

Commission for Public Complaints Against the RCMP

2011–12

Departmental Performance Report

The Honourable Vic Toews, P.C., Q.C., M.P.
Minister of Public Safety

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Chair's Message

I am pleased to present the *Departmental Performance Report* of the Commission for Public Complaints Against the RCMP (CPC) for 2011–2012. The report provides an overview of the CPC's work during this fiscal year and discusses the extent to which the CPC has met its objectives, as set out in its 2011–2012 *Report on Plans and Priorities*.

In 2011–2012, the CPC received its requested interim funding from the Treasury Board's Management Reserve in order to meet the current demands of its existing mandate. With these additional funds, it was able to continue to meet its service standards, to conduct its trend analysis into complaints and investigations into areas of particular concern to the public, and enhance its outreach capacity.

Ian McPhail, Q.C.
Interim Chair

Section I: Organizational Overview

Raison d'être

The Commission for Public Complaints Against the RCMP (CPC) is an independent agency created by Parliament and is not part of the Royal Canadian Mounted Police (RCMP). The CPC's fundamental role is to provide civilian review of the conduct of the RCMP members in carrying out their policing duties, thereby holding the RCMP accountable to the public. The CPC ensures that complaints about the conduct of RCMP members are examined fairly and impartially. Its findings and recommendations help identify, correct and prevent the recurrence of policing problems caused by the conduct of specific RCMP members or by deficiencies in RCMP policies or practices. The CPC has the authority to make findings and recommendations, but cannot impose discipline or make monetary awards to complainants.

Responsibilities

As set out in Part VII of the *Royal Canadian Mounted Police Act* (RCMP Act), the mandate of the CPC is to:

- receive complaints from the public about the conduct of RCMP members;¹
- conduct reviews when complainants are not satisfied with the RCMP's handling of their complaints;
- hold hearings and conduct investigations; and
- report findings and make recommendations.

Vision

Excellence in policing through accountability.

Mission

To provide civilian review of RCMP members' conduct in performing their duties so as to hold the RCMP accountable to the public.

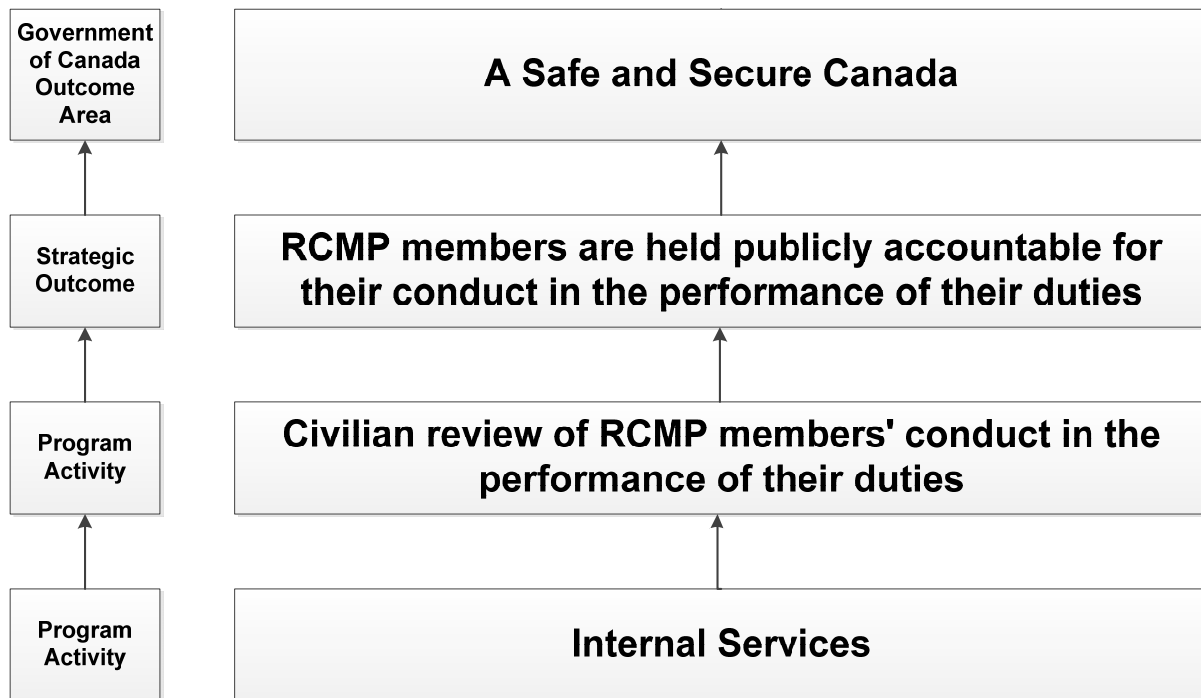
1. Note: The term "members" as used in this document includes all persons appointed under the RCMP Act, i.e. both regular and civilian members of the RCMP.

Strategic Outcome and Program Activity Architecture

In order to effectively pursue its mandate, the CPC aims to achieve the following strategic outcome.

RCMP members are held publicly accountable for their conduct in the performance of their duties.

The following graphic outlines the CPC's Program Activity Architecture:



Organizational Priorities

Summary of Progress Against Priorities

Priority	Type ²	Strategic Outcome
Increase public awareness of the role and services of the CPC.	Ongoing	RCMP members are held publicly accountable for their conduct in the performance of their duties.
<ul style="list-style-type: none"> The CPC launched a pilot project aimed at enhancing knowledge of the CPC's activities in the Yukon. A Yukon-specific guide to complaints and reviews was created and distributed to various organizations, as well as brochures outlining the CPC's activities. Although public awareness has increased, the CPC understands that many members of communities policed by the RCMP are not aware that they have recourse to an independent third party in relation to complaints against RCMP members. The CPC will continue to focus on increasing public awareness of its existence. 		
Priority	Type	Strategic Outcome
Strengthen the complaint and review processes.	Ongoing	RCMP members are held publicly accountable for their conduct in the performance of their duties.
<ul style="list-style-type: none"> The CPC has continued to track all complaints received whether lodged with the RCMP, the CPC or a provincial authority. In order to meet its service standards while facing an increased number of complaints, the CPC has retained highly qualified additional staff with the support of interim funding. The CPC continued work on its public interest investigation into the G8/G20 events and began an investigation into issues of workplace harassment in the RCMP. 		
Priority	Type	Strategic Outcome
Improve the relevance of review recommendations and identify complaint trends.	Ongoing	RCMP members are held publicly accountable for their conduct in the performance of their duties.
<ul style="list-style-type: none"> The CPC's Review of the Record project continues to be an important public reporting and management tool in identifying areas of the public complaint system requiring further attention by the RCMP. The CPC has continued to conduct trends analysis as well as generate specialized reports. 		

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2. Type is defined as follows: previously committed to—committed to in the first or second fiscal year prior to the subject year of the report; ongoing—committed to at least three fiscal years prior to the subject year of the report; and new—newly committed to in the reporting year of the Report on Plans and Priorities or the Departmental Performance Report.

Priority	Type ³	Strategic Outcome
Facilitate the creation of a new review mechanism for the RCMP.	Previously committed to	RCMP members are held publicly accountable for their conduct in the performance of their duties.
<ul style="list-style-type: none"> The CPC continued to provide advice to Public Safety on the creation of a new review mechanism for the RCMP. The CPC ensured that it is well positioned to meet the challenges of its existing mandate. 		
Priority	Type	Strategic Outcome
Support management excellence and enhance a workplace of choice.	Ongoing	RCMP members are held publicly accountable for their conduct in the performance of their duties.
<ul style="list-style-type: none"> The CPC implemented the management action plan that builds on the findings of the core control audit conducted by the Office of the Comptroller General to support management excellence. The CPC developed a working group of employees from all units to examine the results from the Public Service Employee Survey and develop an action plan to enhance the workplace. 		

Risk Analysis

In order to foster an organizational culture that supports risk-informed decision-making, focuses on results, and enables the consideration of both opportunity and innovation, the CPC, as part of its annual planning process, conducts a risk assessment and identifies appropriate actions to mitigate any identified risks. In setting out its plans for 2011–2012, the CPC identified the following key risks and mitigation strategies.

Insufficient Funding

There was a risk that the CPC would not receive its requested interim funding from Treasury Board, which was needed to continue its critical work in the areas of outreach, strategic policy and research, as well as to meet any surge in complaints, reviews or special investigations. The CPC received \$2.7M in interim funding from the Treasury Board's Management Reserve; therefore, the risk did not materialize.

3. Type is defined as follows: previously committed to—committed to in the first or second fiscal year prior to the subject year of the report; ongoing—committed to at least three fiscal years prior to the subject year of the report; and new—newly committed to in the reporting year of the Report on Plans and Priorities or the Departmental Performance Report.

RCMP Implementation of CPC's Recommendations

As the CPC's recommendations to the RCMP are not binding, there is a risk that key recommendations will not be implemented. To monitor this risk, the CPC continued its systematic tracking of recommendations made to the RCMP and maintained a "Recommendations Awaiting Implementation" section on its website.

Responding to Major Policing Events

The CPC's mandate requires it to respond to serious incidents between the RCMP and the public. The unpredictable frequency and magnitude of such events can create financial and human resource pressures which impact workloads and services standards. The CPC continued to track its workload and where required used established supply arrangements for specialized investigators and reallocated staff in order to maintain the capacity to undertake important high-profile investigations.

Recruitment and Retention of Key Staff

The CPC's temporary funding situation continued to present recruitment and retention challenges and the risk of insufficient human resources to meet work demands. To mitigate this risk, the CPC maintained its integrated business and human resources planning and continued its workplace of choice activities. A classification and staffing strategy was put in place to address organizational changes and recruitment/staffing pressures.

The CPC also developed a working group of employees from all units to examine the results of the Public Service Employee Survey and develop an action plan to enhance the workplace. Investments in the workplace of choice initiative contributed to the retention of key staff and the recruitment of new employees.

Summary of Performance

2011–12 Financial Resources (\$ thousands)

Planned Spending	Total Authorities	Actual Spending
\$ 5,412	\$ 8,684*	\$ 7,881

* The CPC received its requested interim funding from the Treasury Board's Management Reserve in 2011–12 following the completion of its Report on Plans and Priorities.

2011–12 Human Resources (full-time equivalents)

Planned	Actual	Difference
40	57*	17

* The CPC received its requested interim funding from the Treasury Board's Management Reserve in 2011–12 following the completion of its Report on Plans and Priorities.

Summary of Performance Tables

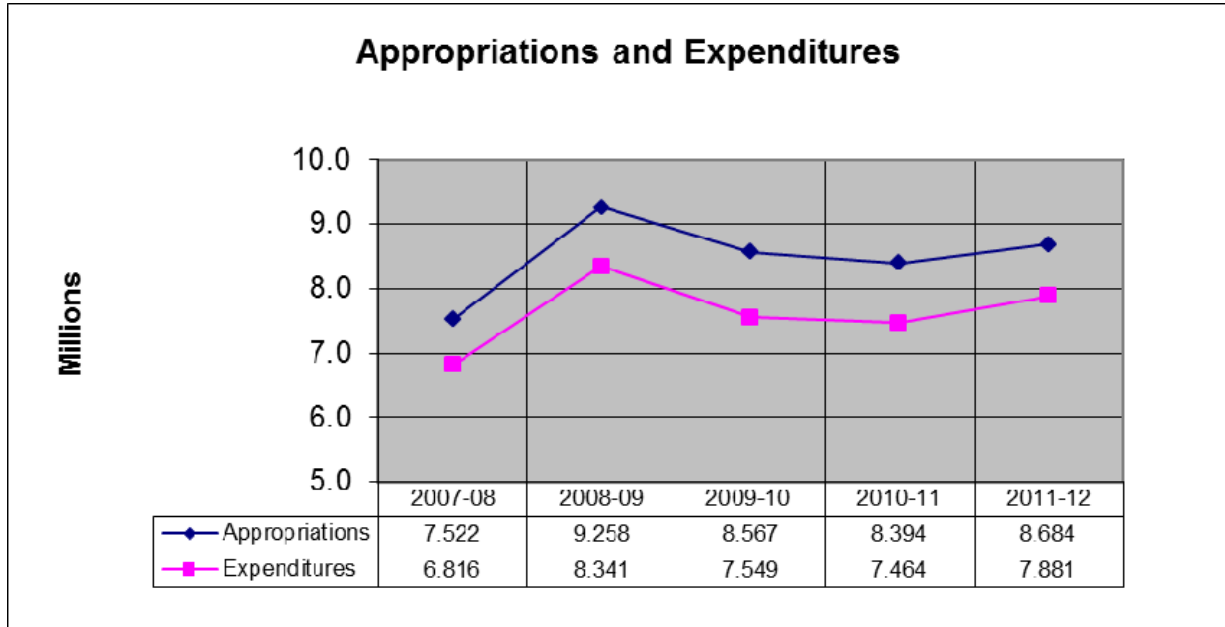
Progress Toward Strategic Outcome

Strategic Outcome: RCMP members are held publicly accountable for their conduct in the performance of their duties.		
Performance Indicators	Targets	2011–12 Performance
Recommendations accepted by the RCMP and have been implemented.	100%	The RCMP Commissioner accepted approximately 88% of the CPC's adverse findings and 84% of its recommendations.

Performance Summary

Program Activity	2010–11 Actual Spending	2011–12 (\$ thousands)				Alignment to Government of Canada Outcome
		Main Estimates	Planned Spending	Total Authorities	Actual Spending	
Civilian review of RCMP members' conduct in the performance of their duties	3,236	2,977	2,977	3,792	3,453	Social Affairs A Safe and Secure Canada
Internal Services	4,288	2,435	2,435	4,892	4,428	
Total	7,524	5,412	5,412	8,684	7,881	

Expenditure Profile



Estimates by Vote

For information on the CPC’s organizational votes and/or statutory expenditures, please see the *Public Accounts of Canada* for 2012 (Volume II). An electronic version of this publication is available on the Public Works and Government Services Canada website.⁴

4. Public Accounts of Canada 2012: <http://www.tpsgc-pwgsc.gc.ca/recgen/txt/72-eng.html>

Section II: Analysis of Program Activities by Strategic Outcome

Strategic Outcome

In order to effectively pursue its mandate, the CPC aims to achieve the following strategic outcome: **RCMP members are held publicly accountable for their conduct in the performance of their duties.**

Program Activity: Civilian Review of RCMP members' conduct in the performance of their duties

2011–12 Financial Resources (\$ thousands)

Planned Spending	Total Authorities	Actual Spending
2,977	3,792	3,453

2011–12 Human Resources (full-time equivalents)

Planned	Actual	Difference
28	33	5

2011–12 Performance

Expected Result	Performance Indicator	Target	Actual Results
Improve access to and openness of the public complaint process.	The percentage of complaints received from the public directly by the CPC is increased.	Annual increase of 5%	70% of complaints received directly by the CPC.

Program Activity Description

The CPC conducts reviews of complaints received from the public about the conduct of RCMP members in the performance of their duties. When complainants are not satisfied with the RCMP's handling of their complaints, they can request a review of their case by the CPC. In reviewing these complaints, the CPC may conduct hearings and investigations, and reports on its findings and makes recommendations to the RCMP Commissioner and Minister of Public Safety.

Performance Summary and Analysis of Program Activities

In 2011–2012, the CPC received approximately 70% of all complaints directly from the public with the RCMP receiving the rest. The CPC’s National (complaint) Intake Office in Surrey, BC, processed 4,064 general enquiries, alternative dispute resolutions and formal complaints against the RCMP in 2011–2012. Of these, 1,694 were complaints, 178 were resolved through alternative dispute resolution and 2,192 were general enquiries.

The CPC received 259 requests for review and issued a total of 199 review reports in 2011–2012. The RCMP Commissioner accepted approximately 88% of the CPC’s adverse findings and 84% of its recommendations. The CPC continues to emphasize its internal performance-based service standards, consistent with its view that to be effective, it is imperative that review be timely. It is in furtherance of this principle that the CPC recommends, as it has in the past, that the RCMP apply service standards to its response times, with the goal in mind that the complaint investigation and review be completed within one year.

The CPC has steadily increased its outreach capability. Engagement with key stakeholder groups, such as municipal associations, police boards, provincial oversight bodies and Aboriginal groups, is vital to helping increase awareness of an individual’s ability to initiate a complaint against the conduct of an RCMP member.

The CPC launched a pilot project aimed at enhancing knowledge of its activities in the Yukon. The pilot project commenced in July 2011 and CPC staff travelled regularly to the Yukon and met with various stakeholders, including community organizers, RCMP members as well as various provincial and municipal government resources. In addition, a Yukon-specific guide to complaints and reviews was created and distributed to various organizations with CPC brochures. The CPC efforts were well-received and relationships were fostered throughout the territory.

The CPC continued to work closely with the RCMP to identify trends and issues in order to improve the quality of, and enhance public confidence in, the public complaints system. The CPC has also continued to work with its provincial partners to harmonize police oversight processes to the extent possible under existing law. This includes creating a “no wrong door” approach to the intake of complaints about the police and ensuring that Canadians receive the benefit of the expertise and experience of all police oversight bodies across the country.

Lessons Learned

Over the past several years, a number of independent inquiries and task forces have all recommended enhanced civilian oversight of the RCMP. The creation of a new oversight regime was announced in Budget 2010. Bill C-38, which outlined these changes, was introduced in Parliament on June 14, 2010. Bill C-38 did not advance beyond first reading before the 2011 federal election call. On June 20, 2012, the Government of Canada tabled Bill C-42, which is intended to strengthen the RCMP review and complaint processes and support a re-invigoration of police accountability.

The CPC continues to support the government's efforts to implement legislative changes, and over the past five years the CPC has been working to ensure it provides the best possible service to the public under the existing legislative framework in order to better position itself to meet expectations under a new mandate.

To this end, the CPC has:

- structured its organization to streamline processes;
- implemented and respected service standards (while urging the RCMP to do the same);
- focused more resources on outreach; and
- focused on trends analysis (e.g. use of conducted energy weapons, police investigating the police, and data analysis on complaints nationally and by region).

The CPC believes these types of initiatives are encouraging the RCMP to improve its internal handling of individual complaints, as well as to implement national policies that will hopefully lead to better training, and consequently to fewer incidents of conflict with the public.

This would not have been possible without interim funding over and above the CPC's resource base, which has been approved by the government over the past five years.

Program Activity: Internal Services

Internal Services are groups of related activities and resources that are administered to support the needs of programs and other corporate obligations of an organization. These groups are: Management Services; Communications Services; Legal Services; Human Resources Management Services; Financial Management Services; Information Management Services; Information Technology Services; Materiel Services; Acquisition Services; and Travel and Other Administrative Services. Internal Services include only activities and resources that apply across an organization and not those provided specifically to a program.

2011–12 Financial Resources (\$ thousands)

Planned Spending	Total Authorities	Actual Spending
2,435	4,892	4,428

2011–12 Human Resources (full-time equivalents)

Planned	Actual	Difference
12	24	12

Section III: Supplementary Information

Financial Highlights

Condensed Statement of Financial Position (Unaudited)

As at March 31, 2012

(\$ thousands)	Change \$	2011–12	2010–11
Total net liabilities	-384	786	1,170
Total net financial assets	-16	309	325
Departmental net debt	-368	477	845
Total non-financial assets	422	703	281
Departmental net financial position	789	226	-563

Condensed Statement of Operations and Departmental Net Financial Position (Unaudited)

For the Year Ended March 31, 2012

(\$ thousands)	Change %	2011–12	2010–11
Total expenses	-4	8,141	8,437
Total revenues	-	-	-
Net cost of operations before government funding and transfers	-4	8,141	8,437
Departmental net financial position	349	226	-563

Financial Statements

The CPC's Financial Statements for the reporting period can be viewed on the CPC's website.⁵

List of Supplementary Information Tables

Electronic supplementary information tables listed in the 2011–12 Departmental Performance Report can be found on the Commission for Public Complaints Against the RCMP's website⁶.

► Greening Government Operations

5. CPC's Financial Statements: <http://www.cpc-cpp.gc.ca/pr/dpr/finS-eFin1112-eng.aspx>

6. CPC's Website: <http://www.cpc-cpp.gc.ca/index-eng.aspx>

Section IV: Other Items of Interest

Organizational Contact Information

By e-mail:

complaints@cpc-cpp.gc.ca (for complaints)

reviews@cpc-cpp.gc.ca (for reviews)

org@cpc-cpp.gc.ca (for general enquiries)

By telephone:

From anywhere in Canada: 1-800-665-6878

TTY: 1-866-432-5837

By fax:

604-501-4095

By mail:

P.O. Box 88689

Surrey, BC V3W 0X1

On the Web:

<http://www.cpc-cpp.gc.ca/>