



the Service Star

The Official Newsletter of the British Columbia Mounted Police Professional Association

Volume Thirteen

Issue One

Fall-Winter 2007

Liberal MP Dan McTeague introduces Right to Unionize Bill for RCMP members

Over the past few years your Association has been telling you about our “two-prong” approach to obtaining the right to unionize. If you are an Association member reading this newsletter you already know that a legal challenge is already on the way. If you are not an Association member but hopefully become one and are still interested we will bring you up to date. Last Spring our law firm had filed a number of affidavits and various documents from expert witnesses to support the legal proceedings in the Ontario Superior Court. All the documents filled are now part of the public record and could be viewed on line at www.dpylaw.com. We also informed our membership that

the Department of Justice acting on behalf of the RCMP had postponed their response to January of this year. You may already know that Senator Pierre Nolin had attempted on several occasions to introduce a bill in Senate which was supposed to work its way backwards to the House of Commons. However, due to the change in governments over the last few years Senator Nolin’s bill died on the order paper.

On December 7, 2006 Mr. Dan McTeague introduced a private member’s bill C-392. Mr. McTeague said that the motivation for his bill is an internal RCMP survey done in 2005. It found only 42 per cent of Mounties felt employees were treated fairly.

“It brings the RCMP in line with other public service officials in that they’re allowed an independent or rather a grievance process through the public service as well as the right to collectively bargain which is something that is available to most police forces across Canada save and except the RCMP...It’s probably the only organization in which management actually controls the union through something called the division representative unit. That unit is not adequate, it’s not independent and it can obviously be over-ranked.” (Dan McTeague) In effect

We are happy to report that the bill had passed its first reading. It is expected that the bill will go to its second reading when Parliament resumes in January.

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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).

RIGHT TO UNIONIZE BILL

Continued from page 3: PRESIDENT

this enactment amends the definition employee in subsection 2(1) of the *Public Service Labour Relations Act* so that members and special constables of the Royal Canadian Mounted Police are no longer excluded from enjoying the same rights as other federal public servants with respect to grievance procedures and collective bargaining.

The enactment repeals Part III of the *Royal Canadian Mounted Police Act*, which provides for grievance procedures. That Part is no longer necessary, as the grievance procedures set out in Part 2 of the *Public Service Labour Relations Act* will now be available to members and special constables of the Royal Canadian Mounted Police. In addition, there are a number of consequential amendments to the *Royal Canadian Mounted Police Act* as a result of the repeal of Part III.

We are happy to report that the bill had passed its first reading. It is expected that the bill will go to its second reading when Parliament resumes in January.

Following the introduction of this bill the CBC ran a national story. When interviewed by CBC reporter Alison Crawford the Minister of Public Safety Mr. Stockwell Day did not think things need to change. According to Mr. Day: "The RCMP is well-served with an association for its members and the majority of members, the vast majority of members that I talk to are satisfied with that association."

Of course Mr. Day did not elaborate as to what members he had spoken to and where he had obtained his information. It would not be a stretch to believe that RCMP management and the SRRs had provided the Minister with filtered information as to the benefits of the current

system without the benefit of presenting the Associations' point of view. What we have asked all along is for a chance to first obtain this basic right, inform the membership as to the benefits of an independent labour representation system then leave it up to a democratic vote for the members at large to decide.

The Canadian Police Association has again publicly expressed its support and commitment to helping the RCMP Associations achieve its goal. Following the statement made by Mr. Day, CPA President Mr. Cannavino indicated that he will meet with the Minister and explain to him the positive impact of having an independent association.

As far as we know all the major western industrialized countries with national police forces have formed unions including the FBI in the United States.

Maybe it is time Canada step into the world of modern labour representation.

... the grievance procedures set out in Part 2 of the Public Service Labour Relations Act will now be available to members and special constables of the Royal Canadian Mounted Police.

CONGRATULATIONS



The recipient of the 2006 BCMPPA \$500 member bursary is Cst. Karen Sims.

Karen is continuing her studies in criminology at Simon Fraser University.



President's Corner

by Pat Mebain

Let's remember that this legal action has been brought on behalf of the Association membership not on behalf of the RCMP membership at large. I can only speculate that the settlement if there is going to be one will apply to Association members only.

Let me start off by wishing everyone a Happy New Year and hope that you all had a great holiday season. I think the coming year will be full of interesting times. With the departure of Commissioner there is hope that someone who is not from his inner circle will be appointed. It is my hope that someone who has an understanding and appreciation for unions will take the helm of this organization and make it even better by allowing its members to have an independent voice. As you have noticed from the first page of the newsletter the RCMP Associations' actions are fully on track. It has been a great deal of years preparing the legal challenge and the introduction of the bill. With our limited resources and a volunteer Executive we have done everything we can to get "the ball rolling" as the saying goes. At this point it is out of our hands and we can only wait to see how the legal challenge will unfold. At the upcoming Canadian Police Association Executive Board meeting and Lobby day in April the attending Executive members from the three RCMP Associations will continue to push the issue and bring it at the fore front not only to our CPA colleagues but also to the Members of Parliament.

Any new information will be posted on the website so if you are interested as to the proceedings please check it regularly.

Another issue that has been a long time coming is the pension surplus legal battle. Let me assure you this has not just gone away. The earliest date for the trial on the pension surplus to reconvene is February 26, 2007. It is estimated that the trial itself could last six weeks and the

time required for argument could be two weeks. However, rumours had been circulating in Ottawa that the government would like to settle. Let's remember that this legal action has been brought on behalf of the Association membership not on behalf of the RCMP membership at large. I can only speculate that the settlement if there is going to be one will apply to Association members only.

And finally for the "house-keeping" items. The turnout at the AGM in Coquitlam was disappointing. However, the members present were brought up to date with the issues.

The major item on the agenda was the cost of the legal proceedings. Currently we are still in a good financial position thanks largely to the donations made to us by the BC Federation of Police Officers fundraiser. The money donated to us thus far had been used to pay for the cost of the travel for "Lobby Day", bursaries and charitable donations. We have made a large payment to our law firm and we are due to make another similar payment to them after April. Similar payments also have to be made by our Association in Ontario. The amount of each of these payments equals the amount the Association was able to save every year over the past few years. However, the costs may increase and we may need to use some more of our "war chest" fund. At this time we have not sought any financial help from the CPA but this will be an option. Also at the AGM we presented the members with an itemized list of our expenses. Let me assure that your Executive had taken the position to cut costs where

ever it can. As such we have decided to postpone the promotional items that we gave away in the past (t-shirts, hats, day timers). We have also discussed whether an electronic newsletter would make more financial sense. It costs your Association approximately \$3000 / issue. As you know the issue goes out 3 times per year at a substantial cost. In spite of this cost we will continue to produce for promotional reasons. The newsletter serves as promotional tool for other members who may not be aware of our existence. This is why it is important for all our members instead of throwing the newsletter away rather pass it to a non-Association member. If you would still prefer not to receive the newsletter please let us know. Electronic copies are posted on the website. We have also discussed the cost of the Executive travel. While some may view this as an unnecessary expense I can assure you that it is needed. Only by keeping in touch with our colleagues at the national level we can develop a network to act on our behalf. This has been the case in the past when police Association members from various departments have brought up the case of our lack of union, the Mike Ferguson affair, treatment of RCMP members and others to their Members of Parliament. Other issues discussed at the AGM were recruiting strategies (still the best way is one-one approach), obtaining other discounts and deals for members (i.e. gas discounts, hotel rates which could be better than federal government rates), and banking changes as well as miscellaneous local items.

We have also made a Constitutional change to our by-laws. Retired and former members of the Force will be allowed to sit on the Executive but only in the positions of Director at large. This appointment can only be for 1 year at the time.

Due to this new amendment Dan Petre and Al Roy will continue to serve on the Executive as Directors at large. There have been a couple more changes to your Executive. Kim Russell was voted from the position of Interim Treasurer to Treasurer. Yvonne Everson after a great deal of years in the position of Secretary had stepped down from the Executive. Scott Rempel Interim Director due to personal matters has chosen not to sit as a Director. Most recently Ray Moos has indicated that he would like to get involved in the Association and as such will be an Interim Director until the AGM in the Fall 2007.

One final note I would like to bring out. As you know we signed on with BCAA to bring you all travel deals etc. If you are a current BCAA member holder or are thinking about getting one, let BCAA know you are part of the BCMPPA and you are eligible for some great travel deals. BCAA has created a couple of cruises for us. One is a family trip and the other is a couples/adult cruise. I encourage you all to take advantage of these awesome deals!

Our next newsletter is due out June-July. Do not hesitate to call any of the Executive if you require more information or assistance.

Only by keeping in touch with our colleagues at the national level can we develop a network to act on our behalf.

Reducing Crime and Improving Criminal Justice in British Columbia: Recommendations for Change

EDITOR'S NOTE: *On November 9, 2006 BC's Solicitor General was quoted in the Vancouver Sun that he would prefer co-operation between the various police agencies in the province as opposed to forced amalgamation. This comment was made following a letter from the mayors of Victoria and Esquimalt suggesting amalgamation of the Greater Victoria police services. A few days later on November 16, 2006 Dr. Robert M. Gordon and Dr. J. Bryan Kinney, School of Criminology, Simon Fraser University prepared a discussion paper for the BC Progress Board. The paper made 5 recommendations in regards to the improvement of the criminal justice system in the province. While the first four recommendations deal with the illegal drug trade, childhood development services and the coordination of relevant government ministries the last recommendation is once again the amalgamation of police service throughout the province.*

The creation of two or three regional police services ... would be the preferred route and it would be popular amongst most affected police officers ...

Recommendation 5:

The provincial government should, without delay, review the organization and functions of law enforcement agencies in the province.

Particular attention should be paid to four main issues:

1. The regionalization of police services in the two main metropolitan areas: Vancouver and Victoria. The current situation is, to put it mildly, bizarre, and the topic surfaces for serious discussion about once every five years. The situation was last addressed in the 1998 Oppal Report on policing in the province and this report appears to have resulted in some changes in the form of "functional" integration: the creation of cross departmental teams such as IHIT (the Integrated Homicide Investigation Team). At best, and without detracting from the excellence of the work of these groups, this approach has limitations including a continuation of rivalries and tensions between municipal police departments and the RCMP. The creation of two or three regional police services (Capital Regional,

Greater Vancouver Regional, and Fraser Valley Regional) would be the preferred route and it would be popular amongst most affected police officers, other than some RCMP officers who seem to prefer a single, province-wide police service run entirely by their organization. In fact, the only stumbling block appears to be some local governments in the affected regions who, for political reasons, oppose the change. The reform, therefore, will have to be a provincial government initiative.

2. The implementation of initiatives that are often referred to as "Operation Cooperation". This involves the creation of functional partnerships between public police services and private security services that, as a recent Law Commission of Canada report has indicated, have been growing significantly over the past 20 years and that have become private police forces performing many of the traditional police functions such as fixed point observation and limited patrolling. Operation Cooperation is a term coined by the U.S. Department of Justice which

supports public-private partnerships in the field of policing. The core premise is simple. Instead of being separate and often conflicting entities, the reality of public/private policing is acknowledged. The resources of the two groups are combined in a more effective way with a common goal of reducing crime through general deterrence created by both visible presence and announced electronic surveillance (Closed Circuit Television or CCTV), fast responses to calls involving the security of property, and a willingness to arrest offenders seen committing crimes even when the target is not the property being protected by the private security service. While the challenges are numerous, the potential is enormous and it is significant that the Downtown Vancouver Business Improvement Area has already started its own version of Operation Cooperation, with some good results.

3. A review of both the activities of police and their internal organization to determine whether law enforcement dollars are being spent in most cost effective way. The provincial government should develop a set of best practice guidelines based upon the extensive national and international research on policing styles and techniques and determine, amongst other things, whether police resources are being diverted by the need to perform duties that could be performed by others at less cost. Key examples would be the offender identification function which could be turned over

to non-sworn members; fingerprint and forensic examinations at the scenes of crime which might be better undertaken by technically proficient, non-sworn, scenes of crime examiners; and, the use of process servers, rather than uniformed police officers, to service subpoenas and other documents. A review should also consider whether the community relations activities that take police away from active street duty are worthwhile and whether police crime prevention activities should be handed over to private sector businesses for which crime prevention officers often appear to be acting as salespersons.

4. Carefully monitor the success or otherwise of crime reduction strategies being implemented in other countries and by the RCMP at select sites in British Columbia. If evidence indicates that these strategies are successful in reducing crime they should be systematically deployed across the province.

The provincial government should develop a set of best practice guidelines ... and determine ... whether police resources are being diverted by the need to perform duties that could be performed by others at less cost.



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An Inconvenient Truth (The RCMP Non-movie Edition)

By Rob Creasser, V.P.

The “truth” of what was said was not questioned. Just the mere fact that we spoke out ... was enough to trigger the threat of a code of conduct investigation and the ordering that we cease and desist from further media about these and other issues.

You may wonder what Al Gore’s movie about Global Warming and the British Columbia Mounted Police Professional Association have in common. Wonder no more! They both talk about truths that the establishment would rather they kept silent about. In the BCMPPA’s case, that became more than evident when Pat Mehain and I voiced in the media our concerns about Executive bonuses and commented on our shortage of resources. I also commented on how little information had been forthcoming about the death of our four members in Mayerthorpe Alberta.

Management’s response was predictable in hindsight. They didn’t like the message so they “gagged” the messengers. Section 41 of the RCMP Act Regulations was cited in both cases. “A member shall not publicly criticize, ridicule, petition or complain about the administration, operation, objectives or policies of the Force, unless authorized by law.”

The “truth” of what was said by President Mehain and I was not questioned. Just the mere fact that we spoke out about these issues was enough to trigger the threat of a code of conduct investigation and the ordering that we cease and desist from further media about these and other issues.

The facts are as follows:

In 2005, 87 members of the senior executive of the RCMP split approximately \$4,000,000 in bonuses.

The RCMP polices communities of similar size with far fewer human resources than most regional or municipal police services and we are currently

dramatically under-resourced nation wide. This can be confirmed by Statistics Canada and has been the subject of commentary by the Auditor General of Canada, various politicians, academics like Dr. Darryl Plecas and Dr. Barry Cooper, and journalists like Mr. Paul Palango and Mr. Charlie Gillis.

Interesting that folks like these voice concerns and yet when a current serving member of the RCMP does the same he is threatened with disciplinary action.

Doesn’t seem fair, does it?

As of this date, the membership of the RCMP has received no meaningful information about the four deaths in Mayerthorpe. We have been told there was a Hazardous Occurrence Investigation Team that looked into the situation but nothing other than that.

What it does come down to is this: These are inconvenient truths. They focus attention on a management group that is continuing to get paid good money to do a job that they are currently not doing all that well. Retention of employees is critical if we are going to continue to be “the police service of choice” and yet we see daily examples of where members that care about the job they do are becoming burnt out from carrying extremely high case loads and not having the ability to be effective in their jobs. Job satisfaction is minimal at best. Members are counting the days until they can get a pension and those of us that have pensionable service are making statements like “two bad days in a row and I’m outta here!!!”

Doesn't paint the picture of a highly motivated group does it? Management does have a responsibility to provide members with the proper resources so that we can be effective in doing our jobs, serving the public. When our S.R.R.'s deal with issues like resourcing they take great pride in telling the membership that they have unfettered access to management and choose to work within the confines of the RCMP to deal with issues. That excludes our most

important stakeholders, the public we serve. Our public not only has the right to know our issues, they have the ability to help us solve them. Not going to the public with our "dirty laundry" as some managers have stated, is a mistake that must be addressed. It is only arrogance that thinks things can be solved in a vacuum.

Stay tuned, there will be more truths to come, whether some like it or not.

Retention of employees is critical if we are going to continue to be "the police service of choice" and yet, we see daily examples of members who care about the job they do becoming burnt out from carrying extremely high case loads and not having the ability to be effective in their jobs.

RCMP MEMBERS & STAFF

Hi. My name is Wayne Ryan. As a retired Member of the Force, I know all about moving, buying and selling!! I also know how expensive it is to live in the LMD. That's one of the reasons I'm pleased to be able to offer you an exclusive package which will provide full MLS service while saving you lots of money! I work extensively in the N. Delta, Surrey, Langley and Abbotsford areas. However, if you reside outside these areas or would simply prefer to use a more local realtor, give me a call anyway – I may be able to arrange the same package deal for you!

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\$1 Million Damages Awarded for Workplace Harassment by RCMP

EDITOR'S NOTE: *The following article was first published in the Lancaster Police Employment Law News.*

Justice Levine ruled that "[t]he descriptions of the duties of police officers do not limit their duties to their 'operational' work.

The British Columbia Court of Appeal has upheld a lower court judge's award of \$950,000 in damages to a former RCMP constable who suffered such severe psychological harm, as a result of persistent harassment by the commander of her detachment that doctors doubt that she will ever be able to work again at any full-time job.

The damages, which resulted from the negligent infliction of mental suffering, were awarded to former constable Nancy Sulz against the B.C. government, which was held "vicariously" liable under the province's *Police Act*, because her detachment commander was serving as a provincial police officer under a federal-provincial agreement for the services of the RCMP. The B.C. Supreme Court trial judge found that the superior officer, Staff Sgt. Smith, was personally immune from liability under the *Police Act* because his actions occurred in the course of his duties.

Harassment by superior officer criticized by trial judge

Sulz had joined the RCMP in 1989, and received excellent evaluations until 1994, when Staff Sgt. Smith became the detachment commander. The trial judge found on the evidence that between July 1994 and February 1996, when she went on depression-related sick leave, Sulz was subjected to ongoing and ultimately debilitating harassment by Staff Sgt. Smith, the commanding officer of a 20-member

detachment. Sulz testified at trial that Smith was openly hostile to her, and that he repeatedly made damaging comments about her to her fellow officers, saying that he would "get" her, that she could not "cut the mustard" as an RCMP officer, that she was afraid of the dark, and that no one should ride with her on patrol. Sulz, who had planned a lengthy career with the RCMP, sank into a depression which led to her taking sick leave in 1996.

An internal investigation was conducted by the RCMP in late 1997 and early 1998, culminating in a finding that discrimination had been substantiated but Smith could not be disciplined because by that time he had retired. Sulz never recovered, and ultimately left the force for medical reasons in 2000. Thereafter, she continued to suffer from depression and remained unable to cope with any form of regular employment. Following her medical discharge, Sulz was paid a disability pension (administered by Veterans Affairs Canada), a superannuation pension and long-term disability benefits.

The comments of the judge who heard the case are telling. As the trial judge stated: "The culture in the RCMP was, until comparatively recently, male-oriented, direct and undiplomatic," and the manner of the detachment commander was "abrupt, demanding and unfeeling." He was "prone to angry outbursts," his behaviour was "intemperate and, at times, unreasonable," and his command style "was no longer appropriate in the modern RCMP."

Provincial government's challenge rejected by B.C. Court of Appeal

In appealing the damages award, which was largely designed to compensate for Sulz' past and future wage loss, the B.C. government did not dispute the trial judge's finding of negligence or the quantum of the damages award, but it argued that (1) the trial judge should have deferred to specialized tribunals under the *Royal Canadian Mounted Police Act* or the *Canadian Human Rights Act*, (2) the judge erred in permitting Sulz to recover indirectly what she could not recover directly from the federal Crown because the federal *Crown Liability and Proceedings Act* barred an action against the federal government by those in receipt of a Veterans Affairs pension, (3) the trial judge could not find the province liable for the exercise of managerial duties but only for policing errors.

Writing the unanimous decision of a three-member panel of the B.C. Court of Appeal, Justice Risa Levine found no merit in any of the provincial government's arguments.

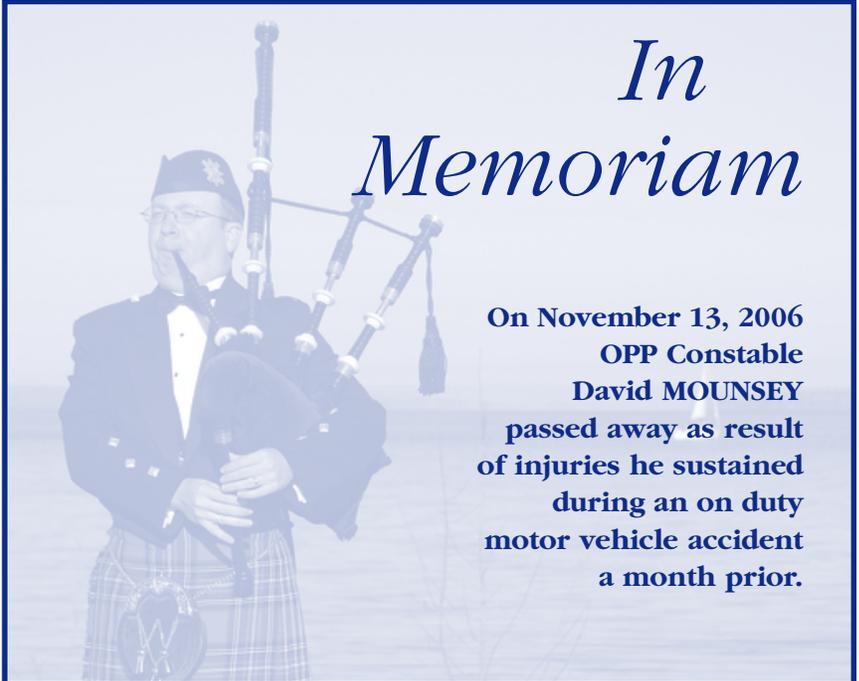
As to the province's first argument, the Court held that (1) there was no requirement to defer to an employment tribunal because the dispute arose out of a tort claim, for injuries suffered at the hands of a manager, not out of a dispute over employment benefits, most of Sulz' income losses occurred after her employment ended, and no effective remedy was therefore available through the RCMP's

internal grievance process. Similarly, Levine found, a human rights complaint could not provide effective redress since Sulz's harassment complaint was only partly based on her gender, and since in any event the one-year limitation period for filing a complaint under the *Canadian Human Rights Act* had expired by the time the internal investigation procedures under the *R.C.M.P. Act* were completed and Sulz was medically discharged.

Addressing the province's second argument that the trial judge had erred in permitting Sulz to indirectly obtain damages from the federal government when she could not do so directly, because the federal Crown was bound by its policing agreement with B.C. to indemnify the

Similarly, Levine found, a human rights complaint could not provide effective redress since Sulz's harassment complaint was only partly based on her gender ...

Continued on page 12



In Memoriam

**On November 13, 2006
OPP Constable
David MOUNSEY
passed away as result
of injuries he sustained
during an on duty
motor vehicle accident
a month prior.**

\$1 MILLION DAMAGES AWARDED

The plaintiff has therefore successfully established that the defendant Smith's breach of the duty of care he owed to her caused her serious psychological harm.

province for the cost of any civil action, Justice Levine held that “[i]t stretches the principles of statutory interpretation beyond logic to suggest that the effect of federal legislation is to limit the rights, under provincial legislation, of the victim of a tort committed by a provincial police constable, because of an agreement entered into between the two levels of government for reasons that have no apparent connection to the circumstances in issue here.”

As for the province’s third argument, which attempted to draw a distinction be-

tween Smith’s managerial and policing functions in determining its liability under the B.C. *Police Act* for his actions, Justice Levine ruled that “[t]he descriptions of the duties of police officers do not limit their duties to their ‘operational’ work. Police officers are also charged with carrying out all duties, functions, and instructions that are imposed on them by their office and the organization of which they are members. The *Police Act* contemplates that police officers may commit torts in carrying out their duties – operational or managerial, and does not limit the Province’s liability for torts committed by police officers to those committed only by inferior officers.”

Province held liable for harassment by RCMP

As indicated, the province did not contest, and the B.C. Court of Appeal did not disturb the trial judge’s finding that “the harassment which [Sulz] experienced in 1994 and 1995 was the proximate cause of her depression, which in turn, ended her career in the RCMP. The plaintiff has therefore successfully established that the defendant Smith’s breach of the duty of care he owed to her caused her serious psychological harm. Although Smith himself is protected from liability for his negligence by s.21 of the *Police Act*, the plaintiff has a valid claim for damages against the Provincial Crown based on the principle of vicarious liability.”

Sulz v. Minister of Public Safety and Solicitor General

British Columbia Court of Appeal
Justices Risa Levine, Lance Finch and
Kenneth Smith



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For Your Information

Some updates provided by Pierre Collin, CPA Communications Officer

1. Recent salary settlements in Ontario.

Barrie Settlement Highlights

<i>Salary Increases</i>		<i>1st Class</i>
January 1, 2007	2.0%	
July 1, 2007	2.0%	\$72,829
January 1, 2008	2.0%	
July 1, 2008	1.5%	\$75,399
January 1, 2009	2.0%	
July 1, 2009	1.0%	\$77,676

North Bay Settlement Highlights

<i>Salary Increases</i>		<i>1st Class</i>
January 1, 2005	3.75%	\$67,877
January 1, 2006	3.50%	\$70,253
January 1, 2007	3.00%	\$72,360

Experience Pay

Effective January 1, 2006:

3% at 8 yrs.; 5% at 17 yrs.; 7% at 23 yrs.

Effective January 1, 2007:

3% at 8 yrs.; 6% at 17 yrs.; 9% at 23 yrs.

South Simcoe Police Association

2007-2010

1st Class

Jan. 1, 2007	2%	Jul. 1	1.50%	\$72,475
Jan. 1, 2008	2%	Jul. 1	1.50%	\$75,034
Jan. 1, 2009	2%	Jul. 1	1.25%	\$77,491
Jan. 1, 2010	2%	Jul. 1	1.25%	\$80,029

Niagara Region Police Association

2006-2010

1st Class

Jan. 01 2006	3.25%	\$71,343.11
Jan. 01 2007	2.5%	\$73,126.68
Jul. 01 2007	0.5%	\$73,492.32
Jan. 01, 2008	2.5%	\$75,329.63
Jul. 01, 2008	0.5%	\$75,706.27

2. Meeting of the Canadian Police Association Executive with Minister Day

At the end of January CPA Executive members met with senior members of Minister Day's staff, to discuss current issues and priorities. Among the issues discussed:

- 2500 Police Officers – Request for a Meeting with the Minister
- RCMP Association – CPA Submissions in support of labour rights for RCMP members.
- Border Patrol – CPA position supporting continued police responsibility for border patrols.
- Corrections And Parole Review – The Minister is expected to make an announcement in the near future concerning a review of Corrections and Parole, and CPA has been asked for input into the scope and format of the review.

3. Pembroke Police Chief given 3 month unpaid suspension after harassing Police Union Executive member.

The Pembroke Police Chief received a three month unpaid suspension from January 1, to April 1, 2007. In addition the Chief was ordered to personally apologize to the Constable involved and write a letter of apology to the Pembroke Police Association. Finally the Chief was ordered to three training courses within the next

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FOR YOUR INFORMATION

10 months –the leader course, emotional intelligence, and building leadership strength through self-awareness courses offered by the Ontario Police College.

The disciplinary proceedings were initiated by the Pembroke Police Association after the Chief made several statements about the Constable's involvement with the police association. Chief MacIsaac also admitted he acted in a "disorderly manner" by twice making statements about the Constable's involvement with the Pembroke Police Association. Moreover, the Chief admitted to telling the Constable that being part of an Association is a "career killer" and calling him an "Association man".

4. On going talks between the CPA and IAFF to obtain compensation fund.

As we informed our membership in the previous newsletter the International Association of Fire Fighters ("IAFF") had pushed for a bill to create a compensation fund for firefighters killed in the line of duty. Unfortunately, the IAFF just like previously asking for a higher pension accrual rate only for their members did not ask for the other Public Safety Occupations to be included in this fund. In September CPA President Cannavino together with other Executive members met with Mr. Jim Lee, President of the Canadian Chapter of the International Association of Fire Fighters. The meeting provided the opportunity to discuss joint strategies to promote the creation of a federal Public Safety Officers Compensation Fund, to assist families of police officers, fire fighters, and other public safety officials, who are killed in the line of duty.

5. Bills of interest already in the House or Senate:

- C-9 *Criminal Code (Conditional Sentence Imprisonment)*
- C-10 *Criminal Code (minimum penalties for offences involving firearms)*
- C-12 *An Act to provide for emergency management and to amend and repeal certain Acts*
- C-18 *DNA identification*
- C-19 *Criminal Code (street racing)*
- C-21 *Criminal Code and the Firearms Act (non-registration of firearms that are neither prohibited nor restricted)*
- C-22 *Criminal Code (age of protection)*
- C-23 *Criminal Code (criminal procedure, language of the accused, sentencing and other amendments)*
- C-27 *Criminal Code (dangerous offenders and recognizance to keep the peace)*
- C-32 *Criminal Code (impaired driving) also known as drug-impaired driving*
- C-35 *Criminal Code (reverse onus in bail hearings for firearm-related offences)*
- C-277 *Criminal Code (luring a child)*
- C-286 *Witness Protection Program Act (protection of spouses whose life is in danger)*
- C-299 *Criminal Code, the Canada Evidence Act and the Competition Act (personal information obtained by fraud)*
- C-392 *An Act to amend the Public Service Labour Relations Act (RCMP members and special constables) and the Royal Canadian Mounted Police Act*

6. Hamilton Police Association reacts to stalled contract talks.

Hamilton uniformed police officers are working to rule. The 700-member Hamilton Police Association launched the action to put pressure on the police board over contract talks. It means fewer Provincial Offences Notices will be issued for speeding and other offences an officer might come upon in the course of his or her duties. Officers will also follow police procedures and policies to the letter. The “work to rule” had been implemented by the Association after its members have been without a contract since Dec. 31, 2005.

7. KIA car ad criticized by police associations

The KIA car ad featuring a female police officer and a male making out in the back of a KIA vehicle had drawn criticism from various police associations due to the negative light it portrays female police officers. As a result of this pressure KIA had agreed to run the ad after 9 PM when fewer children are likely to watch the ad.

8. Moncton RCMP to revert to municipal police force?

The New Brunswick Police Association offered to pay 100 per cent of the cost of a study to determine the true financial cost of returning to a municipal police force. The City of Moncton has not responded to this offer as it is waiting on a final report on a new cost-sharing formula being prepared by the Codiac Regional Policing Authority, before considering the NBPA’s proposal.

Currently, Moncton pays 76.31 per cent of the cost of the Codiac Regional RCMP, Dieppe pays 12.18 per cent and Riverview pays 11.51 per cent. Moncton is particularly dissatisfied with the arrangement and the mayor has said on numerous occasions the city might consider reverting to a municipal force as a last resort.

The NBPA believes a municipal force could cost the City of Moncton 40 per cent less per year, basing that estimate on the fact Fredericton spends \$10 million per year on a 99 member force while Moncton pays about \$15 million per year for 96.5 RCMP members. But even if their estimate proves wildly wrong and could only save the city, say, 20 per cent, that would still represent three million dollars saving.

9. RCMP “whistle blower” not justified in sharing confidential information with media, Federal Court of Appeal rules

The Federal Court of Appeal has upheld the dismissal of an RCMP officer who breached his duty of loyalty and oath of secrecy by publicly disclosing confidential information related to an investigation in which he claimed the RCMP was covering up wrongdoing by government officials. The officer’s conduct was not protected by the “whistle-blowing” defense as there was no evidence of any illegal conduct on the part of the government or the RCMP. While RCMP officers were not necessarily held to a higher standard of loyalty than other public servants, the whistle-blowing defense was available only in the case of illegality (of which there was no evidence in this case), or a threat to life, health or safety. These exceptions to the duty of loyalty had not been expanded to include matters of “legitimate public concern.”



BCMPPA Membership Application/ Amendment Form

Check All Boxes That Apply

- | | |
|---|--|
| <input type="checkbox"/> New Application | <input type="checkbox"/> Renewal (\$108/year) |
| <input type="checkbox"/> Interdivisional Membership (\$15/year) | |
| <input type="checkbox"/> Pre-approved payment request | <input type="checkbox"/> Cheque attached |
| <input type="checkbox"/> Male <input type="checkbox"/> Female | <input type="checkbox"/> Change of address |
| <input type="checkbox"/> Change of posting/duties | <input type="checkbox"/> Change of bank/account |

Referred by _____
(Referring member 3 months no dues)

Regimental # _____

Surname _____

Given Names _____

Address (Street, City, Province, Postal Code) _____

E-mail Address _____

Telephone # _____

Current Posting & Duties _____

PRE-APPROVED PAYMENT REQUEST

This application constitutes authorization for the B.C. Mounted Police Professional Association (BCMPPA) to withdraw the sum of \$9 per month from:

Financial Institution _____

Address _____

Account # _____

Please attach a void/blank cheque to initiate your Pre-approved Payment.

Visa MasterCard (credit card payments through PayPal only)

Card # _____

Expiry _____

The said withdrawal will be debited on the 14th day of each month. These authorized deductions will commence on _____ 20____, and will continue until such time as the undersigned advises the BCMPPA to cease said withdrawals in writing.

Date _____

Signed _____

Mail to: BCMPPA, PO Box 76004, Langley, BC V1M 4B7
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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Dan Petre 604-601-0358 pgr.

Change of Address

Members with access to the Internet can communicate via e-mail their change of address or any other data pertaining to their membership.

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