

# **THE POLITICIZATION OF THE R.C.M.P.**

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## **"THE POLITICIZATION OF THE R.C.M.P."**

### **EXECUTIVE SUMMARY**

The following is a brief overview of a much longer paper authored on the subject of "*Politicization of the RCMP*" which is available for the asking.

I entered into this study with considerable trepidation, knowing that I will be accused by some as being much too old fashioned, traditional and conservative in my thinking. As a retired Assistant Commissioner in the RCMP, I admit to certain biases in favour of the Force, but in the interest of maintaining a cherished Canadian institution, I trust that my report will receive some measure of consideration. In my opinion, some very critical issues must be faced by governments as they deliberate the role of the RCMP and its relationship to Canadians.

Regardless what the various mini surveys (by the Force) may suggest, the RCMP is losing respect among Canadians; a respect that has been nurtured and expanded upon since its formation in 1873. A large number of serving members, many veterans and the general public are becoming disillusioned with the Force because of its inability to meet their law enforcement commitments. I have cited examples of the various concerns and editorial comments in the main submission. I am supported by many when I suggest that this inability is primarily due to government interference into the management of the RCMP, coupled with a cutback in resources earmarked for crime fighting.

Since the RCMP Act was revised in the early 1980's, the Commissioner of the RCMP has the designated position in government of "Deputy Solicitor General". As such, he/she has a role in government, a role that I suggest puts him/her in some conflict of interest. One should be either a Deputy Minister or the head of Canada's senior police service, not both. Being in the chain of command to government means that he/she is in the loop with Corrections, Parole, CSIS, RCMP External Review Committee and RCMP Public Complaints Commission. Too often, the thinking of the Commissioner (and the Force) can be diverted from law enforcement to social policy issues. As a government bureaucrat it is too easy to lose sight of law enforcement and align one's thinking to support political initiatives. For example, the Commissioners 1998 Directional Statement indicated a need "for aligning our priorities with those of government", to provide Treasury Board with a "business case" and to somehow address a \$10 M to \$13 M deficit.

Mr. Paul Palango, in his 1998 book titled "*The Last Guardians - The Crisis in the RCMP*" points out many of the Force's shortcomings. He describes the Force as one of societies "guardian" organizations that has moved from being a guardian into a government imposed idea of running the Force as a business. It is a "must read" for all Canadians as it not only describes the difficulties facing the RCMP, but has implications into the whole concept of governance.

The Glassco Commission of 1960 changed the thinking of government from a guardianship role to one of running Canada as a business. Eventually, the RCMP were brought into this line of thinking. The RCMP were faced with the idea of imposing business decisions i.e. cost/benefit, because financial restraints imposed by government did not take into account

...2

increased workloads and rising expectations. All of this has resulted in a deterioration of service which has lulled the Force's managers into believing that law enforcement takes a back seat to "warm and fuzzy feel good" programs catalogued under the "Community Policing" banner.

*An example of financial restraint can be seen in a planned spending reduction of \$2 million between 1999/2000 and 2000/2001. All this at a time when workloads are increasing and contracting Provinces are complaining.*

Due to the Commissioner's position as a Deputy Minister in government, there have been instances of government interference into policing decisions. In the past, the RCMP were even providing the Ministry with details of crimes under investigation - some involving MP's and Senators. (To his credit, I now understand that the current Commissioner has discontinued this act of servitude but there is nothing to say it cannot be restarted under another Deputy Minister/Commissioner).

It may be interesting to know that when Warrants to Search are issued in cases of suspected fraud/misappropriation of public funds, an entirely different set of rules apply to the offices of Parliamentarians. The Commissioner becomes involved with the Speaker of the House, before a warrant can be executed. This tells me that investigations alleging fraud against elected politicians are more liable to be sidetracked than those allegations against ordinary citizens!

The entire system of operating the Force as a business is contrary to ideals of law enforcement. In fact, the correspondence emanating from RCMP management makes little mention of law enforcement and considerable reference to programs such as crime prevention and client relationships. While that is all well and good, the average Canadian still holds the opinion that the police are in place to enforce the law - to catch crooks! The enforcement aspect seems to take a back seat.

There are complaints that bilingualism has resulted in most of the senior management positions being filled with officers who have little practical experience "on the street". Many members feel that in order to be a senior manager in the Force's Ottawa headquarters, preference is given to Quebecers who possess french as their first official language. Additionally, the bilingual bonus paid to members in the so called "bilingual positions" is causing friction between members - members who are doing the same work and who rarely use the second language.

In recent years, the Force's managers were faced with severe funding shortfalls. One of their decisions was to regionalize the Force and by doing so, eliminate many of the mid level managers; supposedly a money saver. The result may not be as positive as hoped. We now hear of deteriorating work habits and a lack of compliance to policy. Different segments of the regional administration are quartered in different locations. For example, in the Northwest region, the Corporate Management branch is located in Winnipeg and the Human Resources branch is in Regina. Some members say that this concept has been ill defined, has resulted in some fragmentation of policy, and that it has not resulted in saving money.

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In concert with a reduction of supervisory positions and an increased emphasis on the concept of "personal empowerment" has, in the opinion of many, resulted in diminished service to the public and less attention to law enforcement.

In addition to the critical shortfall in funding, a few of the more important issues that were mentioned in the main research submission are repeated hereunder:

- 1) By being a Deputy Minister in government, the RCMP Commissioner is frequently seen as being in a conflict position. On one hand he/she has an obligation to Canadians to ensure that the law is enforced "without fear, favour or affection" but this is not possible if government (in which he/she holds a position of executive status) imposes restraint that causes investigations to be abandoned or ignored. In my opinion, the RCMP Commissioner should not be in a Ministerial organization but rather, that this position report to Parliament in the same manner as the Auditor General of Canada. It follows that candidates for this position ought to be publicly examined by a Parliamentary Committee **before** the appointment is ratified.
- 2) Because of the Deputy Minister position in government, the RCMP Commissioner has become much too political. He/she should not be publicly lobbying in support of any particular legislation, such as Bill C-68. Rather, the RCMP administration should simply appear before any Parliamentary Committee and provide the Committee with details of the cost and ramification of any particular legislation that is being proposed. No pro or con position should be taken by a police agency; they are in business to **enforce** the laws of Parliament.
- 3) At a time when police resources are so scarce, we find that members of the RCMP are being dispatched to serve as **peacekeepers** in foreign countries. This results in reduced service on the home front because detachments and squads are left without backfill. Additionally, overtime costs are increased and these costs are borne by the contracting Provinces or Municipalities. It is inconsistent with good management policies when we read where major crimes are going **un-investigated due to a shortage of resources**.
- 4) Members of the Force historically considered themselves professionals but since inception of the individual system of overtime compensation, they seem to consider their service more as a **job** than a **career**. While considered a very fair way to compensate, it does set up competition among peers and most certainly is difficult for contracting Provinces and Municipalities to budget. The individual system exempts the commissioned officer cadre which does not sit well with managers who are being paid less than some of their subordinate constables and NCO's. There are other systems of compensation, such as that used by the FBI, that ought to be examined.
- 5) The new style of managing the Force as a business is causing some anxiety. Many members still view it as a **paramilitary organization, maintaining its rank structure and chain of command** but the leadership are down playing this idea while they put on the face of "business serving clients". Diminished attention is given to law enforcement and much attention given to "networking with clients". The criminals are delighted!

...4

6) The current RCMP Act and Regulations has resulted in a discipline and discharge system that can best be described as a bureaucratic boondoggle. Too many poor performers and discipline problems are clogging the administrative machinery. Grievances and appeals are so cumbersome and lengthy that the thousands of good performers suffer. In order to see some balance between expediency and fairness, the Act needs review.

7) There are a couple of points that will be noted concerning recruiting. Regardless of public pronouncements to the contrary, recruiting is "targeted" toward females, visible minorities and aboriginals. The system needs review. In addition, it should be noted that the RCMP are reportedly the only major police service in Canada that does not polygraph applicants for engagement. I am told that the Force has hired some applicants who have failed polygraph tests at City Police forces, because of some criminal involvement. Also, I have been informed by well placed City Police personnel that currently serving RCMP members have applied to their City force only to be found that during their polygraph examination, the RCMP member was involved in some criminal activity **while serving in the Force**. If that is true, it should send a message!

8) The job of law enforcement is being made ever more difficult because of some Supreme Court and Human Rights tribunals decisions. While members of the Force recognize the need to balance rights with responsibilities, there have been several cases where the Courts and/or tribunals have curtailed bonafide investigative practices. Some of the decisions, such as an application for wiretap, have resulted in mountains of paper work with a corresponding increase in the stress level for investigators.

9) The Force is involved in areas of work that could well be handled by retired persons. The RCMP Veterans Association alone has an enrollment of over 5,000 who possess a variety of expertise. They could be used in areas such as foreign peace keeping duties, investigating applicants for engagement in the Force and in a members assistance program dealing with trauma, stress, financial and marital situations. It should be remembered that many members with high levels of expertise in specific areas retire from the Force at a relatively young age.

10) The RCMP involvement in so called Protective Operations of VIP's and residences is a task one can argue, is really not aligned to policing. In my opinion, this entire system should be examined with a view to having the Force replaced by an organization similar to the USA Secret Service. Police personnel should be dedicated to policing - to law enforcement as opposed to protecting persons and buildings. If the government was truly a **business** operation, personal and physical protection would be handled by a Security firm!

11) The RCMP Act provides that the Treasury Board of Canada establish pay and allowances for members. Because the Force is prohibited from collective bargaining, the Board has an obligation to to fair and reasonable in determining a compensation package. The Board will not permit the Force to be paid at the top of the police universe but will normally peg their pay scale somewhere in mid range. Considering that the pay is consistent across Canada, we find that in some of the high cost areas (like Vancouver and Toronto), members are in dire financial straits.

...5

An RCMP Pay Council, established in 1996 seems to have some positive bearing on the latest pay increases - after some seven years of having their pay frozen. Another example of the Commissioner's position in government can be seen in a 1992-93 pay appeal when the Staff Relations Representatives appealed to the Minister but the appeal was **not supported** by the Commissioner.


12) The Force has become increasingly more civilianized, even to the senior management ranks. While it may have improved the Force's understanding of how government functions, it continues to cause many in the operations field to wonder if some of these civilians are simply **watch dogs** for government.

13) In late 1972 and into the next couple of years, the RCMP rank and file were united in their displeasure with the Force's system of management. Although prohibited by law from becoming unionized, a Division Staff Relations Representative program was born and has flourished. Currently, this is now a very refined program of thirty full time RCMP members elected from across Canada to represent the membership on all aspects of the work. I gather that the annual budget is something over \$6M. Regardless of the recent Court decisions, there is still strong talk of unionization in some quarters and we might expect MP's to be petitioned in an effort to have the law amended.

In summation, it is quite obvious that the federal government does not put policing as a priority item in the overall scheme of things. While the 1999 speech from the throne indicated that the government promises "to strengthen the capacity" of the RCMP to address smuggling and other security threats, there has been no specific financial commitment. The Force is facing challenges to upgrade its computer systems, to put more skilled investigators into probing high tech money laundering operations, casino frauds, illegal transport of firearms (from USA and abroad), acts of terrorism against fishermen and loggers, etceteras. At the same time, government is literally wasting millions of dollars on Bill C-68 legislation, targeting legitimate ordinary law abiding citizens. The policeman on the street simply cannot understand the government's priorities and they question leadership that falls into line without a whimper!

It is my opinion, one shared by many others, that if some significant changes are not made to the Royal Canadian Mounted Police, the management will continue to drift further into the malleable hands of politicians. These changes should be made very quickly.

Attached to this summary, I have taken the liberty of making some recommendations that should be considered by RCMP managers and federal legislators.



(Robert H.D. Head)

***"POLITICIZATION OF THE RCMP"***  
**RECOMMENDATIONS**

The following are offered as recommendations flowing from the attached report:

1. That the RCMP Commissioner be removed from his/her Department of Solicitor General Deputy Minister role and report direct to Parliament.
2. That before any selection is finalized, the candidate(s) for appointment to Commissioner of the RCMP be examined in public session before an all-Party Parliamentary Committee.
3. That the Commissioner of the RCMP have the same annual reporting relationship to Parliament as the Auditor General of Canada. (Refer to the Auditor General Act RSC 1976-77).
4. That the investigative aspect of law enforcement be highlighted as a government priority and not be subjected to the same financial restraints as some of the more discretionary spending envelopes.
5. That the government of Canada advertise clear support for RCMP federal crime fighting programs including illegal immigration, frauds, drug enforcement, etceteras.
6. That the House of Commons Justice Committee examine the government policy for financing operations like the Integrated Proceeds of Crime legislation to ensure the program is on sound financial footing.
7. That in allegations of misuse of public funds, Senators, Members of Parliament and Members of Provincial Legislative Assemblies be subjected to the same rules regarding Warrants to Search as all other Canadians.
8. That the RCMP reinforce its position as a "guardian organization", with a view to directing more of its policy and personnel resources to law enforcement and crime control.
9. That in reference to Bill C-68 on Gun Control, the Commissioner in his/her annual report to Parliament (see #3 above) clearly detail (a) the number of instances where rifles/shotguns were used in violent crime offences and (b) the number of instances where the registration system under Bill C-68 has assisted police in their law enforcement duties and (c) a cost/benefit analysis of the legislation..
10. That the RCMP Act be amended to ensure personnel policies, discipline and appeal

...2

procedures be simplified and equally balanced between fairness and expediency, more in keeping with the Force's history and organizational structure than to the **business** style of management.

11. That an independent audit of the new Regional concept of management be undertaken to determine if (a) it has improved criminal investigation capacity and public service and (b) it has resulted in more efficient and cost effective administration.

12. That civilians be hired into RCMP senior management **only** when it can be clearly demonstrated that a qualified RCMP member cannot be found to fill the position.

13. That in his/her annual report to Parliament (under # 3 above), the RCMP Commissioner clearly explain the impact that Charter of Rights decisions and Human Rights Tribunals have on the Force's ability to enforce the law.

14. That in cases where RCMP Pay and Benefits cannot be resolved with Treasury Board, the Commissioner be obligated to appeal the case directly to government.

15. That the RCMP bilingual program be audited by an independent agency to determine if (a) all designated positions, including those of the senior officers in Ottawa, are still valid, and if (b) the issue of bilingual bonus pay should be retained, particularly in contract policing situations where the Province or Municipality are obligated to pay the cost.

16. That the RCMP overtime compensation system be reviewed by an independent agency, to determine (a) if members should remain on the 'individual' mode and (b) if commissioned officers are being treated fairly by the system.

17. That the RCMP follow the practice of all major Canadian police forces and subject all member applicants to a polygraph examination.

18. That the RCMP refrain from discriminating in favour of any particular ethnic or gender group of applicants for membership.

19. That in the case of foreign police duty, and domestically in cases involving field investigations for applicants to the Force and as assistance to members in the areas of stress/trauma, the RCMP first draw from a pool of former members of the Force before tapping into the pool of members currently serving.

20. That the government of Canada create a separate dedicated agency to handle duties currently performed under Protective Operations of the RCMP.

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## ***"POLITICIZATION OF THE RCMP"***

### **TABLE OF CONTENTS**

1. Problems in General - Pgs. 1,6,7
2. History - Pgs. 2,7
3. Establishment & Rank Structure - Pgs. 2,3
4. Commissioner as Deputy Minister - Pgs. 4,16,22,23,32
5. Searching Parliamentary Offices - Pgs. 8
6. Budget Problems - Pgs. 2,7,12,14,16,19,20,22,23,25
7. Doing the Job - Pgs. 9,12,13,25,26,27
8. Critical Media - Pgs. 6
9. Paul Palango "The Crisis in the RCMP" - Pgs. 1,9,13,15,25,32
10. Commissions of Inquiry - Pgs. 6,8,10,11
11. Female Members - Pgs. 13
12. Political Influence - Pgs. 8,13,14,15,16,24,26
13. Supreme Court/Human Rights - Pgs. 12,16,17,18,19
14. Bill C-68 Firearms - Pgs.19,20
15. Internal Personnel Policy - Pgs. 20,21,22
16. Pay - Pgs. 22,23
17. Staff Relations Program - Pgs. 24,25
18. Private Security - Pgs. 25,26
19. Overtime Compensation - Pgs. 26,27
20. Bilingualism - Pgs. 13,23,24
21. Civilianization - Pgs. 15
22. Recruitment & Training - Pgs. 12,13,28,29
23. RCMP As Business - Pgs.7,9,20,31
24. Protective Operations - Pgs. 26
25. Foreign Service - Pgs. 29,30,31
26. RCMP Veterans - Pgs. 31