



2022

Report on the Management of the RCMP Conduct Process



ISSN 2816-8658
Cat. No. PS61-43E-PDF

© His Majesty the King in Right of Canada, as represented by the Royal Canadian Mounted Police, 2022.

Contents

Message from the Professional Responsibility Officer	2
2022 IN NUMBERS.....	3
CONDUCT MANAGEMENT.....	4
THE NATIONAL CONDUCT MANAGEMENT SECTION	5
CONDUCT PROCESS OVERVIEW	5
Statistical results.....	8
NUMBER AND TYPES OF CONDUCT FILES IN 2022	8
SUBJECT MEMBER AND ALLEGED MISCONDUCT	9
SEXUAL MISCONDUCT.....	10
INTERIM ADMINISTRATIVE MEASURES	12
CONCLUDED IN 2022.....	13
CONDUCT MEASURES.....	14
CONDUCT HEARING.....	15
APPEAL PROCESS.....	16
THE WAY FORWARD – THE CONDUCT MEASURES GUIDE REVIEW	17

Message from the Professional Responsibility Officer

The Royal Canadian Mounted Police (RCMP) is committed to handling conduct issues in a timely, efficient and fair manner. The Professional Responsibility Sector (PRS) is responsible for providing direction and leadership across all RCMP business lines and divisions to entrench professional responsibility in all decision-making.

As the Professional Responsibility Officer, I am accountable to provide national leadership in supporting the RCMP's vision and modernization efforts for a responsibility-based workplace that promotes professional, values-based decision-making and behavior across all categories of employees.

Over the past year, we continued our consultations with a diverse set of internal and external stakeholders to re-affirm and modernized our shared [RCMP core values](#). This exercise has provided a rich and rewarding discussion on what we strive to be as an organization, and how to best live out those commitments.

As a police organization, the RCMP recognizes the importance of maintaining and enhancing public and internal trust in its conduct regime. In 2022, as part of the ongoing efforts to modernise our disciplinary regime, we continued our work with external experts in labour law, to ensure a modern and effective conduct process that is in line with Canadian jurisprudence. Over the coming year, I look forward to working with RCMP leaders to implement the recommended changes to strengthen the conduct regime.

The Report on the management of the RCMP conduct process for 2022 includes information regarding the RCMP member conduct process, the number, category, distribution, and outcome of conduct files, as well as the conduct measures imposed. In addition, the report outlines the management of the conduct process, provides statistics, identifies common trends, and identifies advancements the RCMP is making for improved workplace culture.

The RCMP takes contraventions of the *Code of Conduct* seriously and is committed to dealing with them in a fair and consistent manner with the imposition of conduct measures that are proportionate to the nature and circumstances of the contravention.

Assistant Commissioner Alfredo Bangloy
Professional Responsibility Officer
Royal Canadian Mounted Police

Our Mission

Promoting a high standard of professional ethics and integrity expected of the organization by its employees and the public. The Professional Responsibility Sector (PRS) is dedicated to providing direction and leadership in the creation of an integrity framework, applicable across all RCMP business lines and Divisions, and to promote the integration of professional responsibilities at all levels of the decision-making process.

2022 IN NUMBERS

371

Total conduct files opened*

340

Members with alleged misconduct*

80%

Conduct

20%

Harassment in the workplace
(Canada Labour Code)

45%

Established allegations

74

Sexual misconduct files

184

average days to process conduct files from start to finish

45%

Conduct

55%

Harassment in the workplace
(Canada Labour Code)

Note: NCMS methodology for reporting is based on the calendar year (January to December). Conduct files are opened throughout the year and take varying lengths of time to be concluded; as such, not all files are concluded in the same calendar year in which they were opened. The result is that the number of files concluded in a calendar year will be lower than the number of files opened.

* There are more conduct files opened than members with alleged misconduct because some members may have more than one conduct file

CONDUCT MANAGEMENT

Public trust is essential for the RCMP to effectively serve and protect the public. RCMP members must conduct themselves in a manner that not only meets the public's expectations but also meets their legislated responsibilities as set out in the *RCMP Act*.[†]

Members of the RCMP are comprised of two categories, regular members who are police officers, and civilian members who play a critical role in supporting police operations. Both regular and civilian members are subject to a legislated Code of Conduct[‡] consistent with the responsibilities of members as set out in the *RCMP Act*[§]. Pursuant to section 37 of the *Act*, it is the responsibility of every RCMP member:

- to respect the rights of all persons;
- to maintain the integrity of the law, law enforcement and the administration of justice;
- to perform the member's duties promptly, impartially and diligently, in accordance with the law and without abusing the member's authority;
- to avoid any actual, apparent or potential conflict of interests;
- to ensure that any improper or unlawful conduct of any member is not concealed or permitted to continue;
- to be incorruptible, never accepting or seeking special privilege in the performance of the member's duties or otherwise placing the member under any obligation that may prejudice the proper performance of the member's duties;
- to act at all times in a courteous, respectful and honourable manner;
- to maintain the honour of the RCMP and its principles and purposes.

In 2014, the RCMP changed its conduct management system resulting in amendments to the *RCMP Act*. At that time, changes included a revised Member *Code of Conduct* and a conduct process managed by a centralized group, the National Conduct Management Section (NCMS), to ensure misconduct is dealt with efficiently through a simplified and streamlined process.

The *Code of Conduct* outlined in the *RCMP Regulations*^{**} applies to regular members and civilian members, both on and off-duty, within and outside of Canada, in relation to internal and external complaints. The main objectives of the *Code of Conduct* are to maintain public trust and promote good conduct, thereby making members accountable and responsible for their actions. The *Code of Conduct* accounts for a broad range of behaviours, including: courteous and respectful service delivery; respect for the law and the administration of justice; performance of duties and responsibilities; proper use of force; avoiding conflicts of interest; addressing discreditable conduct; reporting work related activities; abiding by oaths of confidentiality, abiding by their duty of loyalty; and participation in political activity.

[†] [Royal Canadian Mounted Police Act \(R.S.C., 1985, c. R-10\)](#),

[‡] [Royal Canadian Mounted Police Regulations, 2014 \(justice.gc.ca\)](#), Schedule (Section 18 and subsection 23(1))

[§] [Royal Canadian Mounted Police Act \(R.S.C., 1985, c. R-10\)](#),

^{**} [Royal Canadian Mounted Police Regulations, 2014 \(justice.gc.ca\)](#)

THE NATIONAL CONDUCT MANAGEMENT SECTION

The mandate of the National Conduct Management Section (NCMS) is to provide national strategic advice, leadership, coordination, analysis, support, research, policy interpretation, recommendations and guidance to RCMP management, national Business Lines, divisional stakeholders and other parties to the conduct process governed by the *RCMP Act*.

The NCMS continues to evaluate conduct files and undertake data collection in order to identify key behavioural trends. Preliminary findings informed the development of initiatives focused on awareness, education and training, including a national communication strategy.

CONDUCT PROCESS OVERVIEW

The RCMP conduct process is an administrative internal discipline process for members who contravene the Code of Conduct. The RCMP conduct process may lead to a conduct meeting with a conduct authority or to a conduct hearing before a conduct board.

Members are responsible and accountable for the promotion and maintenance of good conduct. Contraventions of the *Code of Conduct* are reported promptly to the appropriate decision-making authority, who is typically a manager within the member's chain of command. The decision maker is referred to as the conduct authority and has the power to order an investigation and decide or direct the outcome of the conduct process.

Levels of conduct authorities

There are three (3) levels of conduct authorities: level 1 is a member in command of a detachment and persons who report directly to an officer or a person who holds an equivalent managerial position. The level 1 conduct authority is able to impose remedial measures. Level 2 are officers, or persons who hold equivalent managerial positions, and they are able to impose remedial and corrective measures. Level 3 conduct authorities are officers who are in command of a Division and are able to impose remedial, corrective, and serious measures including demotions. However, as part of the implementation of the expert recommendations stemming from the external review of conduct measures, the RCMP will be moving towards full-time level 3 conduct authorities, centralized under the Professional Responsibility Sector. Once these level 3 conduct authorities are in place, they will be the disciplinary decision-makers responsible for all serious misconduct as well as discipline for harassment matters.

Conduct authorities are responsible for initiating an investigation if there is an appearance of a contravention of the *Code of Conduct* by a member. At the conclusion of the investigation, the conduct authority must determine if there is sufficient evidence to support a *prima facie* finding that the subject member's conduct amounts to a contravention of the *Code of Conduct*, and the conduct measures available to the conduct authority are sufficient to appropriately address the matter. If the conduct authority determines that there is no *prima facie* finding, then the matter is concluded. If the conduct authority determines that there is sufficient evidence to support *prima facie* finding that the subject member's conduct amounts to a contravention of the *Code of Conduct*, the matter may proceed to a conduct meeting with the subject member.

If the conduct measures available to the conduct authority are not sufficient to appropriately address the matter, the matter can be referred to a higher-level conduct authority who have access to more serious measures. In the case of a level 3 conduct authority, they may refer the matter to a conduct hearing before a conduct board, where dismissal can be imposed as a measure.

A conduct authority has up to one (1) year to impose conduct measures or to initiate a conduct hearing. The RCMP Commissioner, or delegate, may extend the time limitation period if, after considering the test for extending time limits as referred to by the courts, they are satisfied the circumstances justify an extension of the time limitation.

Conduct files can remain open for an extended period of time for many reasons such as referral to a conduct board, subject members are on long-term leaves of absence for medical reasons, or a criminal investigation or court proceedings are ongoing.

Conduct Meeting

At a conduct meeting, the subject member is provided with an opportunity to make submissions in relation to the alleged contravention of the *Code of Conduct*, and the possible imposition of conduct measures. After receiving and considering the subject member's submissions, the conduct authority first determines whether or not each alleged contravention of the *Code of Conduct* is established on a balance of probabilities. If the conduct authority determines that an allegation is established, the subject member is provided with an opportunity to make submissions in relation to the conduct measures to be imposed. After receiving and considering the subject member's submissions on conduct measures, the conduct authority renders a decision on the conduct measures to be imposed (measures may not be imposed if a member resigns prior to the decision being made), that are within the level of the conduct authority and that are proportionate to the nature and circumstances of the contravention and, where appropriate, that are educative and remedial, rather than punitive. At the conclusion of the conduct meeting a record of decision is provided to the subject member. The conduct authority may convene one or a series of conduct meetings to complete the process.

Information on conduct measures can be found in the [Commissioner's Standing Orders \(Conduct\), SOR/2014-291](#).

Conduct Hearings

In more serious matters where a subject member's dismissal or a recommendation for dismissal is within the range of possible outcomes, a conduct hearing is initiated.

A conduct hearing is administrative in nature and led by a conduct board. A conduct board has broad discretion to control its own process and has authority to compel and test evidence and give direction when it considers it necessary. In addition to imposing any conduct measures, the conduct board has the legislative authority to order a resignation or a dismissal of a subject member. At the conclusion of a conduct hearing, a conduct board may issue an oral decision, which takes effect immediately. The conduct process ends when the conduct board's a written decision is provided to the subject member.

CONDUCT PROCESS OVERVIEW

A CONDUCT AUTHORITY IS RESPONSIBLE FOR

determining whether a member's actions amount to a contravention of the RCMP Code of Conduct and, if a contravention is established, to impose conduct measures that are proportionate to the nature and circumstances of the contravention and, where appropriate, are educative and remedial.

<p>RECEIPT OF ALLEGATIONS OF CONTRAVENTION</p>	<p>1</p>	<p>A conduct authority evaluates the information to determine if the allegation is related to conduct</p>			
<p>INITIATION OF CONDUCT PROCESS</p>	<p>2</p>	<p>The conduct authority determines the need to:</p> <table border="0"> <tr> <td data-bbox="873 1058 1019 1142">initiate a Code of Conduct investigation;</td> <td data-bbox="1062 1058 1263 1192">impose or not interim administrative measures while an investigation takes place;</td> <td data-bbox="1312 1058 1507 1199">and assess whether or not the work environment has been negatively affected</td> </tr> </table>	initiate a Code of Conduct investigation;	impose or not interim administrative measures while an investigation takes place;	and assess whether or not the work environment has been negatively affected
initiate a Code of Conduct investigation;	impose or not interim administrative measures while an investigation takes place;	and assess whether or not the work environment has been negatively affected			
<p>INVESTIGATION</p>	<p>3</p>	<table border="0"> <tr> <td data-bbox="886 1262 1182 1402">The conduct authority issues a mandate letter to an investigator who investigates the allegations and completes a report</td> <td data-bbox="1214 1262 1511 1402">The conduct authority reviews the investigation report and decides if there is sufficient information to support the allegations</td> </tr> </table>	The conduct authority issues a mandate letter to an investigator who investigates the allegations and completes a report	The conduct authority reviews the investigation report and decides if there is sufficient information to support the allegations	
The conduct authority issues a mandate letter to an investigator who investigates the allegations and completes a report	The conduct authority reviews the investigation report and decides if there is sufficient information to support the allegations				
<p>PRELIMINARY FINDING</p>	<p>4</p>	<p>When a no finding of a contravention of the Code of Conduct is made, the process ends. If there is a contravention, the conduct authority proceeds with:</p> <table border="0"> <tr> <td data-bbox="837 1604 1105 1654">a conduct meeting for non-dismissal cases;</td> <td data-bbox="1130 1604 1560 1654">or a conduct hearing when dismissal is in the range of appropriate measures.</td> </tr> </table>	a conduct meeting for non-dismissal cases;	or a conduct hearing when dismissal is in the range of appropriate measures.	
a conduct meeting for non-dismissal cases;	or a conduct hearing when dismissal is in the range of appropriate measures.				
<p>DECISION</p>	<p>5</p>	<p>The conduct process ends with the decision that includes reasons supporting whether the allegations are established and, if so, specifies which conduct measures are imposed on the subject member who contravened the Code of Conduct</p>			

Further information on the RCMP's conduct process can be found at [Conduct process overview](#)

Statistical results

NUMBER AND TYPES OF CONDUCT FILES IN 2022

The NCMS is responsible for tracking and recording all relevant information related to the conduct process. It produces statistical data that allows the RCMP to evaluate and report on its ability to address misconduct and effectively manage the conduct process.

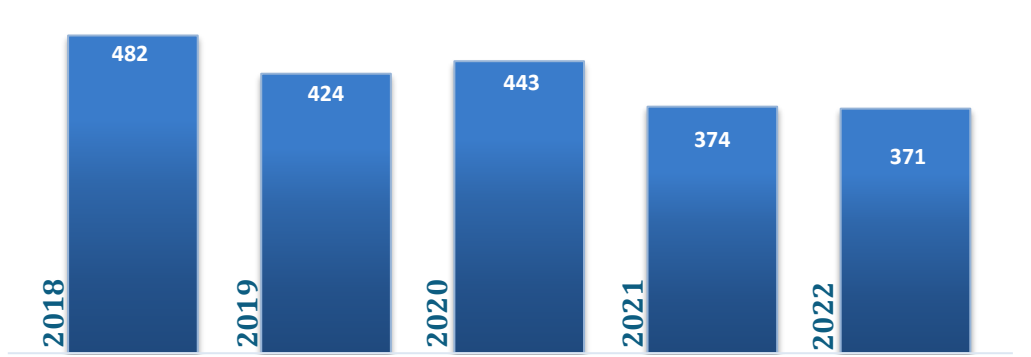


Figure 1
Number of conduct files from 2018 to 2022.

The RCMP provides a wide range of policing services at the international, national, provincial and municipal levels which provide many possible environmental factors that may contribute to either increase or reduction of yearly misconduct cases. The number of conduct files opened in each year has remained relatively consistent with a five-year average of 418 (± 20) files per calendar year; 2021 marked the first year where a notable decrease of 16% (374) occurred. A similar decrease was observed in 2022, with a total of 371 conduct files opened.

The impact of the pandemic and the introduction of hybrid work schedules are possible contributors to the decrease in the number of conduct files. The reduction in employee presence and interaction in the work environment and the reduction of major events requiring a large police presence, may have contributed to fewer instances of misconduct.

Another potential internal contributing factor for the decrease in the number of conduct files, may be attributed to the implementation, in June 2021, of the new Independent Centre for Harassment Resolution (ICHR). This was a major change in the way harassment matters are processed in the RCMP. Prior to January 2021, all harassment matters, including any resulting discipline, were managed by the Office for the Coordination of Harassment Complaints (OCHC) and reported on separately from conduct. With the establishment of the ICHR, in most instances, the harassment process now proceeds first, followed by the gradual transition into the conduct process by way of assessment of the behaviour(s) for discipline under the provision of the Code of Conduct. It will take time to see the impacts of the new ICHR process on the overall number of conduct files each year.

SUBJECT MEMBER AND ALLEGED MISCONDUCT

Members are responsible and accountable for promoting and maintaining the highest level of conduct, both on and off duty. The Code of Conduct provides part of a framework to guide police behaviour. In a given year, less than 2% of members face allegations of misconduct. The number of conduct files per division and rank remains largely proportional to the total number of members in the divisions across Canada.

21,781
RCMP
Members

340
Subject
Members

There are nine (9) types of contraventions outlined in the RCMP *Code of Conduct*:

- Respect and Courtesy;
- Respect for the Law and the Administration of Justice;
- Duties and Responsibilities;
- Use of Force;
- Conflict of Interest;
- Discreditable Conduct;
- Reporting;
- Confidentiality and Public Statement; and,
- Political Activity.

Allegations are the behaviours that would be considered a contravention of each relevant section or sub-section of the Code of Conduct. A conduct file may have one or more allegations. In 2022, there were 725 allegations involving 340 subject members.

Year over year, Discreditable Conduct continues to be the most common contravention of the Code of Conduct. This is because Discreditable Conduct is a provision that covers a wide variety of behaviours that are not otherwise provided for under other sections of the Code of Conduct. Some examples include, but are not limited to, contraventions of provincial or territorial regulations, improper posts on social media, intimate partner violence, sexual misconduct (non-criminal/criminal), impaired operation of a motor vehicle, and other *Criminal Code* offences.

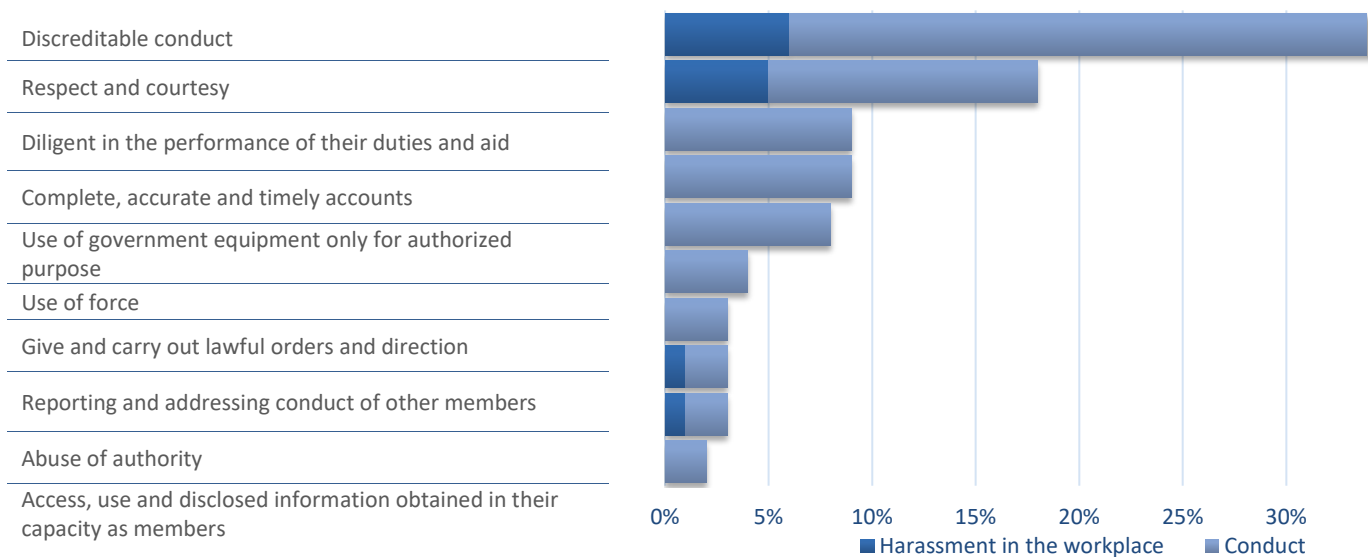


Figure 2: Top 10 allegations of misconduct for 2022.

SEXUAL MISCONDUCT

The RCMP introduced a formal internal definition for sexual misconduct in 2017. This led to changes in the way sexual misconduct files are managed and reported. While the definition of sexual misconduct is broad, ranging from inappropriate comments of a sexual nature to sexual assault, all files determined to have at least one (1) allegation of sexual misconduct are tracked and monitored. All files that meet the definition of sexual misconduct are monitored throughout the life cycle of the file.

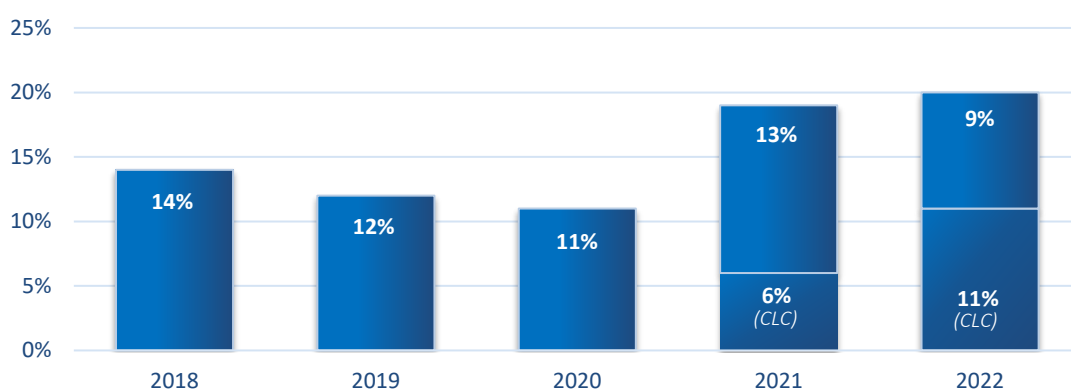


Figure 3: Percentage of all conduct files with at least one (1) allegation of sexual misconduct.

Note: Files investigated under the ICHR process are labeled as Canada Labour Code (CLC) files.

As a result of the legislative changes to the *Canada Labour Code (CLC)* and the establishment of the ICHR in 2021, the new regime for processing harassment and violence in the workplace complaints changed the way sexual misconduct/harassment complaints are processed and tracked in the conduct system. For allegations that meet both the definition of workplace harassment/violence (CLC) and appear to be a serious contravention of the *Code of Conduct*, the allegations may be investigated in parallel to the ICHR process.

The transition to the ICHR process continued to evolve in 2022 and processes pertaining to CLC files were further refined with regards to tracking sexual misconduct in the workplace. From 2021 to 2022 (figure 3), files related to sexual misconduct in the workplace (CLC) increased approximately 5%, whilst, sexual misconduct (not related to the workplace) decreased from 13% to 9%. It is likely that the increase in files related to sexual misconduct in the workplace, is due to the implementation of the ICHR program and employee confidence in its process may be the result of the slight increase.

SEXUAL MISCONDUCT (2022)

74 files opened:

63 ongoing files

11 concluded files:

- 2 are established
- 7 are not established
- 2 discharged voluntarily

In 2022, there was a total of 74 sexual misconduct files opened of which 63 are still ongoing and 11 were concluded. Of the concluded files, two were established, seven were not established and two resulted in the member voluntarily resigning from the RCMP, before the conclusion of the conduct process.

It is important to note that conduct files are opened throughout the year and take varying lengths of time to be concluded; as such, not all files are concluded in the same calendar year in which they were opened. The result is that the number of files concluded in a calendar year will be lower than the number of files opened.

Nature of sexual misconduct

In 2022, there were 371 total conduct files opened, of which 20% or 74 files had an allegation of sexual misconduct. Figure 4 below provides an overview of the nature and number of the files with sexual misconduct allegations.

In the administrative conduct process, any allegation of non-consensual physical contact that is sexual in nature would be considered sexual assault. For 2022, there was a total of 25 files that included an allegation of sexual assault. Of those 25 files, 13 files were allegations of workplace sexual harassment.

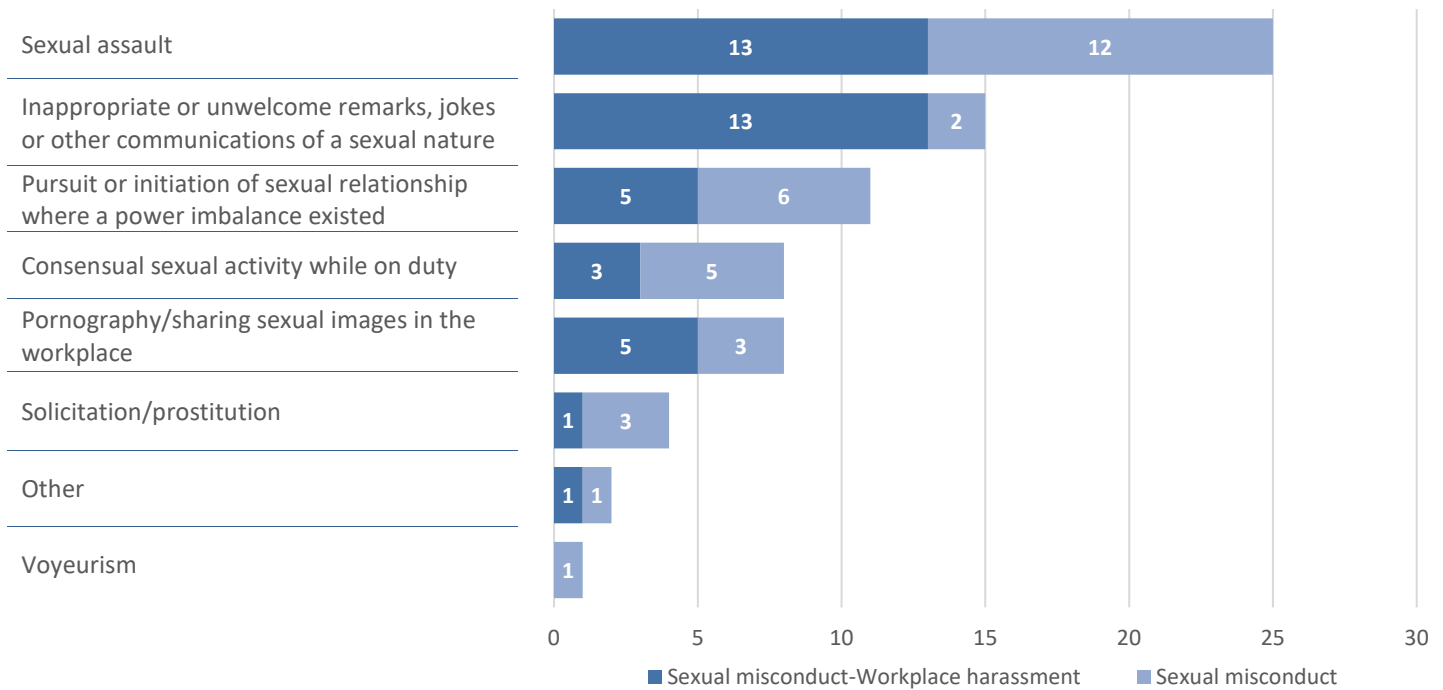


Figure 4: Conduct files that include at least one sexual misconduct allegation for 2022

As a police organization, the RCMP recognizes the importance of maintaining and enhancing public and internal trust in its conduct regime. As part of our modernisation efforts, the RCMP continues to work with external experts in labour law to ensure a modern and effective conduct process that is in line with Canadian jurisprudence.

Moving forward, the RCMP is committed to proactively monitor trends to address “hot button” issues early and respond through a combination of policy development, education and training which will work to strengthen the conduct process.

INTERIM ADMINISTRATIVE MEASURES

When a member is the subject of conduct proceedings under the *RCMP Act*, a conduct authority may take interim administrative steps to protect the well-being of employees and the integrity of the RCMP and its processes, pending the outcome of the *Code of Conduct* investigation. Interim administrative measures are not disciplinary measures, rather they are temporary until the conduct process is concluded. Interim administrative measures include temporary reassignment, suspension, and stoppage of pay and allowances.

When appropriate, a member may be temporarily reassigned to other duties during the conduct process.

A suspension is ordered in cases where the integrity or operations of the RCMP would be seriously jeopardized if the member was not suspended, considering the public interest. Suspensions are also being ordered once a decision has been made to raise the matter to a conduct hearing.

A stoppage of pay and allowances is permissible under paragraph 22(2)(b) of the *RCMP Act*^{**}. It is only exercised under exceptional circumstances where the member is clearly involved in the contravention of any provision of the *Code of Conduct* or an Act of Parliament, or provincial legislation, and the conduct has a highly detrimental impact on the integrity or operations of the RCMP or the member's ability to perform their duties.

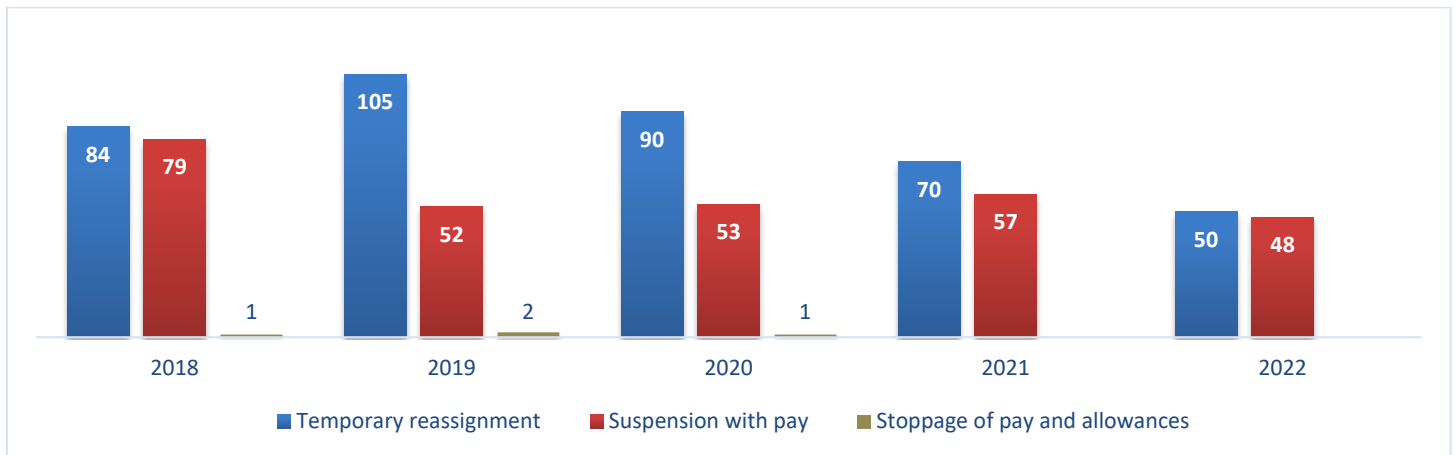


Figure 5: Number of interim administrative measures imposed by year from 2018 to 2022. Note that these are not static figures. This represents a snapshot of interim administrative measures at the end of 2022. The total number of interim administrative measures fluctuate. This is due, in part, to the progression of the file (i.e., where it is in the process) and other factors such as a review of the interim administrative measures where new information can change the status of a member.

^{**} [Royal Canadian Mounted Police Act \(R.S.C., 1985, c. R-10\)](#)

CONCLUDED IN 2022

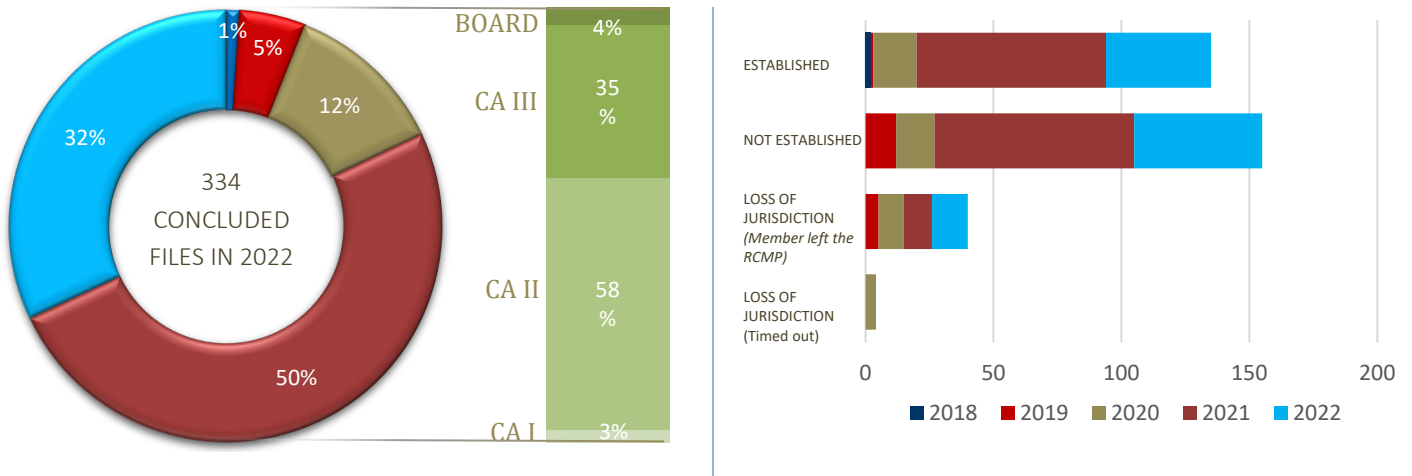


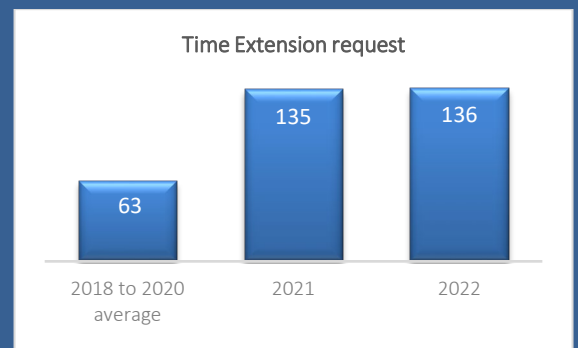
Figure 6: The diagram on the left demonstrates the percentage of concluded files in 2022 by “year initiated” and the corresponding level of conduct authority. The diagram on the right represents the outcome of the 2022 concluded files by “year initiated”.

The vast majority of conduct files are not concluded within the same calendar year in which they are opened (as demonstrated in Figure 6 above), thereby creating a compounding (or carry over) effect of cases for each calendar year. The duration of a file is largely dependent on the circumstances and the complexity of the file. While some files are concluded within several months, others can take up to 3+ years to reach their conclusion. For example, some conduct files remain open due to their referral to a conduct board, others may be due to the member’s inability to participate in the conduct process for medical reasons, or parallel processes such as criminal investigations led by a police force of jurisdiction or an outside agency such as an independent investigative agency.

The diagram on the right of Figure 6, depicts the final outcome of the 334 files concluded in 2022 (i.e., established or not established). Files involving a “loss of jurisdiction” (i.e., voluntary resignations, retirement, discharge) or by an expired time limitation, are more likely to be carried over to subsequent years. In general, a loss of jurisdiction in the conduct process often occurs toward the end of the one-year limitation period.

1 Year limitation period

There is a one-year legislated limitation period for a conduct authority to impose conduct measures or to initiate a conduct hearing, which starts when the conduct authority becomes aware of the alleged misconduct and the identity of the subject member, and ends on the date the record of decision is served on the subject member. Since 2020, there has been a substantial increase compared to previous yearly averages. The establishment of the new ICHR program and the way harassment files are processed may be one contributing factor to this increase.



CONDUCT MEASURES

As outlined earlier, a conduct authority is responsible for managing the entirety of the conduct process and making decisions up to the point of initiating a hearing. There are three levels of conduct authority, plus the Conduct Board. The *Commissioner's Standing Orders (Conduct)* provides them with the authority to impose a set of conduct measures commensurate with their level. There are three (3) categories of conduct measures and, depending on the nature of the contravention and the surrounding circumstances, the measures can be remedial, corrective or serious^{**}. These measures allow more flexibility for conduct authorities to ensure the measure fits the misconduct.

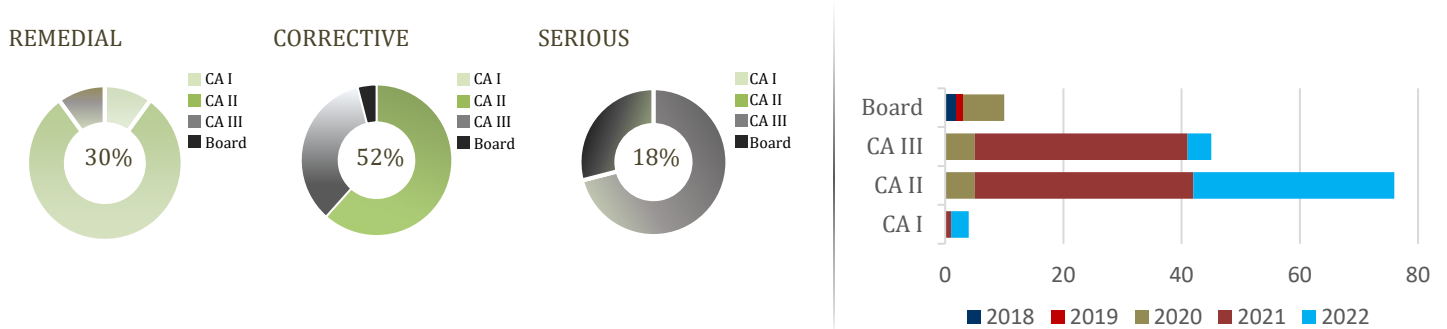


Figure 7: 2022 conduct measures imposed and level of conduct authority.

The diagram on the left of Figure 7 represents the percentage of remedial, corrective, and serious conduct measures imposed by level of conduct authority and conduct board with respect to established allegations for files concluded in 2022. Similarly, the diagram on the right represents the year a file was concluded for 2022.

A conduct process ends when a conduct authority renders a decision of established or not established on the allegations, imposes conduct measures, if any, and serves the decision on the member. In cases involving multiple established allegations, the conduct authority may impose a varying range of conduct measures for each allegation. In some cases, if appropriate, a conduct authority may impose global measures for all established allegations on a file.

In cases where a conduct hearing is initiated where dismissal of the member is a potential outcome, the conduct board renders the decision. The conduct board has the authority to impose any conduct measure in addition to directing a subject member to resign within 14 days and dismissing the member from the RCMP.

^{**} Information on conduct measures is found in the [Commissioner's Standing Orders \(Conduct\), SOR/2014-291](#)

CONDUCT HEARING

Once a conduct hearing is initiated, a conduct board is appointed by a designated officer to decide whether the subject member contravened the *Code of Conduct*.

In 2022, there was a significant increase in conduct hearing files initiated with 50 files opened compared to respectively 37 and 34 for 2020 and 2021, bringing the number of conduct hearings files open for 2022 closer to the numbers for 2018 (51) and 2019 (49). It is unknown whether the fluctuation in the number of conduct hearing files that were opened in the last five (5) years constitutes a trend or may be attributed to other factors.

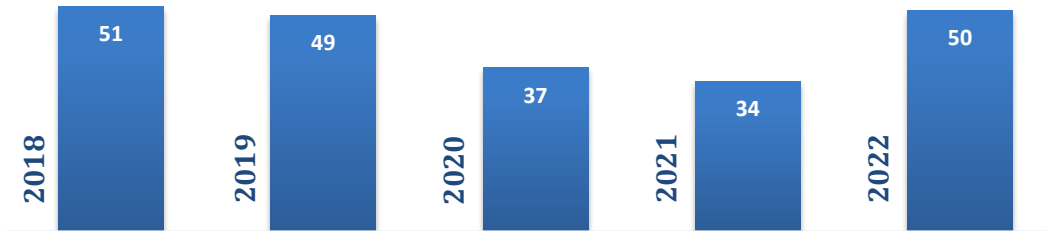


Figure 8: Conduct Hearings Initiated by Year from 2018 to 2022

In 2022, there was a total of 30 conduct hearing files concluded for which 10 proceeded before a conduct board, 2 were withdrawn by the conduct authority and 18 concluded through resignation. When looked at yearly, the percentage of files that proceeded to a conduct board in 2022 is comparable and even slightly higher than 2019. However, when assessing the average of all concluded conduct board files between 2018 and 2022, 2022 remains lower with 34% compared to 43% of all concluded hearing files that proceeded before a conduct board. This may be explained by the significant number of conduct hearing files that resulted in the subject member submitting their resignation at any given time during the hearing process.

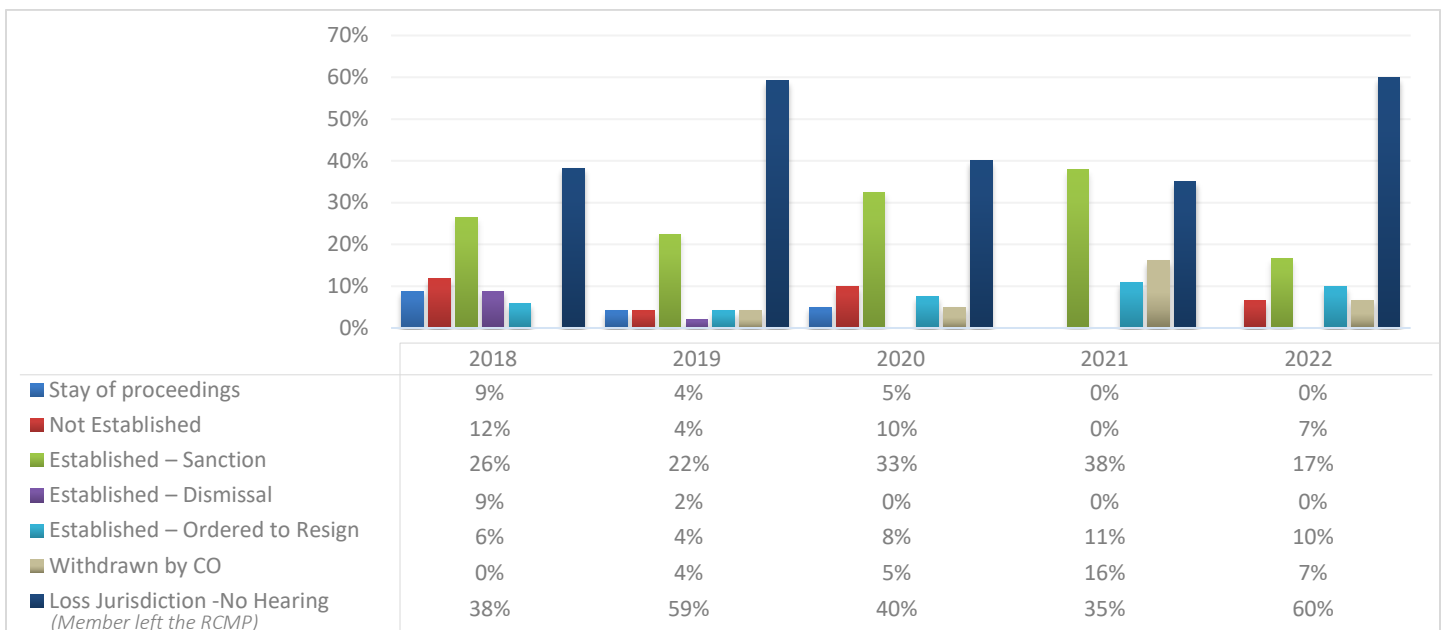


Figure 9: Outcome of completed Conduct Hearings 2018 – 2022

Note: Contrary to the number of conduct hearing files that are initiated for a given year, the number of concluded hearing files for a given year will also include ongoing files from previous years. Because each file has its own unique circumstances and complexities, it may take a few months to several years for a hearing file to be concluded. Therefore, the outcome of conduct hearing files for 2022 presented in Figure 9 also includes hearing files that were initiated prior to 2022, but concluded in 2022

APPEAL PROCESS

The *RCMP Act* allows subject members and conduct authorities to appeal the final decision rendered at the end of the conduct process. Figure 10 shows the total number of ongoing and concluded conduct-related appeals since 2016. The total includes all conduct-related appeals including appeals of conduct board decisions, appeals of conduct authority decisions, appeals of temporary measures as a result of ongoing conduct processes, and appeals relating to representation in the conduct process.

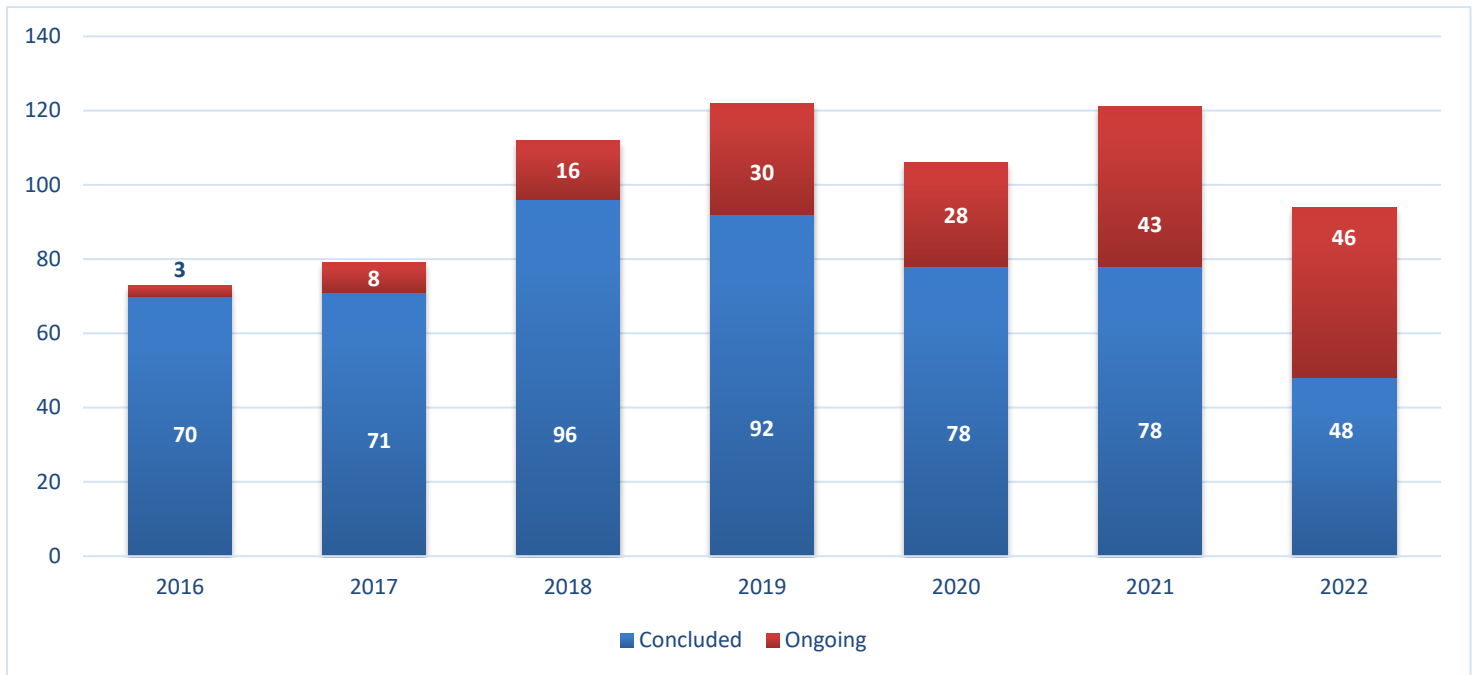


Figure 10: Number of conducts appeals by year and status as of December 31, 2022.

THE WAY FORWARD – THE CONDUCT MEASURES GUIDE REVIEW

Looking forward, the RCMP is committed to strengthening the trust and confidence of employees, communities, partners, and other stakeholders. Part of this commitment is continuing to have conduct (“disciplinary”) measures that are fair, transparent, and effective to ensure members are accountable for their actions but also modern and reflective of expectations for member accountability.

In response to the concerns raised by the Honourable Michel Bastarache in his final report on the Merlo-Davidson settlement, the RCMP hired independent and experienced lawyers, with expertise in the field of police discipline and employment law, to conduct a review of its Conduct Measures Guide. This review also supports the priorities and expectations laid out by the Government of Canada in the [Commissioner’s mandate letter^{§§}](#) as well as other important [RCMP Vision 150^{***}](#) modernization initiatives. In addition to assessing a broad range of information, an advisory panel of key stakeholders with diverse perspectives, including bargaining agents, are supporting the consultants throughout their review.

The external review was completed in two phases. The [“Phase 1” Final Report^{†††}](#) was released in June 2022, including findings and recommendations to modernize the application of conduct measures related to sexual misconduct and harassment across four key areas:

- amendments to the Conduct Measures Guide, including regular updates to keep pace with relevant case law and superior court judgements;
- key considerations for decision makers when deciding on conduct measures;
- types of decision makers that should decide on allegations of all forms of sexual misconduct;
- enhanced support and training for decision makers.

The RCMP has engaged in extensive consultation with key stakeholders and has a plan in place to support phased implementation. Phase 2 of the review, which looked at the conduct measures and their application for the remaining sections of the member *Code of Conduct*, will be finalized in January 2023.

The RCMP will continue with extensive consultation to consider the recommendations and will begin its work to modernize the Conduct Measures Guidebook. Implementing the recommendations will be multi-faceted and will require a phased approach, which is expected to be completed in 2024.

The expert consultants noted that a Conduct Measures Guide is rare in police services. They endorsed its continued use as a resource with regular updates and increased reliance upon judgments of superior courts across Canada. The RCMP is committed to strengthening its conduct measures process to help to bring the RCMP one step further on the path toward a more modern, healthy and inclusive organization, while increasing public and employee trust.

^{§§} [Commissioner's mandate letter | Royal Canadian Mounted Police \(rcmp.ca\)](#)

^{***} [Vision150 and beyond: RCMP strategic plan \(rcmp-grc.gc.ca\)](#)


^{†††} [Final report on the review of the RCMP's Conduct Measures Guide | Royal Canadian Mounted Police \(rcmp-grc.gc.ca\)](#)

To obtain additional information or reach us, please contact:

PUBLIC ENQUIRIES

RCMP National Headquarters
Headquarters Building
73 Leikin Drive
Ottawa ON K1A 0R2



 613-843-5999

 RCMP.HQMediaRelations-DGRelationsmedias.GRC@rcmp-grc.gc.ca

Previous annual reports are available on our [Reports, Research and Publications](#) web page.

 [RCMP website](#)