

# RCMP-GRC



ROYAL CANADIAN MOUNTED POLICE • GENDARMERIE ROYALE DU CANADA

# 2023

## Report on the Management of the RCMP Conduct Process



Royal Canadian  
Mounted Police

Gendarmerie royale  
du Canada

Canada

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# TABLE OF CONTENTS

## **1. Overview 4**

- Message from the Professional Responsibility Officer
- Achievements
- 2023 at a glance

## **2. Conduct Management 10**

- Conduct process overview
- Conduct process in stages

## **3. Data and Trends 13**

- Cases and allegations
- Measures and outcomes

## **4. Way Forward 20**

## **5. Contact Information 22**

# OVERVIEW

1

# Message from the Professional Responsibility Officer

The Professional Responsibility Sector is responsible for championing the entrenchment of values and ethics across all aspects of RCMP decision-making and employee behaviour. 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 to implement the recommendations stemming from the **expert review of conduct measures** and began exploring different ways to increase transparency in the conduct process while also respecting privacy legislation. Through our consultations on RCMP reform initiatives, employees expressed the need for the RCMP to be more open and transparent in demonstrating how members are being held accountable for serious misconduct.

Part of the modernization includes re-emphasizing the importance of the greater responsibility and the expectations of a higher standard of conduct that comes with being a leader as leadership sets the tone for our workplace culture. There is important work that still needs to get done to further increase transparency but we are taking necessary actions to assess how the RCMP can better demonstrate that serious misconduct is being addressed promptly and appropriately. Being open and transparent about misconduct outcomes will help change the culture of the RCMP, and strengthen the trust and confidence of our employees, diverse communities, partners and other stakeholders.

Strengthening our conduct process will bring the RCMP one step closer to becoming a more modern, healthy and inclusive RCMP. The RCMP's commitment to fostering an environment rooted in respect, accountability and transparency is instrumental in supporting a positive culture and maintaining trust across the organization and with the public we so proudly serve.



Assistant Commissioner Alfredo Bangloy  
Professional Responsibility Officer  
Royal Canadian Mounted Police

# ACHIEVEMENTS

## RENEWED CORE VALUES

On April 1, 2023, the renewed core values came into effect for all employees including new troops at Depot. We also celebrated the launch of the values as part of the RCMP's 150<sup>th</sup> anniversary in May 2023.

The renewed core values were informed by the feedback received from engagement with employees, nation-builders and community stakeholders of what is expected of all of us in our workplaces and with the communities we serve. The RCMP's renewed core values were written to be sustainable and meaningful for all employees.

- Act with integrity: We conduct ourselves ethically, and do so with honesty, dignity, and honour.
- Show respect: We treat all people with fairness. We value and promote reconciliation, diversity and inclusion by being considerate of the democratic rights, history and lived experiences of others.
- Demonstrate compassion: We care for each other and the communities we serve by approaching each situation with empathy and a genuine desire to help.
- Take responsibility: We are transparent about our decisions and actions and hold ourselves accountable for the results and impacts.
- Serve with excellence: We commit to continuous learning, and work collaboratively with colleagues, communities, and partners to provide and support innovative and professional policing services.



Act with  
Integrity



Show  
Respect



Demonstrate  
Compassion



Take  
Responsibility



Serve with  
Excellence

Our renewed core values are put into action in the RCMP's organizational values statement (OVS) our ethical commitment to ourselves and to our communities.

The values statement has been developed with clear expectations for employee behaviour at all ranks and levels. In particular, the expectation of our leaders to take action when any issues or concerns are raised that go against what we stand for.

The OVS defines the RCMP's vision of a more modern, inclusive and trusted RCMP. It is meant to be used as an employee pledge to ethical behaviours as demonstrated through the renewed core values.

### NEW ORGANIZATIONAL VALUES STATEMENT (OVS)

#### **We are your RCMP**

We commit to keeping our workplaces and communities safe and to bringing out the best in ourselves.

We put these words into action to strengthen our relationships and to earn trust and confidence by acting with integrity, showing respect, demonstrating compassion, taking responsibility, and serving with excellence.

## EXTERNAL REVIEW OF DISCIPLINARY MEASURES

As an important part of the RCMP's ongoing culture change and aligned with our **renewed core values**, we continued to review and modernize our conduct measures to address misconduct that can cause long-term harm to our employees' well-being, the culture of our workplace, our relationships with communities and to public trust.

Last year, we shared **information on the external review** and the **"Phase 1" Final Report**. The Phase 1 report included recommendations for modernizing conduct measures related to sexual misconduct and harassment.

In June 2023, we shared the **"Phase 2" Final Report**, which was forward-looking and provided recommendations on proactively monitoring trends as well as considerations for decision makers, particularly in regards to public trust and deterrence for serious misconduct, such as misuse of police databases.

The RCMP supported the expert recommendations from both phases of the review and continued engagement with diverse groups and subject matter experts to achieve timely implementation.

## STRENGTHENING THE DISCIPLINARY PROCESS

In 2023, significant progress was made with the implementation of the expert recommendations stemming from the external review of disciplinary measures. The implementation plan carefully considered the need to balance consistency, expertise and timely resolution of conduct matters with the aim to ensure appropriate conduct measures are applied properly.

Some important changes already underway include:



- increased use of serious conduct measures, including adopting presumptive dismissal for serious sexual misconduct and demoting employees for misconduct related to leadership and supervision;
- creation of a select group of full-time decision makers to manage serious misconduct and discipline for all harassment matters. This group will allow for improved consistency and increased independence of decision-making as they are outside the chain of command and centralized under the Professional Responsibility Sector;
- ongoing work to enhance support for affected persons.

These changes are aimed at strengthening the RCMP's disciplinary process. They represent an important part of our culture change and will help ensure that our employees' actions align with our renewed core values.

### ON THE HORIZON

In 2023, ongoing system updates were initiated to improve how the RCMP is capturing discipline data. Moving forward, these system changes will enhance the RCMP's ability to proactively monitor and report on trends, which aligns with the expert recommendations from the external review of conduct measures and will support policy development and education.

# 2023 AT A GLANCE

**394**

conduct files opened\*

**173**

average days to process a conduct file (opened and closed in 2023)

**56%**

of total decisions rendered in 2023 had one or more allegations established

**21,533**

total number of regular and civilian RCMP members+

**368**

RCMP members with alleged misconduct\*

**less than 2%**

of RCMP members involved in the discipline process

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

*+ Total number of regular and civilian RCMP members as of end of calendar year 2023.*

# CONDUCT MANAGEMENT

2

# CONDUCT PROCESS OVERVIEW

The RCMP conduct process is an administrative internal discipline process to address allegations of contraventions of the member **Code of Conduct**.

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. The Code of Conduct applies to both regular members and civilian members, on and off-duty, within and outside of Canada.

Decisions regarding allegation(s) of a contravention of the Code of Conduct are made by conduct authorities or conduct boards\*. They are responsible for initiating an investigation, determining if a member's conduct amounts to a contravention of the Code of Conduct and, if established, to impose conduct measures that are appropriate to the nature and circumstances of the contravention.

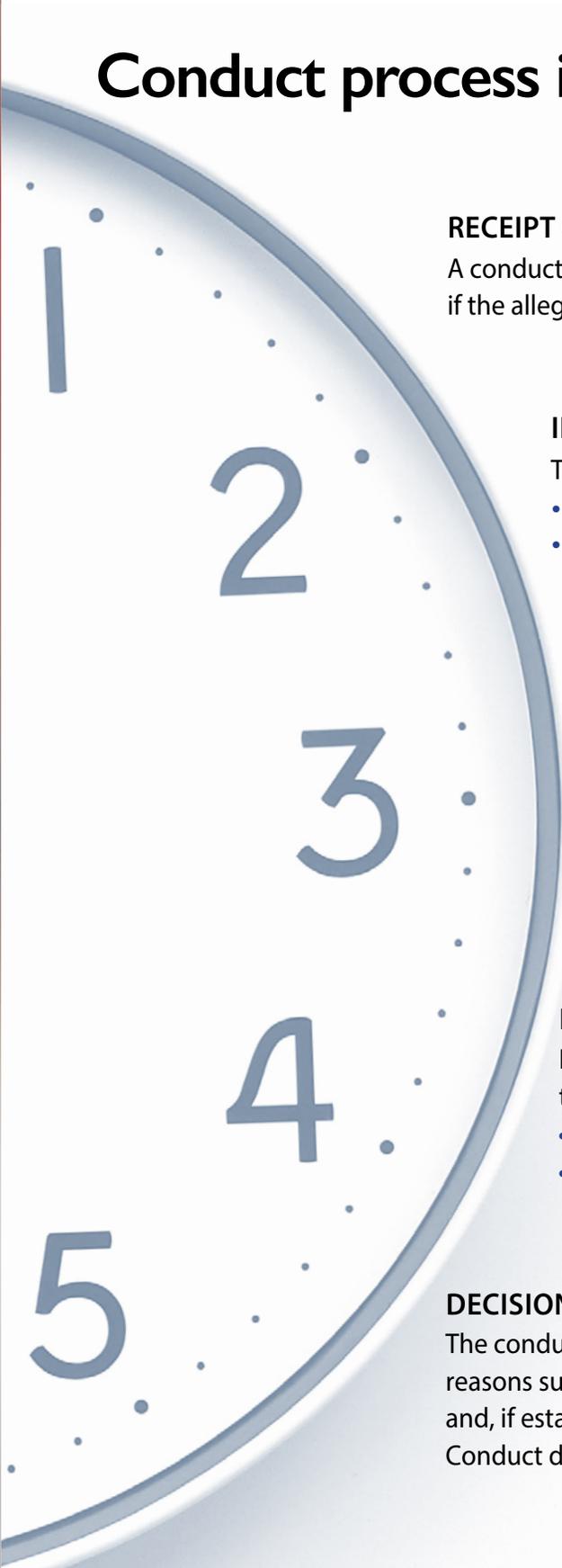
There are different levels of conduct authorities who are provided with varying authorities under the *Commissioner's Standing Orders (Conduct)*. Conduct authorities have several options to respond to findings of misconduct by imposing conduct measures that are remedial, corrective or serious.

Depending on the nature of the contravention and the surrounding circumstances, if dismissal is a potential outcome, a conduct hearing before a conduct board is initiated. A conduct board may impose, in addition to any of the remedial, corrective or serious measures, direction to resign within 14 days or dismissal from the RCMP.

The conduct process ends when, following a conduct meeting or a conduct hearing, the written decision is served on the member outlining the outcome (established or not established), reasons for the decision and conduct measures.

Conduct decisions can be appealed and may be referred to the **External Review Committee** when the measures imposed include dismissal, demotion, or financial penalty of more than one day of the member's pay.

\*Conduct boards are legally trained and members of the Bar of one of the provinces or territories of Canada or in the Order of Notaries in the Province of Quebec.



# Conduct process in stages

## RECEIPT OF INFORMATION ON ALLEGED CONTRAVENTION

A conduct authority evaluates the information to determine if the allegation is related to conduct.

## INITIATION OF CONDUCT PROCESS

The conduct authority determines whether or not to:

- initiate a Code of Conduct investigation; and
- impose interim administrative measures to protect the well-being of employees and the integrity of the RCMP during an investigation.

## INVESTIGATION

The conduct authority:

- issues a mandate letter to an investigator who, in turn, investigates the allegations and completes a report; and
- reviews the investigation report and decides if there is sufficient information to support the allegations.

## PRELIMINARY FINDING

If there is a preliminary finding that the contravention of the Code of Conduct occurred, the conduct authority initiates:

- a conduct meeting for non-dismissal cases; or
- a conduct hearing when dismissal is sought as a potential outcome.

## DECISION

The conduct process ends with the written decision, including the reasons supporting whether the allegations are established or not and, if established, specifying which conduct measures are imposed. Conduct decisions can be appealed.

# DATA AND TRENDS

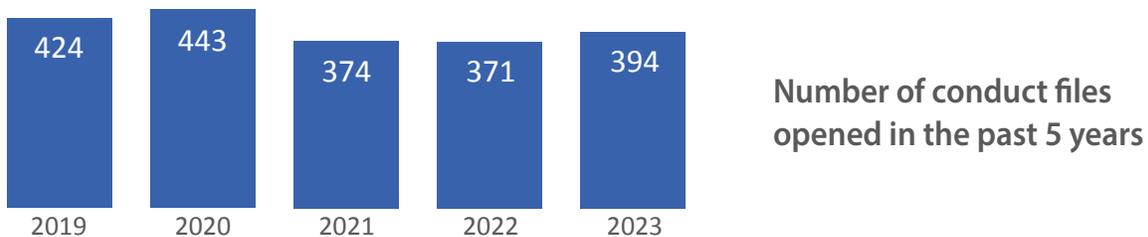
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# CASES

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. There are nine categories of misconduct outlined in the RCMP Code of Conduct:

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

In 2023, as represented by the figure below, there were 394 cases of members alleged to have contravened the Code of Conduct. The number of files opened in each year has remained relatively consistent with a five-year average of 401 files per calendar year.



The RCMP provides a wide range of policing services at the international, national, provincial and municipal levels, which present many possible situational factors that may contribute to either the increase or reduction of number of files opened per year.

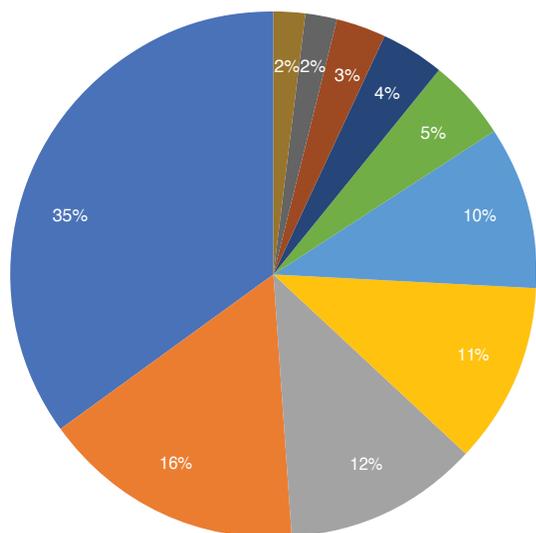
Moreover, as noted in previous Annual Reports, the notable decrease in 2021 and 2022 may be an outlier. This could be attributed to legislative changes related to workplace harassment and safety, significant changes to the way RCMP harassment matters are processed as well as the disruptions caused by the global pandemic.

# ALLEGATIONS

An allegation is a formal claim that a member’s conduct is in contravention of a provision of the Code of Conduct. A member’s conduct file may have one or more allegations. In 2023, there were 714 allegations involving 368 members.

In the below breakdown for 2023, discreditable conduct continues to be the most reported contravention of the Code of Conduct. This is because it encompasses a wide range of behaviours that are not otherwise specifically provided for in other sections of the Code of Conduct. Some examples of behaviours captured under discreditable conduct, include, but are not limited to, contraventions of provincial or territorial regulations, improper posts on social media and Criminal Code offences.

Most common allegations of misconduct for 2023.



- Discreditable Conduct
- Respect and Courtesy
- Diligence and aid
- Reporting activities
- Use of equipment and property
- Give and carry out lawful orders and direction
- Conflict of interest
- Abuse of authority
- Fitness for duty
- Use of force

In 2023, there was a slight decrease in the number of reported allegations involving use of force. In addition, the percentage of allegations regarding conflict of interest has increased marginally in 2023. This is due to a change in the reporting method involving allegations of interpersonal workplace relationships. These are now captured under conflict of interest instead of under reporting activities.

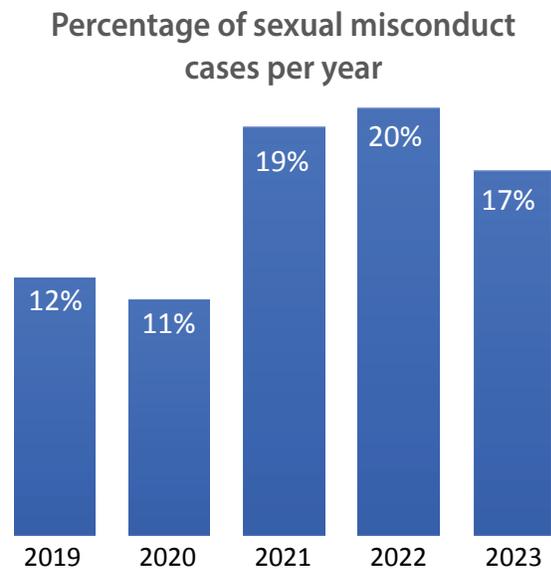
As part of the implementation of the recommendations stemming from the external review of conduct measures, the RCMP is continuing to improve how allegations of misconduct are captured in the *Administrative Case Management Tool*. For instance, a more effective approach is being developed to ensure misconduct is framed in accordance with the provision that is most specific to the behavior. This will be helpful in proactively monitoring and reporting on trends moving forward.

## SEXUAL MISCONDUCT

Throughout 2023, as another key component of modernizing the RCMP disciplinary process, the RCMP has continued to focus on addressing sexual misconduct and harassment in the workplace. This is instrumental to support a positive culture and maintain public and employee trust.

Notably, the RCMP changed the way sexual misconduct and harassment complaints were processed and tracked in 2021. 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 allegation of sexual misconduct are tracked and monitored throughout the life cycle of the file.

In 2023, there were 394 conduct files opened, of which, 17% (69 cases) had an allegation of sexual misconduct. This represents a slight decrease from the previous two years.



Of the 17% of sexual misconduct cases opened, some of the most common behaviours include:

2.7% (26) inappropriate or remarks, jokes or other communications of a sexual nature

2.6% (18) sexual assault (any touching that is non-consensual)

2.0% (14) pursuit or initiation of sexual relationship where a power imbalance existed

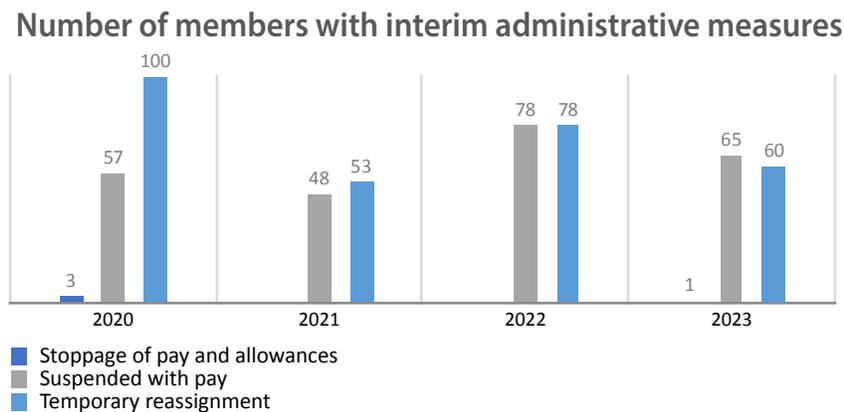
0.8% (6) pornography/sharing sexual images in the workplace

The RCMP's implementation of the expert recommendations and increased communication to employees is signaling changes being made to strengthen outcomes for this type of behaviour. However, as we are still in the early stages of implementation, the impacts of the modernization efforts are still being assessed and monitored.

Important work still needs to be done but the RCMP is committed to taking necessary action to ensure sexual misconduct is addressed appropriately.

# 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. Depending on the circumstances of the case, a member may be temporarily reassigned to other duties, suspended with pay or their pay and allowances may be stopped. The figure below highlights the number of members with interim administrative measures over the last four years.



Suspension with pay and temporary reassignment continue to be the most common interim administrative measures. A conduct authority must consider the specific circumstances of the case when determining the appropriate interim administrative measure. In 2023, the number of members with interim administrative measures remains consistent with the 4-year average.

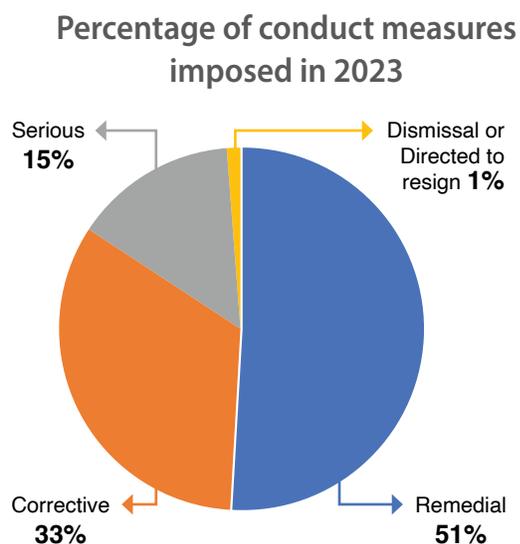
In 2023, as part of the RCMP's enhanced obligation to ensure workplace safety for all employees, the Professional Responsibility Sector reinforced guidance to conduct authorities to ensure administrative measures are appropriately considered within the context of conduct policy.

Moving forward, the RCMP is also exploring policy changes to clarify the guidelines for interim administrative measures, including increased use of stoppage of pay and allowance for cases where the behaviour has a highly detrimental impact on the integrity or operations of the RCMP or the member's ability to perform their duties.

# OUTCOMES

Conduct authorities have several options to respond to findings of misconduct by imposing conduct measures that are remedial, corrective or serious.

For the most serious matters, when dismissal is being sought as a potential outcome, a conduct hearing before a conduct board is initiated. Only a conduct board has the authority to impose dismissal or direction to resign.



**Remedial:** e.g. direction to attend special training, work under close supervision, forfeiture of pay to a maximum of 8 hours etc.

**Corrective:** e.g. deferral of promotion for a specified period of not more than one year, forfeiture of pay to a maximum of 80 hours etc.

**Serious:** e.g. demotion, ineligibility for promotion, forfeiture of pay of more than 80 hours etc.

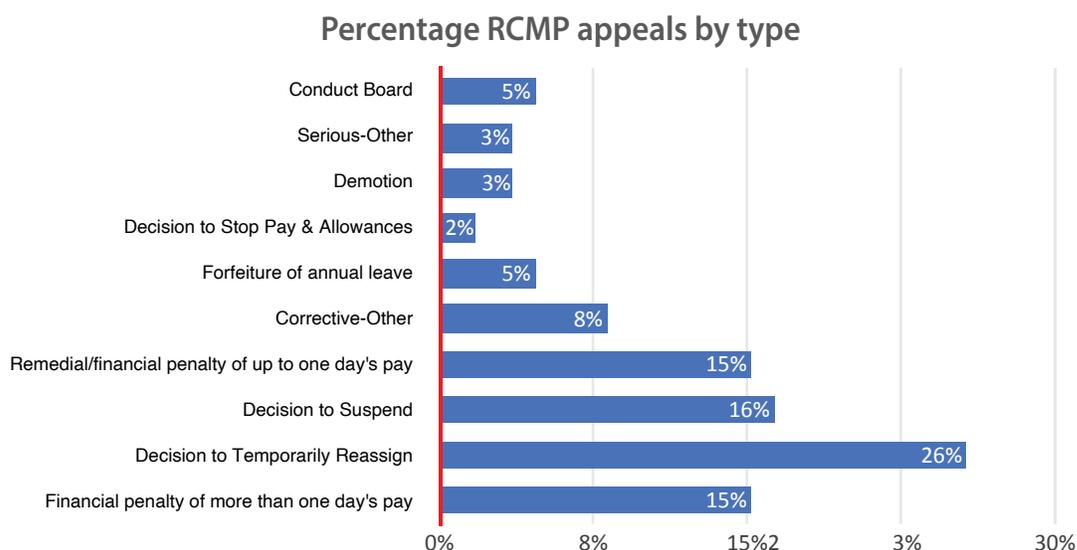
**Dismissal/direction to resign**

In 2023, there was a total of 165 established cases of misconduct for which conduct measures were imposed. The distribution of conduct measures imposed by category has remained relatively consistent. Of note, the 1% of matters that resulted in dismissal or direction to resign exclude cases for which a voluntary resignation, retirement or discharge occurred before the Code of Conduct process was completed (i.e. before the conduct hearing was held).

However, as we are working through the implementation of the expert recommendations stemming from the review of conduct measures and the strengthening of the conduct process, it is expected that the distribution of the conduct measures will change moving forward.

# APPEALS

The *RCMP Act* allows members and conduct authorities to appeal certain decisions rendered in the conduct process. In 2023, the RCMP received a total of 86 conduct-related appeals for: conduct board decisions, conduct authority decisions, interim administrative measures as a result of ongoing conduct processes, and appeals relating to representation in the conduct process. The table below demonstrates the percentage of RCMP appeals by type.



Final conduct decisions that are appealed may be referred to the **External Review Committee** (ERC) when the measures imposed include dismissal, demotion, or financial penalty of more than 8 hours of the member's pay.

The ERC carries out independent and arms-length reviews of certain RCMP employment and labour relations matters involving RCMP members. The ERC will review the decision being appealed to assess whether it was clearly unreasonable, made in breach of principles of procedural fairness or contains an error of law. Therefore, a review by the ERC is not a second chance for an appellant to present their case. The ERC findings and recommendations are forwarded to an RCMP adjudicator, delegated by the Commissioner, who makes a final and binding decision. The appellant may apply for a review of the adjudicator's decision by the Federal Court of Canada.

# WAY FORWARD

4

Looking ahead, the RCMP will continue to strengthen the conduct process to demonstrate accountability, reinforce our renewed core values, and support a safe and respectful workplace.

In 2023, we initiated the implementation of the recommendations stemming from the experts review of the conduct measures and achieved a key milestone with the creation of a select group of full-time decision makers, outside the member's chain of command, to manage serious misconduct and discipline for all harassment matters.

In 2024, the RCMP will:

- continue to work with the expert consultants to review and significantly enhance the guidance provided to decision makers.
- introduce specialized legal support so decision makers have highly responsive access to lawyers with deep experience in both the police complaint and discipline process and human rights law.
- increase use of serious conduct measures for misconduct related to leadership and supervision and adopting presumptive dismissal for serious sexual misconduct.

As the Professional Responsibility Sector continues to implement the recommendations stemming from the expert review of conduct measures, the RCMP is exploring different ways to increase transparency in the conduct process while also respecting privacy legislation.

Important work still needs to be done to increase transparency, nevertheless, in 2024, the RCMP will be taking necessary action to assess how we can better demonstrate that serious misconduct is being addressed appropriately. Being open and transparent about misconduct outcomes will help change the culture of the RCMP, and strengthen the trust and confidence of our employees, diverse communities, partners and other stakeholders.

# CONTACT INFORMATION

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