

# **Submission to the Standing Committee on Public Safety and National Security**

## **Systemic Racism in Policing - RCMP**

Presented By

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## **Executive Summary:**

This submission is for the review of the Committee Members at the Standing Committee on Public Safety and National Security in their study on Systemic Racism in Policing. The writer is a retired member of the RCMP with over 20 years of service in both contract and federal policing. This submission will focus on the issue of systemic racism in Policing with a key focus on the RCMP.

## **The primary topics to be discussed will be:**

- 1. Failure of Leadership in the RCMP.**
- 2. Police - Synonymous for Mental Health Workers, Marriage Counsellors, Youth Counsellors etc, etc.**
- 3. Control of the RCMP by the Prime Ministers Office.**
- 4. Abuse of the Department of Justice - Policy for Legal Assistance and Indemnification Program.**

The writer intends to show in his submission, how the aforementioned issues have impacted the RCMP historical and today as it pertains to systemic racism and will also provide potential solutions to bring positive radical transformational changes for our national police force.

*Mr. Rae Banwarie BA  
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Good day Honourable Members of this Parliamentary Committee - Chair. Thank you for allowing me to present my submission at this committee and to share my thoughts and concerns with each of you and to thank you for the important work, each of you are doing.

My name is Rae Banwarie and I am a retired member of the Royal Canadian Mounted Police who served in the RCMP for over 20 years. I was also a previous past national President of the Mounted Police Professional Association (MPPAC) the lead group which fought to unionize the RCMP with a majority 6 -1 win in 2015, at the Supreme Court of Canada in favour of unionization for members of the RCMP.

In my previous capacity, I assisted and represented thousands of my colleagues in the RCMP and appeared at the Senate Standing Committee on National Defence on Bill C-7 and Wynn's Law to name a few. I represented and was the mediator for many members' cases in the RCMP at the Detachment level, the Public Safety Ministers level and at the Prime Minister's level. Indeed, my knowledge of what happens behind the crimson curtain - how the RCMP operates and its internal culture - is second to none in the Force. It is in this capacity and with this knowledge that I look forward to delivering my message to this committee now and hopefully in person in the near future, on the important issue of systemic racism in policing, specific to the RCMP. I will give you the uncompromising truth and lay bare the inner workings of the organization in my submission.

To begin, I will state that I have supported and will continue to support the rank and file, the women and men who are the RCMP and who put their lives on the line day in day out, night in and night out to protect all Canadians and each of you on the Hill. The issue of systemic racism in policing in my lens for the RCMP is a complex issue. It needs to be explored and investigated in greater detail so that all parliamentarians can gain a greater understanding of the the fundamental core issues, driving this significant issue.

I believe the issue of systemic racism, bias and discrimination in policing is a by-product of the myriad of core issues impacting our national police force from within. I will identify what I believe are the fundamental planks of these failures which will continue to drive these behaviours if they are remain unchecked and concrete steps are not taken, to bring the

immediate radical transformational changes being sought by this committee.

### **Failure of Leadership in the RCMP:**

In the RCMP, some examples of this are, where managers do not recognize, accept and support certain members in the rank and file because of their beliefs, their ethnicity, their culture and their values. These managers employ a stereotypical mentality towards these members based on their ethnicity. Indeed, these managers may range from the middle ranks up to and inclusive of the senior Commissioned ranks in the RCMP. It is these same behaviours, I submit, which are the core issues which drive bias, discrimination and racism internally within the Force and externally towards the public.

These members, Commissioned and non, employ behaviours and attitudes which are dismissive, intimidating, hurtful, regressive and in many cases lead to bullying, harassment, loss of career development, loss of advancement in the rank and they exemplify racist attitudes and behaviours. In some units, these repressive attitudes and behaviours are displayed on a day to day basis by some managers, unchecked. These attitudes, lead some members into believing being indoctrinated into these unacceptable behaviours and replicating what they observe from their manager(s) is the mechanism to advance their careers in the Force. When these unacceptable behaviours and attitudes are rewarded by promotion and career advancement without merit in the rank, these fundamentals become the cornerstones of systemic racist attitudes and behaviours within the Force and are extended towards the public in the communities where these members serve.

What must be looked at is not only what is being reported in the news and social media, but what is driving these behaviours and actions in policing. Systemic racism can take on many forms. Internally in the RCMP, racism, discrimination and bias exists in many latent forms within the organization. Internal process which do not teach respect for diversity, culture and inclusion of others have been fundamental stumbling blocks in the RCMP for decades. Internal policies which for example do not include or accept extended family relationships in different cultures and respect those relationships in times of loss of life by death lead to internal bias and

discrimination within the RCMP. The RCMP continues to hold onto antiquated HR policies and antiquated redundant policies that do not reflect the changes occurring in today's world, nor include the growing diversity within its ranks. The Force states it welcomes all nationalities to join its ranks but its own internal HR policies do not reflect this diversity, accommodate nor promote it. Is this one of the fundamental reasons why for decades, there has never been a Commissioner in the RCMP who has not been a caucasian male, save for one female, Beverley Busson for a brief time and now Commissioner Brenda Lucki?

I have included for the committee some evidence in my submission which has rocked my belief and trust in the Force. These documents show the racist, bias and discriminatory behaviours from the past Commissioner's office down which have been epitomized by senior non commissioned and commissioned officers in the RCMP historically for decades.

The first document which speaks to ingrained racist attitudes from the Commissioner of the RCMP in 1941, that was upheld by senior Commissioned officers of the day. This situation involved the application of 2 black men who sought to become RCMP Officers

## **Appendix A**

The second set of documents show the racist documents and racism that Mr. Calvin Lawrence a retired black RCMP officer had to deal with during his career in the RCMP ( drug section) in the 1980's.

## **Appendix B**

In the third set of documents, I have included the story of Lynell Nolan another retired black RCMP officer who endured racism during his career in the 1990's.

## **Appendix C**

In the fourth set of documents, I have included the story of an Iranian born Canadian - Ali Tahmourpour who experienced racism and religious discrimination as a cadet in the RCMP and was dismissed from the program in the 2000's.

## Appendix D

In the fifth set of documents I have included is the story of a retired east Indian RCMP officer Yarinder Brar, who faced harassment and discrimination while he was employed as an instructor in the cradle of the RCMP - Depot Division.

## Appendix E

All of these aforementioned cases show that through the decades the RCMP has been an organization in which racist attitudes, bias and discrimination has been displayed by some non commissioned and senior commissioned officers in the RCMP towards members of various ethnicities and cultures. The failure of leadership in the Force by fostering and enabling these behaviours and attitudes has led to the racism, bias and discrimination in the RCMP historically and today.

The Honourable Minister Bill Blair told this committee on June 23rd that, “He is working with Commissioner Lucki to make the RCMP a more *just and accountable* police service, *where diverse voices and perspectives are valued and included*, to make the RCMP a better police service in the communities they serve.’ Minister Blair also told this committee that Commissioner Lucki was appointed and given a mandate to deal with discrimination, workplace harassment and many significant issues that had previously been identified in the RCMP. *People who have life experience with discrimination and are visible minorities only help to make policing more effective.*”

Commissioner Lucki has failed to meet the requirements from her mandate letter which include, “ In support of culture change, you will need to prioritize that the RCMP is free from bullying, harassment, and sexual violence, including a comprehensive response to the underlying issues identified in recent reviews undertaken by the Civilian Review and Complaints Commission for the RCMP and Sheila Fraser. To that end, I would encourage you to ensure that the RCMP is representative of Canada's diverse population, including gender parity, and that women, Indigenous Peoples and minority groups are better reflected in positions of leadership. “

Commissioner Lucki’s mandate letter.

## Appendix F

Where are the indigenous and minority groups who are in supposed to be in leadership positions in the RCMP today?

In my previous policing career, I was the lead in many significant investigations while in contract policing, inclusive of building a special project vehicle ([streetwise](#)) for the youth in the community to reduce the incidents of street racing and bridge the gap between police and youth, worked on the First Nations reserves, was a member of the Criminal Crash Investigative Team on Vancouver Island, a member of the Vancouver Island Tactical Troop - deployed to several national protests, was the lead in a sexual predator apprehension file with ties to the US, positively reported on by several federal policing units inclusive of the Integrated National Security Enforcement Team - Anti Terrorist Financing Unit, involved in the LTTE being listed as a terrorist organization in Canada and one of the lead proponents to unionize the RCMP.

I along with many other racialized RCMP members in the aforementioned documents in Appendix A - E, have been the victims of racism, bias and discrimination within the RCMP because of the failure in leadership, the failure to recognize, accept and promote voices of diversity and ensure they are represented in senior commissioned leadership positions in the RCMP.

When there is a lack of leadership and accountability from the Commissioner's office down which permeates the management structure and allows unchecked behaviours and attitudes which are dismissive, intimidating, hurtful that lead to racist behaviours and attitudes, is it any surprise these behaviours become epitomized by some RCMP members and are played out in their interactions with people in the communities they serve?

I submit to this committee, this is just one of the core issues which is driving the issue of racism, bias and discrimination among others in the RCMP.

**Police - Synonymous for Mental Health Workers, Marriage Counsellors, Youth Counsellors etc, etc.**

Every Committee member is aware what has been reported in the media on multiple occasions nationally and internationally - the actions of police and how they have been dealing with the public. These interactions are under intense scrutiny now more than ever before. What is being focused on by the media are the incidents where police actions show questionable and in some cases, unlawful conduct by police officers, in a multitude of situations ranging from arrests for alleged offences, to mental health situations, distraught and sometimes intoxicated persons, homeless people, protesters and the deaths of others.

Indeed, the calls from the public that are being made as a result of these reported incidents is that police use of force must be appropriate and when they are not, the police officers should be investigated, and where appropriate, arrested and charged criminally. As well, police agencies should be defunded. The money from defunding the police should be used instead for other agencies like social services workers, mental health workers, and for body cameras to be worn by police officers just to name a few initiatives. What is not being reported is the fact that governments at all levels, Municipal, Provincial and Federal have failed to properly fund the aforementioned agencies so that they can have staff who are trained and equipped to assist and respond in cases where mental health issues occur, where there are domestic violence situations and homelessness situations.

Police agencies of all stripes have become the catch all, in all of these situations, along with their other duties like, robberies with or w/o weapons, fatality collisions, assaults, impaired drivers, missing persons, barricaded persons, hostage situations, suicides, drownings, bombings, fires, murders, shootings, money laundering, fraud, impersonations, National Security Investigations, VIP visits, threats against the Prime Ministers Office and the list goes on and on.

As a former member of the RCMP, I have first hand knowledge and was involved in many of these situations. Some ended tragically and in some cases we were able to save lives. While I agree that in some situations



having other agencies involvement could be beneficial, the representatives of those agencies do not have the training, equipment and experience to deal with scenarios where assaults, threats of bodily harm and/ or weapons, drugs and or contagious diseases may be involved and directed at these same workers.

Without these fundamentals in place, they themselves, could potentially become victims as well. To effectively address these scenarios, funding and significant training must be made available for these agencies so that they can respond in coordination with police agencies to these complaints. Until the governments of all levels become partners and take a holistic approach like this with public involvement and financial support, these changes will never materialize.

In terms of police body cameras, this is an issue which has been debated for years. The primary issues that are in the headlines are that these units would provide independent evidence of police interactions with the public and that this would reduce the cases where police abuse their power. What should also be highlighted in the press, but isn't, are the underlying issues that surround body worn cameras.

Firstly, cost for equipment and whether or not the equipment would work properly in all of the environmental conditions in Canada. From the wintery conditions in the prairies inclusive of our northern territories, east coast to the rainy conditions on the west coast and everything in between. Also problematic is the storage for the hours and hours of data - 24 hours, 365 days a year - and the cataloguing of all of this data from these cameras. What about disclosure of footage, how long will it be retained and where will the footage be stored?

What about privacy issues where the public does not want to be recorded as they may want to remain anonymous when dealing with the police? What about instances where the public wants to provide confidential information on murders, drug operations, bombings and lesser offences? Why would they come to the police when they know that they would be recorded. This could potentially undermine community policing and intelligence led policing. The public's cry for defunding would also mean that there would also be less funding for initiatives like this. I submit that extensively more research, costing and real world practicality pilot projects need to be considered in greater detail before any possible deployment

like this is considered. These financial costs must be made public and people in the impacted community advised of their increased financial costs for these initiatives.

### **Control of the RCMP by the Prime Ministers Office:**

The RCMP from its earliest inception as the North West Mounted Police in 1874 has been used by previous governments and the current Liberal government to police many provinces and territories in Canada. Indeed, the RCMP has evolved from dealing with American whiskey Traders and aboriginal peoples in southern Alberta in the past, to an organization which has taken part in UN missions and has officers posted in foreign liaison positions internationally. The RCMP has grown to become an international icon known around the world. However in this capacity, the RCMP is an organization that has been controlled by previous governments and this current government in many ways for decades. I bring this issue up because I believe that this control by the political party in government regardless of whatever banner they fly under, is a key contributing factor to how the organization operates and or, how it fails to operate where racism, bias and discrimination are concerned.

In the government of Canada when there are situations in which the governments' actions (The Prime Ministers Office - PMO or other elected officials ) are questionable, many political parties readily request that the Ethics Commissioner's Office become involved and may in some cases demand an RCMP investigation. Some recent significant cases in Canada highlighted by the media, were the SNC Lavalin incident and most recently the WE charity issue to name few. In both cases, the Official Opposition party, the Conservatives, requested that the RCMP initiate an investigation as is their right and duty.

It is clear that the RCMP did not initiate an investigation into the SNC Lavalin matter and time will tell if they will initiate one in the WE charity debacle. What is also clear, is that the Commissioner of the RCMP has been under the control of the PMO via the Public Safety Ministers office for decades. This control became clearly evident to all Canadians in the recent statements made by Commissioner Lucki when she was questioned publicly by the media about systemic racism in the RCMP and she initially stated that she was 'struggling with the definition of systemic

racism and that if systemic racism is meaning that racism is entrenched in our policies and procedures, I would say, we don't have systemic racism.' Commissioner Lucki subsequently did a 180 about face, a few days after this and changed her response to state, "I did not say definitively that systemic racism exists in the RCMP, I should have." This statement came after Prime Minister Trudeau stated publicly that 'systemic racism is an issue right across the country, in all of our institutions, including in all of our police forces, including the RCMP.'

This is indisputable evidence that the Commissioner of the RCMP is under control of the PMO by the public retraction she made of her first statement and her subsequent statement to ensure it aligned with those of the PMO. This evidence speaks for itself.

Media Reports Re: Commissioner Lucki's statement on Systemic Racism.

## **Appendix G**

I submit that this relationship and control of Canada's National Police Force is a contributing factor in how the RCMP has operated and continues to operate today. It is this controlling relationship with the PMO which impedes our national police's force in being able to define its own destiny, direction and to be truly independent of the PMO. This relationship has also led to the lack of funding for human resourcing, officer education re: cultures and diversity, recruitment, pay and medical benefits, operations and equipment for decades in the Force. This has been an underlying contributing factor which has contributed to racist attitudes, bias, discrimination and deaths of members of the RCMP.

I have long maintained that there is a solution for this significant issue which will allow the RCMP to be truly independent and this begins with instituting legislation which will require the Commissioner of the RCMP to report to an independent Parliamentary Committee. This Committee will be comprised of the equal number of members from the governing party, the official opposition and 1 independent representative from another federal party. The composition of this Committee cannot have as its make up a majority from the political party in power as this will undermine the essence of an '**independent**' (emphasis) parliamentary committee and will

replicate the facade the current Liberal government displayed at the SNC Lavalin committee hearings and other committee hearings even today.

Once this is established, the RCMP will truly be able to be independent of control from any political party in power and will be able to forge its own destiny and future with true independence in compliance with the Charter of Rights and Canadian laws. What many politicians forget inclusive of the PMO is that the RCMP belongs to every Canadian and is accountable to all Canadians not just to Parliament. The RCMP is not an arm of the government but an arm of the Canadian public and having the Commissioner report to a non- partisan independent Committee would ensure this independence. This relationship is also at the core of what has led to many, many issues as it pertains to racism, bias and discrimination, I've previously identified, operationally, in the RCMP over many decades.

### **Abuse of the Department of Justice - Policy for Legal Assistance and Indemnification Program:**

For decades the RCMP has been the subject of multiple class action lawsuits by various groups in Canadian Society and this will undoubtedly continue to occur as long as the current structure, policies and current Commissioned Officer cadre exists in the RCMP today. This use of taxpayers dollars to negotiate financial settlements via the Department of Justice (DOJ) for unlawful acts committed by Commissioned and non commissioned officers in the RCMP must end.

Any Canadian knows that the RCMP has been at the forefront of many significant lawsuits, some from the public, some from its own members and civilian members. Everyone in this Committee is aware of the Womens Class Action lawsuit on harassment that occurred and I tip my Stetson to those brave female members who stood up and exposed what has been going on in the RCMP for decades. I stood shoulder to shoulder beside them in front of the Supreme Court in the lower mainland, BC when the case was announced and spoke to the press.

This class action was initially proposed at \$100 million and many female members are finding some form of closure for what happened to them. However, the perpetrators will never be held accountable as part of the settlement suit is that their identities will never be revealed. What other

organization do you know of in Canada or elsewhere, that has paid out over \$100 million taxpayer dollars for harassment and bullying and not one perpetrator has been identified nor held accountable for their actions which will traumatize their victims for the rest of their lives? Is this justice? Is this accountability?

This has followed among others is a subsequent male RCMP members class action lawsuit which has been certified at 1.1 Billion dollars for bullying and harassment and the latest Class action which was certified at \$100 Million is for non-female RCMP members and could grow.

The most recent lawsuit has been filed in Nova Scotia by families against the RCMP for their handling of the mass shooting and is pending certification in the courts.

In all of these situations, the Department of Justice lawyers have been used, over and over again to defend the actions of RCMP officers who have acted in contempt of the professed core values of the Force and harmed people. In many of these cases, the perpetrators have never been charged, convicted or jailed in situations where they should have been. I have highlighted the policy as it relates to the policy on Legal Assistance and Indemnification for Crown servants.

**6.1.5 Three basic eligibility criteria:** In considering Crown servants for legal assistance or indemnification, determining whether the Crown servant:

- *acted in good faith;*
- *did not act against the interests of the Crown; and*
- *acted within the scope of their duties or course of employment with respect to the acts or omissions giving rise to the request.*

Policy on Legal Assistance and Indemnification. Gov't of Canada.

## **Appendix H**

I submit that this process which currently exists is another contributing factor which allows racist behaviours, bias and discrimination to exist and to continue in the RCMP. In the majority of cases the victims, members of

the public, marginalized, racialized Canadians, first nations peoples, and RCMP members have to go to extreme lengths and personal sacrifices to get justice for their situations whereas the Crown servant is provided a legal defence by the DOJ, even if their actions are unlawful.

In cases when a financial settlement does occur, the DOJ then requires the victim to sign a non disclosure agreement (NDA) as part of the bargaining process so that the public is never made aware of the true costs they have paid and the perpetrator is never held accountable for their actions. This process must be revamped and critical oversight mechanisms put in place to ensure it is used only in justifiable cases which are in compliance with the legislation. Until this becomes a reality, this remains another mechanism which will continue to enable racism, bias and discrimination in the RCMP and by extension towards members of the public, whom the RCMP serves.

### **Concluding Remarks:**

I have attempted to bring to the Committees' attention some significant underlying issues, which I believe are the root causes which have led and continue to cause systemic racism, bias and discrimination in the RCMP. I must reiterate that many of women and men that I have worked alongside in the Force during my service were not racists nor did they employ or hold racist views, but there are the few commissioned and non commissioned officers in senior ranks of the RCMP who were. I have provided examples of these behaviours when have occurred over decades in the RCMP.

I maintain with all that I have done in my past career in the RCMP, I have always operated with a moral and ethical compass, I have experienced racism, bias and discrimination within the RCMP as a visible minority. I tried to re engage into the Force and believe because of my high profile labour involvement (National President of MPPAC), which led to the unionization of the RCMP is another reason why Commissioner Lucki has refused to reinstate me into the Force, in contravention of Sec. 425 of the Criminal code.

Even now, even after everything that has happened to me, I am still here, standing in the light, by God's strength, unrelenting and continuing to fight

the battles that need to be fought for a better RCMP and for a better and brighter Canada for my children and for all!

As I stated in my resignation letter which I have also included for the committee, "I am proud of the legacy that I will leave behind in the RCMP. I have made a difference for our public, for our people and for the future of the RCMP. This is who I am, who I always will be and why I became a Peace Officer."

## **Appendix I**

Thank you for allowing me the opportunity to present my submission to the Committee and I hope that I may be able to attend and speak in person to these issues I have brought forward for consideration.

With Respect,



Mr. Rae Banwarie B A  
Retired RCMP  
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