



“Strong Ethics, Strong Organization”

LEGISLATIVE REFORM INITIATIVE SECOND YEAR REVIEW

Professional Responsibility Sector



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Gendarmerie royale du Canada

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Objectives

- **Results of Second Year Review**
- **Preliminary Comparative and Trend Analysis**
- **Developing Profile of “Sexual Misconduct”**
- **Quality Assurance & Compliance Concerns**
- **The Year Ahead**





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Conduct



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2016 Trends in the Conduct Process

- Fewer conduct files overall but there continues to be a significantly higher number of conduct files than the eight year legacy average
- Time to complete conduct meeting files reduced in 2016
- Fewer dismissal cases initiated and more concluded, but the time to complete hearings continues to increase
- Occurrences are proportional to the number of members per division
- Quality Assurance and compliance (particularly ACMT) issues are increasingly a concern
- Education and awareness regarding processes continues and is critical to success



Workplace Reporting System

WRS Reports	2014	2015	2016	Total
Preferential Treatment	0	2	0	2
Conduct	5	3	6	14
Staffing Action / Human Resources	3	1	0	4
Interpersonal Workplace Relationship Policy	0	0	0	0
Use of Government Property	1	0	0	1
Harassment	25	10	24	59
Occupational Health and Safety	0	0	0	0
PSDPA	1	2	0	3
PEO Integrity	0	0	6	6
PEO Other*	0	0	1	1
Workplace Conflict	0	0	6	6
Total	35	18	43	96
*Referred to Human Rights				

0 conduct referrals involved sexual misconduct

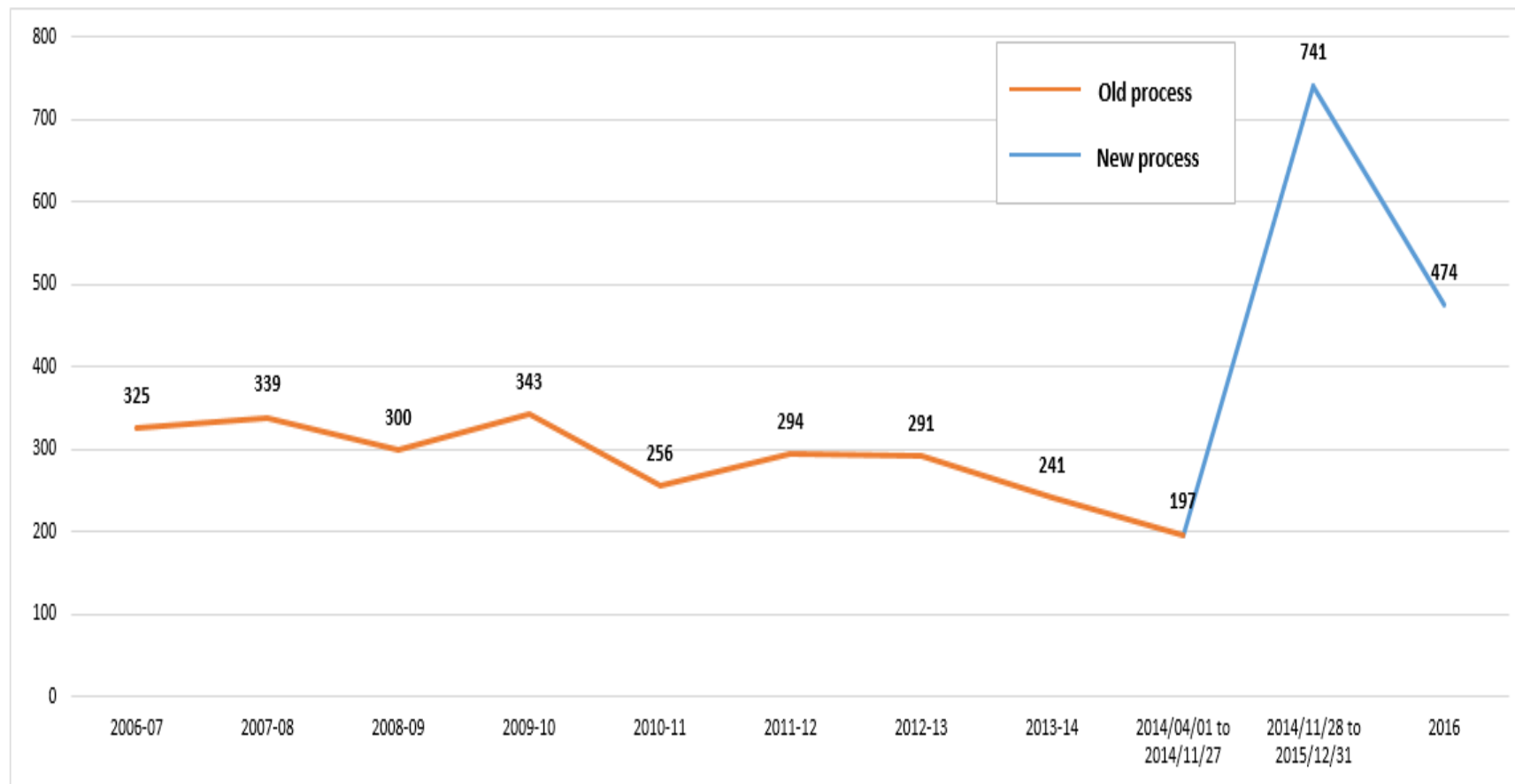
1 harassment referral involved sexual harassment

Conduct Snapshot - 2016

	2014-11-28 to 2015-12-31	2016
Total Conduct Cases Opened	741	474 (36% reduction)
Total Subject Members	662	439 (34% reduction)
Total Allegations	1,475	767 (48% reduction)
Total Conduct Meetings	321	243 (24% reduction)
Average duration of conduct meeting file	182 days	121 days (34% reduction)



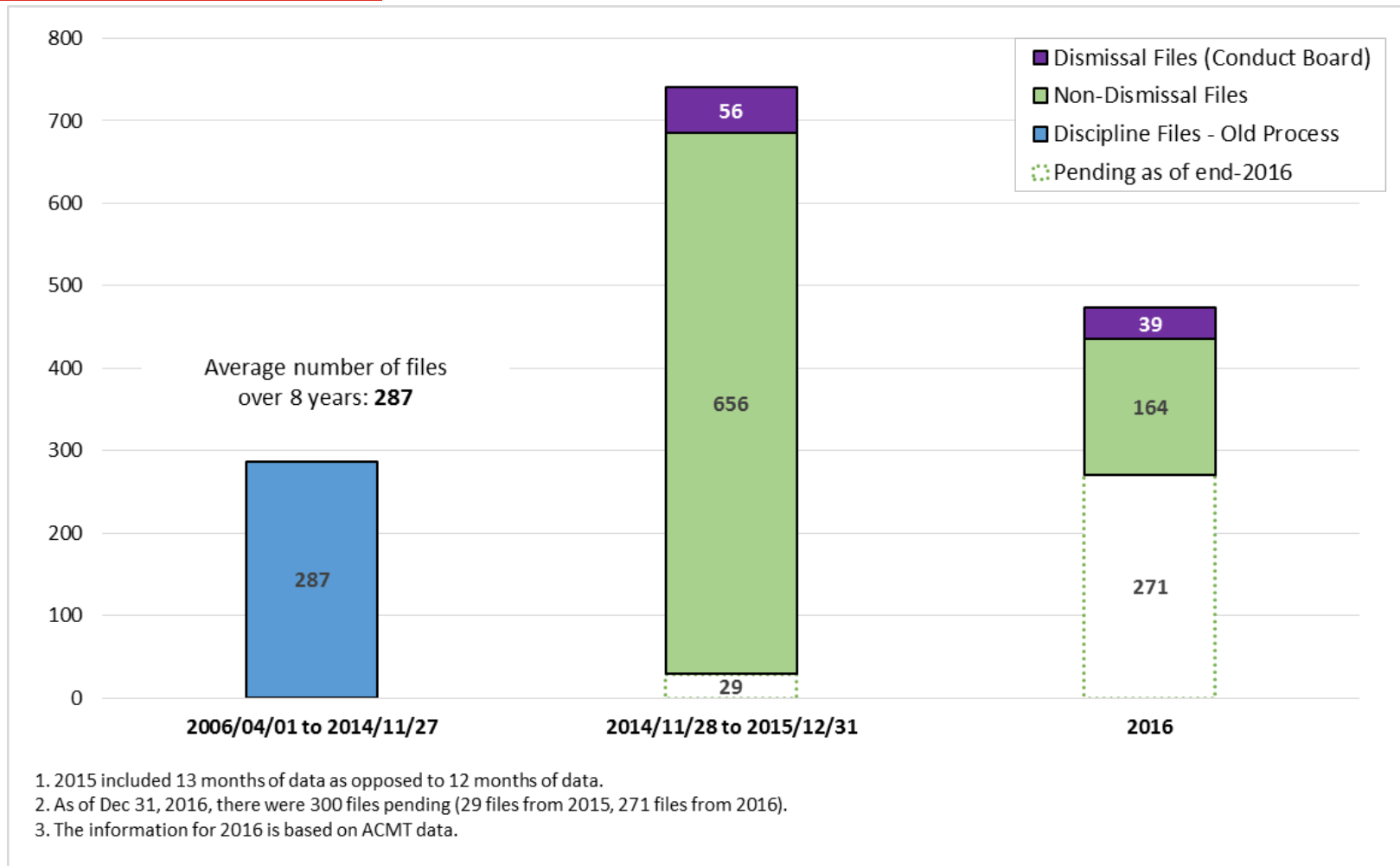
Conduct Files – 2006 to 2016



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Conduct Files and Boards Initiated by Year - Since Nov 28, 2014



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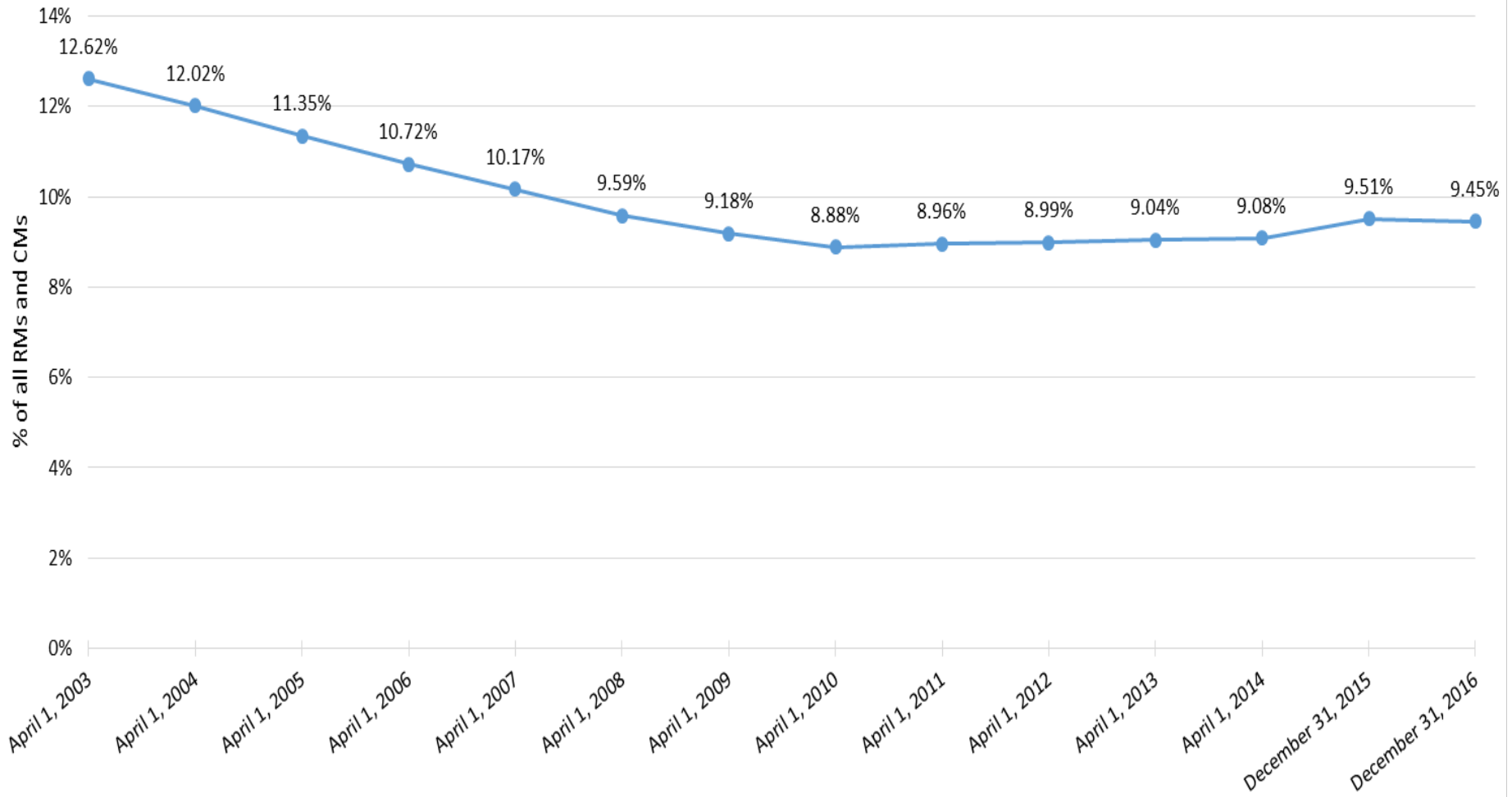
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Conduct Files – 2015 & 2016

	2015		2016	
Files opened	741		474	
Files closed	712	96%	203	43%
<i>Closed in 2015</i>	556	75%		
<i>Closed in 2016</i>	156	21%	203	43%
Files still active as of December 31, 2016	29	4%	271	57%



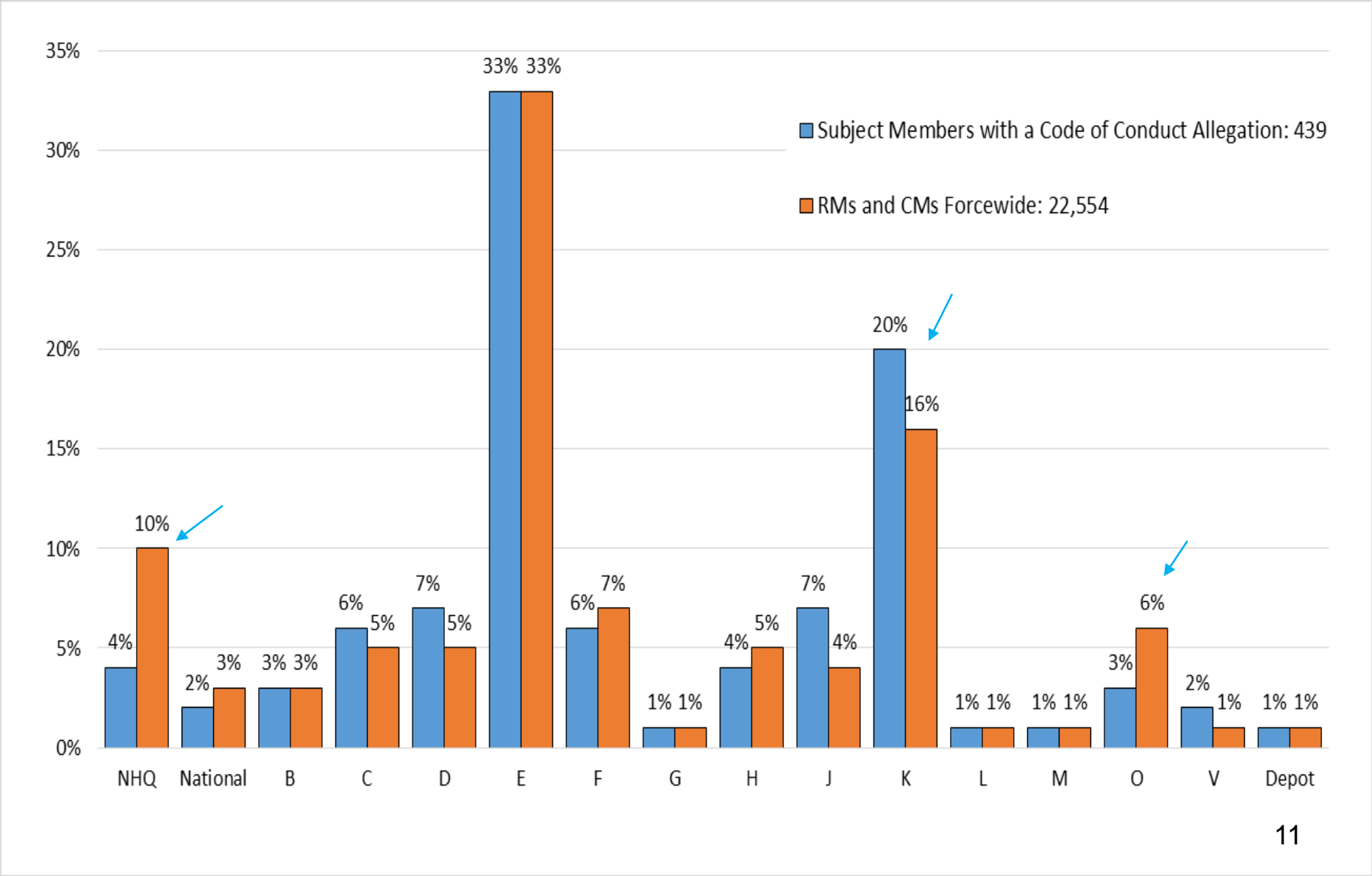
Percentage of Current Active Members With Established Misconduct (Old / New Process)



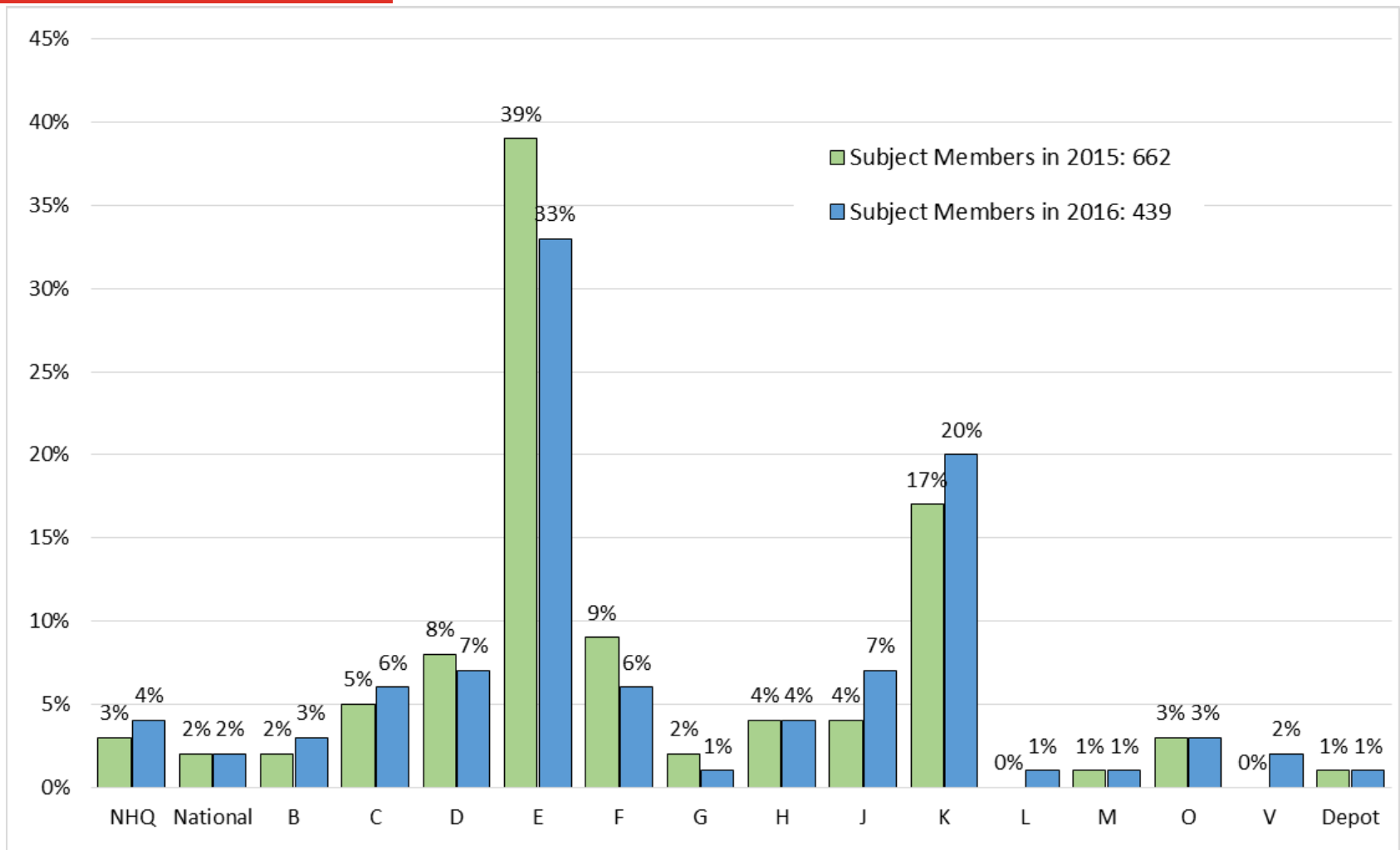
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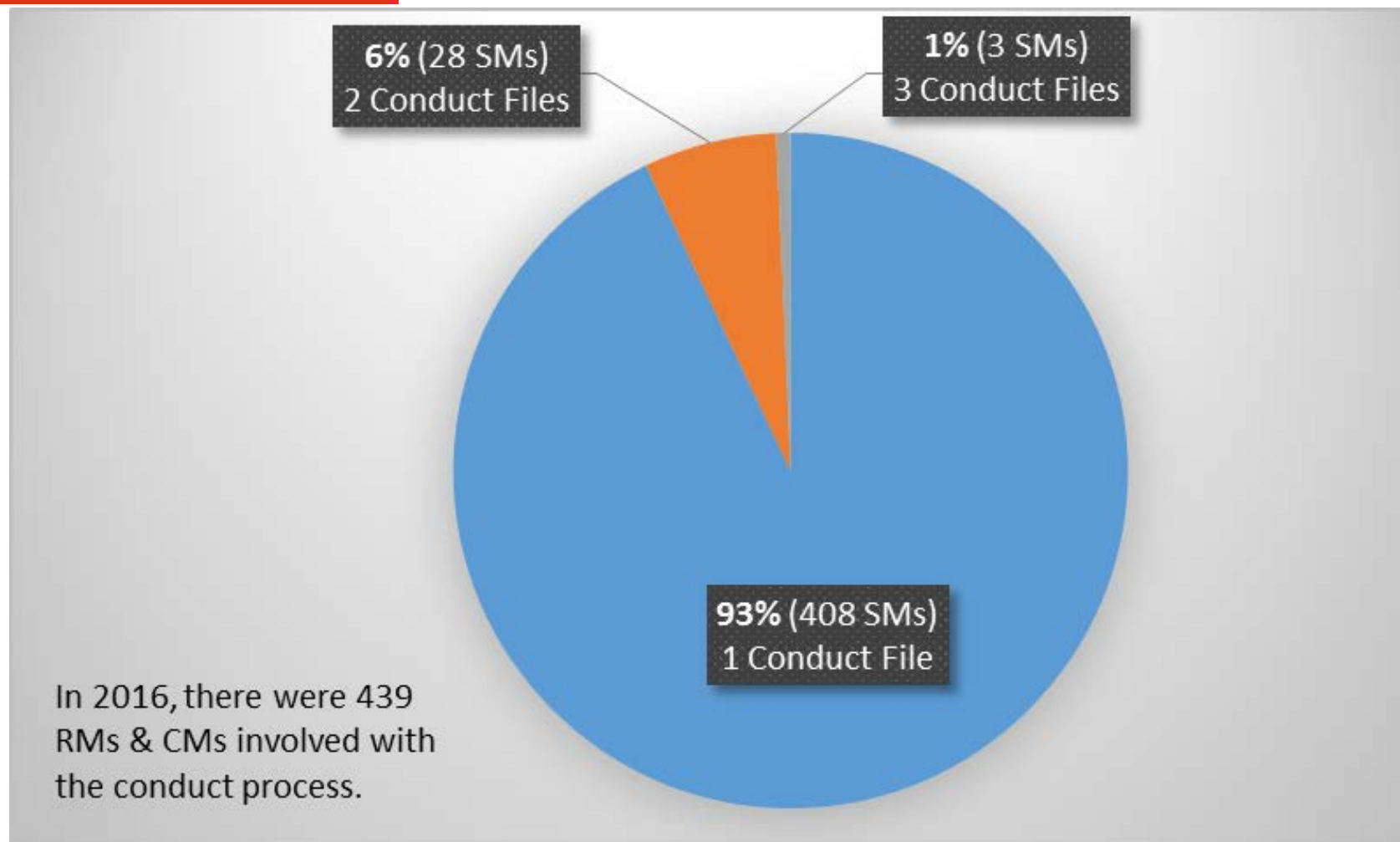
Percentage of Members Subject to Conduct Allegation by Division compared to Total Population of Division



Proportion of Members in each Division with a Conduct File – 2015 & 2016



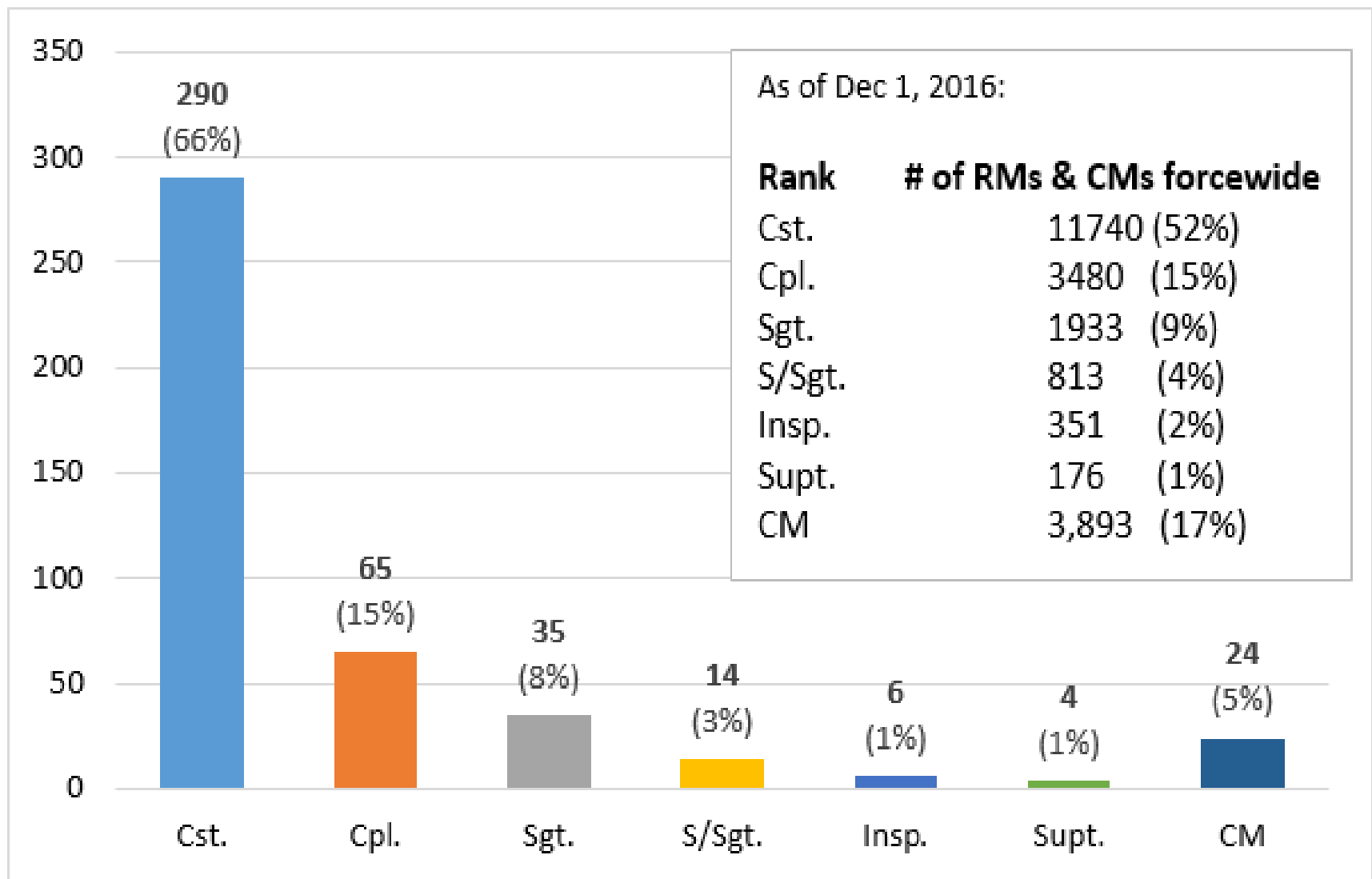
Subject Members with Multiple Conduct Files



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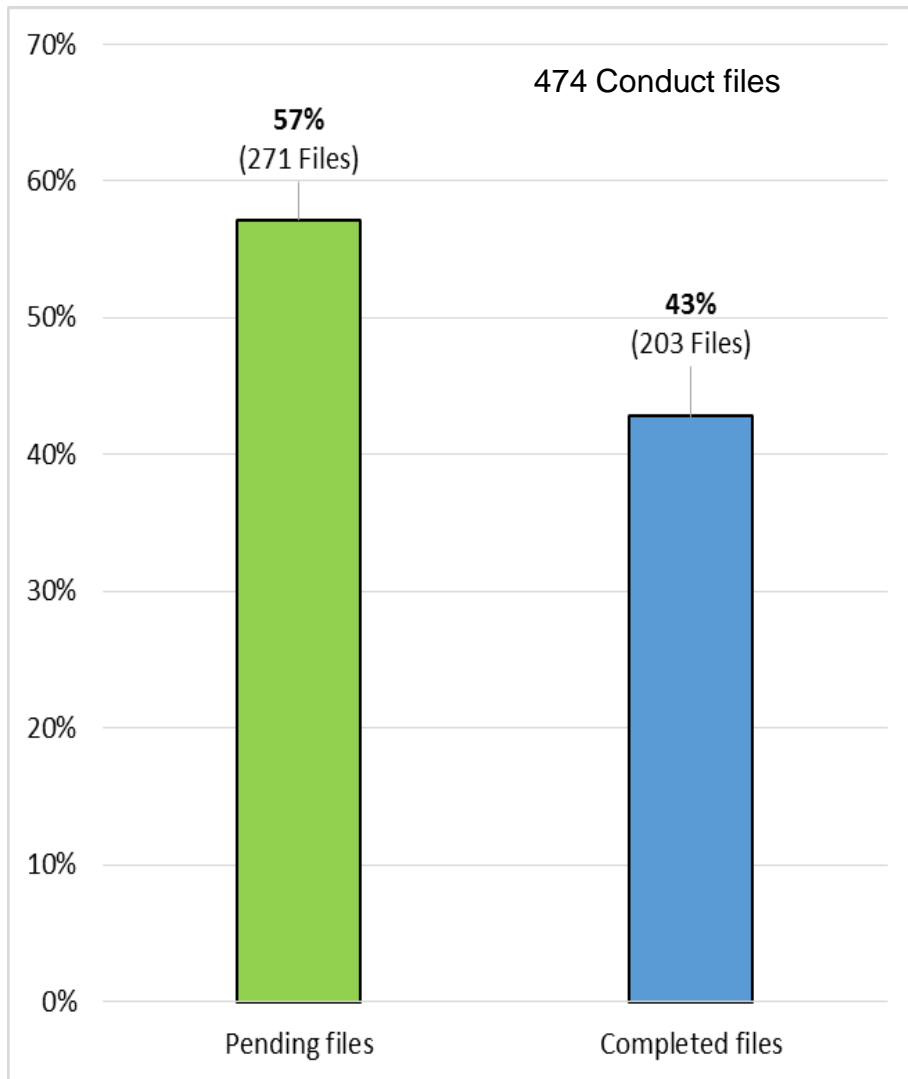
Rank of Subject Members



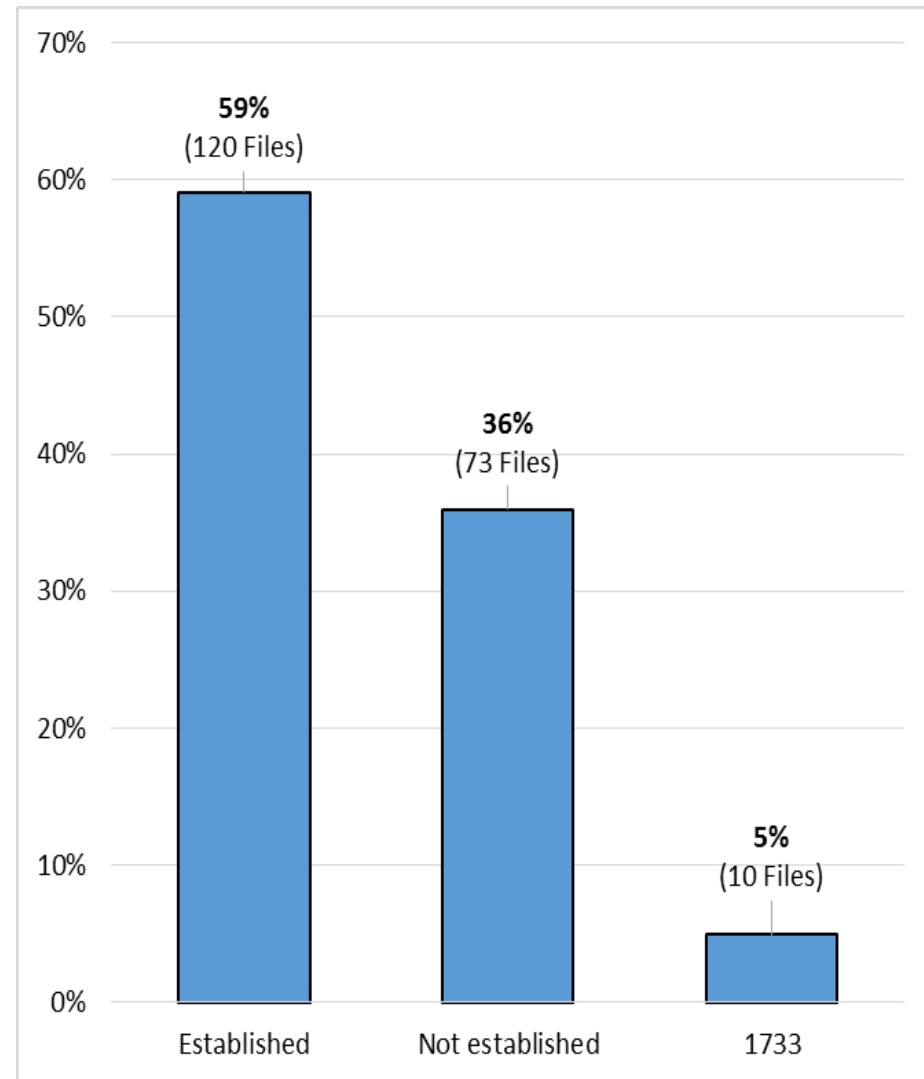
1. Ranks higher than Supt. are not displayed, but account for less than 1% of subject members.

2016 Conduct File Status on Dec 31, 2016

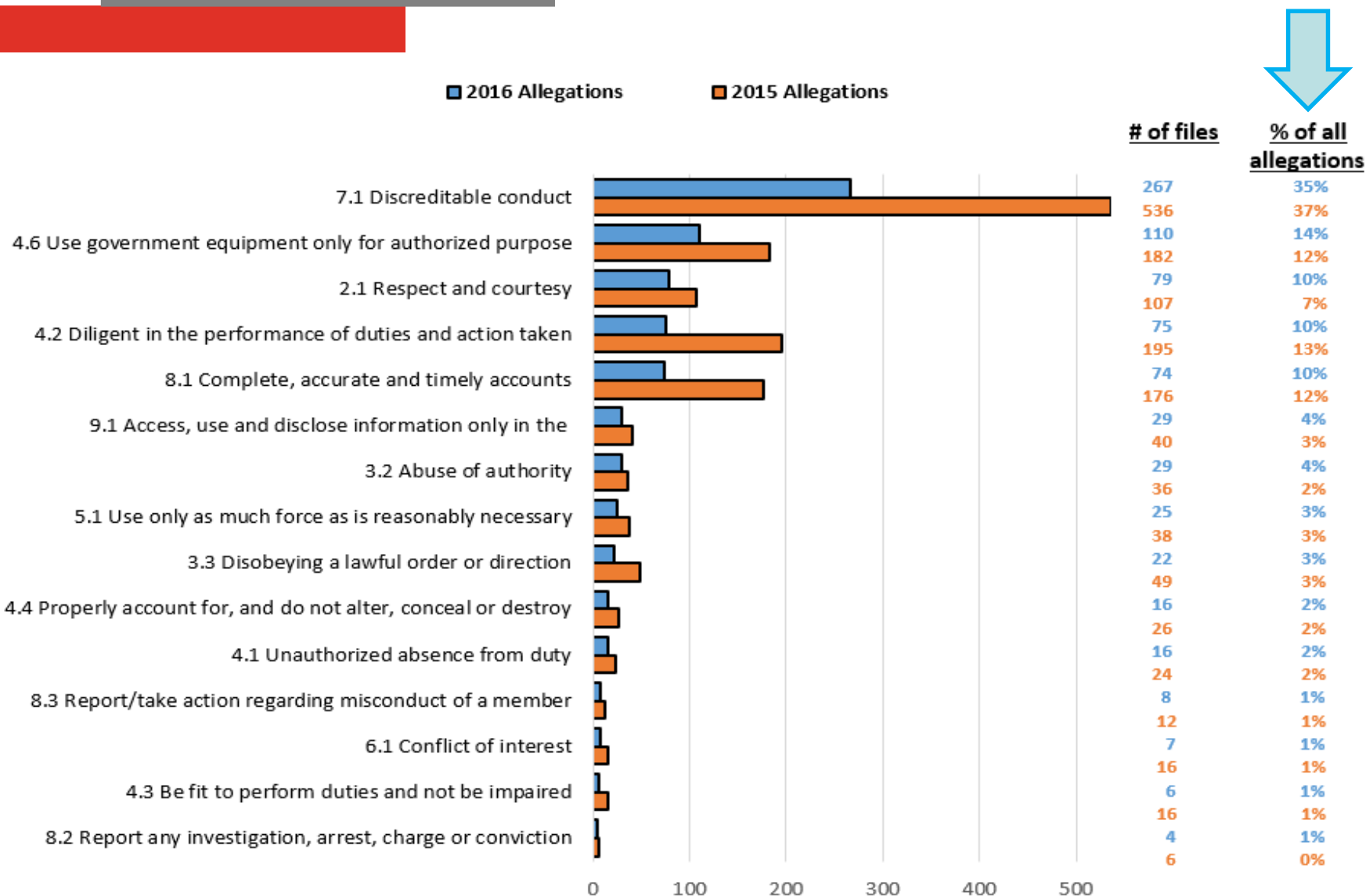
2016 files



Disposition of the 203 completed files

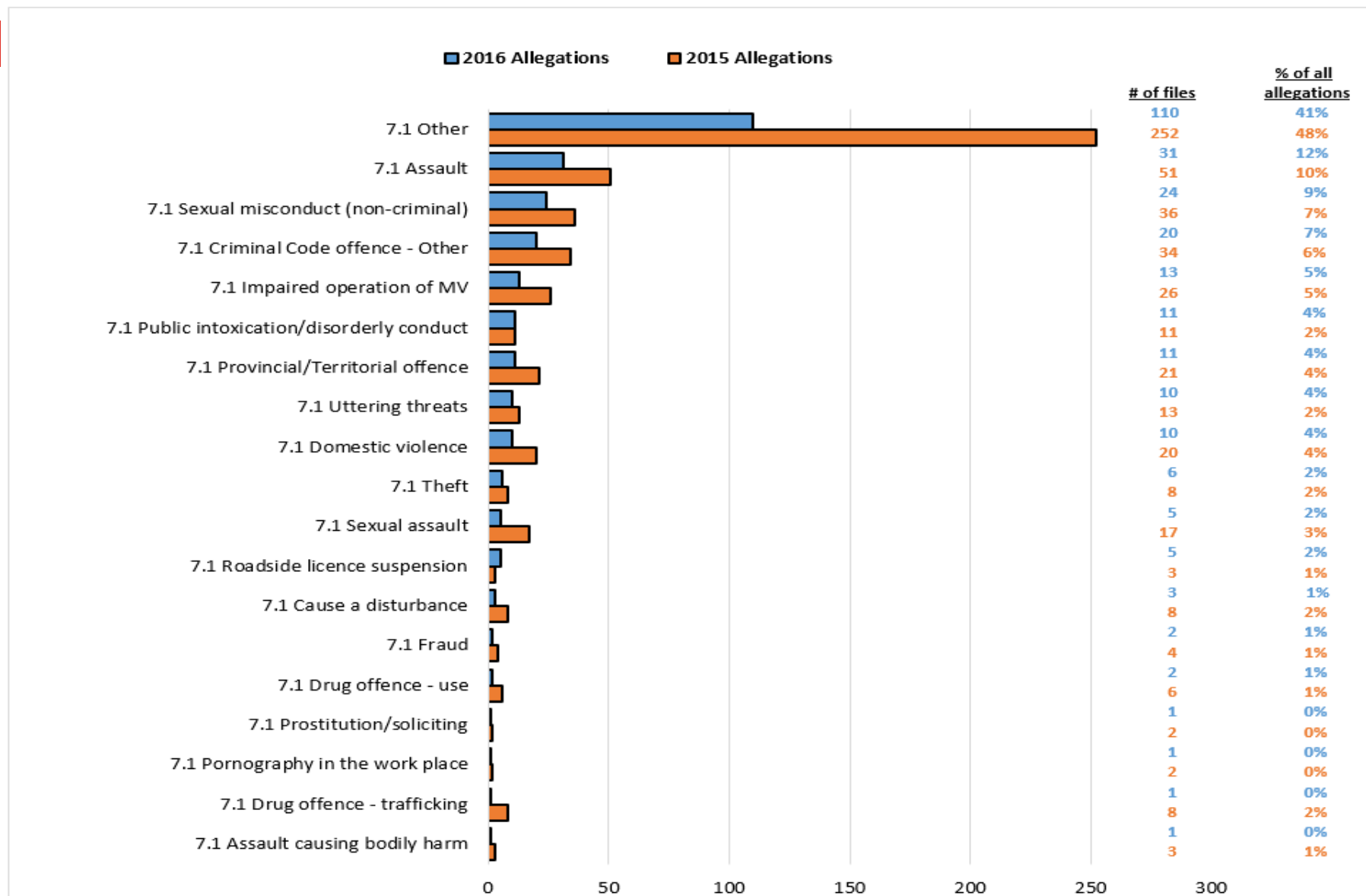


Code of Conduct Allegations By Section



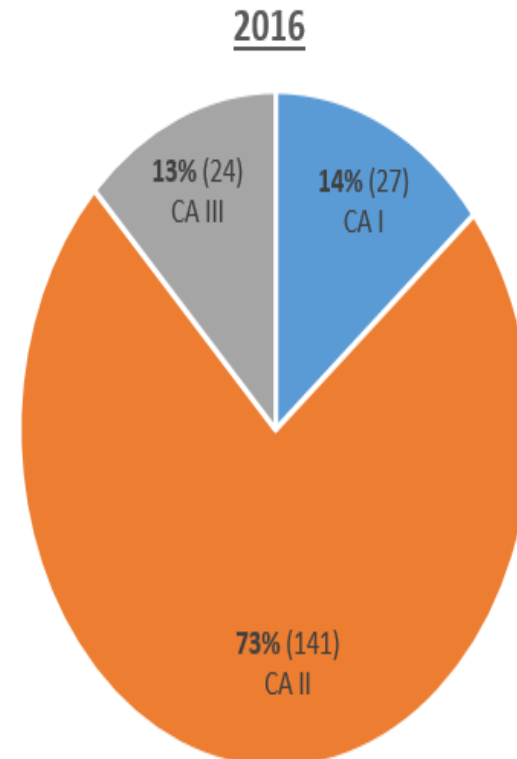
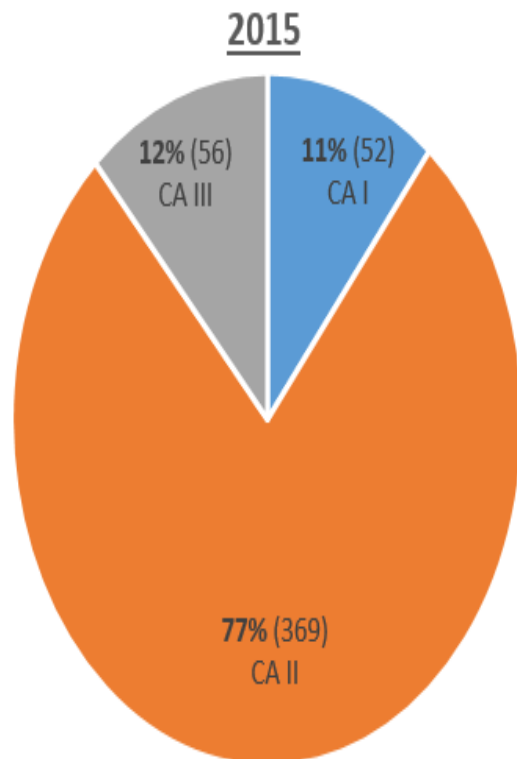
2016 - 767 Allegations / 2015 - 1,475 Allegations

Section 7.1 Discreditable Conduct Allegations



1. Of the 767 allegations generated in 2016, 35% fell under s.7.1 of the Code of Conduct. Of all allegations falling under s.7.1, 41% were "7.1 - Other".

Conduct Files by Decision Maker



* Files captured from 2014-11-28 to 2015-12-31, including transition files, and disposed of by a Conduct Authority during that same time.

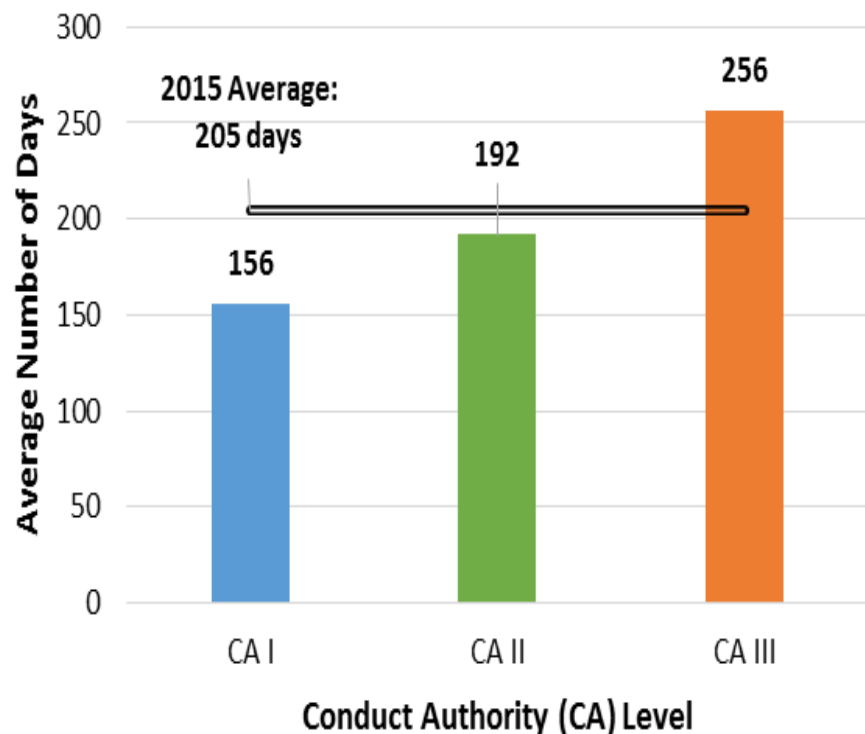
* Files commenced in 2016 and disposed of by a Conduct Authority in 2016.



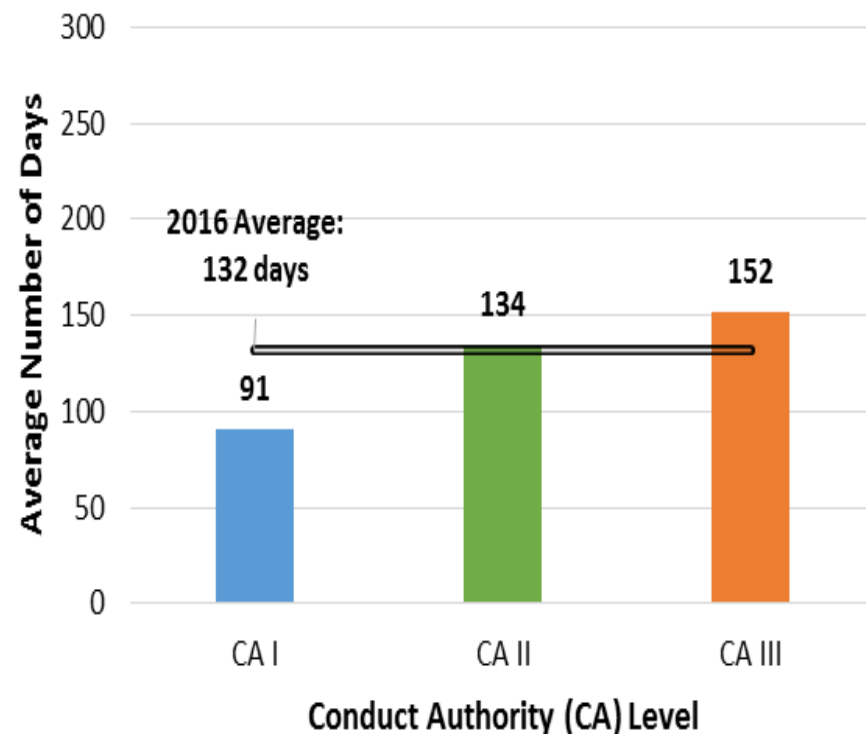
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Average time from CA becoming aware of allegation to date of service of record of decision

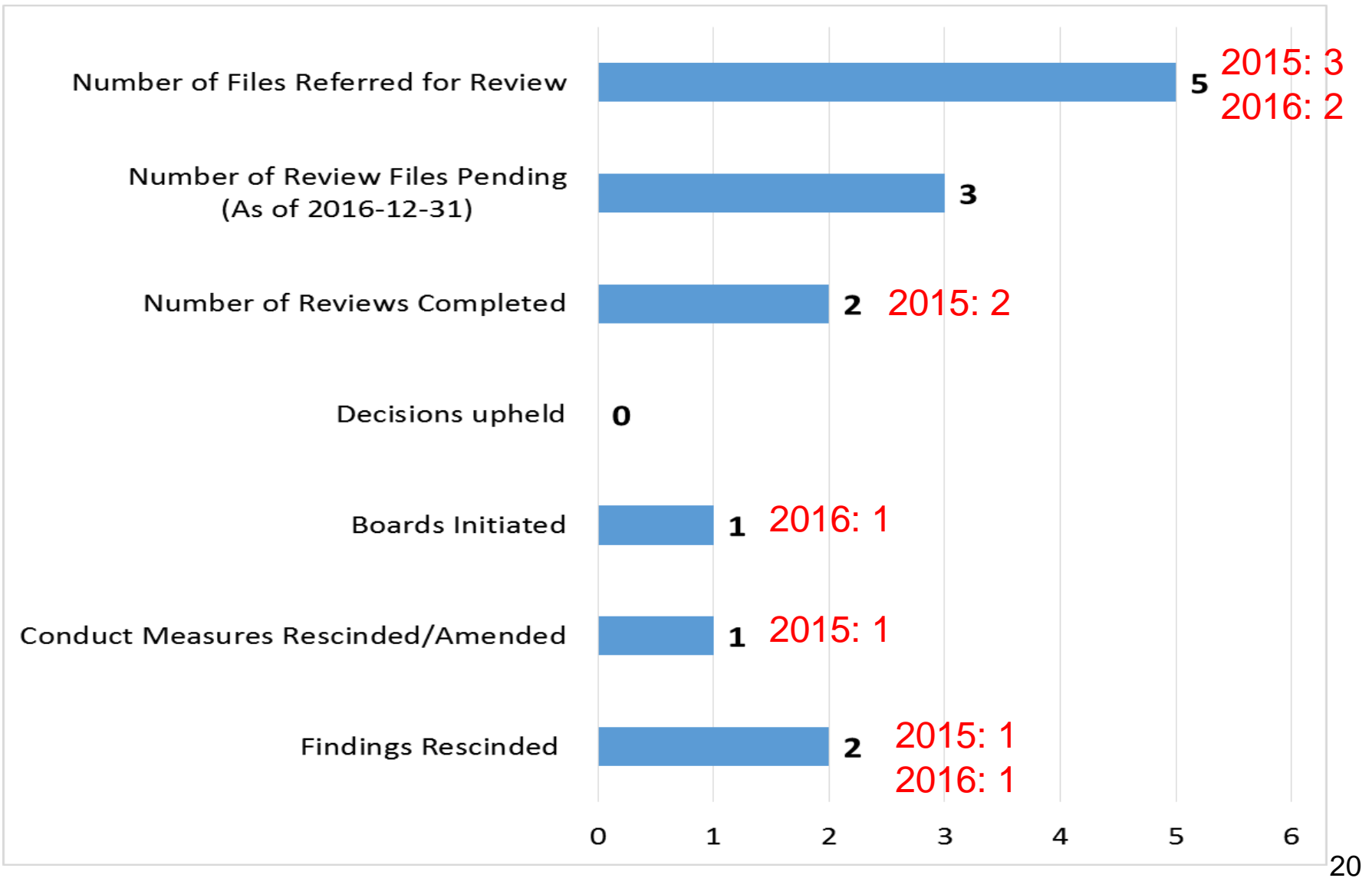
2015



2016

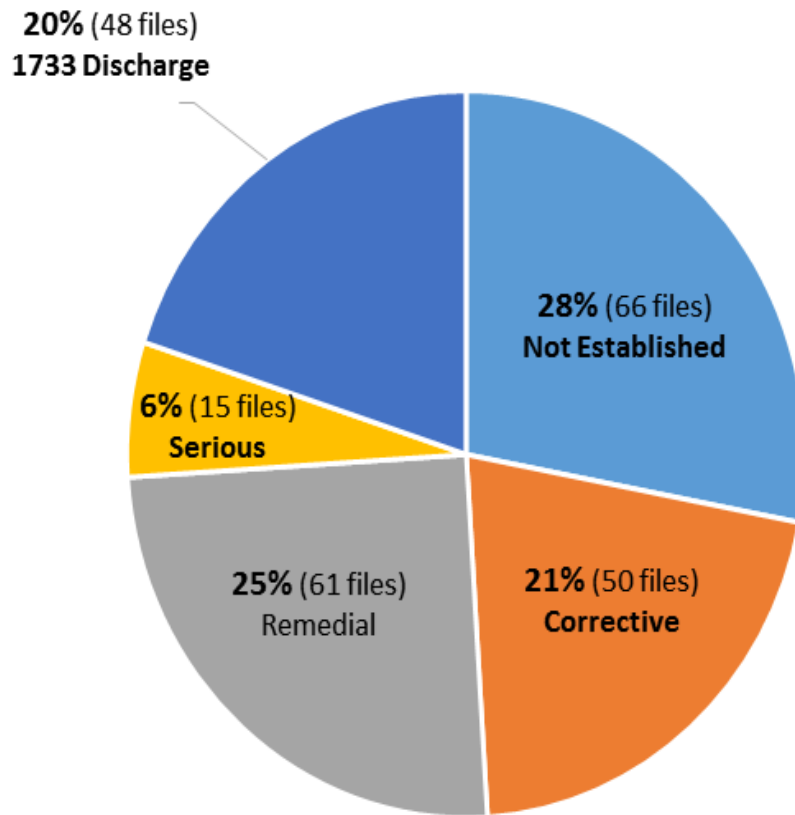


Section 9 CSO (Conduct) – Review Authority Files

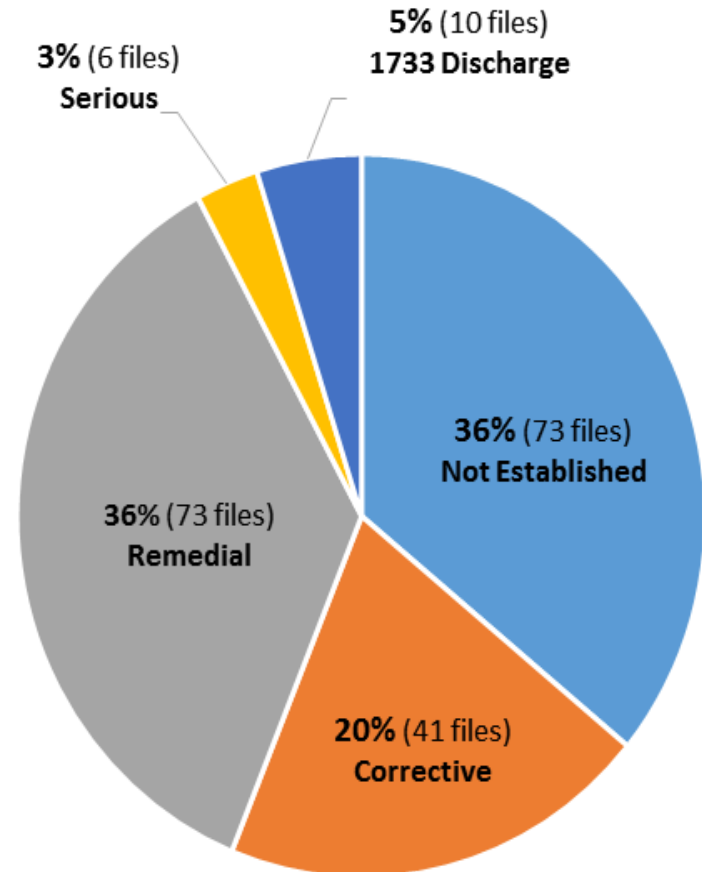


Disposition of Concluded Conduct Files

2015 Dispositions

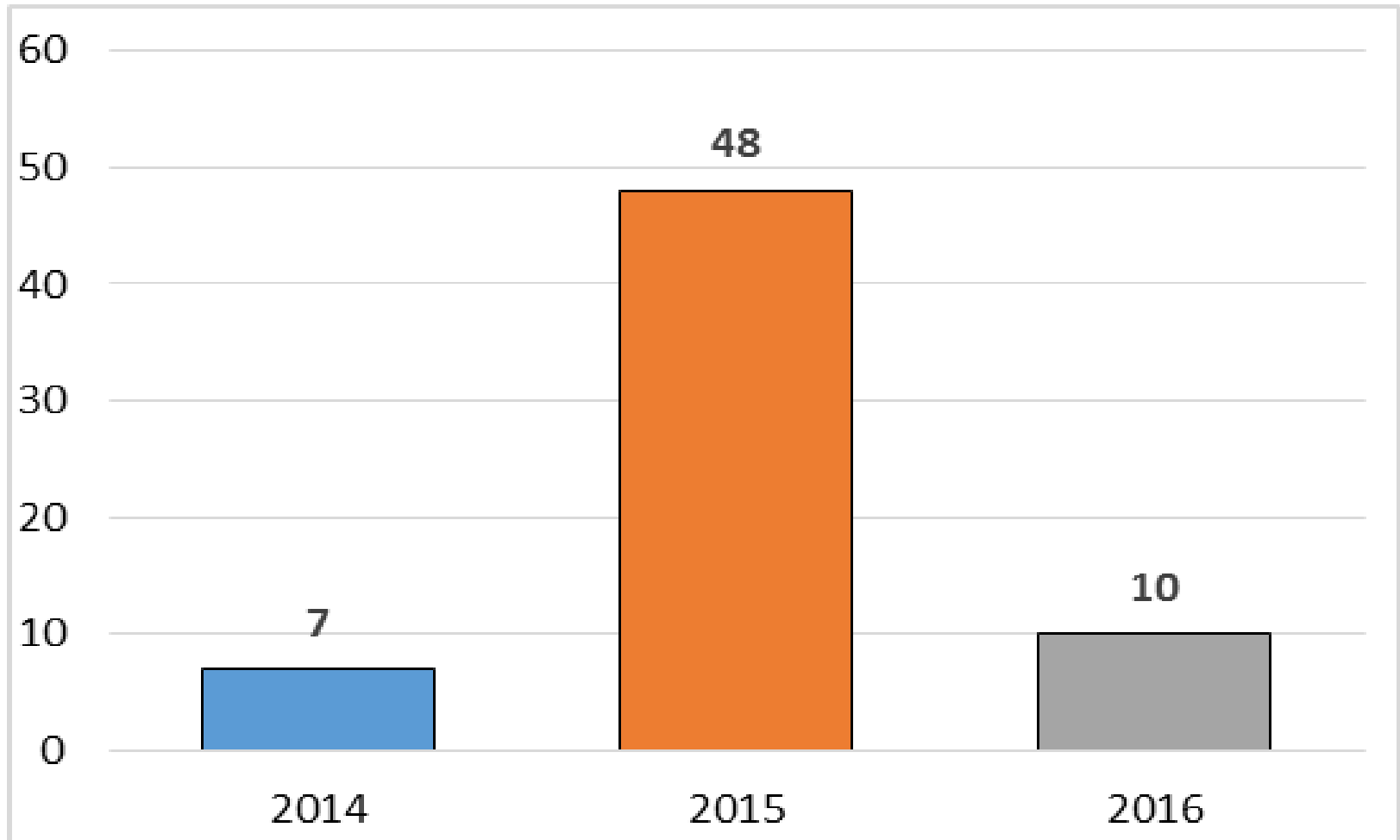


2016 Dispositions



Majority of Files dealt with by CA Level II, but majority of measures remedial

Number of Subject Members Discharged by Submission of 1733

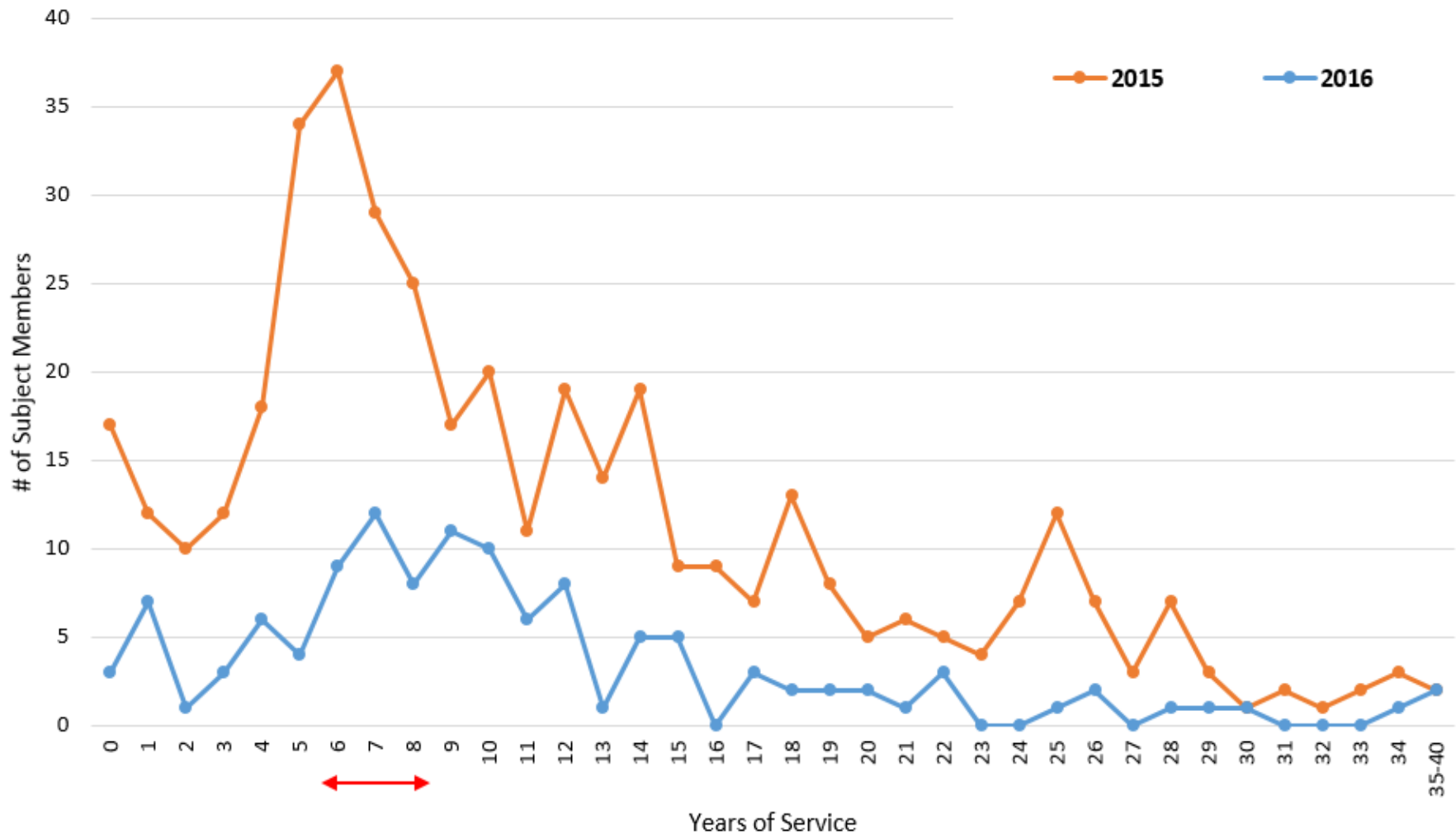


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Note: By year file opened, not year 1733 submitted

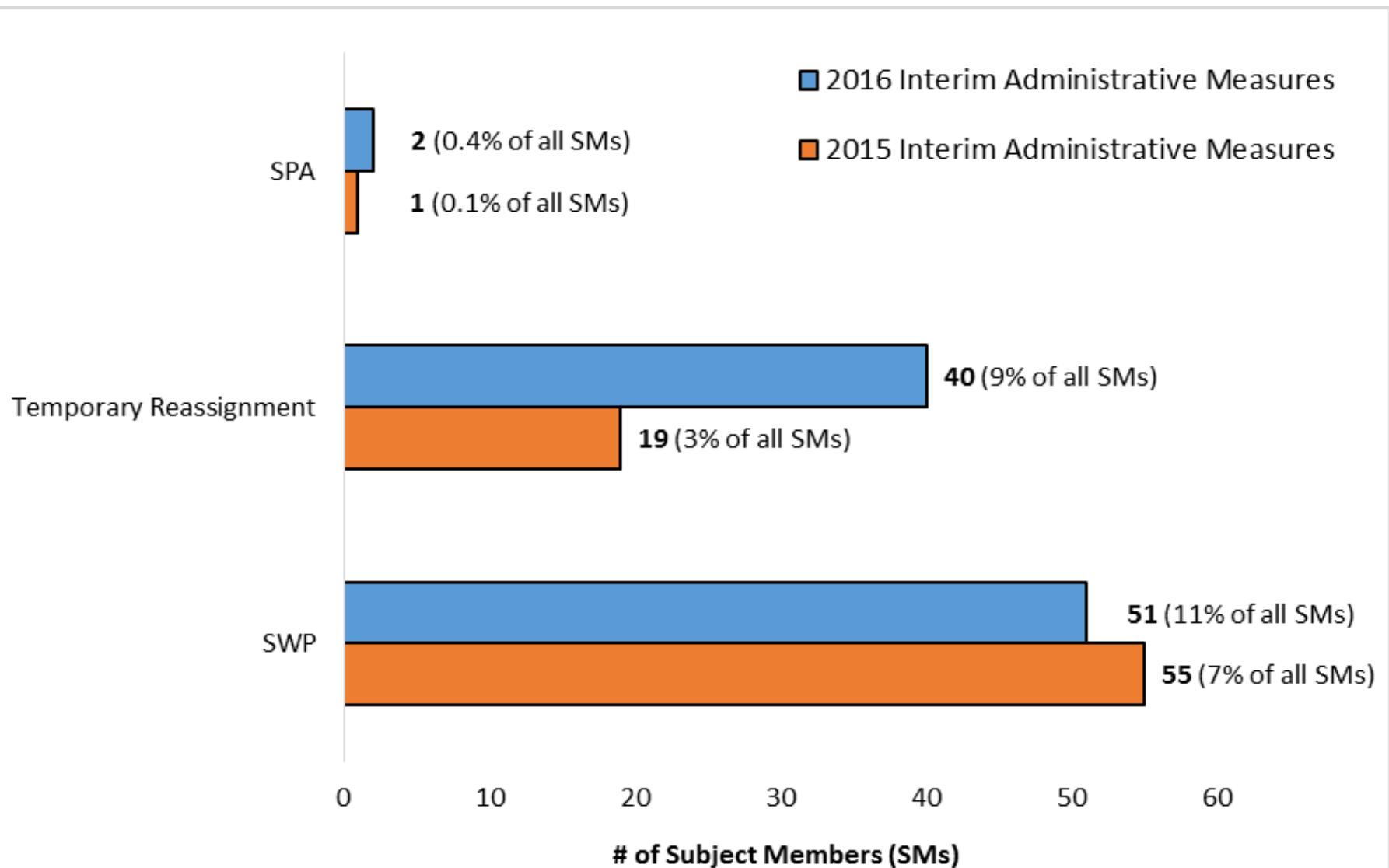
Established Conduct Files by Years of Service: 2015 & 2016



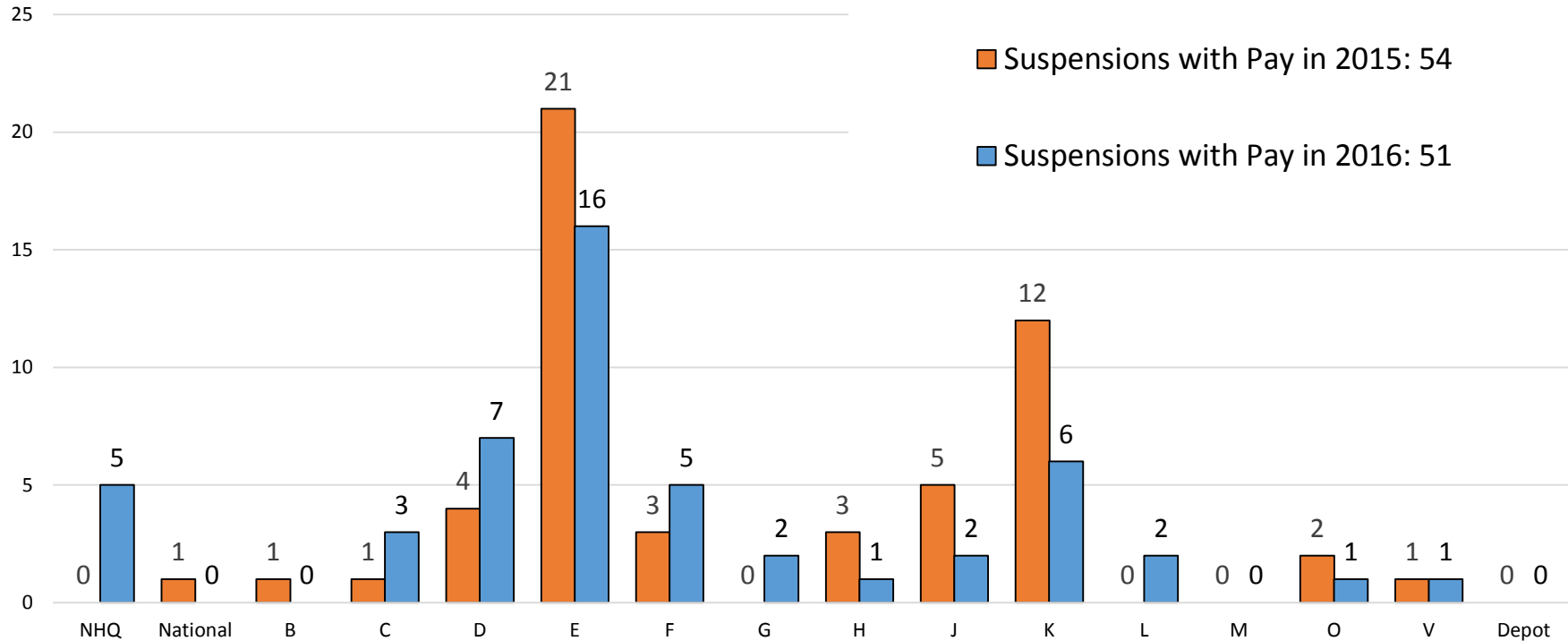
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Subject Members with Interim Administrative Measures Imposed



Subject Members Suspended with Pay (SWP)



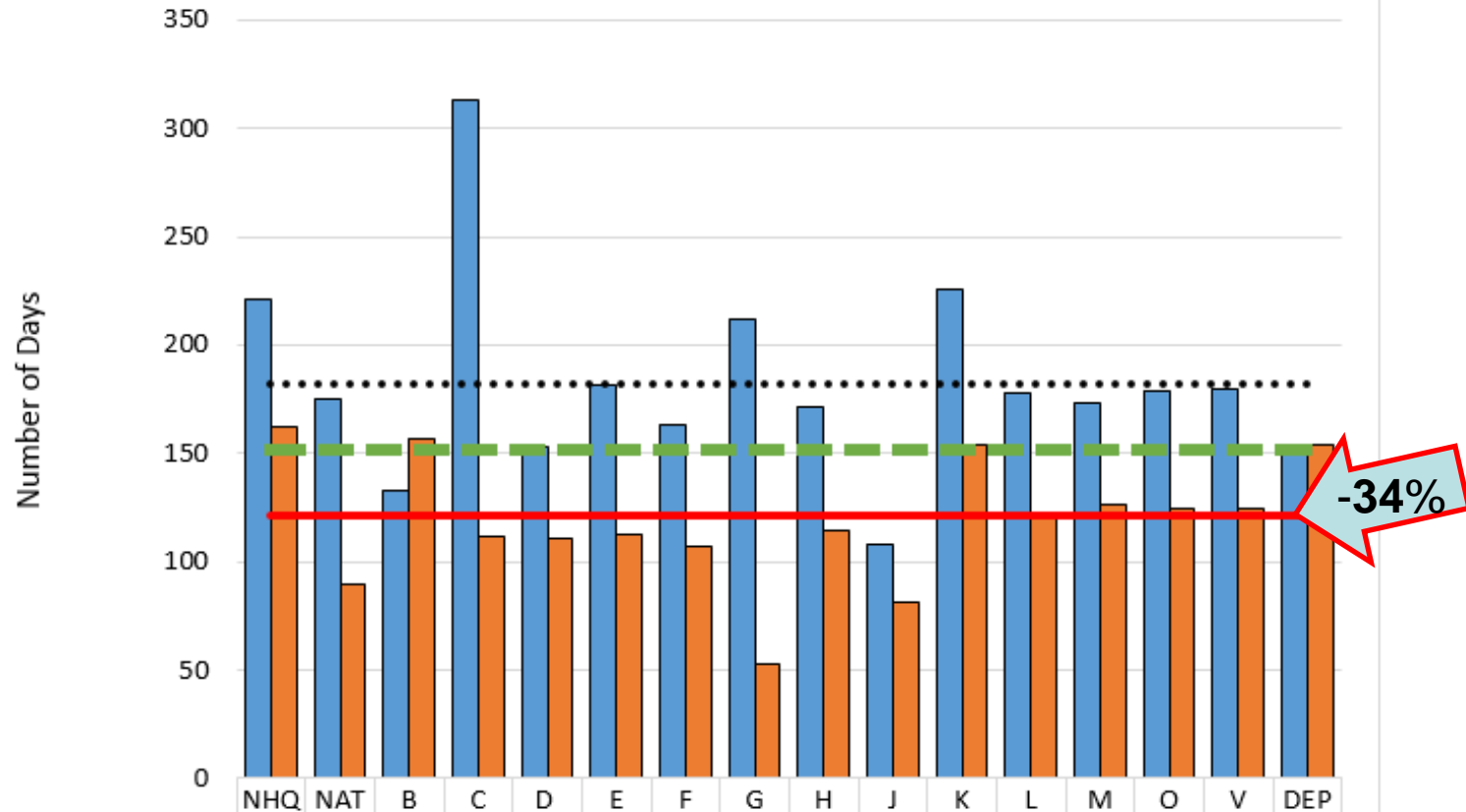
1. Note that these figures include both active and closed suspensions.
2. 2015 includes all conduct files initiated from Nov 28, 2014-Dec 31, 2015 (including transition files).
3. 2016 figures reflect those files initiated in 2016 that a suspension applied.



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Processing Time for Concluded Conduct Meeting Files



Processing Time 2015	221	175	133	313	153	182	163	212	171	108	226	178	173	179	180	152
Processing Time 2016	162	90	157	112	111	113	107	53	114	81	154	122	126	125	125	154
Nat'l Avg Processing time 2015	182	182	182	182	182	182	182	182	182	182	182	182	182	182	182	182
Nat'l Avg Processing time 2015 & 2016	152	152	152	152	152	152	152	152	152	152	152	152	152	152	152	152
Nat'l Avg Processing time 2016	121	121	121	121	121	121	121	121	121	121	121	121	121	121	121	121

1. As of mid-October 2016, ACMT users were unable to conclude files due to a technical error, therefore the 2016 data is based only on approximately 10 months of data.

Limitation Period Extension Requests

26
Processing time: 29 days

2015

Total Requests: 28 (4%)

Subject Members: 24

Average Days Requested: 121

Average Days Granted: 124

Granted

2

Denied

2015

Processing time: 24 days

20

2016

Total Requests: 22 (5%)

Subject Members: 20

Average Days Requested: 152

Average Days Granted: 137

Granted

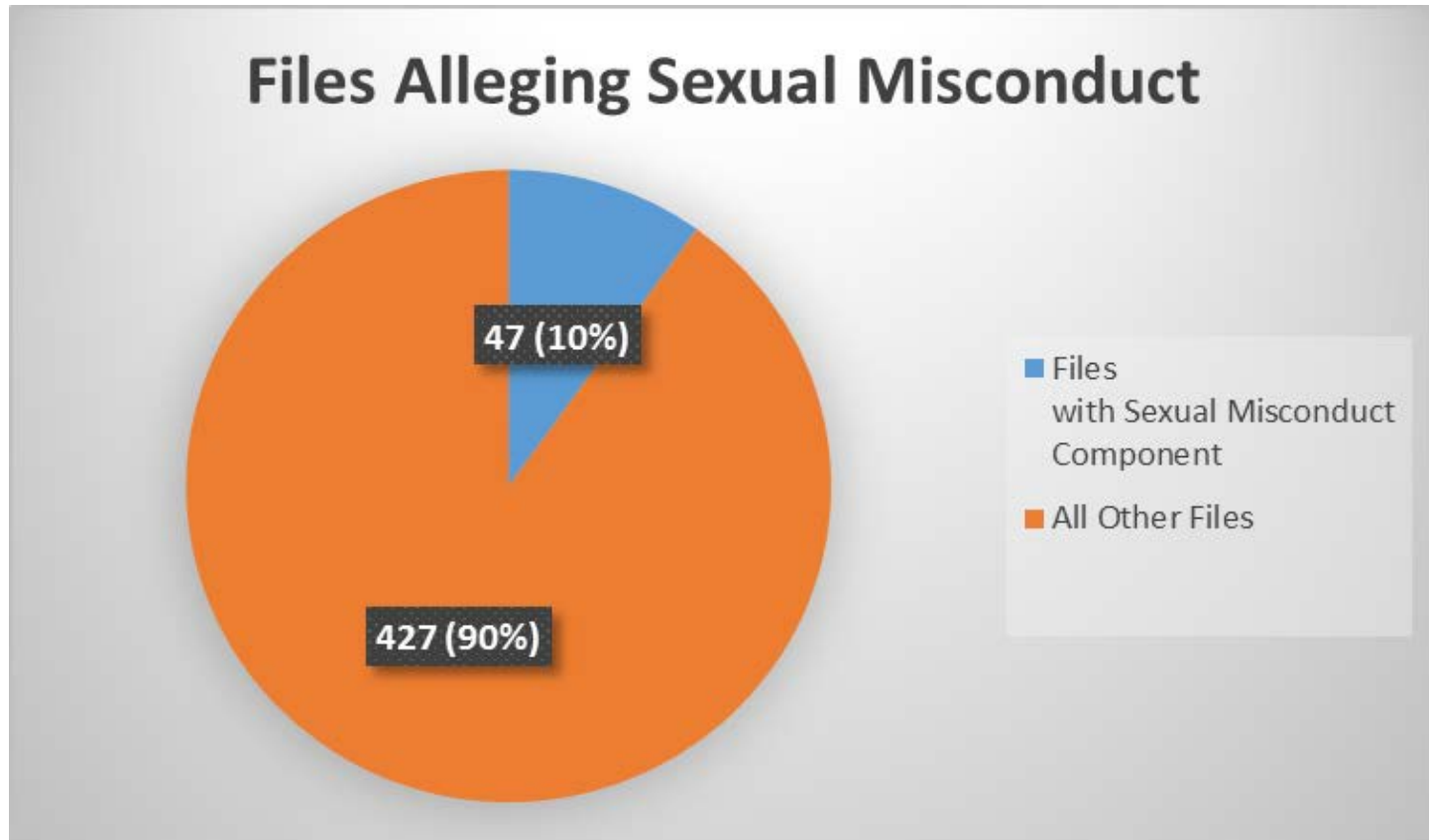
2

Denied

2016

Sexual Misconduct: 2016 Conduct Files

Inappropriate action, behaviour or language of a sexual nature



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* Based on data uploaded to ACMT

Status of Conduct Files Involving Sexual Misconduct: 2016

47/474 (10%) of files had at least one allegation meeting the new definition of sexual misconduct at end of reporting period:

Status	Of Total 47 Files:
Completed	13 (28%)
Referred to Conduct Board	8 (17%)
Investigation Complete, Awaiting Decision on Meeting or Referral to Conduct Board	10 (21%)
Under Investigation	15 (32%)
Mandate Letter Stage	1 (2%)

Subject Members Voluntarily Discharged while under Investigation

Members with allegations of sexual misconduct who were discharged by 1733 by year:

Year	Members with Sexual Misconduct Allegations out of all 1733 Discharges	Percentage of Members with Sexual Misconduct out of all 1733s during Year
2014	2 / 7	29%
2015	8 / 48	17%
2016	1 / 10	10%

*Note that often a conduct file will be opened in one year, but the 1733 discharge will occur in another year. This table represents data based on the year the conduct file was opened, and not the year in which the 1733 was submitted.

* 2016 number will likely increase as time progresses



Nature of Sexual Misconduct Allegations in Conduct Files: 2016 (47)

- 22 (47%) - inappropriate or unwelcome remarks, jokes or other communications of a sexual nature
- 8 (17%) - sexual relationship where a power imbalance existed
- 7 (15%) - sexual assault/sexual touching
- 5 (11%) - consensual sexual activity while on duty
- 2 (4%) - solicitation/prostitution
- 2 (4%) - pornography in the workplace
- 1 (2%) - leering



Conduct File Quality Assurance (QA)

- Managed by NCMS
 - 36 questions, 8 categories
- Examined trends in compliance with data entry on 2016 Conduct files in ACMT
- Found *low* compliance in key areas:
 - Entering correct information
 - Not using national templates
 - Not uploading mandate letter and RODs.



Conduct File Quality Assurance – Next Steps

- As the quality assurance process continues into 2017, NCMS will compare forthcoming quarterly data against 2016 to identify trends.
- The issue of quality assurance remains a standing agenda item during the monthly NCMS national teleconference. In addition, the need for greater compliance rates was discussed during the 2017 symposium.



Conduct File Quality Assurance – Next Steps

- The lack of compliance has impacted the daily operations of NCMS. Missing documentation has affected NCMS' response time to requests such as suspension and time limitation extensions, as well as the completeness of daily media summaries drafted for senior management.
- Turnover in divisional resources in conduct advisor units has perpetuated a cycle of continuous training. As a result, proficiency in applying the conduct process varied during 2016.



Conduct Authority Online Course

- Now available on Agora
- Mandatory for all Conduct Authorities
- Open to all employees
- Contains training aids and relevant scenarios to reinforce the training
- Conduct Meeting module available as an addendum to the training for divisional use



RCMP External Review Committee (ERC) Themes

- Reasons of the conduct authorities in some RODs were either insufficient or absent
- Failure to provide reasons contravenes both the CSOs (Conduct) and the Conduct Policy, breaches the principles of procedural fairness and renders the decisions clearly unreasonable
- Reasons need not be lengthy or written in legalistic terms. Must provide member and reviewing body a roadmap from the evidence and submissions to the particular allegation(s) and conduct and to the alleged breach of the section of the Code of Conduct



PRS Training Initiatives To Date

Type of training	Number of participants
1-Day Conduct	1069
4-Day LRI	697
EMRO Orientation	23
Human Rights Office Workshop	210
WRIC (Workplace Responsibility Investigators' Course)	227
ACMT (Administrative Case Management Tool)	163
Conduct Authority	470
Public Complaints	457
EODP Public Complaints	126
Harassment Investigators' Course	15
Harassment Investigators' Workshop	74
HIRW (Harassment Investigators' Refresher Workshop)	29
EODP Harassment	148
Employment Requirements	262
EODP Employment Requirements	148
Total	4118



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Harassment



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Harassment Complaints

Type of Harassment complaints from 2005 to December 31, 2016

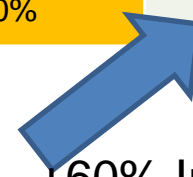
Year	Abuse of Authority	Discrimination	Interpersonal Department	Sexual Harassment	Total
2005	84	11	106	13	214
2006	44	5	73	3	125
2007	48	3	96	3	150
2008	37	1	66	0	104
2009	40	2	91	6	139
2010	44	12	79	3	138
2011	54	5	69	2	130
2012	123	4	87	5	219
2013	115	2	67	5	189
As of November 27, 2014	71	9	30	6	116
Average	66	5	76	5	152
Total	660	54	764	46	1524
Percentage	43%	4%	50%	3%	100%
Nov. 28, 2014 ~ Dec. 31, 2015	99	24	26	3	152
2016	126	12	89	15	242
Total	225	36	115	18	394
Average	113	18	57	9	197
Percentage	57%	9%	29%	5%	100%

Total Complaints Investigated by Division

Division	# Employees	Employee %	2015 Complaints	% of Complaints	2016 Complaints	% of Complaints
B	787	2.6%	8	5%	5	2%
C	1435	4.7%	5	3%	8	3%
D	1590	5.2%	4	3%	9	4%
E	9181	29.9%	37	24%	55	23%
F/T	2062/657	8.8%	11	7%	18/2	8%
G	262	0.8%	1	1%	5	2%
H	1417	4.6%	13	9%	13	5%
J	1507	4.9%	11	7%	6	2%
K	4425	14.4%	20	13%	37	15%
L	196	0.6%	1	1%	0	0%
M	199	0.6%	1	1%	4	2%
National	929	3.0%	3	2%	3	1%
NHQ	4386	14.3%	26	17%	55	23%
O	1500	4.9%	11	7%	11	5%
V	157	0.5%	0	0%	11	5%
Total	30,690	100%	152	100%	242	100%



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+60% Increase

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Status of Files: CIF to December 31st, 2015

Status of Files received November 28 th , 2014 to December 31 st , 2015 = 152	Number of Files November 28 th , 2014 to December 31 st , 2015	Percentage of Files November 28 th , 2014 to December 31 st , 2015
Investigation Ongoing	11	3%
Concluded – Established	12	8%
Concluded – Not Established	79	52%
Concluded – Informal Resolution	13	8%
Concluded – Not Timely	18	12%
Concluded – Withdrawn	10	6%
Concluded – Other Process	3	2%
Decision Pending	4	2%
Abeyance – Other Process	1	1%
Concluded – Against Policy	1	1%
Total	152	100%

****Time Extensions given in 6 of the ongoing files**



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Status of Files: 2016

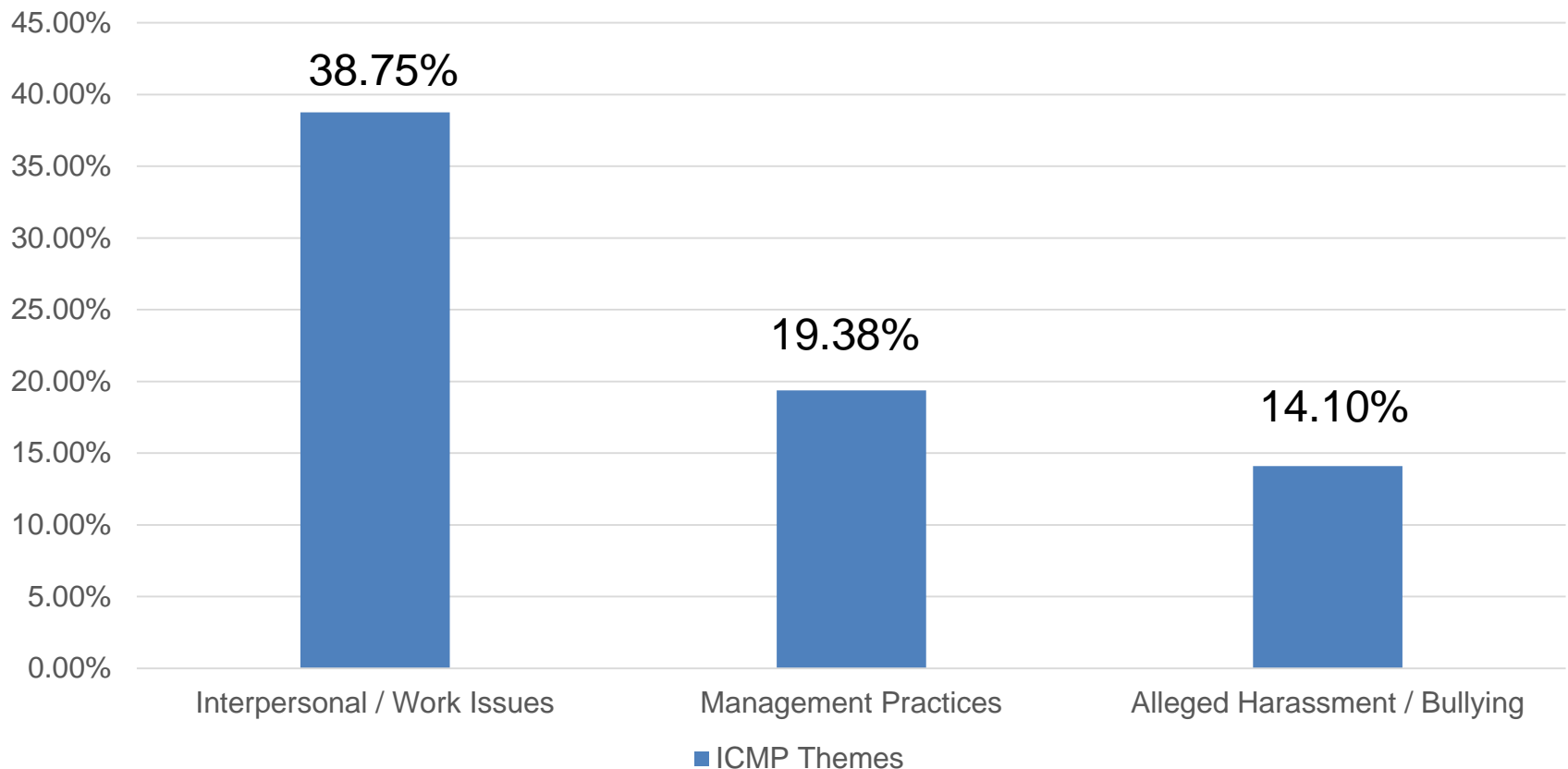
Status of Files Received January 1 st , 2016 to December 31 st , 2016 = 242	Number of files January 1 st , 2016 to December 31 st , 2016	Percentage of Files January 1 st , 2016 to December 31 st , 2016
Total Investigations Ongoing (81) Preliminary Report (PIR) = 21 Final Report (FIR) = 14 Interview Stage = 46	81	34%
Concluded – Established	3	1%
Concluded – Not Established	13	5%
Concluded – Informal Resolution	8	3%
Concluded – Not Timely	3	1%
Concluded – Withdrawn	13	5%
Decision Pending	11	5%
Abeyance – Informal Resolution	1	0%
Abeyance – Other Process	11	5%
Packages to Parties – No Mandate Letter	15	6%
OCHC Clarification (Processing initial complaint)	12	4%
Assigned to Division (Harassment Advisor)	62	26%
Mandate Letter Issued (Pending Investigation)	9	5%
Total	242	100% 42

Status of Files: CIF to December 31st, 2016

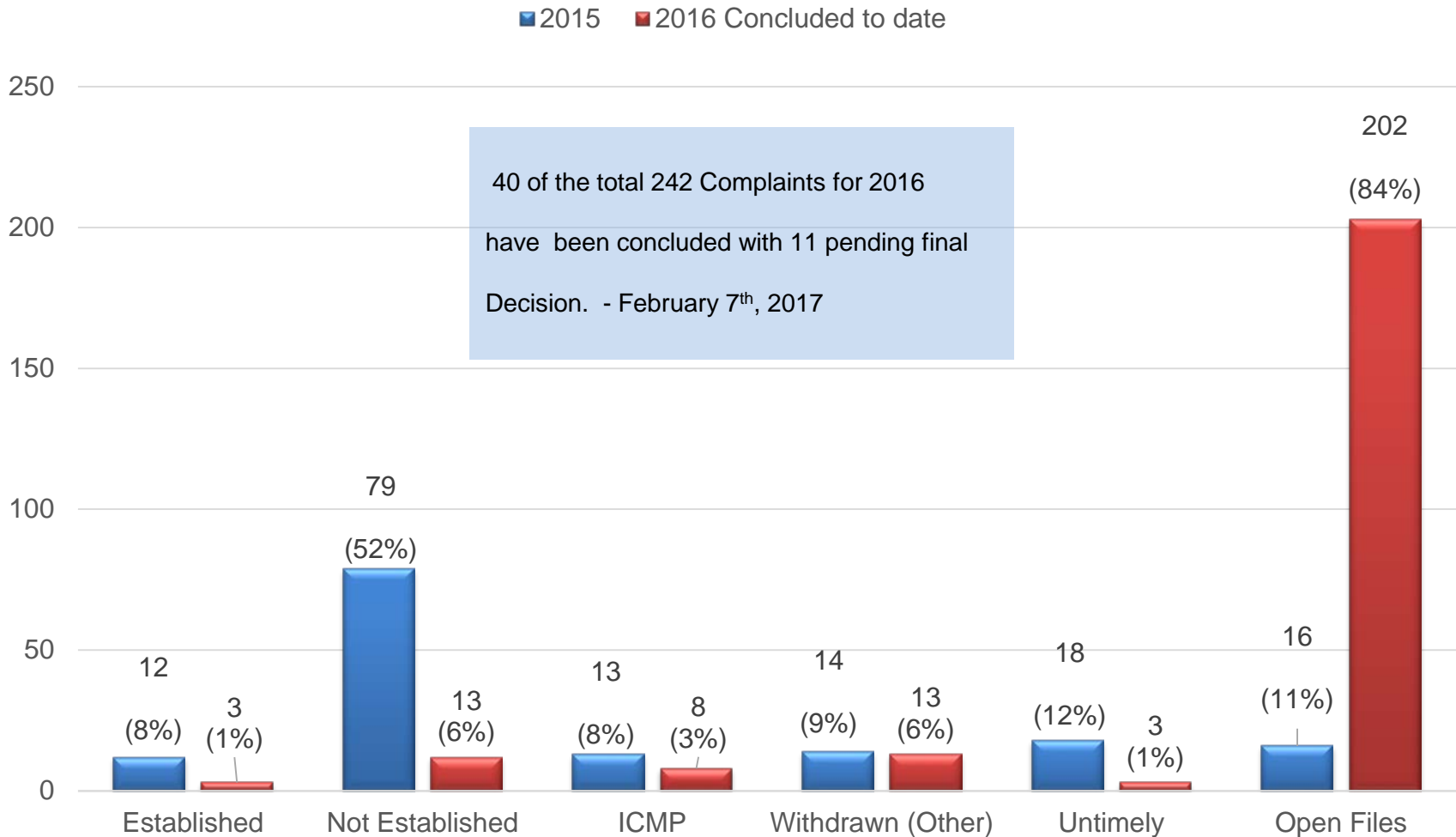
*Status of Files received November 28 th , 2014 to December 31 st , 2016 = 394	Number of files CIF to December 31 st , 2015	Number of Files January 1 st , 2016 to December 31 st , 2016	Number of Files November 28 th , 2014 to December 31 st , 2016	Overall (Rolling) Percentage November 28 th , 2014 to December 31 st , 2016
Categories Since CIF – 2015-12-31				
Investigation Ongoing			91	23%
Concluded – Established			15	4%
Concluded – Not Established			92	23%
Concluded – Informal Resolution			20	5%
Concluded – Not Timely			21	5%
Concluded – Withdrawn			23	6%
Abeyance – Other Process			12	3%
Decision Pending			15	4%
Concluded – Against Policy	1			0%
Concluded – Other Process	3			1%
Categories for 2016				
OCHC Clarification (Processing initial complaint)		12		3%
Assigned to Division (Harassment Advisor)		62		15%
Pending order of Investigation (Mandate Letter Issued)		11		3%
Abeyance – Informal Resolution		1		0%
Packages to Parties – No Mandate Letter		15		4%
Total	394			100% 43

Informal Conflict Management Program

Three Most Prominent Informal Conflict Management Themes



Results Of Investigations

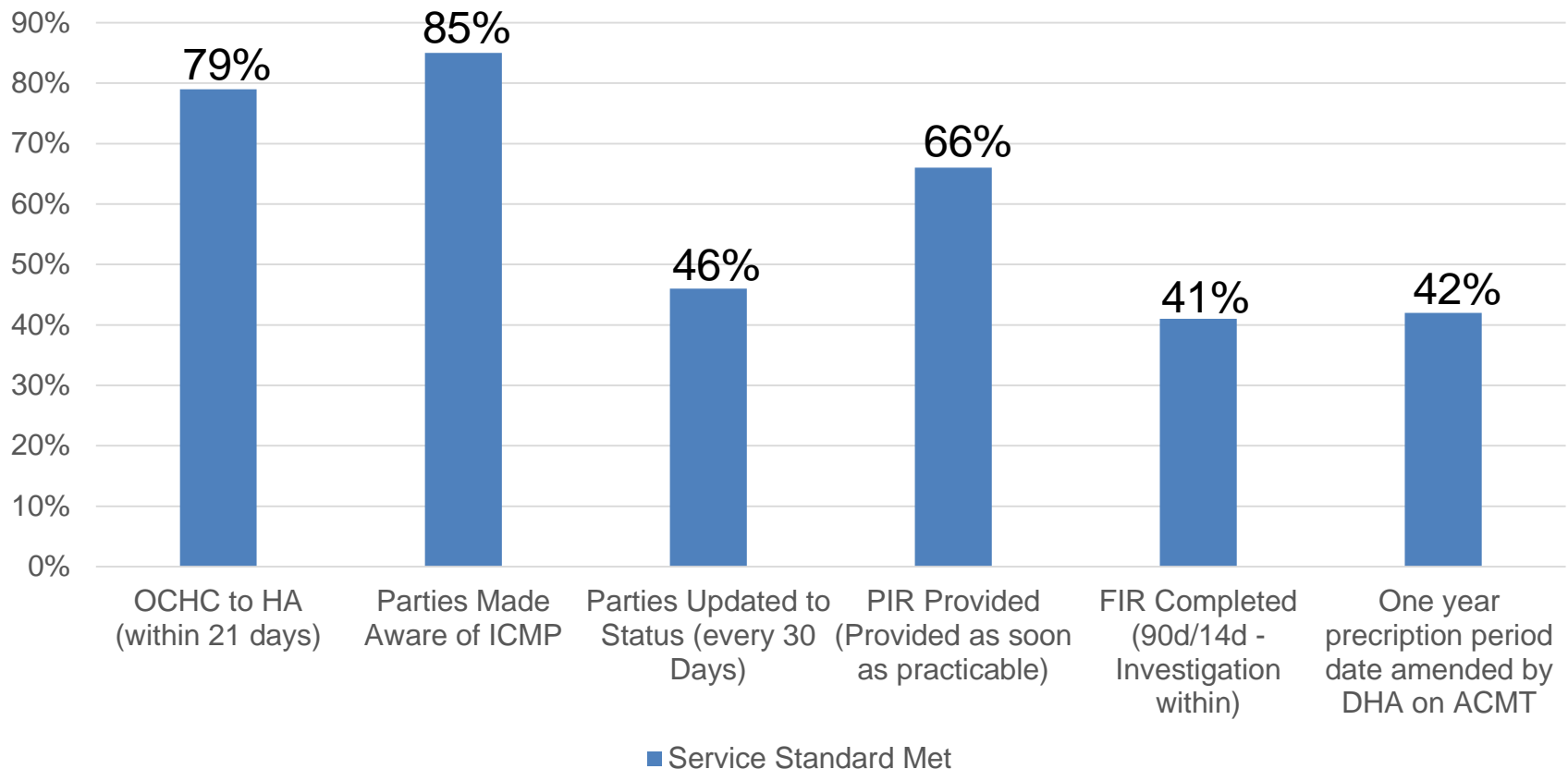


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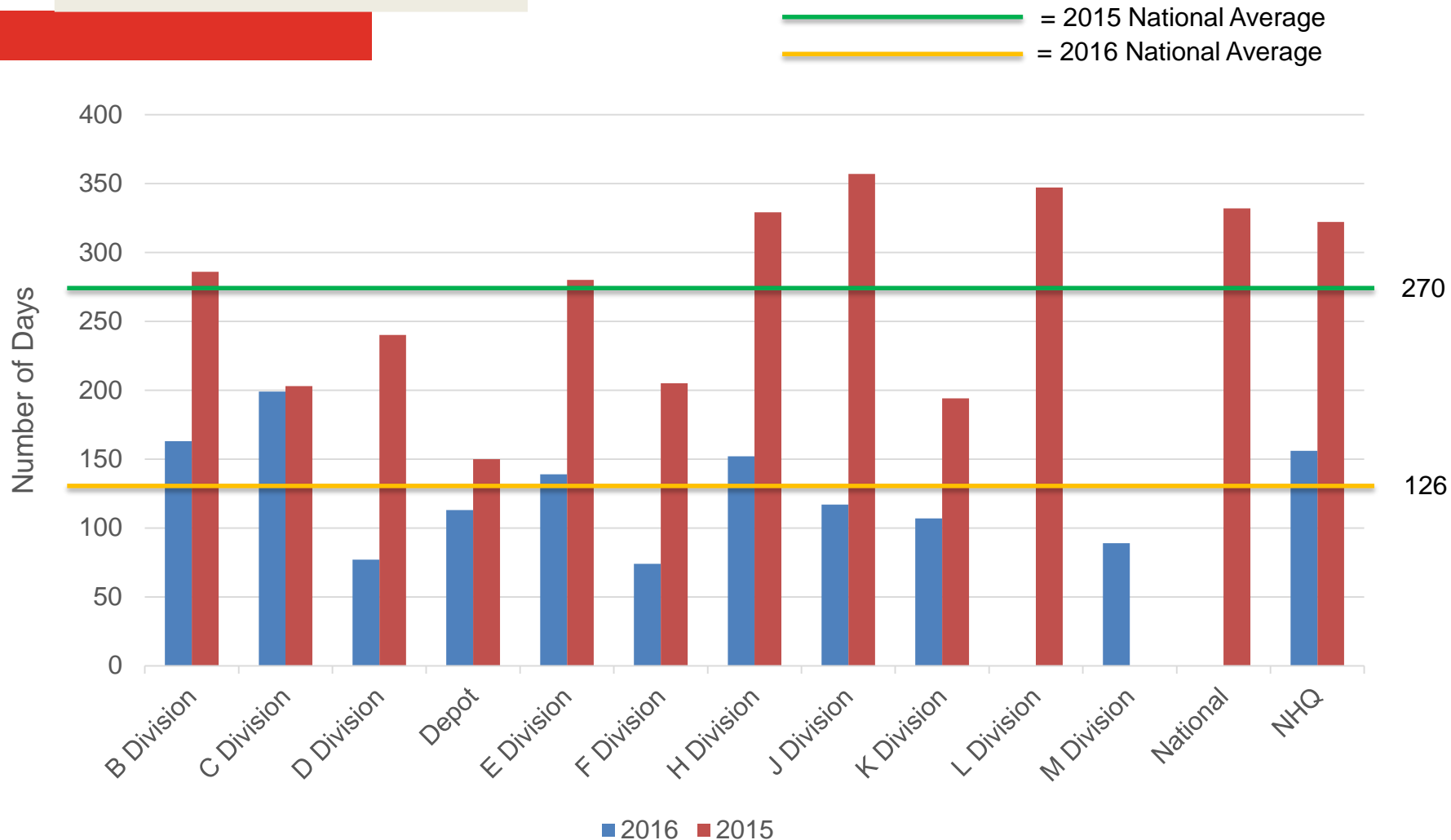
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2015 Service Standard Delivery

Service Standard Met – 152 Files



File Completion Time

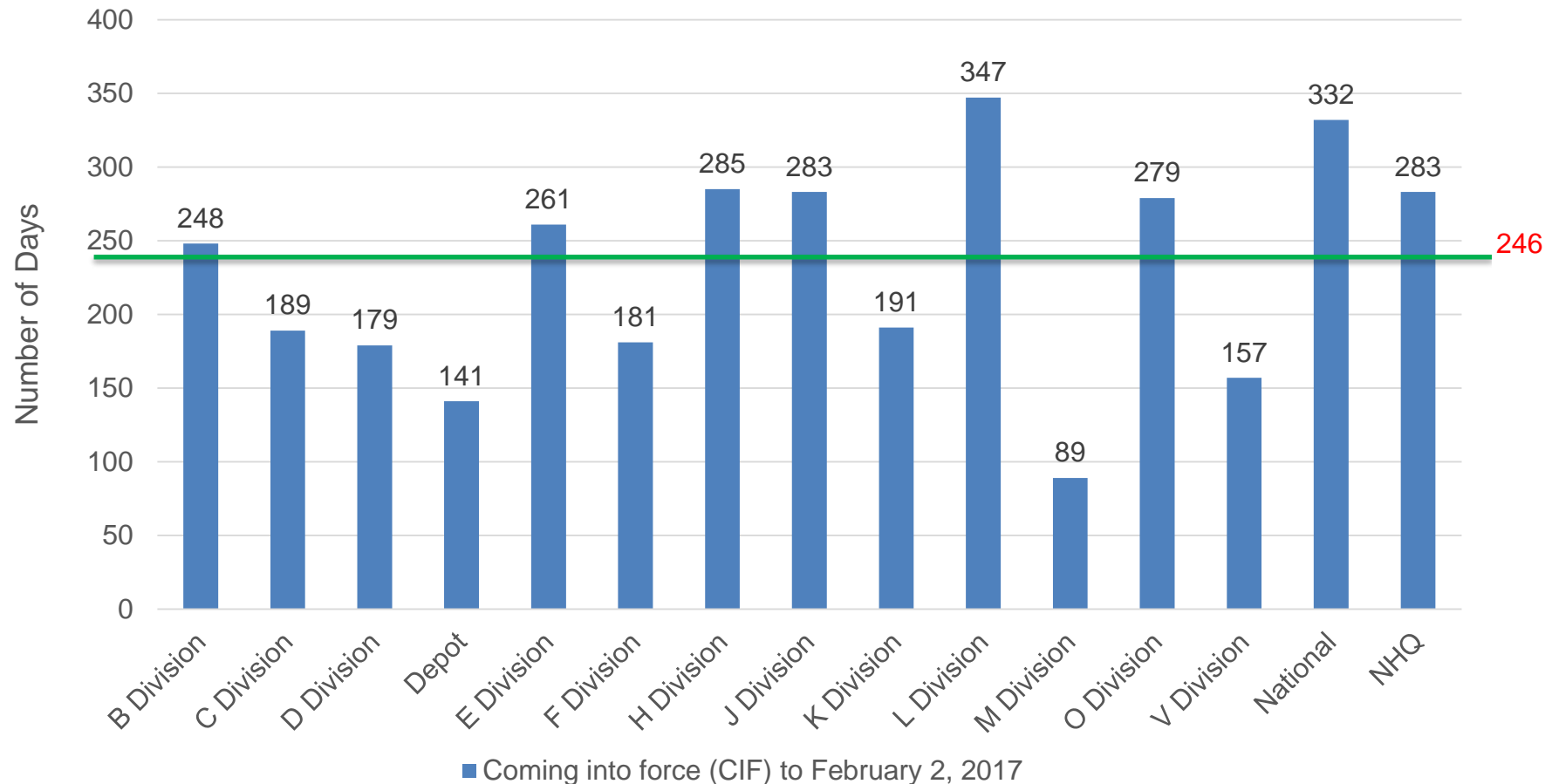


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File Completion Time

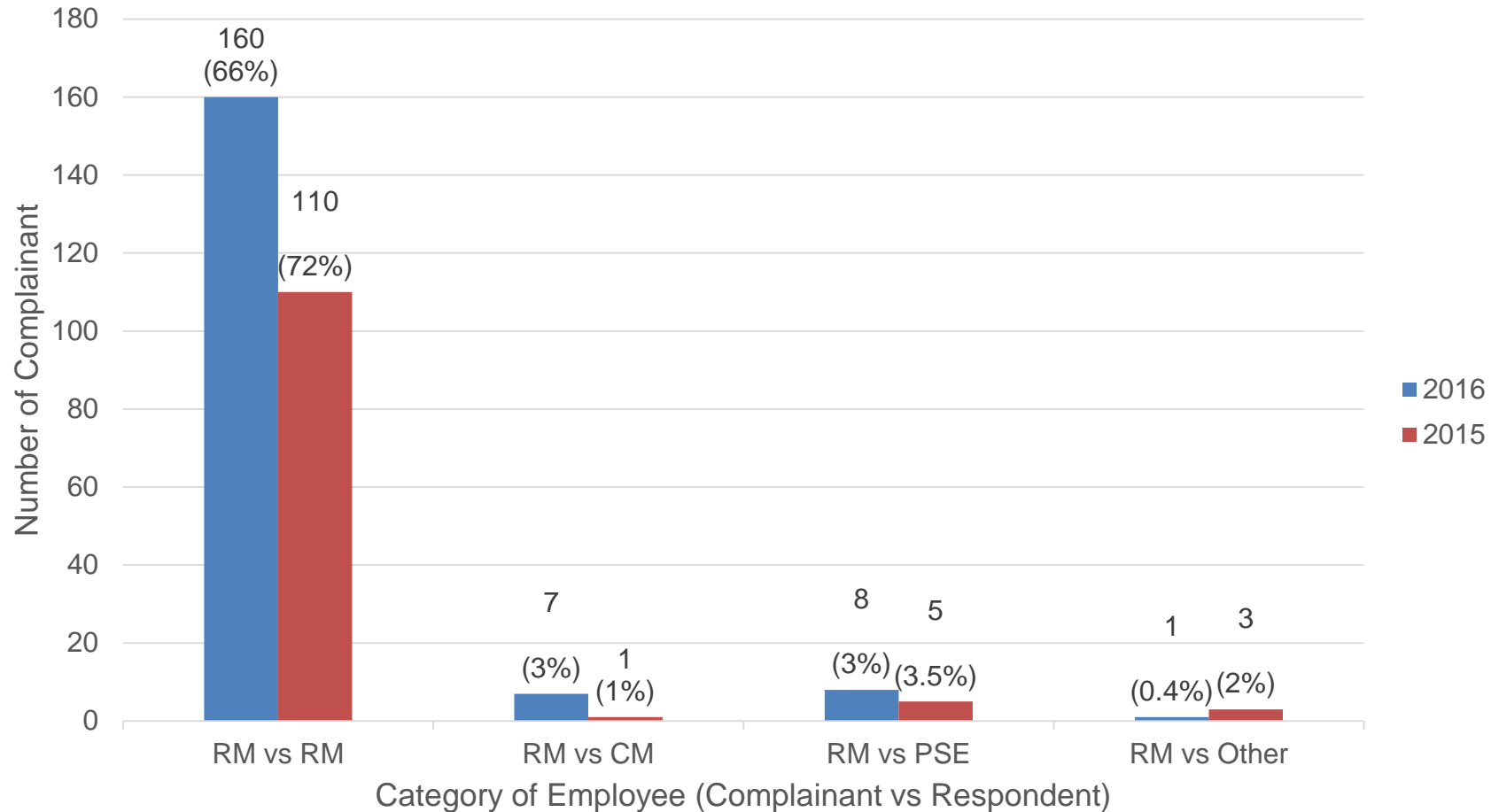
= National Average: November 28th, 2014 to February 2nd, 2017.



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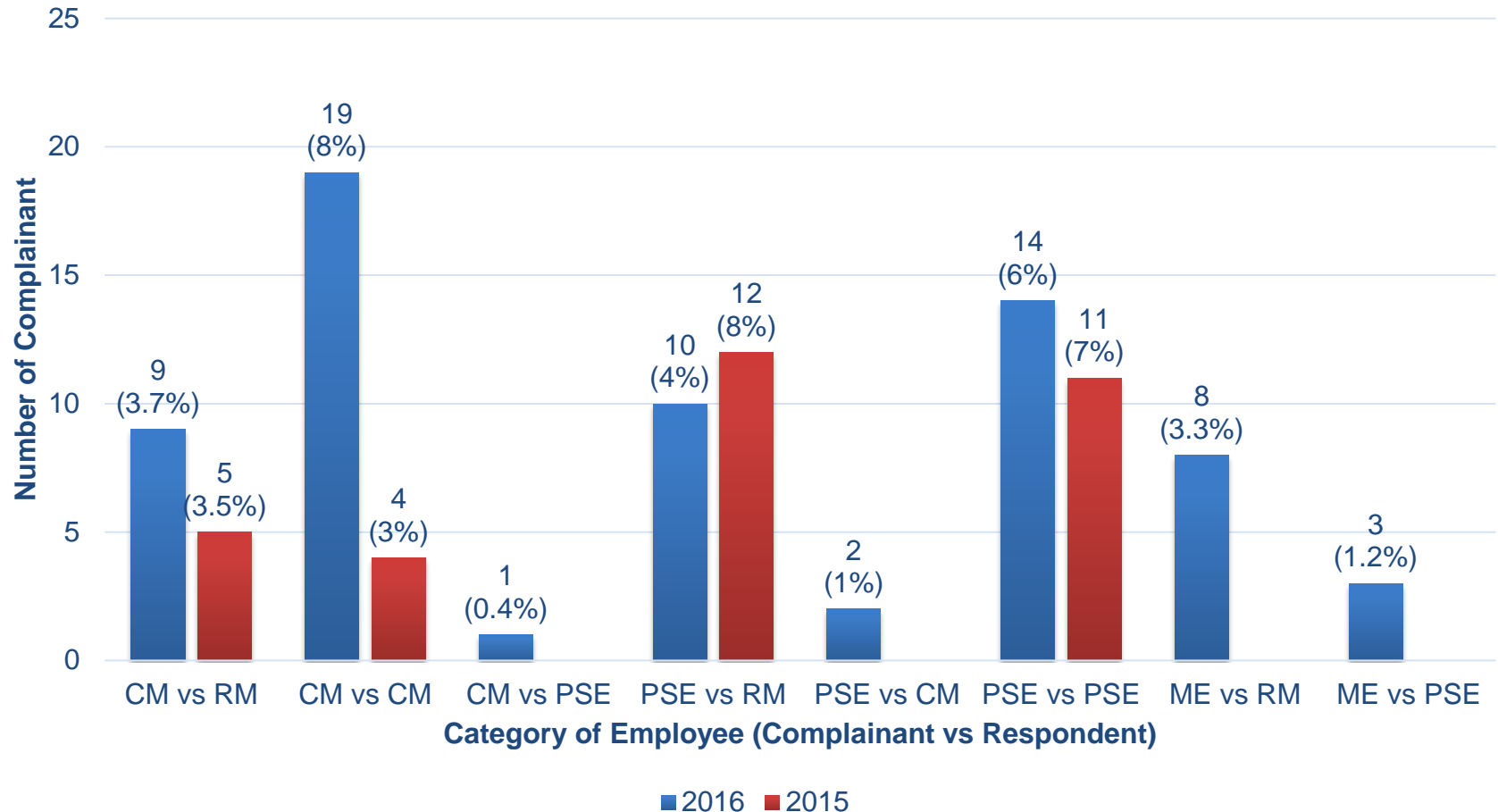
2015/2016 Regular Member Complaints



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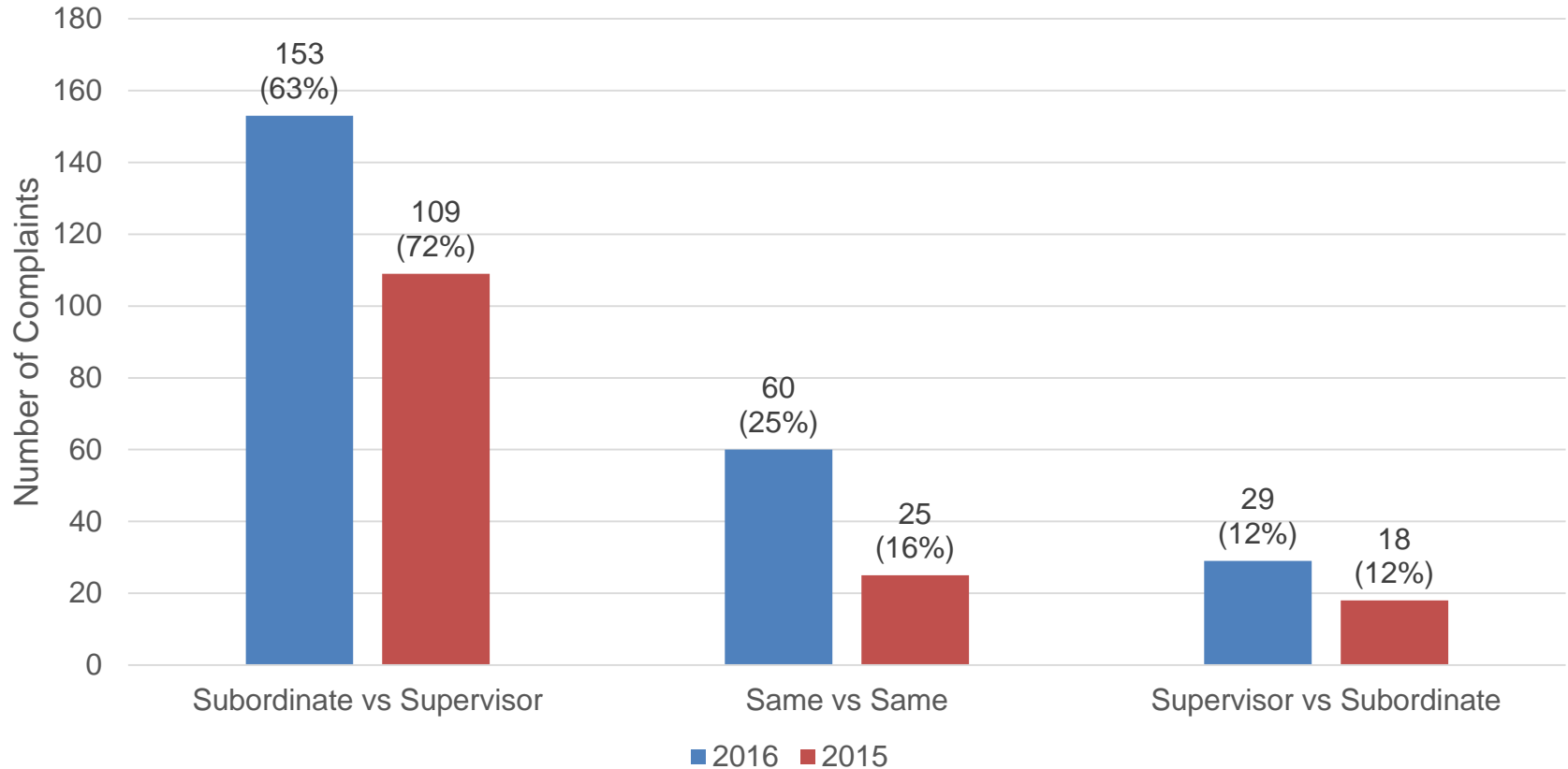
2015/2016 Category of Employee CM/PSE Complaints



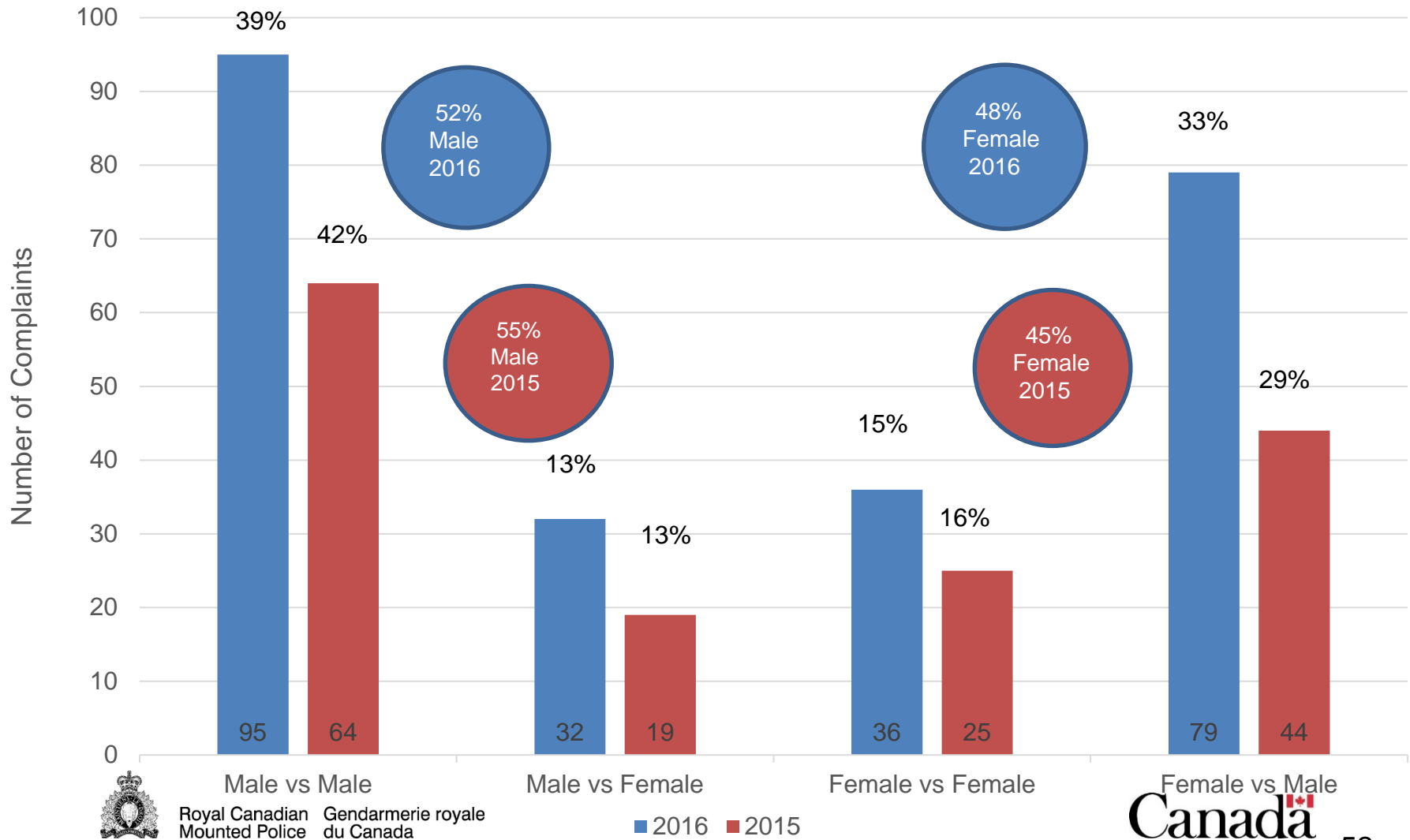
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2015/2016 Category of Employee “Rank” vs “Rank” Breakdown (all COE)



Complaints by Gender



- Harassment Investigators Course has been created:
 - Pilot was launched October 2016
 - Courses are schedule for:
 - January 2017 (“E” Division)
 - March 2017 (NHQ)
 - June 2017 (“C” Division)





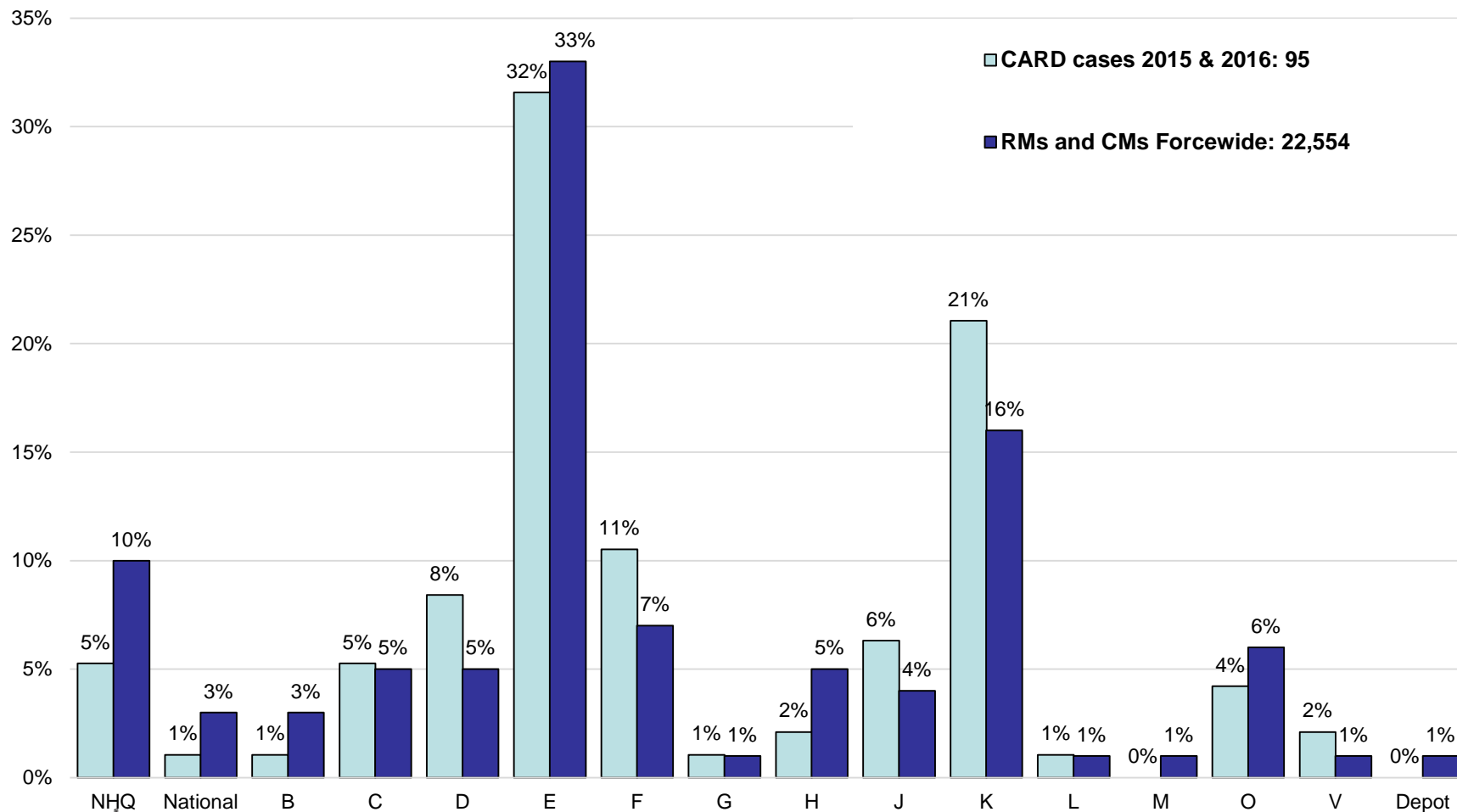
Conduct Authority Representative Directorate (CARD)



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Percentage of CARD dismissal cases compared to Percentage of Total Member Population by Division



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CARD Stats – Sexual Misconduct

File Type	Year	Total	Sexual Misconduct	% Sexual Misconduct
Dismissal	2015	56	24	43%
	2016	39	12	31%
Assistance	2015	6	2	33%
	2016	22	13	59%
Totals	2015	62	26	42%
	2016	61	25	41%
	All files	123	51	41%



+26%



CARD's Times between Key Steps

	Days File at Division before CARD is engaged		Days Available to CARD to initiate Board before prescription period expires		Days File with CARD before Board initiated		Days Remaining in prescription period when Board initiated		Days from initiating Board to Notice of Conduct Hearing	
	2015	2016	2015	2016	2015	2016	2015	2016	2015	2016
Low	2	4	7	21	1	15	0	3	4	2
High	344	419	328	361	292	168	207	163	365	195
Average	110	184	158	172	92	86	36	53	123	74



Hearing Process Timelines

Conduct Hearing Timelines	Time in Days (Avg)	
	2015	2016
Field Conduct Authority seized to Conduct Hearing concluded	366	764
Conduct Board Appointed to Conduct Hearing Starts	138	413
Conduct Board Appointed to Conduct Hearing Concluded	140	416
1733 Timelines		
CA Request for Representation to 1733 signed	262	82
Notice to Designated Officer to 1733 signed	260	88
Notice of Conduct Hearing to 1733 signed	189	69



Conduct Board Process – Waypoints

■ Conduct Authority and Investigation Related

Description of Interval	Time in Days (Avg)		
	2015	2016	Rolling
Field Conduct Authority seized to conduct investigation initiated	30	21	26
Length of conduct investigation	127	117	123
Field Conduct Authority seized to conduct investigation concluded	158	128	146
Conduct investigation concluded to Conduct Authority request for representation	60	69	64



Conduct Board Process – Waypoints

■ Board Related – Part 1

Description of Interval	Time in Days (Avg)		
	2015	2016	Rolling
Board appointed to Board receiving package	140	59	110
Board received package to Board contacting parties	17	16	17
Pre-hearing Conference(s) started to Pre-hearing Conference(s) concluded	57	42	53
Board receipt of package to hearing date set	185	78	144



Conduct Board Process – Waypoints

■ Board Related – Part 2

Description of Interval	Time in Days (Avg)		
	2015	2016	Rolling
Board receipt of package to hearing initiated	261	214	258
Start of hearing to end of hearing	3	2	2
Final decision rendered to written Board decision released	79	66	68
Board appointed to final decision rendered	175	416	368
Board appointed to written Board decision released	219	481	429

*2015 based on 2 hearings / 2016 based on 8 hearings, 3 written board decisions are outstanding



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Conduct Adjudications



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RCAD Case Workload - LEGACY

- On November 28th, 2014, **141** Discipline Boards remained

Files remaining		Hearing Held	ERP	Concluded Otherwise	Active
2015	141	9	24	25	83
2016	83	12	18	20	33



RCAD Case Workload by Division – Since CIF

Division	Files received		Hearing Scheduled		Hearing Held		Concluded by hearing/oth		Concluded by 1733		Active
	2015	2016	2015	2016	2015	2016	2015	2016	2015	2016	
B	1										1
C		4		2							4
D	2	5							2		5
E	10	7	1	1	1	2	1	2	1	2	11
F	3	1	1						1	2	1
G											
H											
J	1	1	1	1	1			1			1
K	7	8	2	3		4		4		2	9
L											
M											
National	1	4				1		1			4
NHQ											
O	2									2	0
V											
Total	27	30	5	7	2	7	1	8	4	8	36
	57		12		9		9		12		36



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Grievances and Appeals

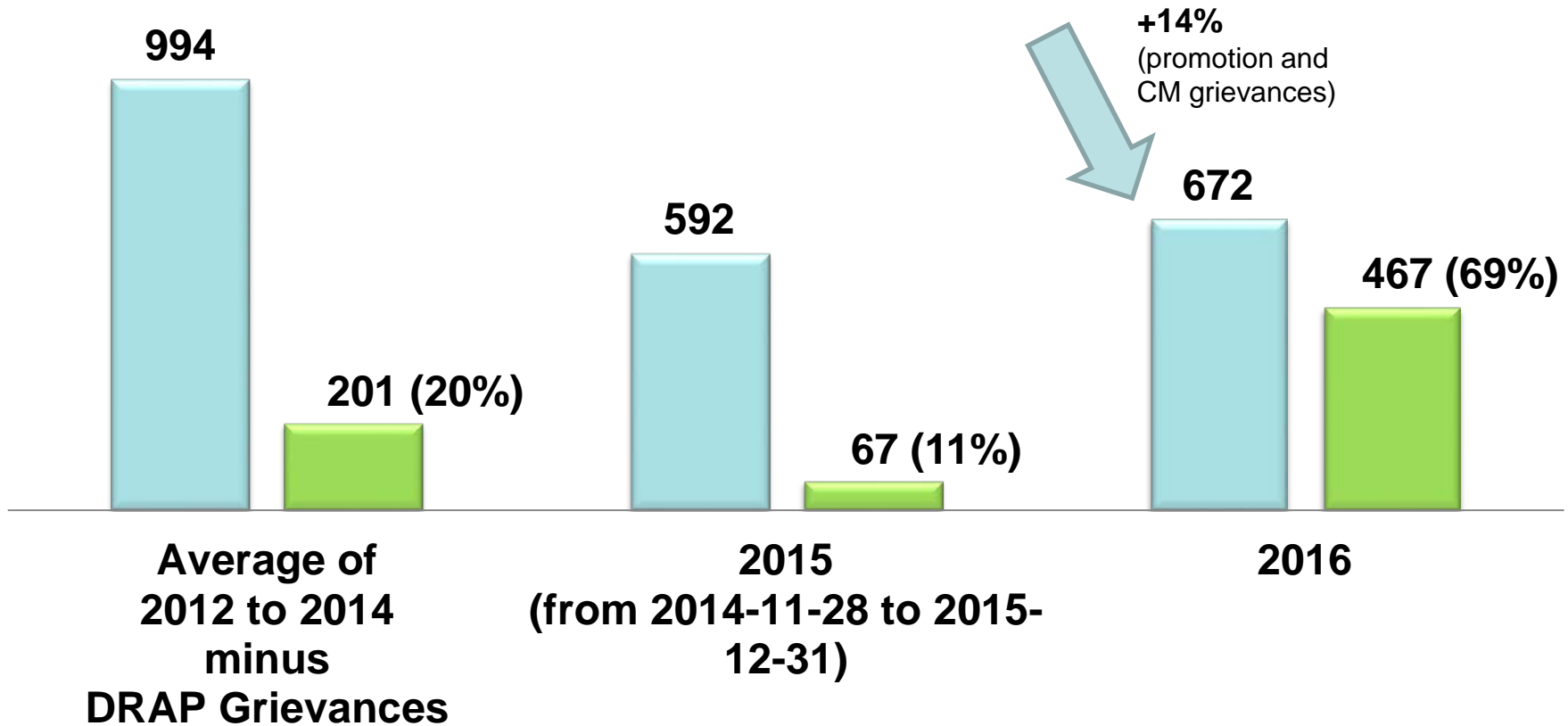


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Current Grievance Process

- Number of Grievances Presented within Year
- Number of Grievances Still Active by December 31, 2016



Number and Percentage of New Appeals and Grievances Presented in 2016

■ Grievances ■ Appeals

APPEALS:

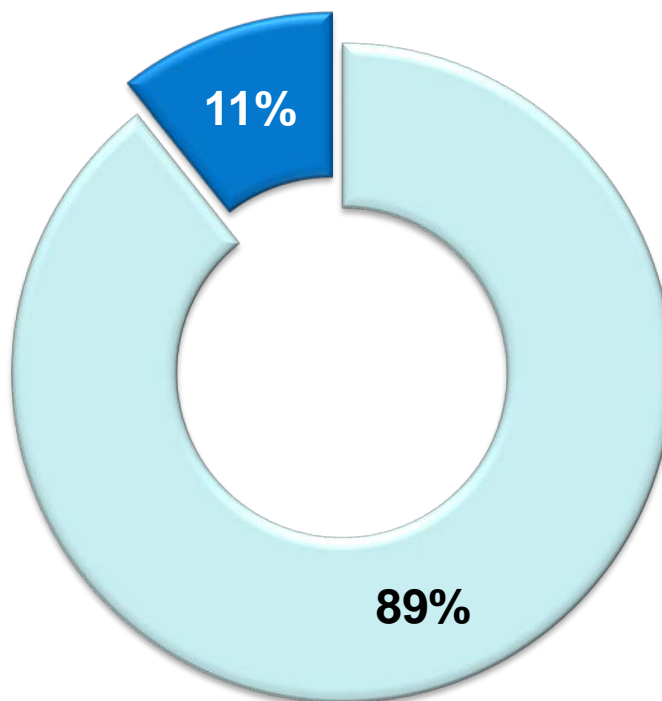
82 appeals were presented of which

- **61** are active
- **21** are concluded

GRIEVANCES:

672 grievances were presented of which

- **467** are active
- **205** are concluded*



In **2015**, the proportion of grievances and appeals processed by the OCGA was very similar:

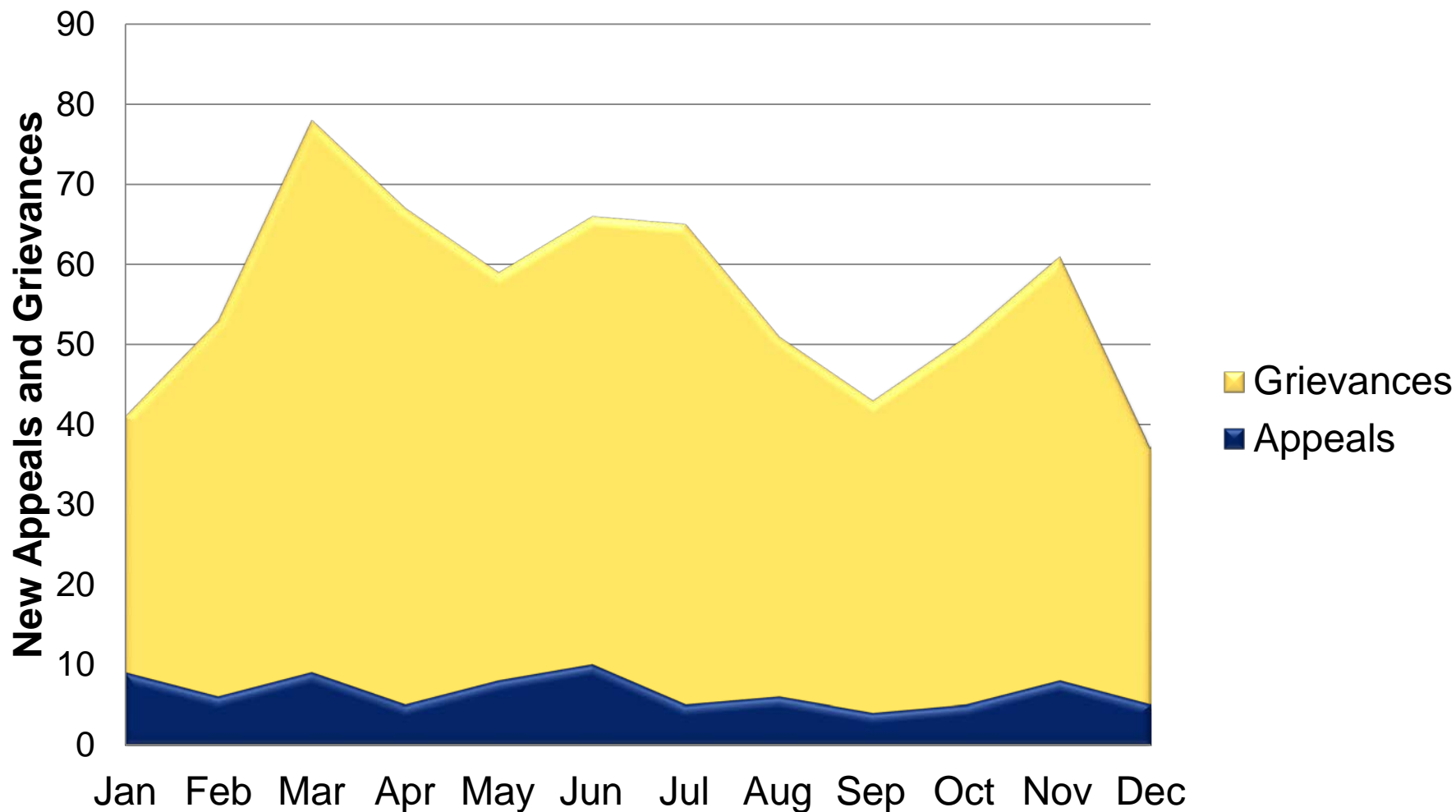
Appeals – 10% and Grievances – 90%.



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Number of New Appeals and Grievances Presented by Month in 2016



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Number and Percentage of New Grievances by Division and File Status in 2015 and 2016

	As of December 31, 2015		As of December 31, 2016*		
Division	Active	Concluded	Active	Concluded	TOTAL
B	14 (48%)	15 (52%)	23 (66%)	12 (34%)	64
C	22 (55%)	18 (45%)	34 (77%)	10 (23%)	84
D	5 (25%)	15 (75%)	12 (63%)	7 (37%)	39
E	97 (49%)	103 (52%)	146 (69%)	67 (31%)	413
F/DEPOT	16 (43%)	21 (57%)	30 (68%)	14 (32%)	81
G	5 (42%)	7 (58%)	7 (88%)	1 (13%)	20
H	15 (42%)	21 (58%)	22 (67%)	11 (33%)	69
J	6 (46%)	7 (54%)	14 (64%)	8 (36%)	35
K	35 (49%)	37 (51%)	76 (82%)	17 (18%)	165
L	1 (20%)	4 (80%)	4 (100%)	0	9
M	2 (50%)	2 (50%)	1 (50%)	1 (50%)	6
National	11 (50%)	11 (50%)	20 (74%)	7 (26%)	49
NHQ	19 (45%)	23 (55%)	36 (58%)	26 (42%)	104
O	24 (48%)	26 (52%)	39 (66%)	20 (34%)	109
V	12 (71%)	5 (29%)	3 (43%)	4 (57%)	24 69
TOTAL	284 (48%)	315 (52%)	467 (69%)	205 (31%)	1271

Comparison between % of Grievances and % of Members by Division in 2016

Division	Nbr of Members (RM and CM)	% of Total Members	% of Grievances	Nbr of Grievances in 2016
B	592	3	5	35
C	1115	5	7	44
D	1160	5	3	19
E	7437	33	32	213
F/DEPOT	1707	8	7	44
G	213	1	1	8
H	1107	5	5	33
J	974	4	3	22
K	3557	16	14	93
L	150	1	1	4
M	158	1	0.3	2
National	777	3	4	27
NHQ	2269	10	9	62
O	1178	5	9	59
V	141	1	1	7
TOTAL	22535	100	100	672

Legend

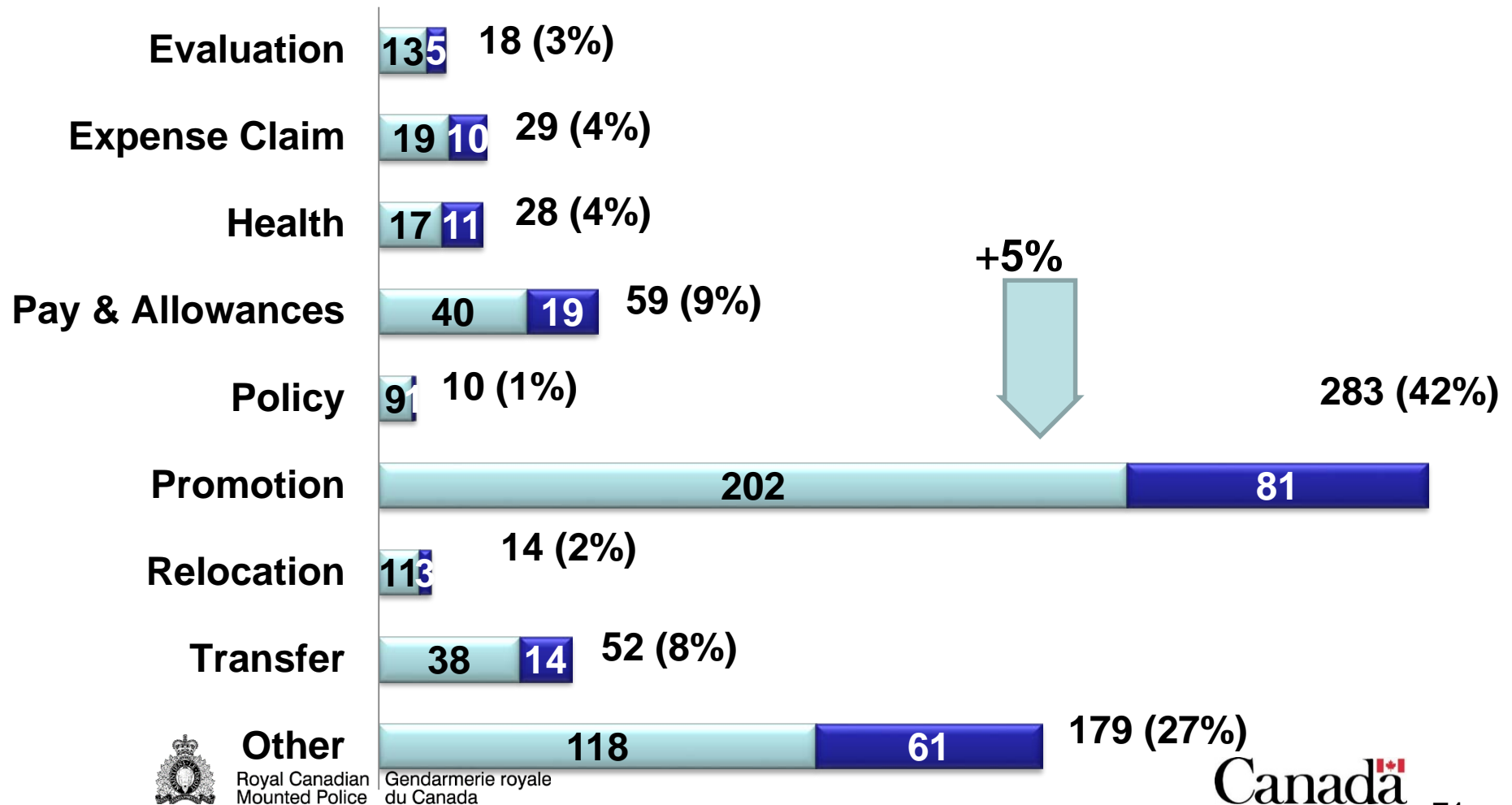
= Higher % of Grievances than % of Members in Division

= Lower % of Grievances than % of Members in Division

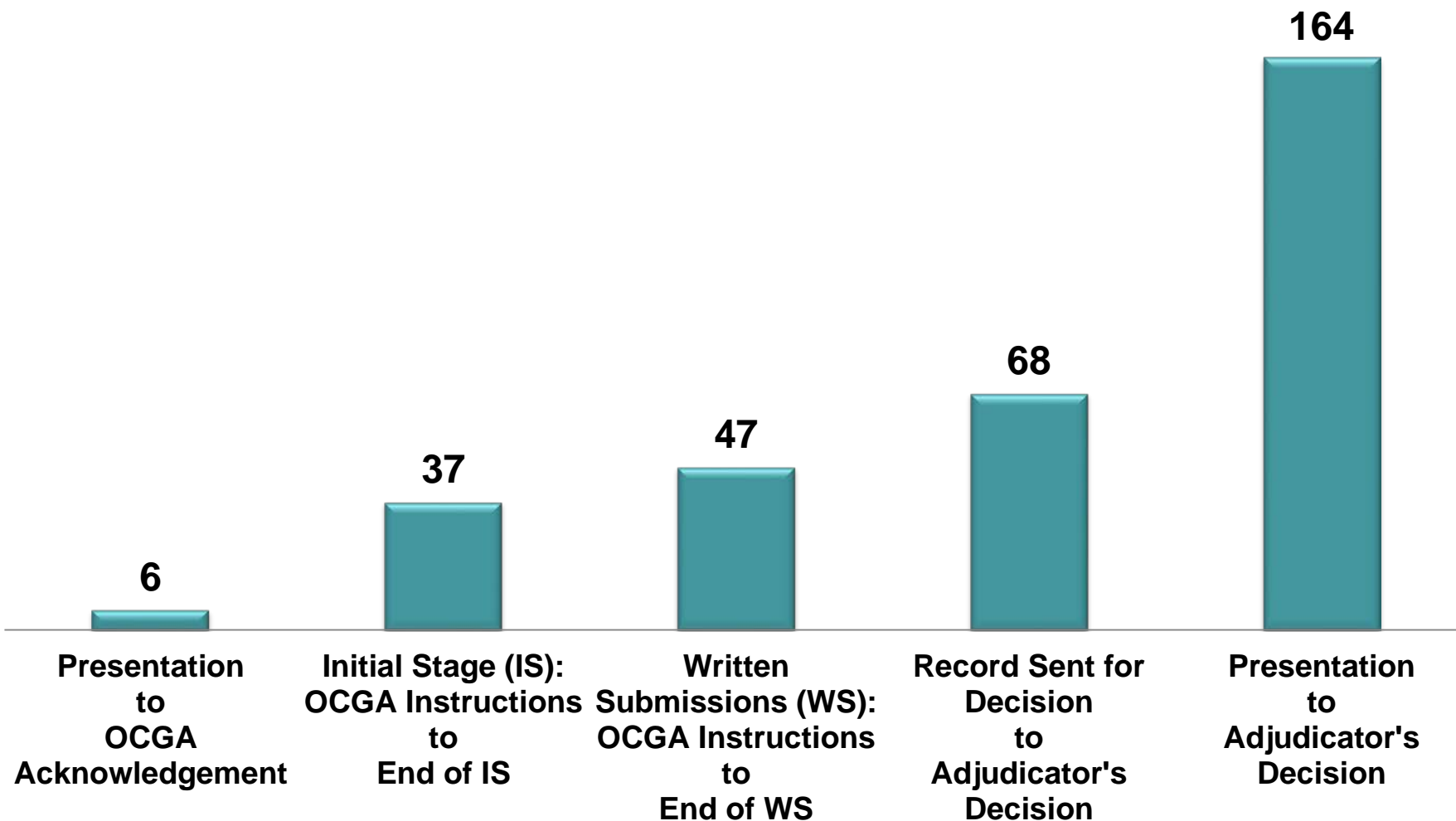
= Equal % of Grievances to % of Members in Division

Number and Percentage of Grievances by Type in 2016

■ Active ■ Concluded



Average Number of Days to Process Grievances from Start to Finish at LEVEL 1 in 2015 and 2016* (571 Concluded Cases)

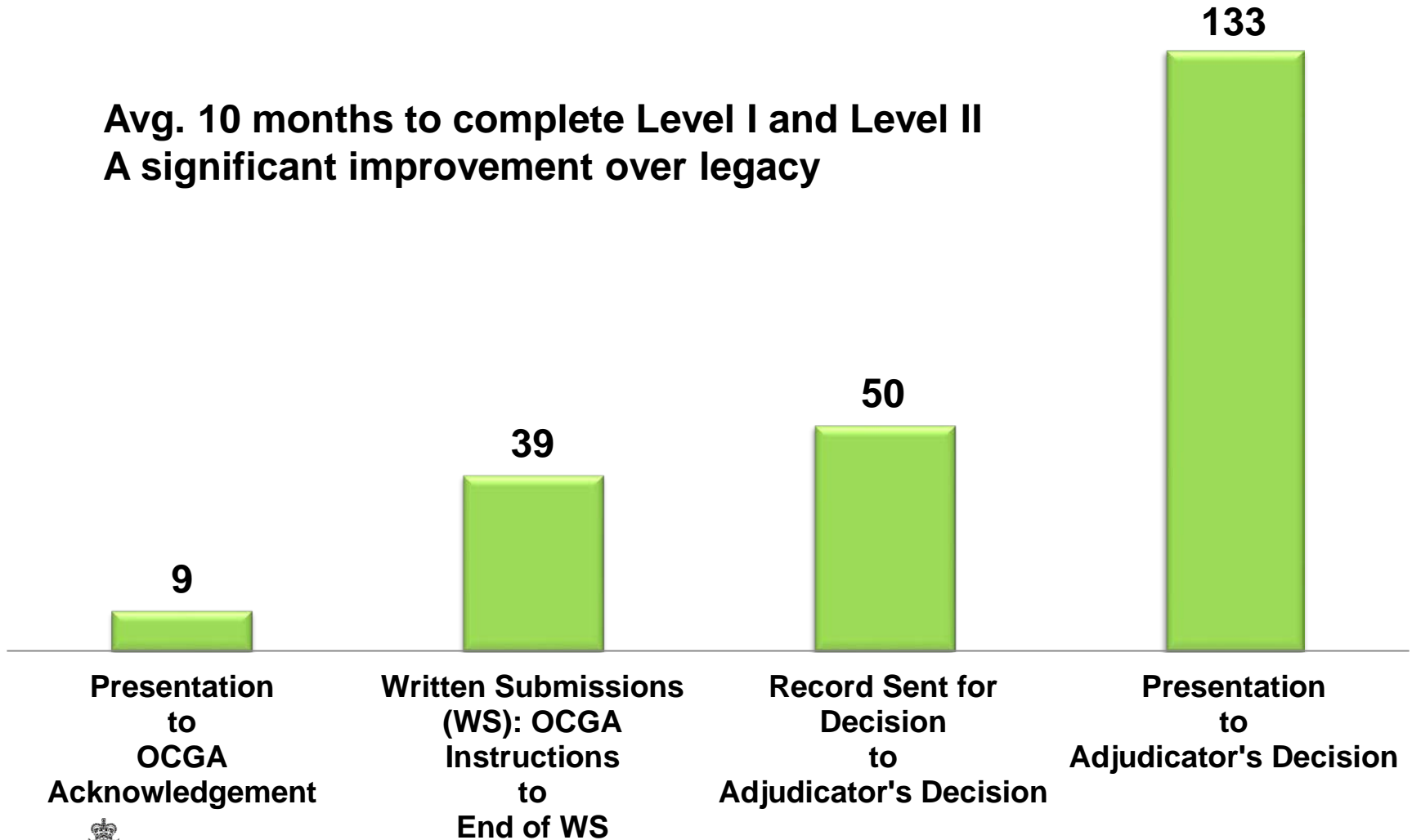


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Average Number of Days to Process Grievances from Start to Finish at LEVEL 2 in 2015 and 2016* (36 Concluded Cases)

Avg. 10 months to complete Level I and Level II
A significant improvement over legacy



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RCAD Level 1 Grievance Adjudicators - 2016

- **214 new** process decisions (49 preliminary, 24 collateral, 141 merit) and 81 directions
- **377 legacy** decisions (74 preliminary, 92 collateral, 211 merit) and 50 directions
- **98** new grievance files awaiting level 1 adjudication (13 files on collateral matters and 85 files on the merit)
- Oldest new grievance file based on reception date: **July 11, 2016**
- Average time to render decisions is gradually increasing:
 - Priority files (preliminary and collateral matters) – **30** days
 - Merit – **115** days
- Realignment of resources from legacy process to maintain a 90 day turnaround service delivery standard



Number and Percentage of New **APPEALS** by Division and File Status* in 2015 and 2016

	As of December 31, 2015		As of December 31, 2016		
Division	Active	Concluded	Active	Concluded	TOTAL
B	4 (100%)	0	1 (50%)	1 (50%)	6
C	6 (100%)	0	7 (100%)	0	13
D	3 (75%)	1 (25%)	4 (80%)	1 (20%)	9
E	15 (88%)	2 (12%)	13 (72%)	5 (28%)	35
F/DEPOT	2 (50%)	2 (50%)	5 (50%)	5 (50%)	14
G	0	0	0	1 (100%)	1
H	1 (50%)	1 (50%)	3 (100%)	0	5
J	0	3 (100%)	4 (80%)	1 (20%)	8
K	12 (86%)	2 (14%)	14 (74%)	5 (26%)	33
L	0	0	0	0	0
M	0	0	0	0	0
National	1 (50%)	1 (50%)	3 (100%)	0	5
NHQ	2 (50%)	2 (50%)	3 (60%)	2 (40%)	9
O	2 (100%)	0	2 (100%)	0	4
V	0	0	2 (100%)	0	2
TOTAL	48 (77%)	14 (23%)	61 (74%)	21 (26%)	144

Comparison between % of Appeals and % of Members by Division in 2016

Division	Nbr of Members (RM and CM)	% of Total Members	% of Appeals	Nbr of Appeals in 2016
B	592	3	2 (-4% from 2015)	2
C	1115	5	9	7
D	1160	5	6	5
E	7437	33	22 (-5% from 2015)	18
F/DEPOT	1707	8	12 (+6% from 2015)	10
G	213	1	1	1
H	1107	5	4	3
J	974	4	6	5
K	3557	16	23	19
L	150	1	0	0
M	158	1	0	0
National	777	3	4	3
NHQ	2269	10	6	5
O	1178	5	2	2
V	141	1	2	2
TOTAL	22535	100	100*	82

Legend

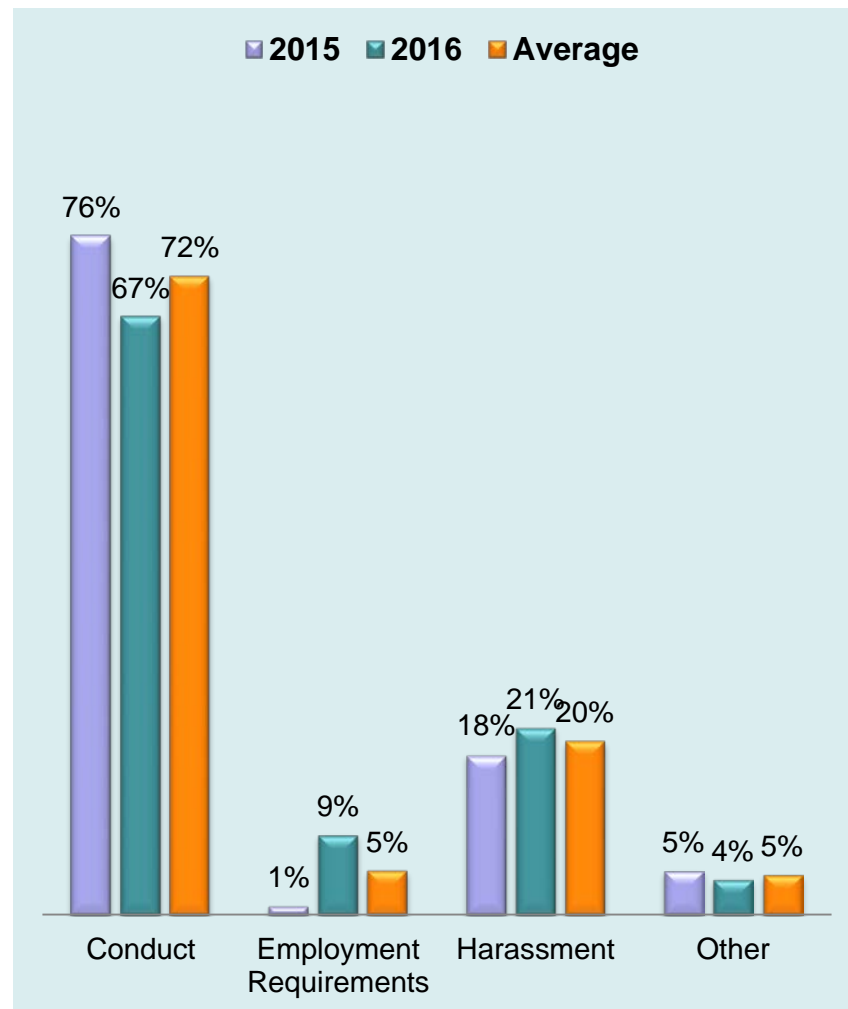
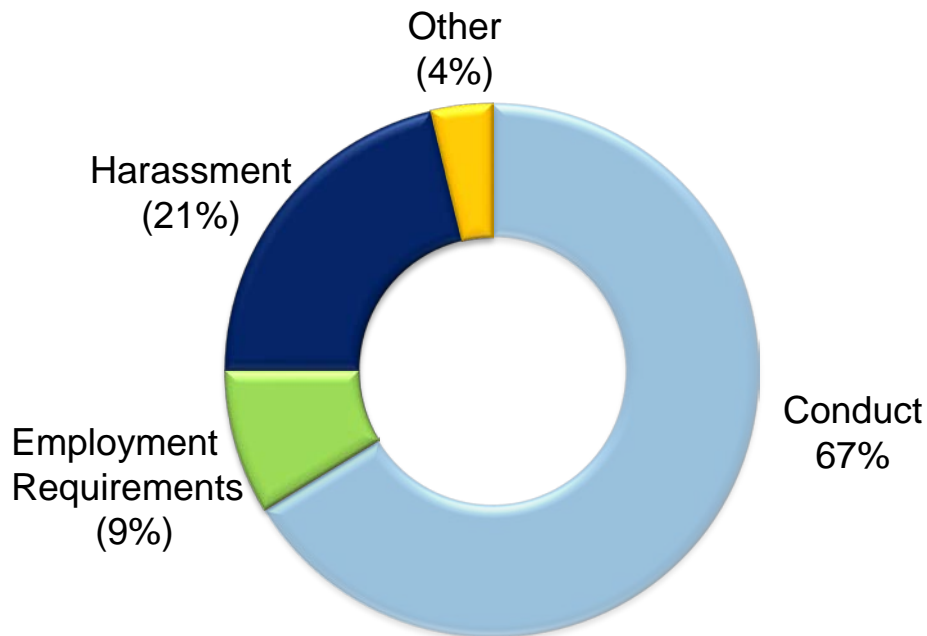
= Higher % of Appeals than % of Members in Division

= Lower % of Appeals than % of Members in Division

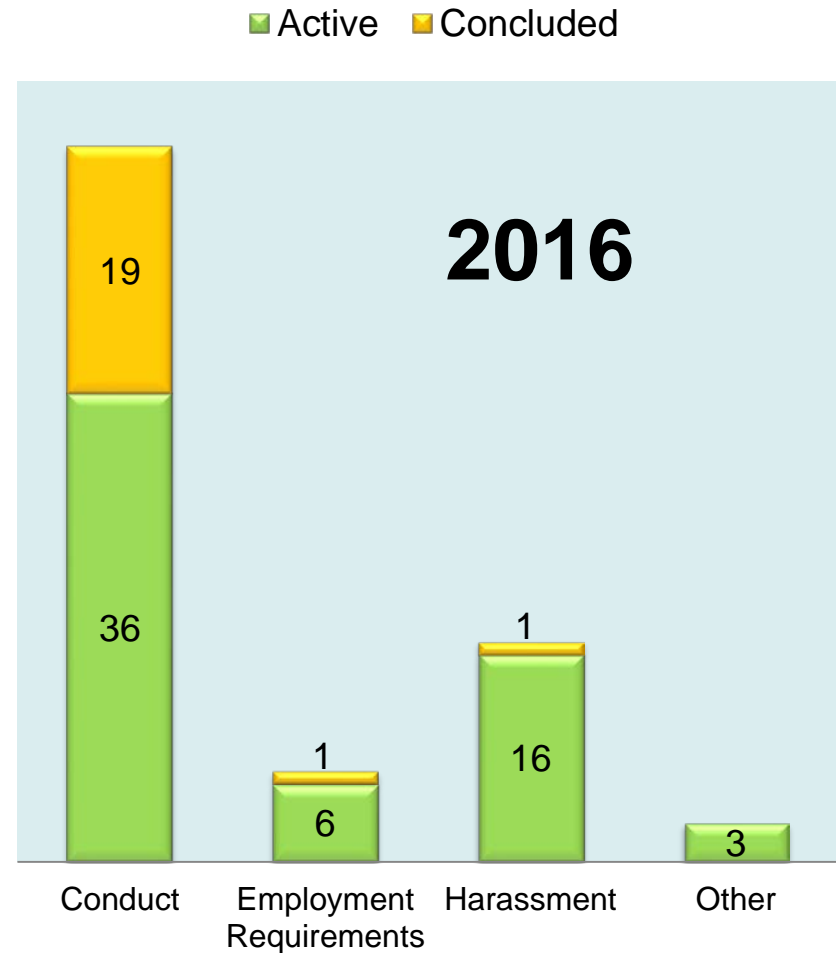
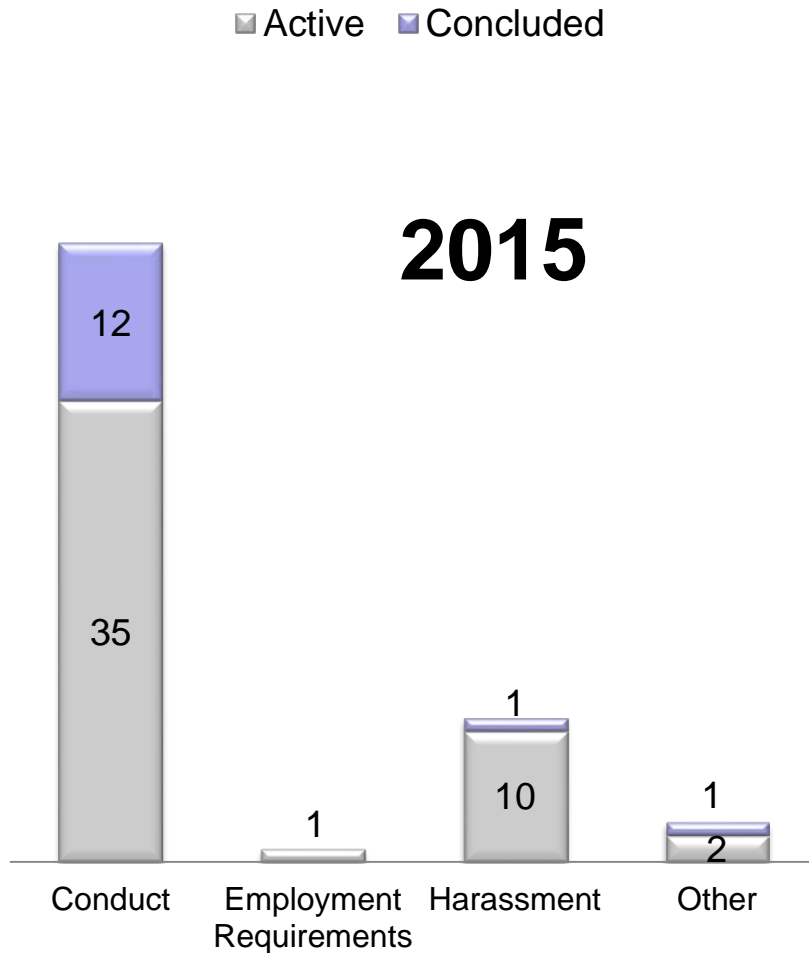
= Equal % of Appeals to % of Members in Division

Appeal Types by Percentage in 2016 and Comparison between 2015 and 2016

2016



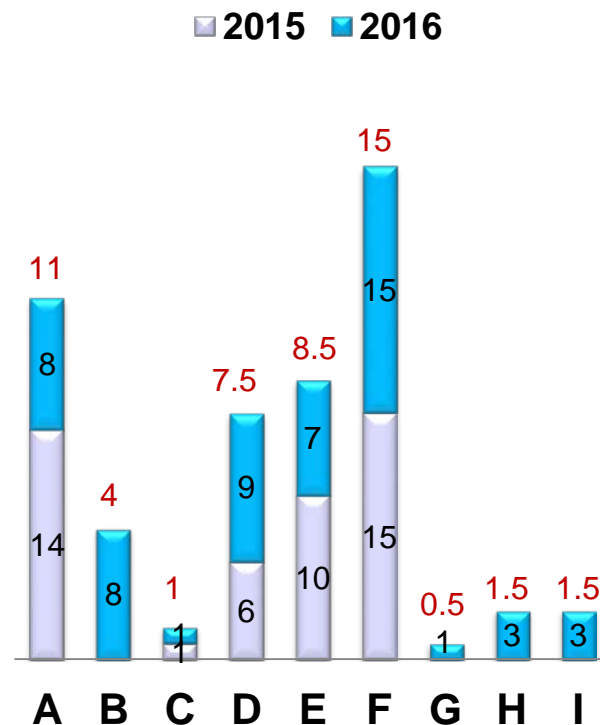
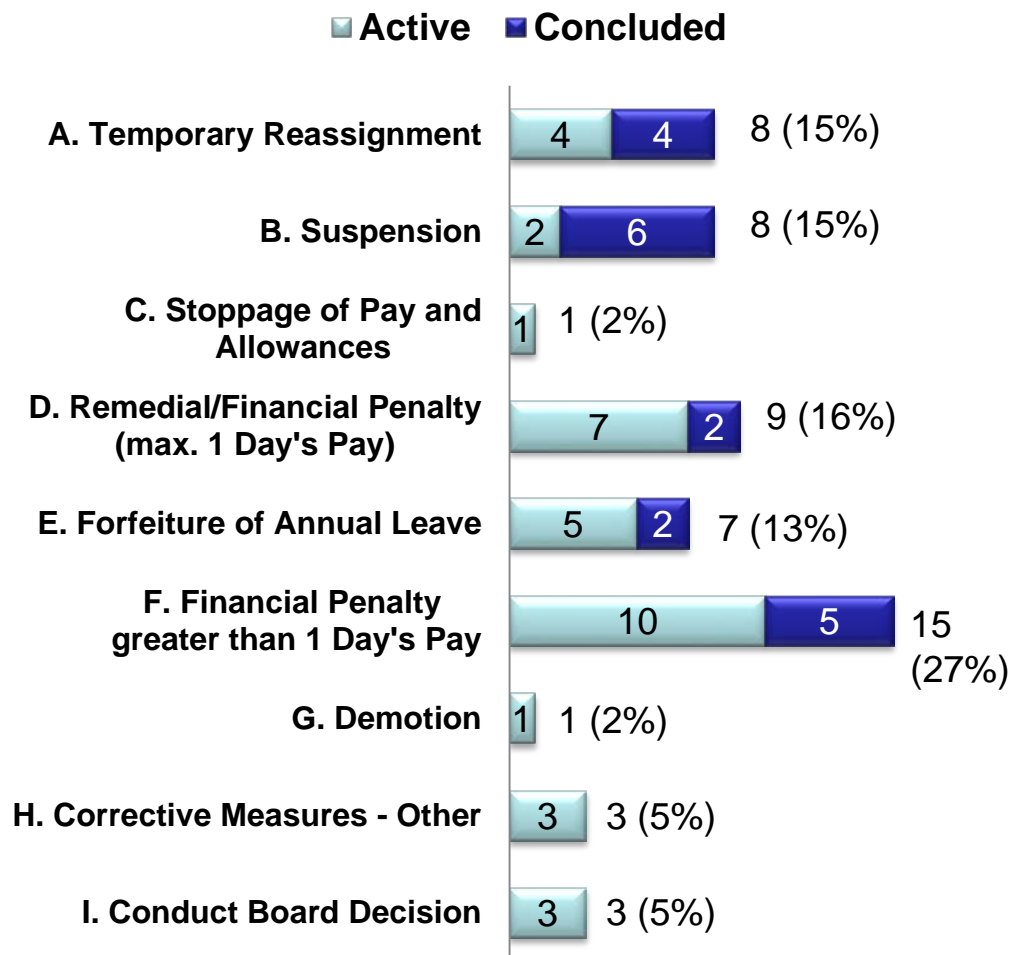
Number and Types of Appeals by File Status in 2015 and 2016



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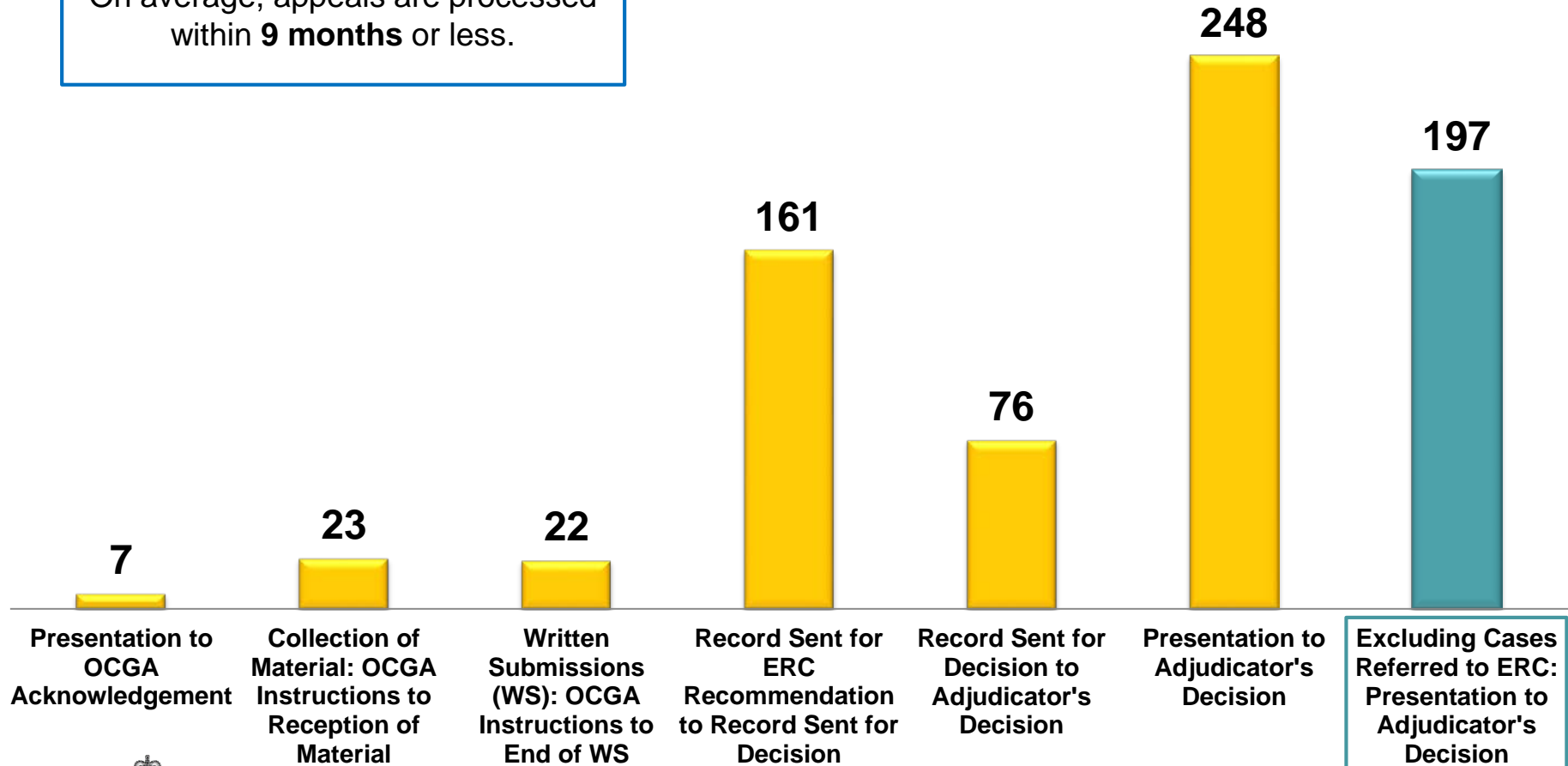
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Conduct Appeals by Type of Measure in 2016 and Two-Year Average (2015 and 2016)



Average Number of Days to Process Appeals from Start to Finish (60 Cases Concluded in 2015 and 2016)

On average, appeals are processed within **9 months** or less.



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External Review Committee (ERC) in 2016

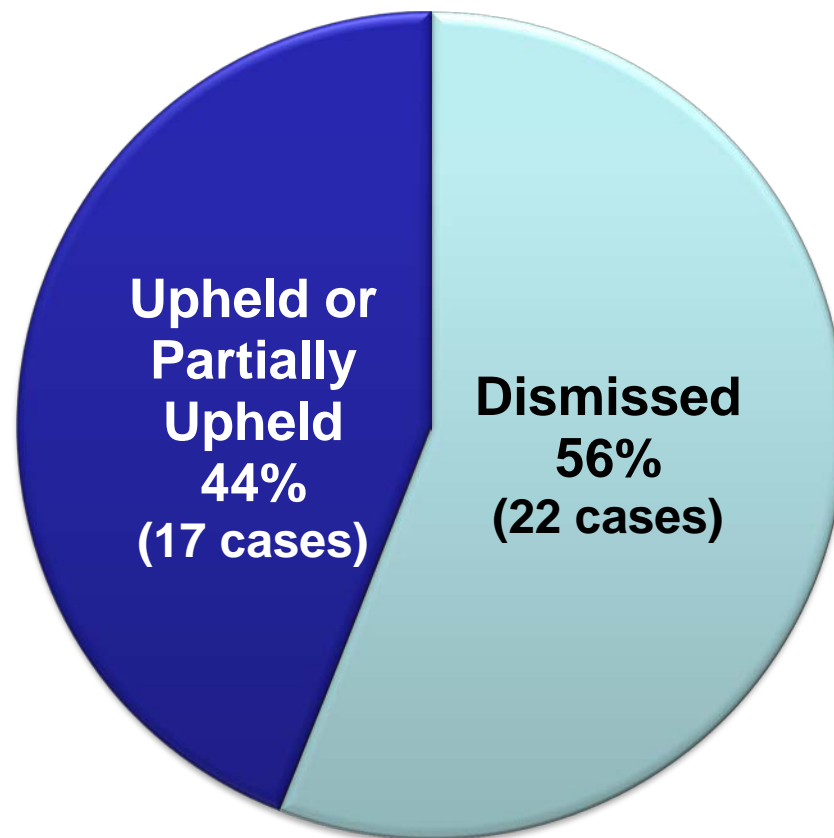
- Issued 11 reports containing findings and recommendations related to appeals
 - 7 conduct appeals
 - 2 harassment appeals
 - 2 appeals not referable

- Since November 28, 2014, RCMP adjudicators disposed of 39 appeals of which 8 cases included an ERC report
 - in general, RCMP adjudicators agreed with ERC recommendations



Result of Adjudicative Decisions for Appeals

(39 Cases in 2015 and 2016)



Grounds of Appeal / Successful Appeals in 2015 and 2016

Grounds of Appeal	Appeals Upheld or Partially Upheld (17 cases)
Breach of Procedural Fairness	9 of 17 appeals (53%) were upheld on this ground (e.g. the process was not followed according to the CSO and/or policy)
Error of Law	1 of 17 appeals (6%) was upheld on this ground
Clearly Unreasonable	12 of 17 appeals (71%) were upheld on this ground (especially in relation to the conduct measure imposed)

67% of the cases the appeal was upheld or partially upheld on one ground of appeal only. In some cases if the first ground of appeal was successful the adjudicator did not proceed with the review of the remaining grounds



Rationales for Upheld or Partially Upheld Appeals

(17 Successful Appeals in 2015 and 2016)

Procedural Fairness	Clearly Unreasonable
<ul style="list-style-type: none"> - Failure to provide sufficient justification for the retraction of decision at the Conduct Meeting; failure to act with impartiality 	<ul style="list-style-type: none"> - Failure to make a finding on an allegation; - failure to articulate test used to make finding on an allegation and link between certain findings and conduct in allegation; - failure to mention appellant's submission in their report
<ul style="list-style-type: none"> - Failure to provide sufficient reasons 	<ul style="list-style-type: none"> - Failure to explain or justify decision - no findings of fact were made related to the evidence and no analysis was made in the matter of the conduct amounting to discreditable conduct
<ul style="list-style-type: none"> - Rendered written decision prior to hearing representations 	<ul style="list-style-type: none"> - Failure to explain certain aggravating factors; - the relevancy of certain aggravating factors were not supported by the record; - no reasons were offered to explain the selection of conduct measures, which were disproportionate
<ul style="list-style-type: none"> - Imposition of a conduct measure one year after the limitation period without providing evidence in record to show that an extension was requested and/or granted 	<ul style="list-style-type: none"> - Measure imposed for one of the allegations was redundant
	<ul style="list-style-type: none"> - Reliance on unproven particulars and failure to explain how the proven conduct was likely to discredit the Force

Rationales for Upheld or Partially Upheld Appeals (Cont'd)

(17 Successful Appeals in 2015 and 2016)

Procedural Fairness	Clearly Unreasonable
- Failure to provide appellant with opportunity to make submissions prior the Conduct Meeting and the right to make written and oral submissions at the second Conduct Meeting, which never took place; failure to review all relevant material	- Lack of evidence to make decision
- Failure to provide important material to the appellant (that was considered as an aggravating factor) thereby denying the appellant the opportunity to review it and make representations	- Conduct measures: Failure to consider appropriate aggravating and mitigating factors by a. misunderstanding what constitute aggravating circumstances; b. characterization of the lack of a prior disciplinary records as a mitigating circumstance; and c. failing to consider important mitigating factors
- Failure to disclose information to the appellant that was considered and on which significant weight was given	- Reliance on inaccurate information which was not proved by the evidence
	- Conduct measures: Unreasonable and disproportionate to the nature of the contravention
	- No indication that the evidence was carefully reviewed
	- Conduct measure: appellant could not comply with policy because the work environment did not provide them with the means to comply and appellant actively took measures to comply



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Employment Requirements

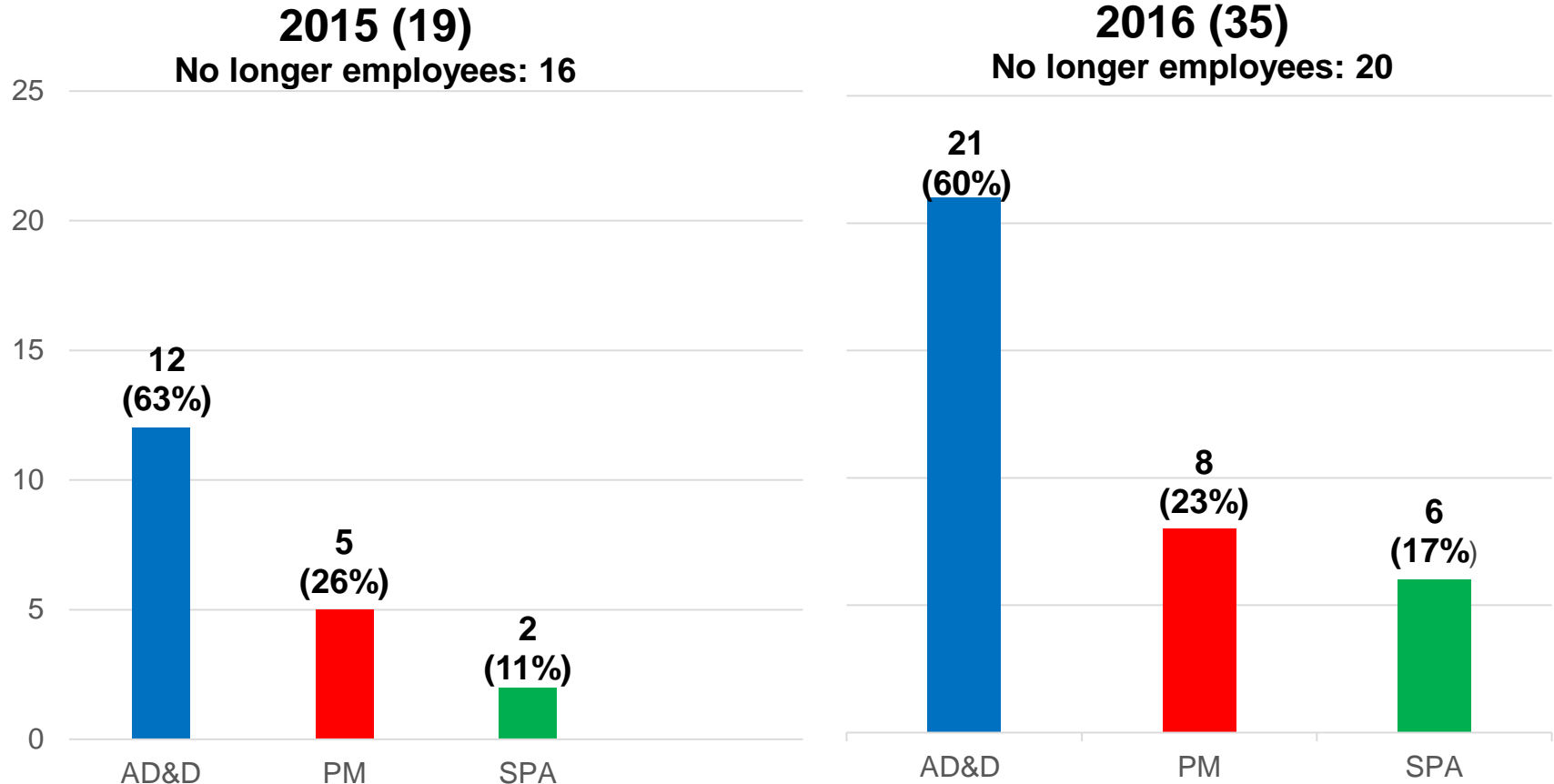


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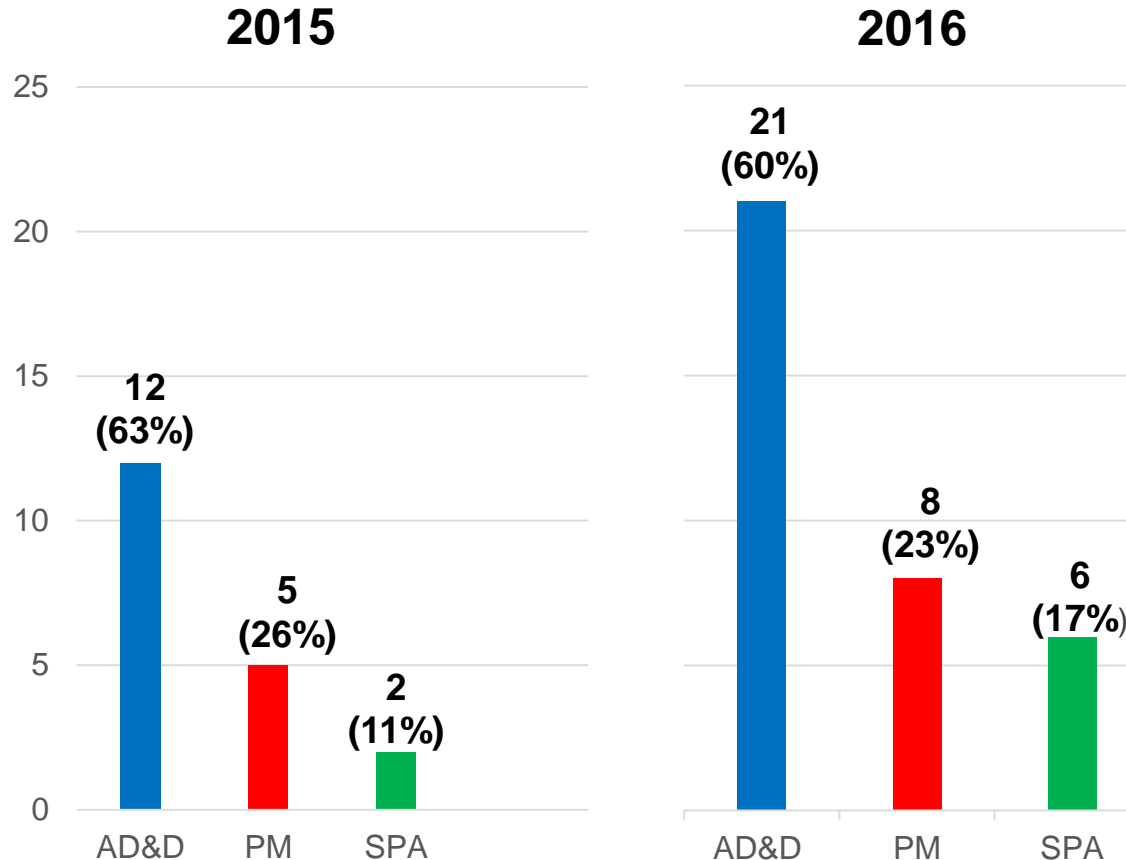
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Statistics & Trends – Number of ER processes initiated

Administrative Discharge & Demotion (AD&D)
Probationary Member (PM)
Suspension of Pay and Allowances (SPA)



Statistics & Trends – AD&D



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AD&D (33):

21 Disability:

- 10 discharged; 6 resigned; 5 pending
- Years of service: 9 to 37
- Years ODS: 1.5 to 13

NOTE: Increase expected due to upcoming OHS disability case review (200+)

3 Performance:

- 1 resigned; 1 retained; 1 pending
- Years of service: 8 to 26
- 2 had been relieved from duty under old process (1.5 & 3 years) w/o being discharged, before being processed under ER

4 LBR (3 security clearance; 1 firearm):

- 3 discharged; 1 resigned

3 Convicted of Indictable Offence

- 1 discharged; 1 resigned; 1 pending

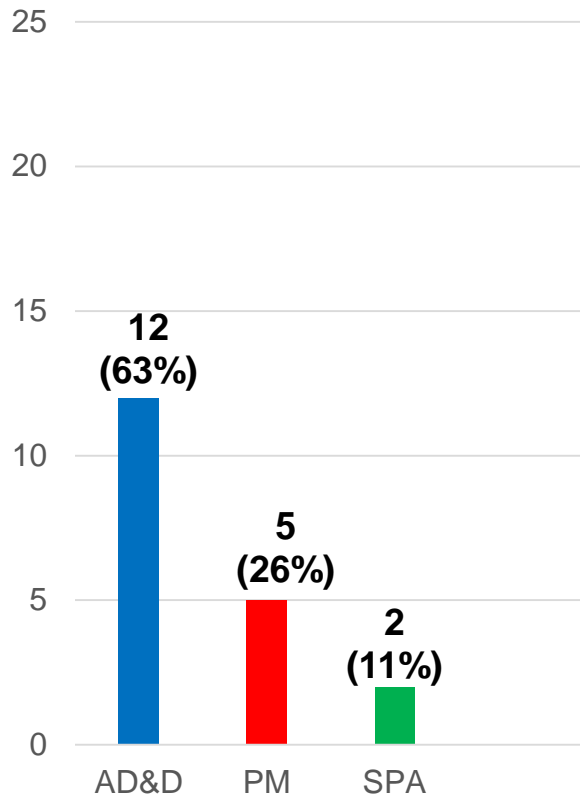
2 Absent from duty w/o authorization

- 2 discharged

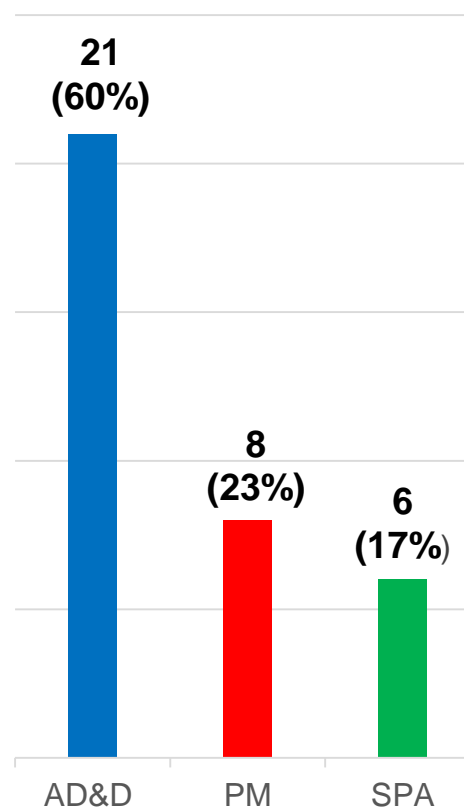
Average time from initiation to decision:
3.8 months

Statistics & Trends - PM

2015



2016



Probationary Member (13):

7 discharged; 3 resigned; 1 retained; 2 pending

- Average years of service: 1.25

Six (6) had *Code of Conduct* investigations placed in abeyance

Reason for discharge: **Unsuitability**

- performance, off-duty behaviour, integrity, unauthorized absence, incompatibility with colleagues, inability to adhere to Code of Conduct, unsuccessful completion of mandatory training

Interruptions:

- 4 cases involved probation period **interruptions**; otherwise would not have been probationary members

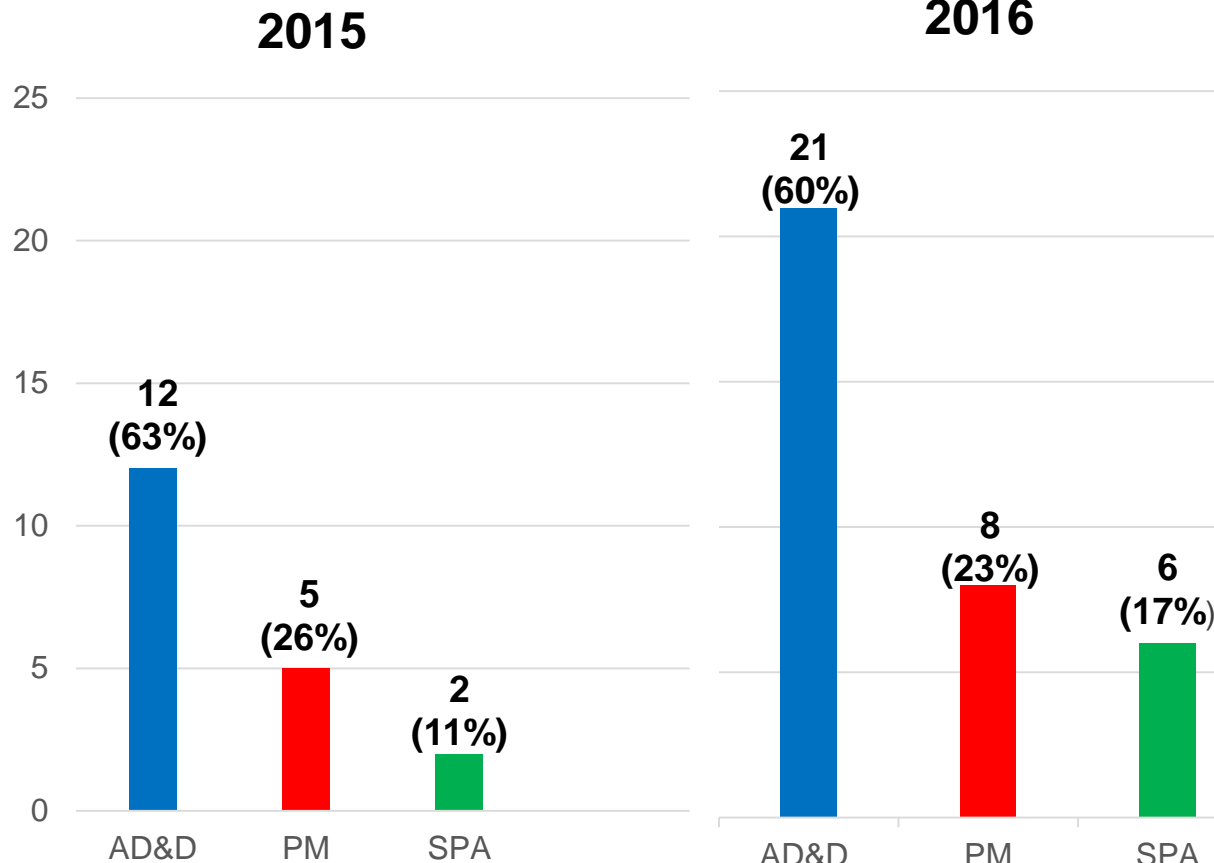
Average time from initiation to decision: 4.75 months



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Statistics & Trends - SPA



SPA (8)

2 Loss of basic requirement (drivers license)

- 1 resigned
- 1 pay stopped

6 Absent without authorization

- 2 pay stopped
- 2 pay stopped & reinstated (med. certificate submitted)
- 2 concluded w/o stoppage (med. certificate submitted; same subject member)

Discharge not sought for any case.

Average time from initiation to decision: 2.5 months



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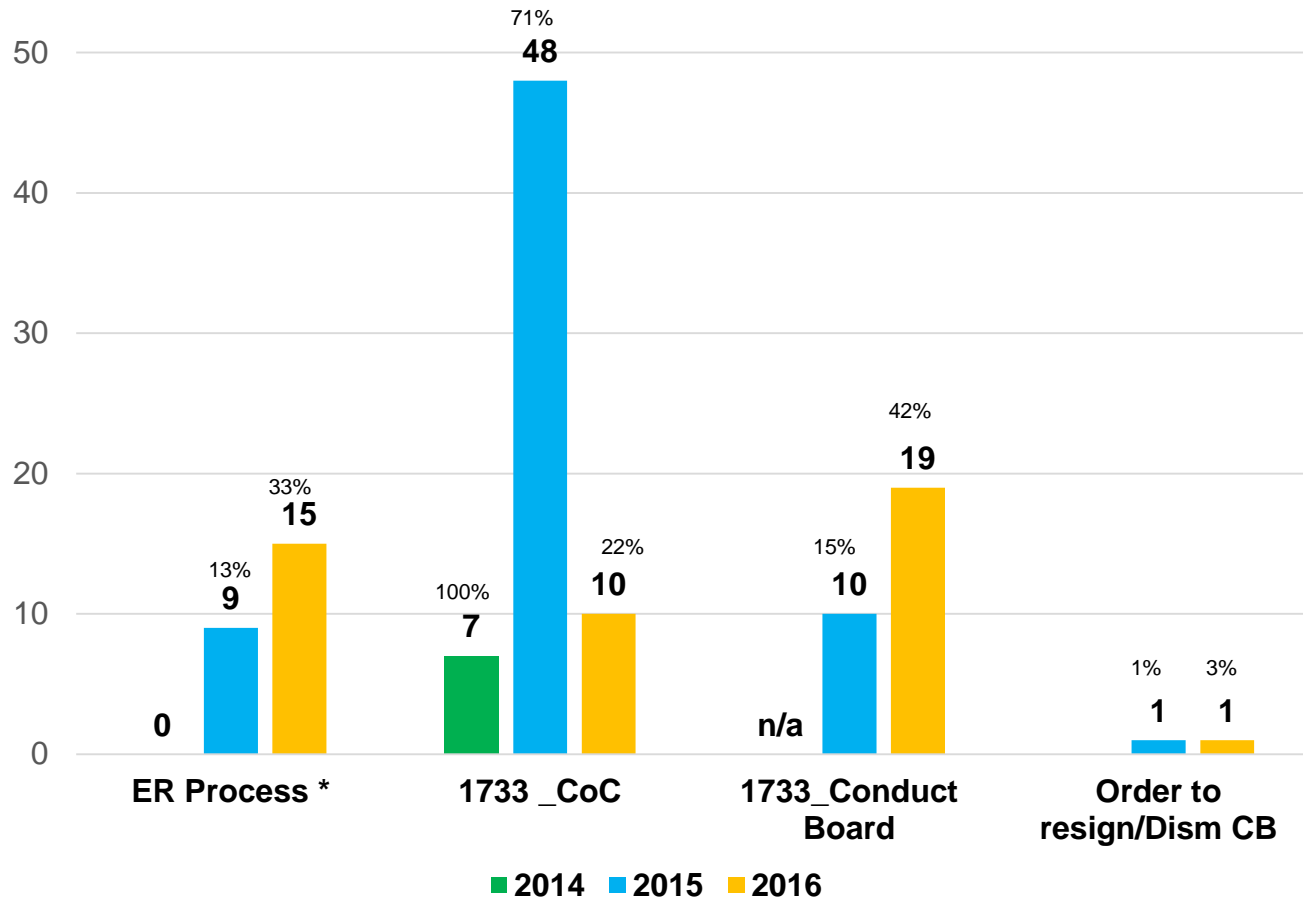
Statistics & Trends

- Of the 36 that are no longer employees: 64% (23) were discharged and 36% (13) resigned after the ER process was initiated
- Of the 36, 25% (9) had an ongoing Code of Conduct investigation at time of discharge/resignation
- Average (for those for which a decision was made): 3.5 months
- Shortest time from initiation to discharge (w/o resignations): 2.5 weeks
- Longest time: 1 case from Nov 2015 still pending (at Prelim Rec stage)
- SPA's are getting used more, as divisions become familiar with grounds
- In 2015, only 4 divisions had identified an ER Advisor; this has increased to 11 divisions in 2016
- The divisions with an advisor reported it has been an advantage; also seen in the quality of documents



Snapshot of Discharge Processes

60



*includes all ER processes (AD&D and PM)



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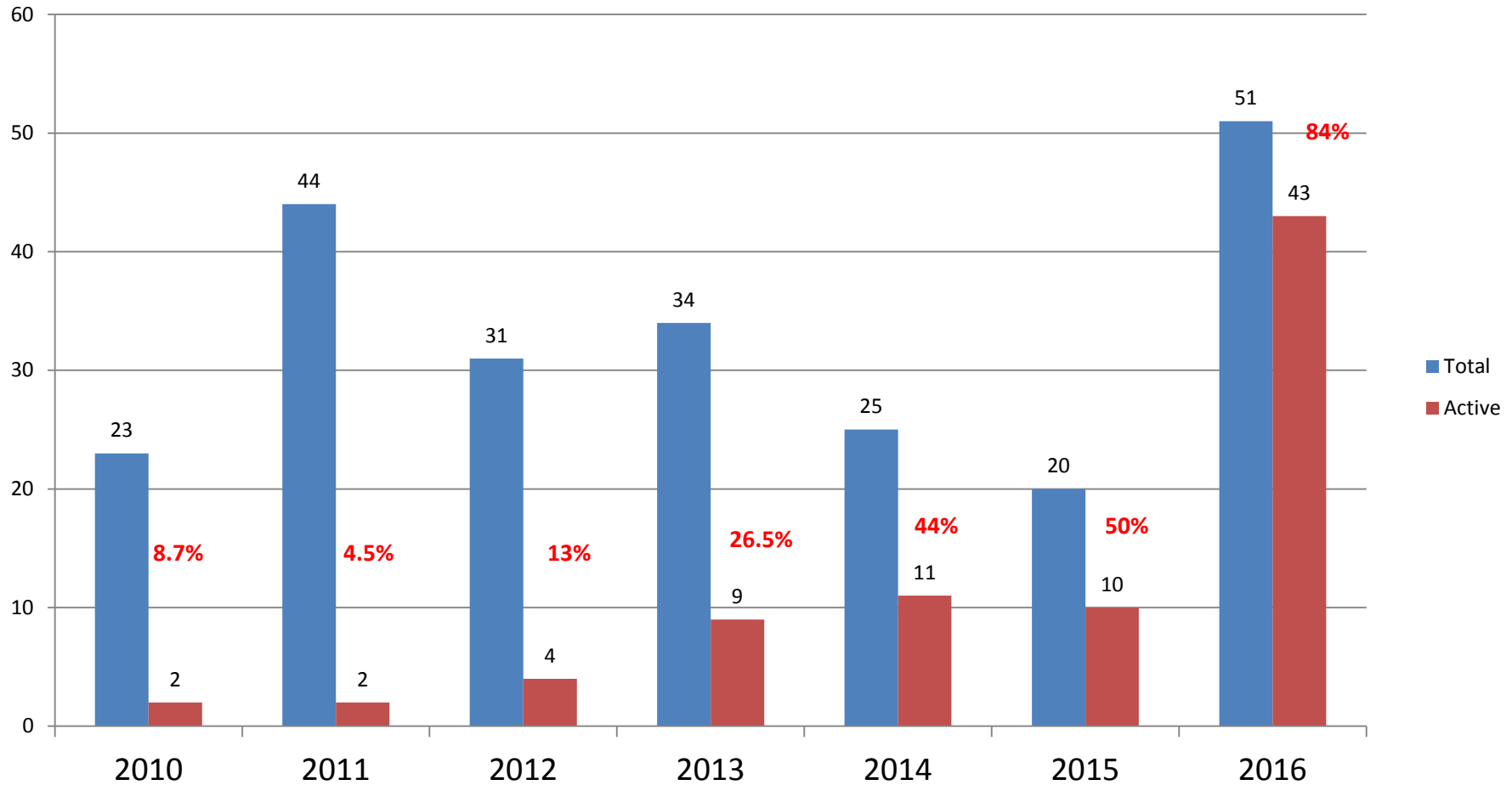
Human Rights



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Human Rights - Complaints per year

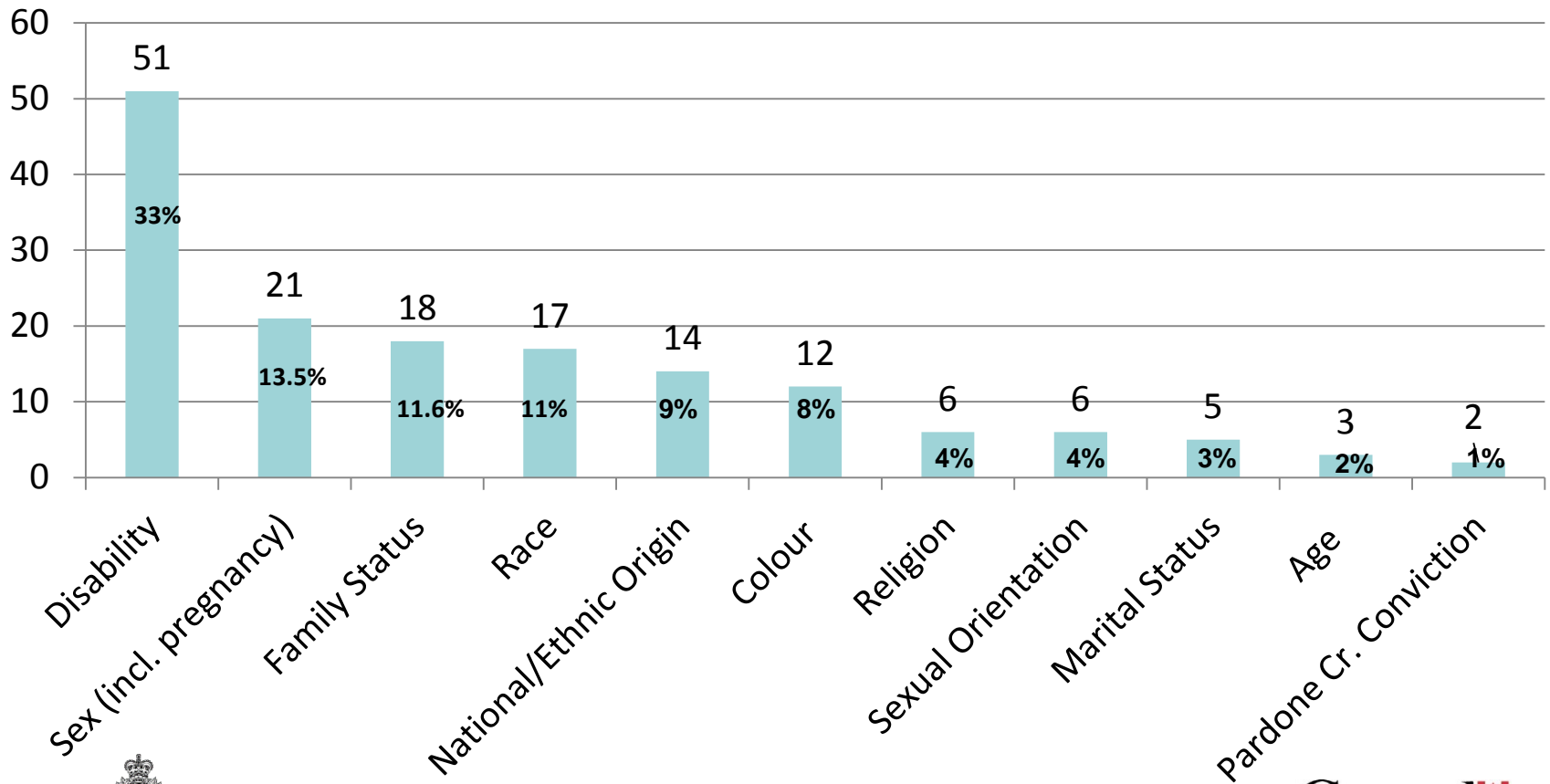


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Prohibited Grounds – Active files

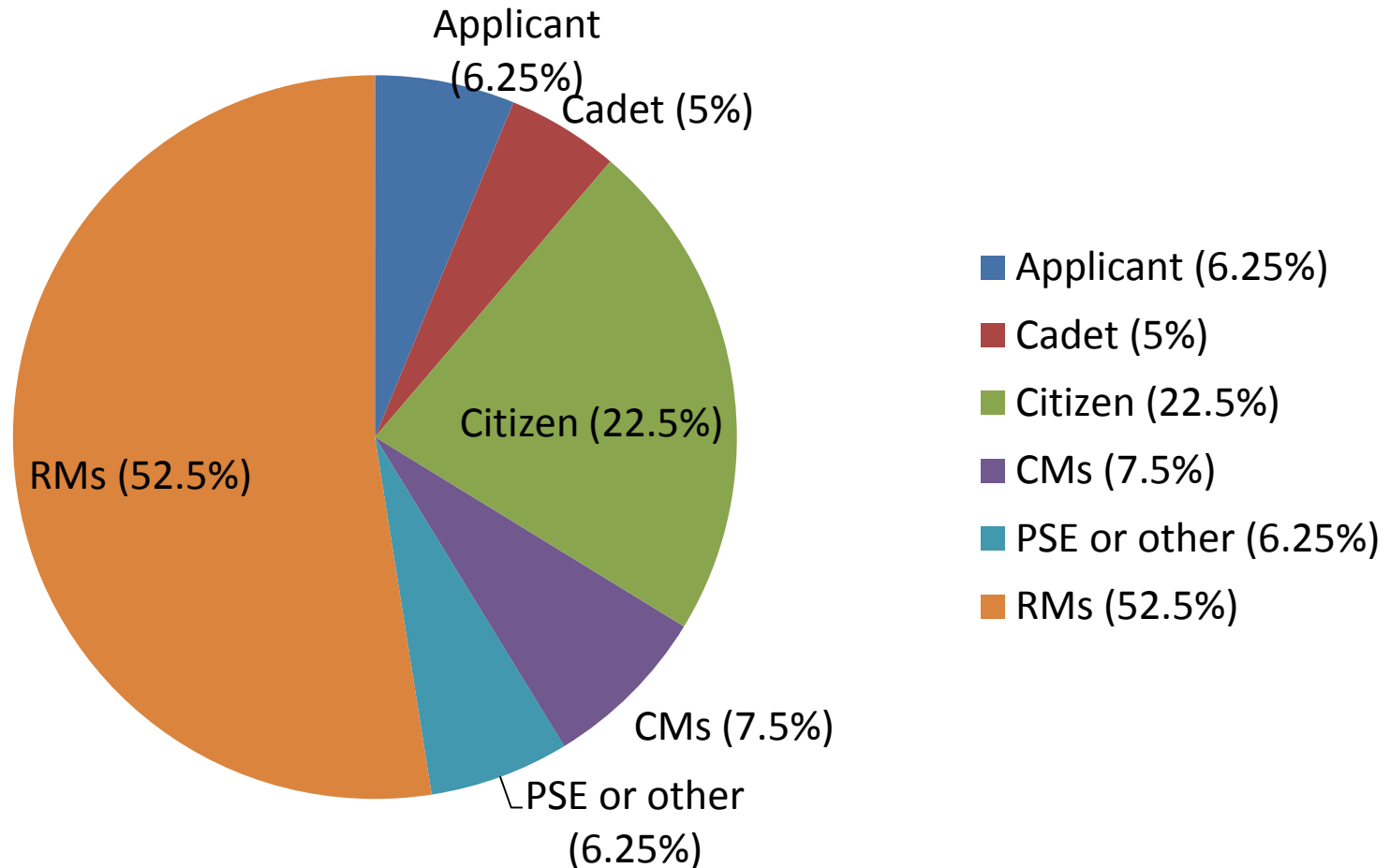
Listed Prohibited Grounds



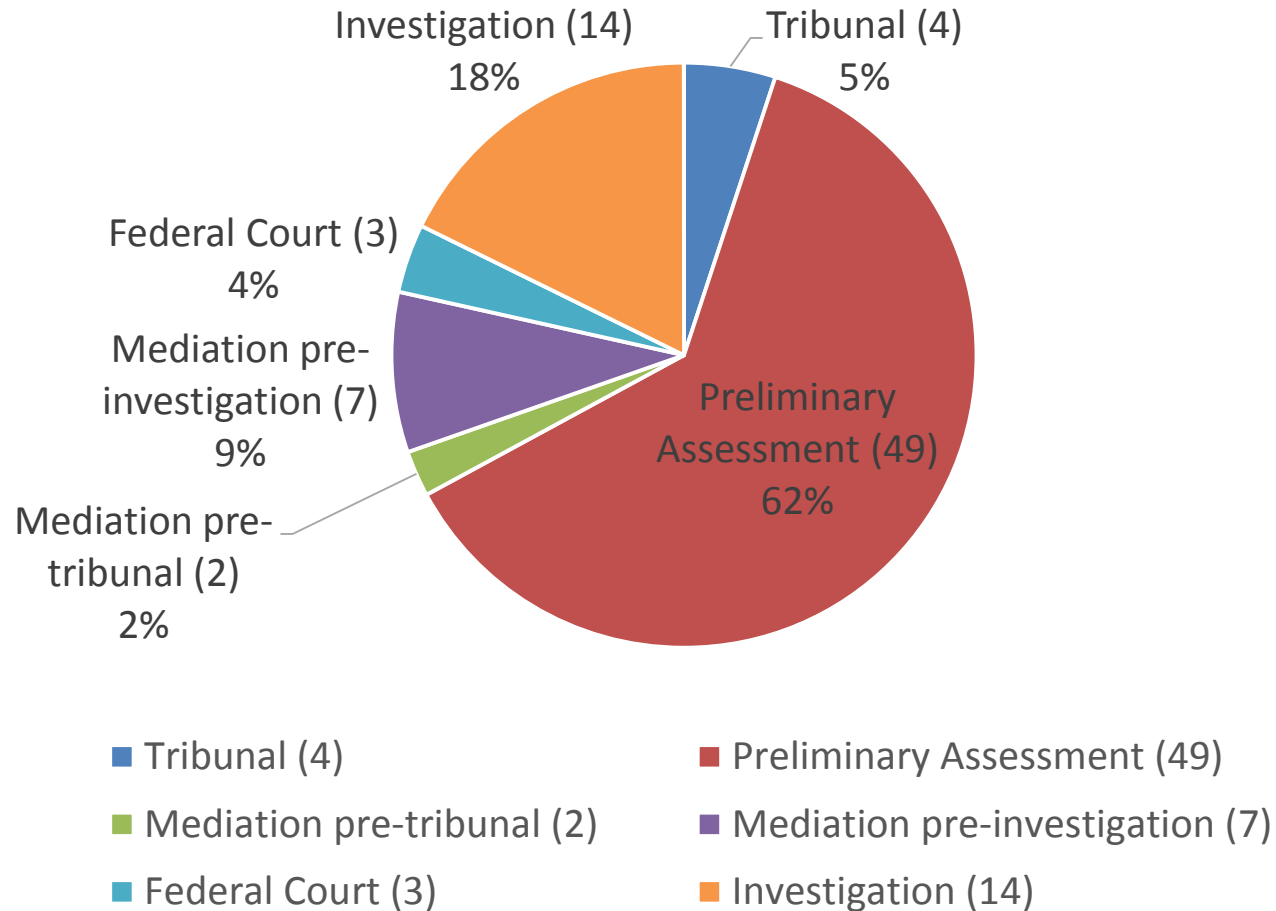
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Category of Complainant – Active Complaints



Current Status – Active Files





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Public Complaints



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Statistics

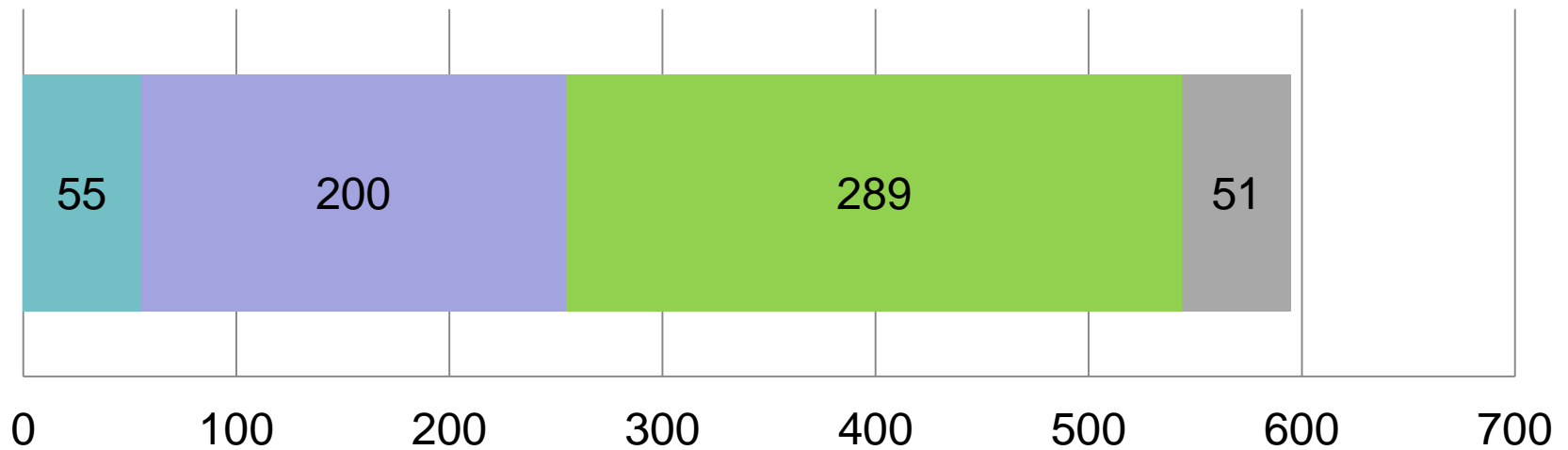
Public Complaints	Fiscal Year 2012-13		Fiscal Year 2013-14		Fiscal Year 2014-15		Fiscal Year 2015-16		Fiscal Year 2016-17 (as of 2017-01-25)	
INTAKE & DISPOSITION										
Public Complaints Received	2193		2086		2161		2053		1903	
Public Complaints Disposed...	2187		1948		1669		1898		1574	
... by Withdrawal	2	0.1%	0	0%	17	1.0%	77	4.1%	120	7.6%
... by Informal Resolution	716	32.7%	655	33.6%	601	36.0%	716	37.7%	673	42.8%
... by Letter of Disposition	1334	61.0%	1180	60.6%	960	57.5%	1017	53.6%	703	44.7%
... by Notice of Direction	132	6.0%	110	5.6%	91	5.5%	88	4.6%	78	5.0%
REVIEWS										
Requests for Relevant Material from CRCC	241		240		106		223		198	
CRCC Reports Received...	244		206		129		81		200	
... as CRCC Satisfied Reports	202	82.8%	182	88.3%	111	86.0%	70	86.4%	150	75.0%
... as CRCC Interim Reports	42	17.2%	24	11.7%	18	14.0%	11	13.6%	50	25.0%
Commissioner's Responses Signed	83		28		14		9		8	
Outstanding Interim Reports to Respond to...									59	



Commissioner's Response

Average Processing Times (Days)

- RCMP sending relevant material to CRCC
- CRCC producing Interim Report
- NPCD providing analysis to Cmr
- Processing and signature of finalized Cmr's Response





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National Early Intervention System (NEIS)



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NEIS Notifications in 2016 (Jan 1st to Dec 31st)

Division	1 st Notification	2 nd Notification	3 rd Notification	4 th Notification	Total Notifications	% of RMs with Notifications	% of RMs Forcewide
E	176	33	6	1	216	41%	35%
K	97	18	1	1	117	23%	17%
F	52	10	1	0	63	12%	7%
D	28	7	1	0	36	7%	5%
O	2	0	0	0	2	0%	6%
C	6	0	0	0	6	1%	5%
J	19	3	1	0	23	4%	5%
L
H	15	2	0	0	17	3%	5%
B	13	1	1	0	15	3%	3%
M	11	2	0	0	13	3%	1%
G	2	1	0	0	3	0%	1%
V	1	0	0	0	1
National	4	0	0	0	4	1%	3%
NHQ	3	0	0	0	3	1%	5%
TOTAL	429	77	11	2	519		

1st Notification:

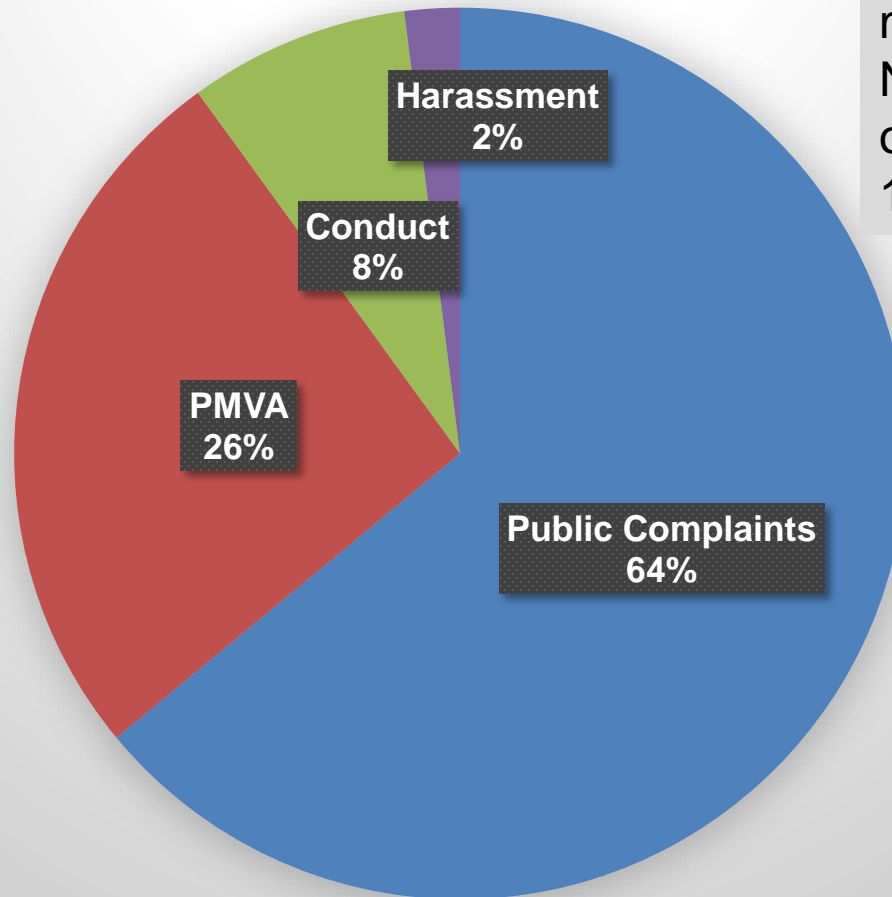
1st time member reaches Threshold of 3 incidents in last 12 months (*file created and kept open for 1 yr*).

2nd or higher Notification:

2nd time (or more) member reaches the Threshold within a year as a result of new incidents (*file extended +1⁰²yr*).

files close after one full year of no new notifications

NEIS Indicators by Incident* Percentage



*These incidents occurred among the 429 members involved in NEIS using a threshold of 3 incidents in the last 12 months.

New Indicators to be added in Spring 2017:

Hazardous Occurrences & Operational Skills
Maintenance (non compliant after 6 mths)

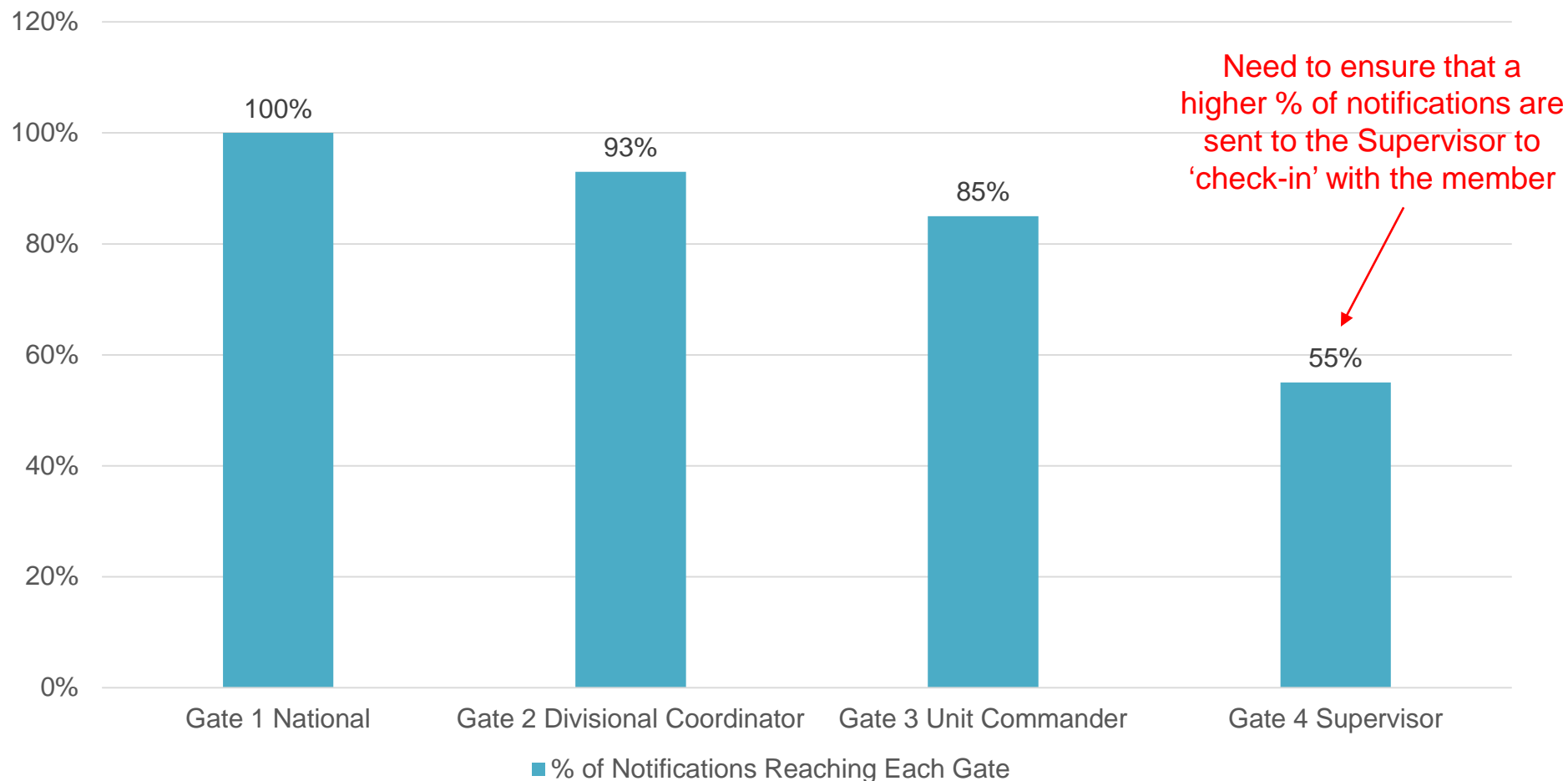
Intervention Meeting Outcomes (2016)

	#	%
Meeting Only	153	74%
Internal and/or External Support	30	15%
Performance Development or Management	16	7%
Training	7	4%
	206	100%

NOTE: *Figures only include those notifications that resulted in a meeting being held.*



NEIS Decision Gates Snapshot



NOTE: Figures only include most recent notification and excludes off-strength and stale notifications.

Reasons for closure prior to Meeting (Gate 4)

	#	%
Misplaced focus on reviewing incidents to determine if they were founded	71	41%
Additional Notification received before the previous one could be processed.	28	16%
Off Strength	28	16%
Intervention type meeting already initiated in past 6 months	19	10 %
Extenuating Circumstances	15	9%
Misplaced assumption that Member has no concerns because they are a high performer	13	8%
	174	100%

** Figures exclude pending notifications and those that resulted in a meeting.*



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Developing Profile of Sexual Misconduct



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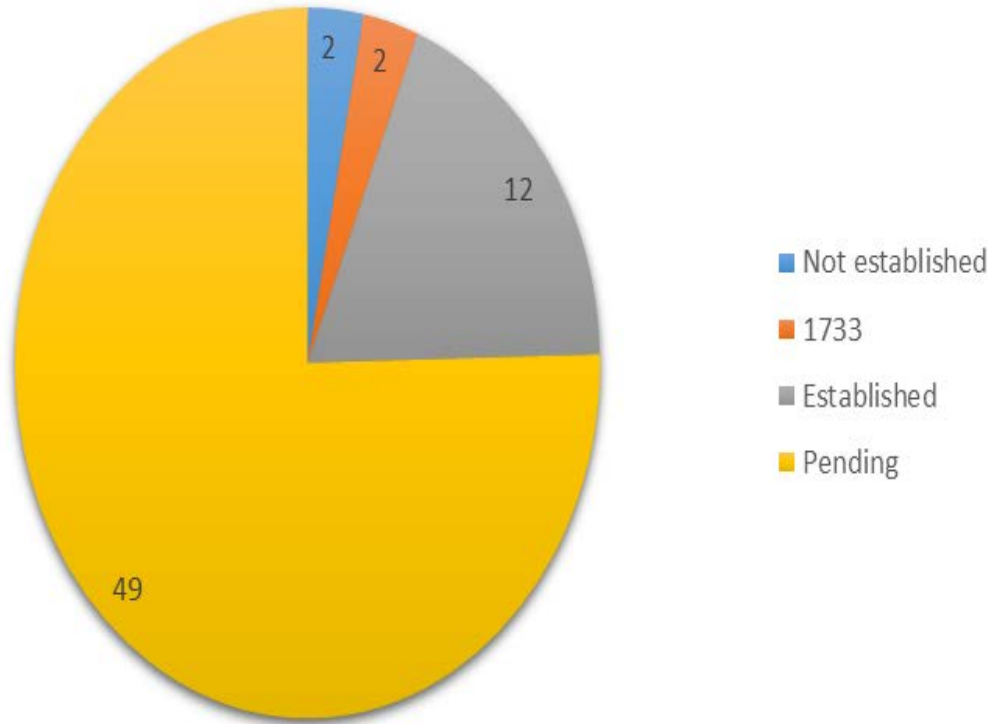
Sexual Misconduct – 2016 Overview

- 65 files opened in 2016 that meet the new definition of sexual misconduct:
 - 47/474 Conduct files (10%)
 - 15/242 Harassment files (6%)
 - 3/51 Human rights files (6%)

- Total Files: 65 (8.5% of all files)
- Total Members: 58 (0.26% of all members in RCMP)



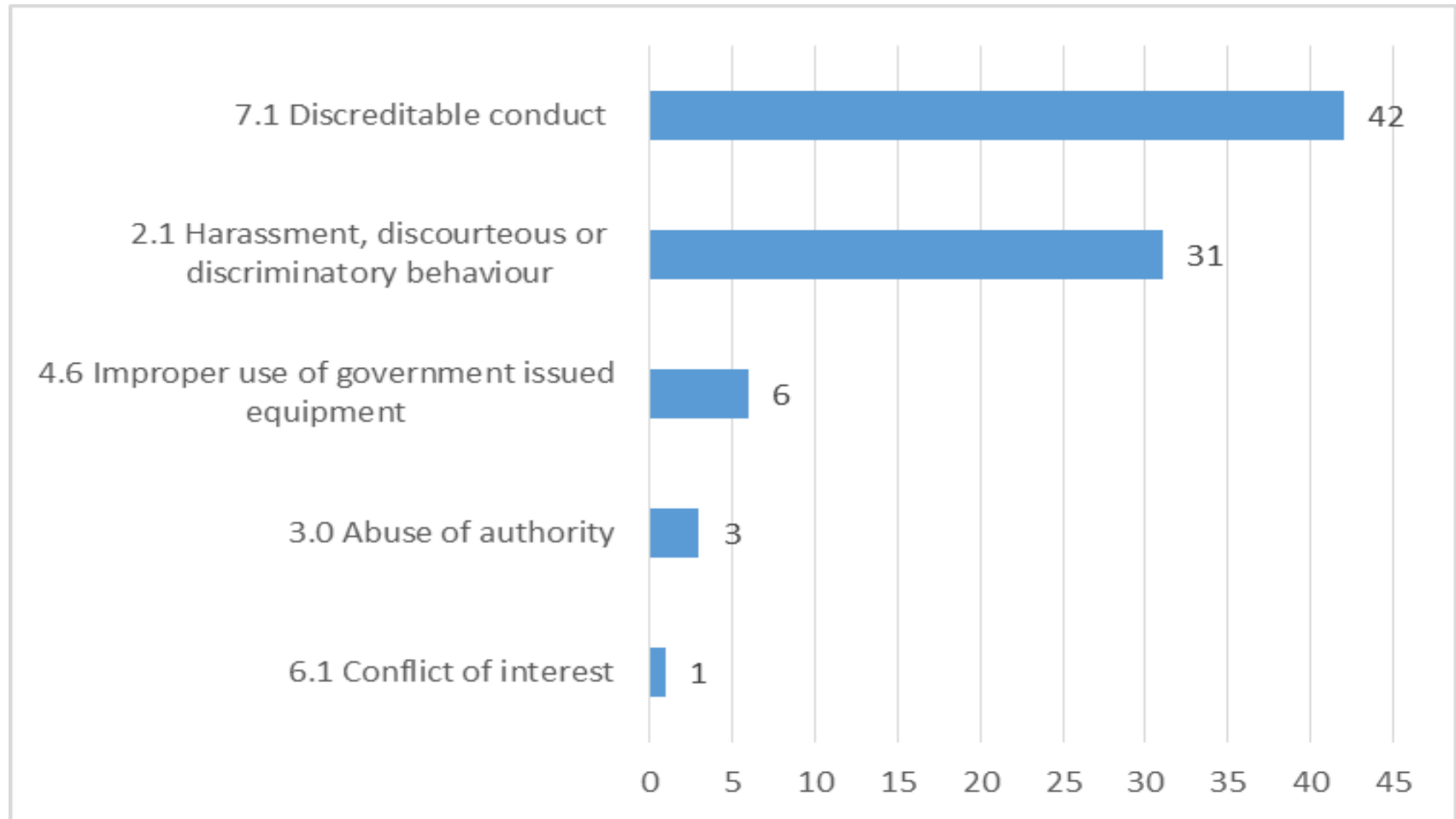
Status of 2016 Files (Conduct, Harassment, Human Rights)



- 65 total files
- 20 members suspended with pay (15 conduct / 5 harassment)
- 2 resignations to date (1 conduct / 1 harassment)



Types of Sexual Misconduct by Allegation 2016 (Conduct and Harassment)



Sexual Misconduct – CARD Files Overview

Type of Conduct	Conduct Board Matters		SPA		1733	
	2015*	2016	2015	2016	2015	2016
Sexual Misconduct	24	12	3	1	10	1
On duty	15	6	2	0	5	1
Off duty	9	6	1	1	5	0
In the workplace	11	4	1	0	4	0
Sexual Assault	7	6	1	0	4	1
In the workplace	3	4	0	0	2	0
Sexual Harassment	3	3	0	0	2	0
In the workplace	3	3	0	0	2	0
Status						
Meeting held by CA	5	1				
Hearing held by CB	3	0				
Established	1	0				
Not Established	2	0			1	
Concluded	15	2				
Active	9	10				
On appeal	2	0				

*File year



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