regionalization of any forces. I then learned the RCMP is already in talks with the current government to deal with contract due to expire in 2012. On another note Richmond has now expressed their displeasure with the RCMP and there had been talks of a municipal police force. Ironically, Richmond City Council voted against adding 5 more members to the detachment as this will have an impact on their budget. Currently Richmond like all other municipalities policed by the RCMP has a lower ratio of police officers per population. How would they be able to afford a unionized city police force?

Continued next page



The agenda included amalgamation of the Lower Island (again), blood legislation, change to drivers license regulations.

We were advised that the change to the Motor Vehicle Act regulations ... was just a formality and we can expect a change to this issue soon.

On the issue of mandatory blood testing to protect emergency personnel, it now seems we have been discussing this issue forever. Indeed it has been discussed in depth for the past 5 years. Myself, Tom Stamatakis – VPU President, and Todd Sweet – BC Fed Vice President, had a meeting with the provincial health officer Perry Kendell. After listening to the reasons and concerns we had with this issue he was of the opinion that actual legislation was not needed as there were already procedures in place to deal with any exposures to blood/body fluids. According to Mr. Kendell legislation would not have any effect on current medical procedure so other than filling a lot of paper it would really not be needed. Tom Stamatakis had a follow up meeting with Mr. Kendall and the HIV expert at St. Paul's Hospital. This meeting only confirmed what was previously told to us. At this time this has been put on the back burner to review other provincial legislation to see if in fact it is just window dressing.

We were advised that the change to the Motor Vehicle Act regulations to allow police to use their place of work as their address on their drivers' license was just a formality and we can expect a change to this issue soon.

On a different topic, we have recently entered into a partnership with BCAA. An affinity program has been created for us by BCAA and you can find details of the program in this issue. We hope that this partnership will be first of others we are interested in establishing for our members. And as a last note I would like to draw your attention to the new mailing address of the Association as well as the national website which Al Roy is continuously working on.

As always the Association welcomes your input whether positive or negative. We are always looking at ideas on how to best serve our membership.

From the Mailbox

MEDIA RELEASE

Recruits Pay Own Way

(THE PROVINCE DECEMBER 28, 2005)

How ironic that RCMP Executives are trying to cut financial support provisions for new recruits. This is the same group of 136 senior officers that is receiving over 4 million dollars in salary bonuses.

Senior officers of the RCMP are receiving anywhere from 10% - 25% in salary bonuses. Although it is unclear what the criterion is for receiving these bonuses, sources have indicated that the purpose is to keep them from jumping to the private sector.

In light of an Auditor General's report that was very critical of staffing levels, training/qualifications, a Federal Policing commitment that is understaffed by 25% and now the cutting of financial support for new recruits one has to wonder where the money for these bonuses is coming from.

It certainly appears that its on the backs of the men and women of the RCMP and not in the interest of public safety.

For further information and comment:

Pat Mehain
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778-838-5508

RCMP Association Backs EZ-FACE

(PRNEWSWIRE, MONDAY JANUARY 30, 2006)

The association that represent Canada's largest police force has announced that it is endorsing FacePrint Global Solutions' (FGS) [FCPG.OB] breakthrough EZ-FACE composite- picture software, describing it as "an amazing product."

The Mounted Police Professional Association (MPPA) represents 22,500 frontline Royal Canadian Mounted Police (RCMP) officers (sic). MPPA President Gaetan Delisle met with FGS officials this week and, after seeing a demonstration of EZ-FACE, quickly gave the product a sweeping endorsement.

"This is an amazing product," said Staff-Sgt. Delisle. "Any tool that can help our members do their job and help crime victims is a tool that we will back. I am so impressed with the technology that has gone into this thing."

The MPPA is the first police organization to publicly endorse EZ-FACE. Delisle, a 37-year RCMP veteran, is also president of the 1,000-strong Quebec RCMP Members' Association. Delisle, a reputed member of the federal police agency, also sits on the board of directors of the Canadian Professional Police Association and is known as a strong police union advocate throughout North America. He is also the man behind the annual Quebec Police Awards gala, which honours police officers who have gone beyond the call of duty. The gala is attended by well-known officials from police, government and business circles, both in Canada and the U.S. In 1999, former Canadian Prime Minister Pierre Trudeau made his last public appearance during Delisle's awards gala, and last year decorated United Nations officer Romeo Dallaire, was a special guest.

The MPPA has been an active organization, promoting a stronger RCMP presence along the Canada-U.S. border and better protection in rural communities. The

MPPA is also known for its strong lobbying efforts with Canadian government on behalf of citizens who want safer communities.

Other police departments across the United States are eagerly gearing up to use the state-of-the-art 3D tool to catch criminals. Several police investigators across the U.S. who have had a sneak peek at EZ-FACE say they are impressed with the sophisticated technology that has gone into the software.

EZ-FACE allows users to generate and codify faces directly from a single picture or a database of facial elements. EZ-FACE also happens to be the world's first Internet-access law enforcement-dedicated composite picture software. The product is currently in its final phase of development. The team at FGS is excited with the progress of its revolutionary product, which is on the verge of undergoing Beta testing and public endorsement by several top police departments across the United States.

About FacePrint Global Solutions, Inc.: FGS marshals the considerable talent and experience of its high-tech team of professionals towards the creation of imaginative technology solutions to address the critical needs in facial recognition related to identity verification, crime-prevention and worldwide efforts against terrorism. FGS is developing a new methodology and industry standard called the "E-DNA Bioprint Coding System"(TM), for the transmission of data related to individual faces. Grounded in biometrics, FGS's solutions encompass a unique composite-picture driven facial recognition system, as presently demanded by both the private and public sectors. FGS's goal is to become a major provider of technologies, applications and products for identity authentication and validation. FGS is headquartered in Fresno, California.

For Your Information

Toronto Seeking Police Shift Scheduling Expert

Arising out of its recent contract settlement, the Toronto Police Association will soon engage in committee discussions about shift scheduling with the employer. To assist, the parties have agreed to retain an independent expert in the field. In particular, our settlement provides as follows:

- The Committee will interview and retain one or more independent experts to report to the parties in writing with respect to:
- A) A Review of the literature on Police Compressed Work Week (CWW) experience and related rotational or other shift systems involving a CWW;
 - B) A Review of the research on the most appropriate CWW having regard to the health and safety of officers working rotating shifts, including updated research on health effects of rotating shifts and various CWW options;
 - C) The views and concerns of officers and all ranks on their preferred CWW shift system as determined by meetings at all Divisions, surveys, and other means of obtaining input;
 - D) An independent review of the operational needs of the employer;
 - E) An independent analysis of the strengths and weaknesses of other police CWW systems in other large Canadian municipalities and the “Big 12” in Ontario, including any other Police CWW system currently operating in any other comparable jurisdiction which may be put forward by either party;

There were over 61,000 police officers in Canada in 2005, an increase of more than 1,000 officers from the previous year.

Any assistance that any CPPA affiliate Association could give to the Toronto Police Association would be appreciated.

Latest Statistics about Police Resources in Canada in 2005

Statistics Canada recently released its annual report on Police Resources in Canada for the year 2005. Here are some of the highlights from the report:

- There were over 61,000 police officers in Canada in 2005, an increase of more than 1,000 officers from the previous year. The number of police officers per 100,000 population increased slightly to 189 (+1%), continuing the general increase since 1998. International comparisons show that the number of police per 100,000 population is 22% lower in Canada than in the United States, Australia, and England and Wales where police strength ranged from 242 to 262 officers per 100,000 population.
- Over the past 30 years, police strength has remained relatively stable.
- Saskatchewan continued to report the highest rate of officers per 100,000 population among the provinces in 2005 (202) followed by Quebec (194) and Manitoba (192). The lowest rates were reported in Newfoundland and Labrador (150) and Prince Edward Island (154).
- In 2004, expenditures on policing totaled \$8.8 billion, a 4% increase over 2003 after adjusting for inflation.
- Each police officer in Canada handled an average of 43 Criminal Code incidents in 2004, which is 16% lower than the peak of 51 in 1991. The 2004 figure was about 30% higher than in

the mid-1970's however, when there were around 33 incidents per officer.

(Extract from Police Resources in Canada, 2005, Catalogue no. 85-225-XIE)

The Police Associations of Ontario seeking changes to pension provisions

The Ontario provincial government has recently concluded consultation hearings on Bill 206 (OMERS Legislation) and began the clause-by-clause review of this important piece of legislation this week. The pension legislation is facing fierce opposition from the Association of Municipalities of Ontario (AMO) and the Canadian Union of Public Employees (CUPE). The Ontario President of CUPE has threatened to take more than 120,000 municipal, school and city workers on an illegal strike if the Ontario government does not grant his members the same provisions that give firefighters, police and potentially paramedics enhanced pensions. The Police Association of Ontario actively participated to the consultation process, strongly supporting Bill 206 which will significantly improve the bargaining power of local municipal police associations for improved pension benefits including:

- The ability to negotiate the combination of age/service factors to 80 for police officers.
- The ability to negotiate the combination of age/service factors to 85 for civilian members.
- The ability to negotiate the 2.33% pension accrual rate for police officers consistent with federal legislation. The federal legislation does not allow this benefit for our civilian members.

- The ability to negotiate either the best three or four final average earnings as the basis for calculating benefits for both police and civilian members.

Third and final reading of the Bill could take place very soon.

Police Officers Call for a Forum on Disinstitutionalization

The president of the Québec Municipal Police Officers Federation (FPMQ) and the president of the Québec City Police Fraternity (FPPVQ), held a joint press conference calling on the provincial Health and Social Services Minister, Philippe Couillard, to host a forum on disinstitutionalization with all concerned responders dealing with the mentally ill throughout the Province.

Presidents Côté and Lerhe reported on the consequences of the increasing number of police responding to calls that involve people with serious mental problems, deeming that the lack of health and social services resources seems to result in a needless increase in criminal charges being brought against the mentally ill.

According to the Correctional Investigator of Canada, the data shows that the percentage of jailed offenders with a diagnosis of a mental disorder rose by 61% in seven years. The Correctional Investigator's report also mentions that mental health services offered by the Correctional Service of Canada (CSC) have been gradually deteriorating.

"... the lack of health and social services resources seems to result in a needless increase in criminal charges being brought against the mentally ill."

The heart of their argument is that the legislation passed in 1999 that allowed the government to scoop the \$30-billion surplus ... discriminates against public servants under Canada's Charter of Rights and Freedoms.

documents prepared by them, who, it may be expected, might be witnesses adverse to the position of the plaintiffs,” Judge Panet wrote. The \$30-billion dispute has been billed as a landmark case, involving unprecedented sums of money, that could be one of the most significant of its kind in history. It goes back to the days of the Liberals’ massive downsizing of government in the 1990s and then-finance minister Paul Martin’s drive to wipe out the deficit. The Liberals have built their election campaign around Mr. Martin’s legacy as a fiscal manager, including the successful elimination of a \$42-billion deficit that threatened to cripple the country. The 18 unions and pensioner groups, however, accuse the government of “raiding” or “stealing” the surplus in their pension funds with “questionable” accounting practices to pay down the deficit. They claim a portion of the surplus belongs to them and they want the court to order the government to return \$30 billion to their pension accounts. They argue the government violated its “legal obligation” to use the surplus in the best interest of the federal workers and retirees who contributed to the plans over the years. They say the government’s decision to take the surplus was a “breach of contract” because the pension fund is part of the terms and conditions under which public servants work. The heart of their argument is that the legislation passed in 1999 that allowed the government to scoop the \$30-billion surplus – the Public Sector Investment Board Act — discriminates against public servants under Canada’s Charter of Rights and Freedoms.

The documents and flurry of memos at the time show Treasury Board and the powerful Finance Department had significant disagreements over the ownership and handling of the surplus. The Finance Department claimed the government was entitled to the surplus because it was on the hook to make up any deficit in the plan. Treasury Board, however, said the ownership wasn’t clear and a portion belonged to employees. One secret memo said then-Treasury Board president Marcel Masse — who publicly said public servants weren’t entitled to the surplus — privately felt employees had a “claim” to the surplus and Finance’s decision to use it to offset the deficit “was not right.” Federal lawyers argued during the hearing the accounting and legal issues are too complex to rely on the opinions and interpretations of public servants. They said conflicts between departments with different mandates is all part of policy-making in government. They argued it’s not the opinions of public servants who matter because it’s the government of the day who makes the decisions. But Judge Panet rejected a “narrow and highly technical” view of the documents’ relevance. He said the “rights and obligations” of the government and pension members should be determined by examining “all the surrounding circumstances in which the pension plans operated.” Judge Panet argued resolving the dispute must involve a thorough examination of the pension plans and how they ran over the years. He said the internal memos discussing the government’s legal obligations and the public servants’ rights to the surplus are relevant because they showed the opinions “honestly held,” communicated and admitted by the government at the time. “In my view, all of the documents contain statements that are relevant to the issues in this action. I conclude that all of the documents are relevant to the issues and are therefore admissible,” he wrote.

Judge Panet dismissed the government’s request for the relevancy of documents to be argued during the trial as they came up because it could turn the trial into a series of motions and objections and “deflect attention from the real issues before the court.” He said it would “unfairly prejudice” the case of public servants and pensioners if they didn’t know in advance what documents could be used as evidence.

Important Dates and Notices

Contact your Executive for further information.

Bursary Deadline

The deadline for BCMPPA Annual Bursary is July 31st. Again your Association will be distributing three bursaries. One \$1000 dependent bursary, one \$500 dependent bursary and one \$500 member bursary.

In order to qualify the dependent and member applicants must submit their application post marked no later than the above noted date. The dependent application should include a letter from a recognized Canadian post secondary school indicating the applicant was enrolled in the coming school year, a letter or letters of reference outlining any extra curricular activities and/or volunteer work, an official transcript from high school and a passport size photo.

Member applicants need only to submit a letter from a recognized Canadian post secondary school indicating the applicant was enrolled in the coming school year and a passport size photo.

Applications missing any of the above requirements will not be considered.

Upcoming Seminar qualifies for partial reimbursement

Calibre Press "Street Survival" Seminar coming to Tacoma, Washington November 30 – December 1, 2006. For over 25 years Calibre Press has been the leader in training, information and resources for law enforcement personnel. The 2006 "Street Survival" seminar is the most dynamic, innovative, and powerful police training experience available today. The best trainers in law enforcement take officers beyond "survival," teaching them to WIN! Calibre Press has assembled a dynamic team of police trainers who will keep you on the edge of your seat for the entire two days. The Street Survival seminar will motivate, inspire, and teach you not only to survive but to WIN! For further information check the calibrepress.com website.

In Memoriam

On behalf of the BCMPPA membership, cards were sent to the respective police departments of the fallen brother and sister officers listed below, extending our condolences to their families and colleagues.

Cst. Valerie Gignac,

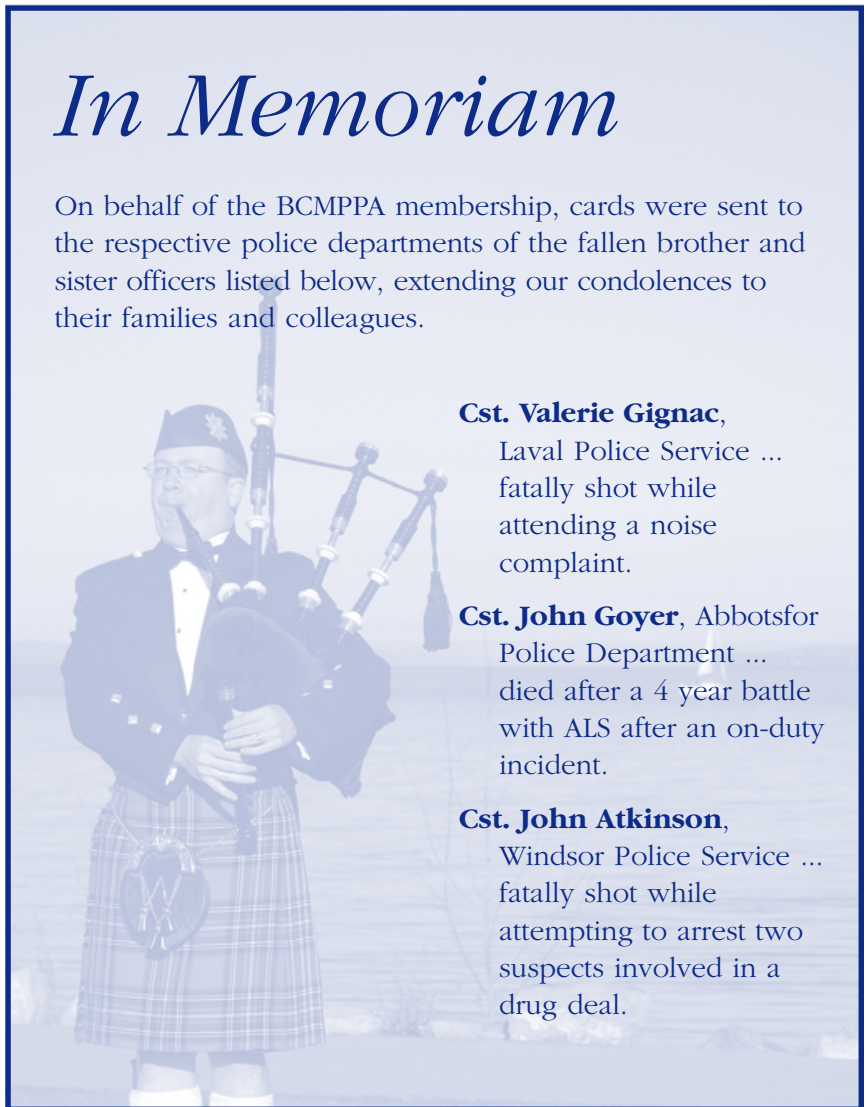
Laval Police Service ...
fatally shot while
attending a noise
complaint.

Cst. John Goyer, Abbotsford

Police Department ...
died after a 4 year battle
with ALS after an on-duty
incident.

Cst. John Atkinson,

Windsor Police Service ...
fatally shot while
attempting to arrest two
suspects involved in a
drug deal.



This seminar qualifies for reimbursement of up to \$200 Cdn under the Professional Development Fund.

Have you received your BCMPPA T-Shirt?

As a recruiting/promotional tool your Executive has purchased 400 t-shirts to be distributed free of charge to our members. The t-shirts come in black, white and gray, are 100% cotton and pre-shrunk.

Sizes available are medium, large, x-large and xx-large. The BCMPPA crest in yellow and blue and the logo "Maintaining the Right" is on the left chest area.

Did you recently retire?

If you are retiring or just retired from the Force and have been a member in good standing for the past 3 years, you are eligible to receive the BCMPPA retirement badge and wallet. The badge can be viewed on our website.

We are pleased to announce our new partnership with BCAA.



Now you and your family can access Travel, Insurance and Membership at BCAA through the MPPA Group Plan.
This means valuable benefits and savings.

HERE ARE SOME OF THE OFFERS AVAILABLE TO MPPA MEMBERS:

- Discount on new BCAA memberships – waived enrollment fee for savings of \$18
- Discount on new associate memberships – up to \$20 in savings!
- Discount on Home Insurance*
- Excellent monthly payment offer for Travel Medical Insurance* – save money plus you only buy the coverage you need
- A full range of auto insurance* products to suit your needs
- Watch for exclusive cruises, vacation packages and offers on travel - designed for our industry and members - in fact our first offer is included in this issue – CHECK OUT THE FLYER!

And don't forget, BCAA members also get up to 50% off at Show Your Card and Save Partners - glasses, paint, shoes, hotels and more. See enclosed brochure for details.

HOW TO GET STARTED:

MPPA members must register with BCAA. This is free, and you don't have to be a BCAA member to register, but registration ensures that our offers are available to you. Even if you are already a BCAA member, you have to call in and identify yourself as a MPPA member so you can take advantage of these extra special savings. Take a few minutes and call **1-888-268-5154**.

P.S. Want to go to the movies? If you sign up for a new BCAA membership and refer a friend who signs up too, BCAA will send you 2 movie passes. It's that easy! Don't wait though – this is a limited time offer.

*Insurance is sold by BCAA Insurance Agency and underwritten by various underwriters

Bureaucrats in Uniform:

The Politicization and Decline of the Royal Canadian Mounted Police

A study by Barry Cooper, The Fraser Institute

EDITOR'S NOTE: *The following excerpts are published with the author's consent. In this study the author examines the evidence provided by judicial inquiries and reports and by other scholarly and journalistic investigations of the RCMP. He concludes that the RCMP has become another federal arm of the government and had diverted from its true purpose by taking on too many corporate roles like marketing and cost-recovery. According to Cooper's findings the Force and the public would be best served if it became a smaller federal police force and get out of the "police service business". The complete study could be found on our website.*

Politicization of the RCMP

Probably the most serious concern of experienced officers is the politicization of the RCMP, which may always have been present but has been said to have increased dramatically during the 1990s. The most worrisome symptoms were the Airbus scandal, the behaviour of the RCMP at the 1997 APEC meeting in Vancouver, and the entanglement of the RCMP in the Quebec sponsorship scandal. In the latter case, the force was *itself* the recipient of illegal federal dollars and was criticized (not for the first time) by the Auditor General. In 2003, as we discuss in detail below, millions of federal sponsorship dollars were "laundered" through Quebec advertising firms and bank accounts into RCMP public-relations exercises, the financial records of which were then destroyed. Journalists such as Paul Palango had earlier noted a change in the ethos of the Force [Palango, 1994; 1997] and drawn attention to the question of politicization. Senior officers such as Assistant Commissioner Robert H. Head [1999], who retired in 1991 after 38 years as a Mountie, have also detailed the decline based on their own personal experiences in the Force. [2] In June, 2005, an editorial in the *National Post* remarked on the "obvious politicization" of the

RCMP. Concern regarding the behaviour of the RCMP has also been raised in Parliament. In 2001, for example, Kevin Sorenson, then Solicitor-General critic for the opposition Canadian Alliance, remarked: "Canadians must have confidence that the RCMP can do its job. That includes investigating the government in suspected cases of wrongdoing without fear of interference or reprisal. APEC is not an isolated incident. There are other examples, such as the Airbus affair, that suggest the government may have improperly interfered with, or instructed, the RCMP [Hansard, October 22, 2001]."

These concerns, and the widely-perceived need to review contract policing in Alberta, were sufficient for the provincial 2001/2002 MLA Policing Review Committee to recommend that the government consider resurrecting the Alberta provincial police force as one option for providing future police services [Alberta, MLA Policing Review Committee, 2002]. Alberta's mayors continue to demand a review of budget priorities that hinder policing in their communities [Wood Buffalo, 2004]. In 2003, Cooper and Koop recommended that Alberta conduct a full-scale review of "the costs and benefits of restoring a provincial police force" and encouraged public discussion of "several

"Canadians must have confidence that the RCMP can do its job. That includes investigating the government in suspected cases of wrongdoing without fear of interference or reprisal."

BUREAUCRATS IN UNIFORM

options for police services, particularly outside of Calgary and Edmonton” [Cooper and Koop, 2003: 17]. So long as 94% of Albertans express their confidence in the RCMP, it is unlikely that the government would lead the way in changing existing policing arrangements. Indeed, the Auditor General’s *Report* on contract policing indicates that the RCMP and the Government of Alberta alone have a “formal agreement on their [policing] priorities” [Canada, Auditor General, 2005/April: 9]. She did not indicate whether this was a response to discussions about canceling the RCMP contract when it comes up for renewal. Indeed, perhaps an Alberta Provincial Police and similar police organizations in other provinces are not necessary. On the other hand, if the decline of the RCMP is as serious as many informed observers indicate, Canadians will soon be compelled to acknowledge the problem, take steps to deal with it, or ignore it and contemplate living with further deterioration. It is our view that a provincial police force in the larger provinces would go a long way toward making the politicization of the federal police impossible—though of course the provinces might repeat the mistakes of the Government of Canada. First, however, it is

necessary to acknowledge the existence of mistakes and understand the consequences they have had for federal policing.

Breadth and budgets

The RCMP advertises itself as “the Canadian national police service ... unique in the world since it is a national, federal, provincial and municipal policing body.” Its “commitment” is to provide a “total federal policing service to all Canadians and policing services under contract to the three territories, eight provinces ... approximately 98 municipalities and, under 72 individual agreements, to 92 First Nations communities.” In keeping with current fashions in government and policing self-promotion, the force also describes itself as being “heralded world-wide as an organization of excellence and a leader in integrated policing” [RCMP, 2005g]. One-quarter of all police in Canada are RCMP officers. As of 2003, there were 59,494 police officers in Canada [Statistics Canada, 2003]. Of these, about 16,000, or over 25%, were uniformed RCMP peace officers [RCMP, 2005a]. The RCMP budget was approximately \$2 billion in 2000/2001, with an additional \$64 million added for antiterrorism work since 9/11. The 2000 budget promised \$584 million in additional funding but in 2004 Canada’s security agencies—including the RCMP and the Canadian Security Intelligence Service (CSIS)—were bracing for additional cuts of more than \$200 million [Godfrey, 2004]. Thus, it is arguable that the RCMP budget remains under siege even in the aftermath of 9/11 and in the face of evident funding shortfalls.

It is a common complaint that the RCMP is overstretched. The comparison is often made to the United States, which has

BCMPPA TAX RECEIPTS

For some reasons, some of our members did not receive their BCMPPA tax receipt this year. In order to remedy the problem the BCMPPA tax receipt has now been made available online.

FOR THOSE OF YOU WHO DID NOT RECEIVE IT THIS YEAR,
JUST GO TO OUR WEBSITE AT:
<http://www.mppac-acpmp.com/>

Sorry for any inconvenience.

AL ROY, DIRECTOR / WEBMASTER, BCMPPA

about 100 specialized federal law enforcement agencies with power of arrest such as the FBI, Secret Service, Bureau of Alcohol, Tobacco and Firearms, the National Parks Service, Drug Enforcement Administration, and Immigration and Naturalization Service. In contrast, Canada has but one federal police force. As Paul Palango noted, the RCMP is “an extraordinary hybrid whose 15,000 officers try to do everything that the 100 US police agencies do—and much more” [Palango, 2005: A13]. Their duties include enforcing a range of federal statutes, from customs and excise, immigration, taxation, to bankruptcy and drug laws. The Mounties guard Canadian borders, patrol the Arctic, and in some places simply issue parking tickets. They are the provincial police in eight provinces, the territorial police in all three territories, and the municipal police in 200 towns and cities across Canada. When they are not dealing with major crime or protecting visiting heads of state, they are helping old people cross the street in Fort Macleod, mediating disputes on a native reserve at Cumberland House, or posing for tourists on Parliament Hill [Palango, 1997: 10]. Unquestionably, therefore, the RCMP has many different tasks to perform. Within the RCMP, the 16,085 uniformed police constitute 71% of the force’s “on strength establishment” of 22,557. But this total also includes 2,650 “Civilian Members” and 3,867 “Public Servants” [RCMP, 2005a]. The distinction is important because the status of almost 6,500 civilian members is a source of ongoing tension within the force. Civilians were originally introduced to perform clerical and support work to allow peace officers to concentrate on police work. However, tensions have persisted because civilian members and public servants

have different employee benefits than peace officers. Moreover, the latter cannot go on strike. It is no surprise, then, that the unions want everyone in the RCMP to be a public servant whereas senior management prefers as few unionized civilians as possible. Such tensions between civilian and uniformed members have their parallels in other institutions, such as the Canadian Forces, where Parliamentary reports have concluded that the intrusion of civilian values has had a negative impact on the professional operation of the uniformed component [SCONDVA, 1999].

Moreover, the large number of non-uniformed RCMP headquarters staff has had a demoralizing effect on front-line police. According to Assistant Commissioner Head, “[a]t a time when budgets are tight and staff reductions are taking place, it certainly must be frustrating for Force leaders to know that some 217 full time ‘advisors to the Minister’ are located within the confines of the Department of the Solicitor General” [Head, 1999: 8]. According to Head, there are four or five such civilians occupying positions akin to “both government watchdogs and government lapdogs.” The inherent conflict can be good neither for morale nor policing effectiveness. Analogous problems exist within National Defence Headquarters where the effect has also been malign [Granatstein, 2002: 373–74; 2004: 216].

RCMP, Inc.

In keeping with the corporate-style thinking adopted throughout government, civilian “experts” have been deployed to provide the RCMP with a Mission Statement. This is the result: “Proud of our traditions and confident in meeting future challenges, we commit to preserve the

“[a]t a time when budgets are tight and staff reductions are taking place, it certainly must be frustrating for Force leaders to know that some 217 full time advisors to the Minister’ are located within the confines of the Department of the Solicitor General” [Head, 1999: 8].

BUREAUCRATS IN UNIFORM

peace, uphold the law, and provide quality service in partnership with our communities.” As with any successful corporation, the RCMP has a “Vision” statement as well, which is to: be a progressive, proactive and innovative organization; provide the highest quality service through dynamic leadership, education, and technology in partnership with the diverse communities we serve; be accountable and efficient through shared decision-making; ensure a healthy

work environment that encourages team building, open communication, and mutual respect; promote safe communities; demonstrate leadership in the pursuit of excellence.

To complete the corporate livery, the Mounties are also committed to several “core values:” “Recognizing the dedication of all employees, we will create and maintain an environment of individual safety, well-being, and development”

[RCMP, 2005b].

Clearly it is reasonable to conclude that the RCMP has directed considerable resources towards presenting and maintaining a well-buffed and positive public image. Marking anniversaries has become one of the favoured vehicles for so doing. The centennial anniversary of the founding of the Northwest Mounted Police was celebrated on an unprecedented scale and proved such a success that anniversaries are now seen as key opportunities for sending a positive message to the public [Dawson, 1998]. In 1998, a drill Staff Sergeant deemed to have the appropriate public relations skills was found at the training Depot in Regina, brought to headquarters in

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Ottawa, given an officer's commission, and tasked with overseeing the force's 125th anniversary celebrations [Palango, 1998: 287]. The spectacular success of the celebration was considered by several observers of the Force to be the triumph of showy public relations over genuine substance. For some, it was the expression of considerable anxiety within the Force over the future of federal policing. Media coverage of the RCMP tends to be unsystematic. A few recent stories, however, illustrate the problem. There is a four-year backlog in fingerprint analysis and (unlike the situation on TV shows) much of it is still conducted without the aid of computers [Gordon, 2005b]. There is, likewise, an unacceptable backlog in DNA case analysis. In response to allegations by two recently retired RCMP officers who worked in the forensics lab that matters had been made worse by a bureaucratic trick that simply (and arbitrarily) reclassified "urgent" cases as "routine," Commissioner Zaccardelli claimed there was "no backlog in terms of DNA analysis" because the Mounties' laboratory was "world class" [Canada Wire, 2005]. On the other hand, there have been a few recent instances where judicial commissions of inquiry or old-fashioned research has documented in great detail the effects of politicization of the federal police. That such a change amounts to institutional corruption (and perhaps, on occasion, personal corruption as well) is evident if one reflects on the fundamental premise of constitutional government: the rule of law, including the law of the constitution. We shall see, however, that politicians as well as senior management of the RCMP, whether deliberately or merely because they are ignorant of constitutional principles, are oblivious of the rule of law. Indeed, on

occasion they have substituted, on their own political initiative or in response to political direction, the perverse opposite: that law is the command of the prince—in this instance the executive, chiefly the prime minister and his office. Nowhere has this problem been made more clear than in testimony by senior RCMP given before the Commission of Inquiry into the Sponsorship Program and Advertising Activities presided over by Justice John H. Gomery. This inquiry has exposed to public scrutiny many aspects of contemporary governance in Canada, including aspects of the policing practices and administrative ethos of the federal police. It is, therefore, a useful place to begin this discussion. Following the analysis of testimony before the Commission, as well as some brief remarks in the first Gomery *Report*, we shall consider other evidence regarding the decline in core competence of the RCMP and indicate the reasons for it. No doubt the inadvertent (or deliberate) withholding of resources from the federal police by the federal cabinet played a role. But equally important was the politicization of the Force. Whether the former was a preliminary step to the latter it is impossible, at present, to say. In conclusion, we describe the pattern of decline and indicate what steps might usefully be taken to reverse the trend.

The spectacular success of the force's 125th anniversary celebrations was considered by several observers of the Force to be the triumph of showy public relations over genuine substance.

PLEASE NOTE

New BCMPPA Contact Information

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website: www.mppac-acpmp.com



BCMPPA Membership Application/ Amendment Form

Check All Boxes That Apply

- | | |
|---|--|
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Referred by _____
(Referring member 3 months no dues)

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or Fax to: (604) 460-6403 / Toll free fax: 1-866-530-4738

This form is also available on the BCMPPA website: www.mppac-acpmp.com

Contact Numbers

The following provides contact information for our members wishing to reach the executive of the BCMPPA or *The Service Star* editor. This list was accurate at the time of printing. In the event some of this information becomes dated, up-to-date information can always be obtained from our website at www.mppac-acpmp.com

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Mrs. Linda Bauchman, BCMPPA bookkeeper, is online at the following address: lin@telus.net.

Other members can still submit those changes by mail or fax. You will find the details on the inside cover of *The Service Star*, or at the Association's website, www.mppac-acpmp.com