



Commission for Public Complaints Against the RCMP

Performance Report

For the period ending
March 31, 2002

Canada

The Estimates Documents

Each year, the government prepares Estimates in support of its request to Parliament for authority to spend public monies. This request is formalized through the tabling of appropriation bills in Parliament.

The Estimates of the Government of Canada are structured in several parts. Beginning with an overview of total government spending in Part I, the documents become increasingly more specific. Part II outlines spending according to departments, agencies and programs and contains the proposed wording of the conditions governing spending which Parliament will be asked to approve.

The *Report on Plans and Priorities* provides additional detail on each department and its programs primarily in terms of more strategically oriented planning and results information with a focus on outcomes.

The *Departmental Performance Report* provides a focus on results-based accountability by reporting on accomplishments achieved against the performance expectations and results commitments as set out in the spring *Report on Plans and Priorities*.

The Estimates, along with the Minister of Finance's Budget, reflect the government's annual budget planning and resource allocation priorities. In combination with the subsequent reporting of financial results in the Public Accounts and of accomplishments achieved in Departmental Performance Reports, this material helps Parliament hold the government to account for the allocation and management of funds.

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Foreword

In the spring of 2000, the President of the Treasury Board tabled in Parliament the document “Results for Canadians: A Management Framework for the Government of Canada”. This document sets a clear agenda for improving and modernising management practices in federal departments and agencies.

Four key management commitments form the basis for this vision of how the Government will deliver their services and benefits to Canadians in the new millennium. In this vision, departments and agencies recognise that they exist to serve Canadians and that a “citizen focus” shapes all activities, programs and services. This vision commits the Government of Canada to manage its business by the highest public service values. Responsible spending means spending wisely on the things that matter to Canadians. And finally, this vision sets a clear focus on results – the impact and effects of programs.

Departmental performance reports play a key role in the cycle of planning, monitoring, evaluating, and reporting of results through ministers to Parliament and citizens. Departments and agencies are encouraged to prepare their reports following certain principles. Based on these principles, an effective report provides a coherent and balanced picture of performance that is brief and to the point. It focuses on outcomes - benefits to Canadians and Canadian society - and describes the contribution the organisation has made toward those outcomes. It sets the department’s performance in context and discusses risks and challenges faced by the organisation in delivering its commitments. The report also associates performance with earlier commitments as well as achievements realised in partnership with other governmental and non-governmental organisations. Supporting the need for responsible spending, it links resources to results. Finally, the report is credible because it substantiates the performance information with appropriate methodologies and relevant data.

In performance reports, departments and agencies strive to respond to the ongoing and evolving information needs of parliamentarians and Canadians. The input of parliamentarians and other readers can do much to improve these reports over time. The reader is encouraged to assess the performance of the organisation according to the principles outlined above, and provide comments to the department or agency that will help it in the next cycle of planning and reporting.

This report is accessible electronically from the Treasury Board of Canada Secretariat Internet site:
<http://www.tbs-sct.gc.ca/rma/dpr/dpre.asp>

Comments or questions can be directed to:

Results-based Management Directorate
Treasury Board of Canada Secretariat
L’Esplanade Laurier
Ottawa, Ontario K1A 0R5

OR to this Internet address: rma-mrr@tbs-sct.gc.ca

Commission for Public Complaints Against the RCMP

Performance Report

**For the period ending
March 31, 2002**

The Hon. Lawrence MacAulay, P.C., M.P.
Solicitor General of Canada

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Section I — Chair's Message

This past year has been a year of upheaval for the institutions that are responsible for maintaining law and order. Unprecedented acts of terrorism against Canada's closest ally led our government to adopt laws that have conferred extraordinary powers on the police — powers that will most likely have some far-reaching consequences.

We all know that Canada is a mosaic of cultures and communities. Changes in policing policy will be interpreted and understood differently by every part of that mosaic. Each has a unique perspective, experience and cultural memory of its interactions with domestic police forces. Both the Commission and the RCMP must show we understand this fundamental Canadian characteristic and reflect that understanding and insight in our work.

It has never been more crucial for the RCMP to enjoy the whole-hearted support of the communities it polices. Never before has it been so vital to reach out to Canada's diverse communities, to build trust, and to keep that trust. Trust is intimately linked with accountability: the RCMP must show at every turn and at every level that it is accountable and that it accepts responsibility for its conduct.

The work of this Commission is vital to ensuring accountability. This year I intend to renew my efforts to make the public and the RCMP more aware of our essential role and mandate. It is important that we communicate and share our vision — “Excellence in policing through accountability” — as broadly as possible among the citizens we serve as well as the country's national police force.

The Commission has completed the second year of its five-year strategic plan. During the past fiscal year, we have upgraded the information management system and developed internal review standards. Internal communications are improving and we are enhancing our capacity to monitor and analyse policing issues and trends. I am proud of the progress that we have made, but recognize that we need to continue to improve our internal and external communication activities.

While we are acutely aware that the social and political context has changed significantly, I want to reassure Parliament, members of the public and the RCMP that we will continue to be vigilant, whatever the challenges, in serving the people of Canada.

Shirley Heafey

Chair, Commission for Public Complaints Against the RCMP

Section II — Commission Overview

The Commission for Public Complaints Against the RCMP is an independent agency. It is not part of the Royal Canadian Mounted Police (RCMP). The Commission's role is to provide civilian oversight regarding policing practices used by the RCMP and to perform an investigative function for members of the public who are dissatisfied with the activities of the RCMP in general or with the conduct of a particular member of the Force.

The Commission has jurisdiction to review the actions of members of the RCMP only; it cannot examine activities of other police forces. The Commission has the authority to make non-binding recommendations to the RCMP, but it cannot make decisions on appropriate levels of discipline or make monetary awards to complainants.

Vision

"Excellence in policing through accountability."

Mission

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

Mandate

The mandate of the Commission is set out in Part VII of the *Royal Canadian Mounted Police Act* and can be summarized as follows:

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

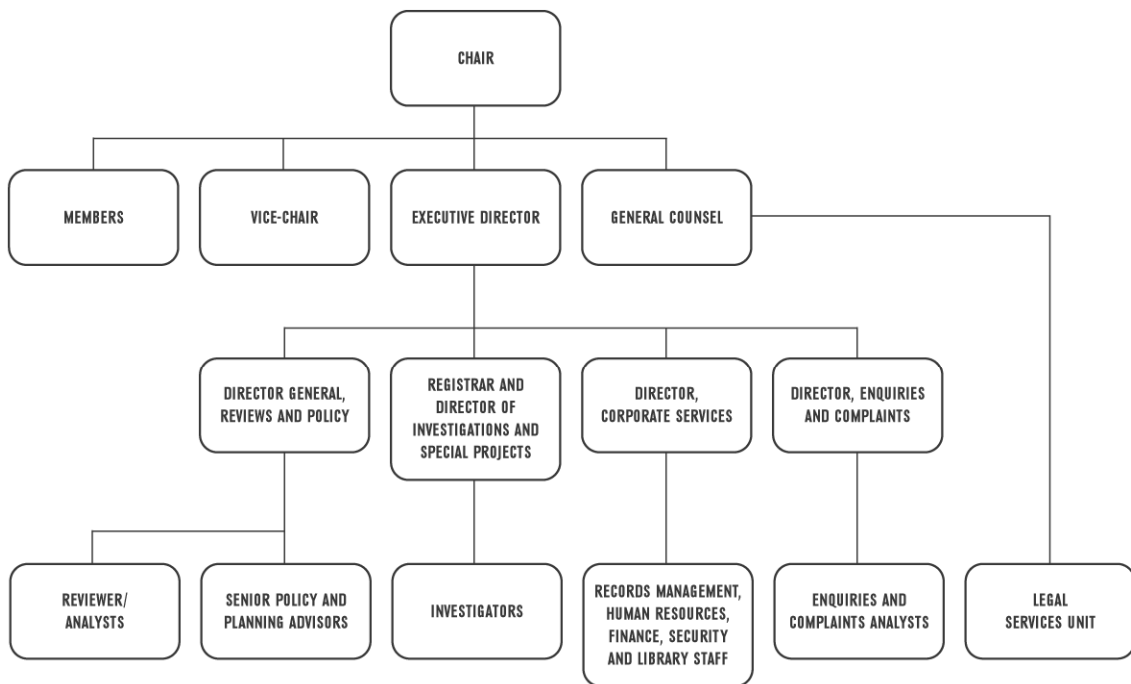
The jurisdiction of the Commission pertains to RCMP members only and does not include members of other police forces. The Commission does not have the authority to make binding recommendations, impose discipline or make monetary awards to complainants.

Core Values

The following core values guide the Commission's work and reflect the work environment for which we strive:

- Effective communication
- Excellence
- Fairness
- Independence
- Integrity
- Objectivity
- Professionalism
- Respect
- Teamwork
- Timeliness

Organization Chart — Commission for Public Complaints Against the RCMP



Section III — Performance Accomplishments

The Government of Canada is committed to fostering strong communities that reflect and reinforce the values that are important to Canadians. These values include multiculturalism and respect for diversity, respect for human and individual rights and respect for peace and the rule of law. The Commission for Public Complaints Against the RCMP plays an important role in maintaining strong and safe communities by providing civilian oversight of RCMP members' conduct in performing their policing duties.

The Commission is an impartial and independent government institution whose main stakeholder is the Canadian public. It receives complaints from the public and forwards them to the RCMP for investigation. It can also review the RCMP's disposition of a complaint if the complainant is not satisfied with that disposition.

The Commission may conduct investigations, initiate complaints, hold public hearings, summon witnesses, administer oaths, accept such evidence as the Commission sees fit, and make findings and recommendations to the Commissioner of the RCMP and the Solicitor General of Canada.

The strategic outcome for the Commission is to provide civilian oversight of RCMP members' conduct in performing their policing duties so as to hold the RCMP accountable to the public.

The Commission measures performance accomplishments by breaking down the strategic outcome into four components:

1. Expeditious treatment of complaints and reviews
2. Improved information management systems and processes
3. Improved service delivery
4. Improved communications

1. Expeditious Treatment of Complaints and Reviews

The Commission focused on eliminating a significant backlog of review cases, which was accomplished in early 2001. In order to ensure that such a backlog does not develop again, the Commission has been working on improving and expediting the review process. The Commission is creating new internal standards to achieve this goal.

The planned turnaround time for cases where the Commission is satisfied with the RCMP investigation will be an average of 120 days.

2. Improved Information Management Systems and Processes

The Commission has completed the second year of its five-year strategic plan. The plan — the first in the Commission's history — resulted from a Commission-wide review and planning exercise during the 1999–2000 fiscal year. The exercise rejuvenated the Commission and enabled it to refine its goals and priorities and develop a sound plan for achieving them.

During the first two years of the plan, the Commission focused on its top priorities — eliminating the backlog of review cases and improving and expediting the review process. During the past fiscal year, the Commission also took the first critical steps in upgrading its information management system, another key objective of the strategic plan.

An improved information system will allow Commission staff to better handle complaints; to conduct research more effectively during reviews; to more easily identify, monitor and evaluate policing issues and trends; and to provide research and analysis to policy makers about policing issues.

One of the key features that will be included in the upgrade is flexibility. All employees of the Commission need to access the database for a multitude of reasons. The data that is captured for use must be flexible enough to meet the varied requirements of the entire user group.

The upgrade of the information management system is planned for implementation during the next fiscal year. Once it is operational, all employees of the Commission will receive the training required to effectively find and manipulate the available data.

3. Improved Service Delivery

Internal Redesign

New Procedures — The past fiscal year has been full of changes and challenges for the Review and Policy Unit of the Commission. New procedures have been introduced to maintain high quality and timely delivery of reviews. Every review file is now assigned to an analyst in the Review and Policy Unit and to a lawyer in the Legal Services Unit.

Both units review the file materials and agree on the approach to be taken before the analyst drafts the report for consideration of the Chair or the Vice-Chair.

This new process ensures that all relevant legal issues are satisfactorily addressed prior to the drafting of the report and will ultimately save time because there will be agreement on the approach to be followed, making for fewer required edits.

File Assignment System — A new file assignment system was also introduced during the past fiscal year so that review files concerning certain types of policing issues are

assigned to the analyst with the most expertise in that area. Once again, that will save time, as analysts preparing a case for review will be very familiar with the applicable law in their areas of expertise.

Consistent Approach — The Review and Policy Unit worked closely with the Commission's Records Management Section to centralize research materials. Analysts now have ready access to the wealth of research materials collected over the years.

Internal guidelines have been developed to ensure a consistent approach to reviews involving similar policing issues. Analysts have assembled compendiums of articles, relevant case law, and previous Commission cases for a variety of policing issues. Analysts can easily refer to this information when reviewing similar files.

The Commission plans on undertaking another strategic planning process to further streamline and develop the processes used by analysts in the Review Unit. This process will involve the management team working closely with the analysts in a collaborative manner.

Modern Comptrollership — The federal government has placed a high priority on the modernization of comptrollership in departments and agencies such as the Commission for Public Complaints Against the RCMP.

Modern comptrollership brings together all elements of the management framework, including strategic leadership, sound business planning, risk management, shared ethics and values, motivated people, integrated performance information, clear accountability and rigorous stewardship.

In the next fiscal year, the Commission plans to conduct a series of interviews with a range of personnel and some external stakeholders. The objective of these interviews is to assess the state of modern comptrollership within the Commission. This involves analysing all elements of the management framework, comparing management practices with best practices and identifying priority areas for improvement.

The end goal of this process will be to develop an action plan for making improvements to the way the Commission is managed and how it utilizes its limited resources.

ADR Initiative

The Commission enjoys continued success with its alternative dispute resolution (ADR) initiative that was introduced as a method of resolving complaints in 1999 and in 2000. When ADR is considered appropriate, the Commission analyst acts as an impartial facilitator to help resolve the complaint with the participation of the complainant and the RCMP member involved.

Complaints may be resolved without going through the formal complaints process. Complainants retain the option of pursuing an official complaint if they are not satisfied with the ADR process.

Most often, there can be increased satisfaction to complainants and RCMP members who decide to participate in the ADR process as the matter is resolved early in the process and takes less of their time to come to resolution.

The ADR process is cost-efficient because valuable resources are saved when a speedy resolution is reached. Staff in the Western Region Office began formal training in conflict resolution during the past fiscal year to expand their skills in this area.

4. Improved Communications

Improving internal and external communications is a critical aspect of the Commission's strategic plan. Information must be relevant to Canadians and must highlight trends over time. The Commission wants to demonstrate its progress toward the goals it has established. This information must be easily accessible and understandable to anyone who is interested in knowing about the activities of the Commission.

Establishing, maintaining and improving communications is an ongoing activity that takes a concerted effort by all members of any organization. While the Commission's team has accomplished a great deal of progress, much remains to be done in this regard.

The Commission is committed to staffing the position of Senior Communications Officer to assist with the implementation of the strategic plan. It is envisioned that this employee will assist with developing a strong culture of internal communications and will assist the Commission in communicating new policy directions, new procedures and in coordinating feedback from employees to the management level.

The Communications Officer will also be tasked with increasing the profile of the Commission within government, the media, the RCMP, complainants, and the general public. Several initiatives have been identified in the strategic plan, which is available at www.cpc-cpp.gc.ca.

External Communications

Although much work remains to be done to increase public awareness of the complaints process, and the respective roles and responsibilities of the Commission and the RCMP, several successful external communications efforts took place during the last fiscal year.

APEC Hearing: The Final Report — The Commission Chair released her final report on the public interest hearing into the conduct of RCMP members during public demonstrations in November 1997 at the Asia-Pacific Economic Cooperation (APEC) conference in Vancouver.

The release of her report on March 26, 2002, marks the end of the longest and most controversial public interest hearing in the Commission's history. The interim and final reports on the APEC hearing are available at www.cpc-cpp.gc.ca.

Special Projects: Police Pursuits and Public Safety — In 1999, the Commission Chair undertook an in-depth review of the threat to public safety that high-speed police pursuits pose. The RCMP's response to this report was provided to the Commission on November 19, 2001. The full report and the RCMP Commissioner's response can be found at www.cpc-cpp.gc.ca.

Professional Activities — The Chair and other Commission representatives participated in various conferences with other civilian oversight agencies during the past fiscal year. The Chair also continued to travel across the country, discussing her role as the head of a civilian oversight agency with various individuals and groups. These meetings provide an opportunity for members of the public and the RCMP to meet the Chair in person to discuss the public complaints process, or other issues of interest or concern. Speeches and presentations made by the Chair, are available at www.cpc-cpp.gc.ca.

Internal Communications

Communication among Commission employees must be open and collaborative to achieve government goals and the Commission's mission, and to ensure quality information services for the public.

Internal communications must be a two-way dialogue. Employees must feel free to express their ideas and concerns and make suggestions for achieving results and improving service. Employees need to be informed and consulted on goals, priorities, and changes being considered for the Commission.

Employees at the Commission have been involved in developing the new systems and procedures that have been implemented over the past fiscal year.

Additionally, the Commission has focused on ensuring regular communications, including more frequent trips by employees to give staff of both Commission offices the opportunity to advance their ideas, concerns and suggestions.

Section IV — Financial Performance

Financial Performance Overview

During 2001–2002, an amount of \$37,000 was received from Vote 15 and \$60,000 from Vote 5 to cover the increase in salaries negotiated through collective bargaining. In addition, the Commission received a carry-forward amount of \$187,900 and \$150,000 through Supplementary Estimates to cover expenses related to the APEC hearing. The Commission also received \$412,105 for Program Integrity Round II through Supplementary Estimates to assist in improving its service delivery to the public.

Treasury Board also advised the Commission that we would be receiving funds to cover the increase in salaries negotiated through collective bargaining. However, this particular amount was not made directly available to the Commission as was done with previous allocations.

The funds were allocated to the Department of the Solicitor General which covered expenditures made by its department and by some of the small agencies under its umbrella.

As a result, the amount of \$152,891 is not reflected in the Total Authorities and in the actual spending in this report. This problem has now been rectified and will be reflected in subsequent reports.

The following tables are applicable to the Commission for Public Complaints Against the RCMP:

Financial Table 1: Summary of Voted Appropriations

Financial Requirements by Authority (\$ thousands)			
Vote		Authorities for 2001–2002	
		Planned Spending	Total Authorities Actual
	Royal Canadian Mounted Police Public Complaints Commission		
50	Operating expenditures	3,463	4,310 4,286
(S)	Contribution to employee benefit plans	367	367 367
Total for the Commission		3,830	4,677 4,653

Total Authorities are Main Estimates and Supplementary Estimates of \$750,005, Vote 15 in the amount of \$37,000 and Vote 5 in the amount of \$60,000.

Financial Table 2: Comparison of Total Planned Spending to Actual Spending

Commission Planned Versus Actual Spending (\$ thousands)			
	2001–2002		
Receipt and review of public complaints	Planned Spending	Total Authorities	Actual
FTEs	34	-	34
Operating	3,830	4,677	4,653
Total Net Expenditures	3,830	4,677	4,653
Costs of services provided by other departments	462	462	462
Net Cost of the Program	4,292	5,139	5,115

Total Authorities are Main Estimates and Supplementary Estimates of \$750,005, Vote 15 in the amount of \$37,000 and Vote 5 in the amount of \$60,000.

Financial Table 3: Historical Comparison of Total Planned Spending to Actual Spending

Commission Planned Versus Actual Spending (\$ thousands)					
	Actual 1999–00	Actual 2000–01	2001–2002		
			Planned Spending	Total Authorities	Actual
RCMP Public Complaints Commission	7,716	5,249	3,830	4,677	4,653
Total	7,716	5,249	3,830	4,677	4,653

Total Authorities are Main Estimates and Supplementary Estimates of \$750,005, Vote 15 in the amount of \$37,000 and Vote 5 in the amount of \$60,000.

Section V — Other Information

Contacts for Further Information and Web site

Head Office

Commission for Public Complaints Against the RCMP (CPC)
P.O. Box 3423, Station 'D'
Ottawa, Ontario K1P 6L4

General Enquiries (613) 952-1471
Complaints (toll-free) 1-800-665-6878
Fax (613) 952-8045

Western Region Office

Commission for Public Complaints Against the RCMP (CPC)
7337 137th Street
Suite 102
Surrey, British Columbia
V3W 1A4

General Enquiries (604) 501-4080
(604) 501-4091
Complaints (toll-free) 1-800-665-6878
Fax (604) 501-4095

Web site: www.cpc-cpp.gc.ca

Legislation Administered by the Commission for Public Complaints Against the RCMP

The Commission for Public Complaints Against the RCMP shares responsibility with the RCMP for carrying out the provisions of Part VII, *Royal Canadian Mounted Police Act*, R.S., c. R-10.

In addition, the RCMP Public Complaints Commission reports to Parliament on Parts VI and VII, *Royal Canadian Mounted Police Act*, R.S., c. R-10.

List of Statutory and Commission Reports

Annual Reports
1988–1989 to 2000–2001

Royal Canadian Mounted Police Act

Federal and Provincial Police Oversight Legislation: A Comparison of Statutory Provisions
June 1991

Police Pursuits and Public Safety (A Report by the RCMP Public Complaints Commission)
December 1999