



**FAFIA Webinar**  
***The RCMP: Its Culture and Future***  
**September 17, 2021 at 2 PM EST**

**Expert Panelists:**

The Honourable Michel Bastarache CC, QC (RETD.)  
Dr. Pamela Palmater  
Janer Gerster

**Moderator:**

Shivangi Misra, Senior Manager, Human Rights,  
The Feminist Alliance for International Action (FAFIA)

**Shivangi Misra:** Good afternoon, everyone and welcome. My name is Shivangi Misra, I am the senior manager of human rights at the Canadian Feminist Alliance for International Action. Founded after the Fourth World Conference on Women in Beijing in 1995, FAFIA is a coalition of women's organizations in Canada whose work focuses on defending women's human rights and advancing women's equality, especially through engaging with UN treaty bodies and advocating for the implementation of Canada's international human rights commitments.

I am joining you today from Ottawa, which is located on the traditional, unceded territories of the Algonquin Anishinaabe Nation. We recognize both our responsibility and obligation to the peoples and land of the Algonquin Anishinaabe Nation, on whose traditional territory we work, learn and live.

FAFIA is very pleased to be hosting this discussion today on women and policing. It is a key issue in Canada for all women who rely on police to protect them from male violence, and particularly for Indigenous, Black and racialized women, who are under protected and targets for police brutality. I am going to start with a quick 5-10 min context setting and then pass it on the speakers. Before I do that, I would encourage people to engage throughout the event and send us questions. We will have a Q&A in the end. Please keep it amicable and respectful.

Discrimination and violence and policing is a problem in every jurisdiction, and at every level of policing in Canada. But the focus of today's panel is the RCMP, and the violence experienced by women both when they are employed by the RCMP and policed by them. As Canada's national police force, the RCMP provides policing under contract in most jurisdictions and in most of rural and northern Canada.

Under international human rights law, Canada has an obligation to ensure that women enjoy equality in the workplace, and an obligation to prevent, investigate, punish, and provide a remedy for the violence against women. The latter obligation requires Canada to stop police-perpetrated violence, and to ensure that women are effectively protected. Canada is failing to discharge this obligation to women.

For the past two decades—there have been many reports and many lawsuits that have been brought, that brought issues of sexual harassment, assault, racism, misogyny, to the public—to public attention. These include two reports by Human Rights Watch, and the national inquiry on missing and murdered Indigenous women and girls. The problems identified have been rampant sexual discrimination, harassment of the women members of the force, the “unfounding” of sexual assault complaints, sexualized brutality by RCMP officers, whom they’re policing and failures to protect women from violence.

Most recently, there was a class action lawsuit filed by two former female RCMP officers: Janet Merlo and Linda Gillis Davidson were subjected to sexual harassment by male officers, and they were joined by 3000 women, who also experienced harassment and abuse. The court appointed independent assessors to determine the compensation for the women, and to report on their observations. The result was a groundbreaking report entitled *Broken Dreams and Broken Lives*, which concluded that the culture of the RCMP is toxic; it tolerates misogynistic, racist, and homophobic attitudes amongst its leaders

and members; that this culture has resulted in incalculable damage; and that a change in the culture of the RCMP is essential and that it cannot happen from within the RCMP.

Today we are honored to have with us the author of this report, the Honourable Michel Bastarache, former Justice of the Supreme Court of Canada. We are delighted to be joined by expert panelists, Dr. Pamela Palmater and Jane Gerster. Rebecca Kudloo, president of the Pauktuutit Inuit Women of Canada was scheduled to be with us today, but she has been called away to attend an urgent matter. She sends her greetings and regrets. We will continue to collaborate with Pauktuutit as we go forward on policing issues.

Let's start with the author of the report, the Honourable Michel Bastarache.

For more than a decade, Justice Bastarache has served as a member of the Supreme Court of Canada. And since retiring from the court, he's been a member of several leading law firms. He is currently a professor at the Faculty of Law, University of Moncton, at the Faculty of Law, University of Ottawa. He is the author of three books on minority language rights and a recent memoir. Justice Bastarache has received numerous awards and recognition of important contributions to the development of the law in Canada. We thank you for joining us today, Justice Bastarache. So I'll start with you. In this report, you've concluded with a very strong and a definitive assessment that the internal culture of the RCMP is toxic, misogynistic, racist, and homophobic. Can you please elaborate and share with us your findings and observations during the three years of assessment?

**Honourable Michel Bastarache:** Well, before I deal directly with that question, I wanted to point out the fact that the RCMP is not a police force like any other. It's one that has a more than 150-year history. It is still seen by most people as a national icon *[technological issues, audio unclear]* the country. So, when that organization is not meeting the challenge, then the problem is much more important than if it were a dispersed number of events throughout different police forces. The problem with the RCMP is also with the fact that it deals with everything. It deals with organized crime, terrorism, national security. It's a Provincial Police Force, a municipal police force, and an international police force. So, the mandate is so complex and so diverse, that it does not have the resources, the officers, or the money to do its job properly.

There is also a problem in the fact that there is diminished confidence of the public in the RCMP because of very serious events that you all know. But as I pointed out in my report, I think one of the central problems is the culture of the RCMP. It is a male-dominated organization that really uses harassment and bullying. It refuses to accept

the diverse society we live in today and has been acting with women with a total lack of respect ever since the women were admitted in the RCMP. In that sense, it's not equipped to deal with the threats that face the nation today, including things like child pornography or international terrorism.

And many reports have suggested that it has to be overhauled. It has to be broken up. But in the government, it's always been seen as an impossible task because small provinces can't afford Provincial Police. The northern territories, of course, cannot create their own special forces. And because some of these services, that are to be provided, are national services, they can't really be broken up.

So, I still think that there has to be some kind of external event or impulse to separate the lines of business. The RCMP—without destroying it entirely—could be divided in four different sections which would be national policing, contract policing, protective policing, and national security services. And all those could function separately, but they could, in this way, be specialized. And if there was a different kind of recruiting, where you're looking for special skills, and that you do have a much more important training, then I think women would find their way in the system in a much better way because what is happening now is that there's sort of one single model for the police officer and that model, I think, is outdated by many decades. They want women, if they're to be in the force, to be just like the men in the force, and that is not only an impossibility, it's also something that is worthless as an objective. Women can bring to the force many qualities that the men don't have at the same level, and they can function with the men if they are respected and if they are treated fairly with regard to training, and also with regard to getting promotions. So, the present state of affairs, in my opinion, can't be tolerated.

And that brings me to the report itself. Now I'm sure that most of you have either read the report, or a survey summary of the report. And you know that what I have found is not only that there are many instances of harassment, but that that harassment has taken a figure that is quite surprising, I think, to people who believe, or used to believe in the RCMP, in that it is very violent. There is violence against the women, and not only harassment, that is vocal or that is informed of discrimination with regard to their standing in the police force. And what that has caused is that a great number of women have suffered major depressive disorders, Post Traumatic Stress Disorder, generalized anxiety disorder, panic attacks—and this has led to a lot of substance abuse. Now if that is true, how can you have an efficient police force? You can't have an official police force where women are afraid of the men that they work with in great numbers. You can't

have a good police force, where one third of the people there are unsatisfied with regard to their working conditions.

So, this is why I say that all of this disrespectful conduct has been perpetrated or condoned at every level of the hierarchy. It's not just the older people there or the very junior people there. It's not only lower management or middle management. It has occurred at absolutely every level, and it's been continuing for at least four decades, because I interviewed—with the help of two other women judges—over 660 women. I did personally over 400 of those interviews, and the women were in the police force at different times. They didn't meet with each other to form some kind of conspiracy against the RCMP, and what they recounted really resembled what was said by other people, other women who lived through that experience at different places in different times.

So how is it possible that the harassment, and the violent harassment is occurring in every province, every territory and every year? It can't be anything but the very culture of the RCMP. And what does it mean—what is that culture? Well, that culture is the sense that the force is to be controlled by them—by what the women have called the “old boys club”. They protect each other. And they prevent women from joining the ranks at any level because they control the training, and they control the promotion process. And every woman who steps out of line, they make sure that they will destroy their careers. And this has been done, time and time and time again. It's difficult to believe that it is so rampant because, as you know, in any organization where something like this happens, most of the time you'll say, “oh yes but there are always a few bad apples. We can find them, and we can fix it.” But this isn't a case of a few bad apples, they're just too many. And the fact that what goes on, is condoned means that the culture itself is, is, is permitting things to continue, and it's permitting the women to be to be without any kind of control by means of punishing the people who are responsible for this.

Even the instructors for decades have been preying on young women who are cadets. Well, what a start for a career. For those women, how do you expect them then to fit into the force, and to make a real strong contribution? In the field coach training, there [have] been hundreds and hundreds of cases where the assessors have assaulted the women that they're supposed to be helping. And there again, there have been complaints. It's not true that the senior management didn't know about this. There are hundreds of cases where there were representations made, where there was evidence. And even when the men are being called on to answer for—for their conduct they're never really punished. There's a problem, even at that level. And I have heard from the

women of hundreds of cases where they only transfer the person—the culprit. And in many many cases to transfer them, they give them promotions. So, how can we outside the force really believe that it's doing what it can to fix things?

And, to me, it's not only a question of accommodating women to make sure they can live there. Accommodation is not enough. There has to be real respect for the women there, and equal opportunity for them to participate fully in the RCMP's performance and its development. And as I pointed out in the report, for Indigenous women and racialized members, it's been worse, which means that that culture is not only there to resist the fact that women will belong to the force and participate in the force, but it's also some racism that is there. And that is tolerated. It's tolerated in the way they speak, and it's tolerated in the way they actually treat the women from these marginalized groups.

I made a number of specific recommendations, which I think would help in the long run. But I still believe that there has to be more, there has to be something to do with the management of the RCMP itself and I am personally not satisfied with the response of the government today. The commissioner has said that she would implement the recommendations—that she would appoint more women in important positions. But there's been 16 reports before mine, who recommended things of this nature, and still nothing happened. It's because it's like a big cancer inside the organization, it spreads.

I would have thought, not knowing the police when I started all this, that having new members come in, people of a different generation, more accustomed to working with women that it would—it would affect positively the performance of the RCMP, but it's not proven to be effective. Basically, what happens is young people want to be accepted by those who are getting promotions and the courses, and they just join in. And it is in many ways, like they said, an old boys club.

I remember meeting some women who were more educated than the majority, more experienced life wise, and I asked them, "Why do you think it's so difficult for you to get a promotion?" And she laughed and said "it's because I don't play hockey." I said "what do you mean?" Well, she says "the boys go and they form their Hockey Club. And at the end of the game or in the recesses, they talk about what's going on, about the courses, about new objectives, and they make decisions, but we're not there. And we'll never be playing hockey with them." So, it's just an illustration of the fact that even if there isn't a real plan to discard women's views, the system works that way. And I don't know what exactly the government intends to do, but I would have thought that there'd be more attention to the report, given the very severe consequences for the women—for those

3000 women. But you and I know that 3000 applied, there's probably another few thousand who didn't and could have. So, all in all, I think it's a national tragedy what is going on.

And there's an election now. I haven't followed every speech, but I still haven't heard one single politician address this issue, which I think merits that we look at it very seriously and very rapidly. Thank you.

**Shivangi Misra:** Thank you, Justice Bastarache, for sharing some very important insights, especially about the pervasiveness of the problem and that it is not a problem of a few bad apples, and what the extent of the issue is. A lot of your findings are about the workplace conditions and experiences, but do you think the findings that you've made about the culture of the RCMP have implications for the delivery of law enforcement services? When these officers are discharging duties outside of the RCMP, and what impact the culture of the—the internal culture of the RCMP has on their behavior.

**Honourable Michel Bastarache:** Well, I think it's been proven that the way they treat women generally is not fair and not respectful, so they don't respect the women who work with them, but I also have heard from those women that they mistreat the women that are arrested or that are questioned, and that there seems to be a double standard there.

It's obviously not every officer that conducts himself that way. But the problem is that those that do are not being challenged—they continue, and those that don't agree will just keep quiet because they're afraid for their own careers and don't want to be seen as malingerers themselves. And this is what happens—they say “well, those women who will complain are just malingerers...they, they can't take it.” You know, the phrase, and “you have to be tough, you're in a paramilitary organization.” But, in a sense, all of this is just jargon, to hide the real issue.

**Shivangi Misra:** Thank you, Justice Bastarache. Next, I will call on Jane Gerster. Jane is an award-winning independent reporter who specializes in narrative writing and explanatory journalism. Currently her work is focused on systemic issues within the RCMP. Jane's critical history of the RCMP, *For the Good of the Force* will be coming out in 2022.

Jane, picking up from what Justice Bastarache shared with us, you have also investigated and written extensively on the RCMP on exactly on the concerns of how systemic these

issues are, and especially their inability to take disciplinary actions for the conduct of its officers. So, what are the issues of concern and how systemic do you think they are?

**Jane Gerster:** They're entirely systemic and I think that that's abundantly clear from every single report that's ever looked at the RCMP and I think what's actually really important to understand here is these are not 16 reports all looking at one specific issue. These are 16 reports looking at different aspects of the RCMP and all of them coming to the exact same conclusion.

And I think there's a couple comments in the Q & A that I really did want to address, sort of, noting the white maleness of the RCMP as an institution. We can't actually gloss over that. One of the things—while I unfortunately did not share Bastarache's surprise at the lack of response from the RCMP and the government to his report, I was very heartened to see him explain some of these concepts so plainly, because I think what people miss a lot is that it is systemic. The Mounties were created in 1873 as an exercise in sovereignty. They were created to control Indigenous people, to attempt to subjugate them and put First Nations on reserves and get them out of the way for development. That can't be glossed over. That's integral to the creation of the mountains and at every single stage as they became the RCMP, they held onto that. And, you know, one of the things that I think is really important here to understand is that it's not necessarily about one case or transfers, but it's about the fact that all of those things happen without any oversight. Every single oversight that's been created for the RCMP, you know, is fundamentally toothless. It doesn't actually have the ability to go in and say you have to answer, you have to change. And we see that repeating quite constantly so you know, I find myself less sort of surprised by one-off cases that are very shocking and very hard to hear, but there's so many patterns that they're following there.

So really what I think we need to understand is that you know, the the Supreme Court made it very clear at the end of the 1970s that the only level of government that actually has the ability to hold the RCMP to account is the federal government and the federal government has successively, you know, not done anything to actually change the paramilitary structure—and I think that that word has become almost a buzzword for people because we have so many concerns around para militarism and you know across North America and the rise of paramilitaries, but I think it's important to actually define it. A paramilitary is a force that actually either acts for a government or against the government—it's not a democratic structure, it's very clearly and specifically defined, you know, *as for* or *against*, so the RCMP was created as an exercise in sovereignty and subjugation as a tool for the federal government. And when it was...sort of expanded out into the RCMP in 1920, the whole premise was a police force free from local

influence—freedom from local influence is a direct quote from the Commissioner of the day, arguing for that structure.

So nothing about that structure has changed—every change a government has put forward was sort of nice words and promises of, you know, reconciliation or, you know, “we’re going to do better. We’re going to address this issue.” They all are changes within the structure of the house. Nothing is actually touching the, you know, the forces that way on Mounties making individual decisions. You know, even the way that they are trained is different from the rest of police agencies across the country in that they are all shipped to Regina, where, you know, the process is meant to foster more devotion to the institution itself, than it is actually to the rest of the country.

And, you know, I think if we get into very complicated sort of oversight questions—because it’s not as simple as, why isn’t the government doing something—you have to historically untangle the fact that it’s beneficial for a federal government sometimes to have power over a police agency that operates at a local or provincial level. And we’ve seen that going all the way back to the first contracts for RCMP policing.

So, you know, I think that’s really like my big sort of point there is I think we need to think a lot bigger. And we need to understand—we need to situate the response of politicians and people in power and the commissioner to these types of very important reports, we need to situate them in terms of their past reports. You know, we know we have 40 years of sociological evidence showing that bureaucracies reproduce and paramilitaries specifically, are some of the hardest to change organizations, so we need to know that—we need to know that going in and we need to convey that adequately to people.

**Shivangi Misra:** Thank you so much, Jane.

**Honourable Michel Bastarache:** I’d just like to add something to what was said.

One of the things that scared me when I started this was this recognition that lawsuits would fix things because then you’d get compensation for what was done, and if you sort of pay off the women, and then say, “well, okay, we’re okay now, we can move on” and I was afraid of that, of this attitude that you can buy your way out of a problem like this. And I want to tell you that all of the women that I met, I haven’t met more than one or two that were really interested in the money. They were interested in making sure that this doesn’t happen again—that the women that are there will be protected, especially the newer ones because they are so vulnerable. As you know, they accept women in the police at 18 years old, which I think is nonsense—and without any formal

education, which also is contrary to the needs in a modern society. And every time I raise this with anybody from government or the RCMP, it's always "oh but you don't understand how hard it is to find people to join the RCMP." And I tell them well the reason it's so hard is because the way it's run, and because what we hear of the way you're treating people, well who wants—what young woman wants to go there to be treated that way? And so they've got to prove that that they can manage the organization different.

**Jane Gerster:** There's also some psychological components to this that feed into—I mean, you had mentioned sort of the symbolism of the RCMP, but we're not just talking about a symbol, we're also up against, you know, decades of mythology, you know. There's been some great historical work by historians Keith Walden and Michael Dawson out of New Brunswick, looking at the fact that for most people they don't understand the legalese and the bureaucracy and the opaque words of like, "Oh, this is coming from a local detachment. This is a provincial. This is federal"—you know, nobody can really understand that, but we have this basis of understanding built around decades of fiction and movies coming up through 1900s, through 1950s, all of which focused on Mounties as, basically, becoming an RCMP officer was the path for white English-speaking men to redeem themselves in the wilds of Canada and it almost always features a stereotypical indigenous person as a sidekick.

And so...one of the things that sort of comes up over and over again is that you have to get through that—you have to find a way to cut through that fuzzy warm feeling of, you know, I associate the red surge with the best of Canada. We have to find a way to cut through that, if we are actually going to be able to have a nuanced complex public conversation about the extent of reform that is required for these recurring issues.

**Shivangi Misra:** Absolutely, Jane. I completely agree with you. FAFIA has expressed that even in the National Action Plan on Missing and Murdered Indigenous Women and girls — there is no mention of the RCMP or any transformative change that they mean to bring. It is very deeply disappointing but as you said, it's a system that is upholding the status quo. Actually, something that you spoke about right now, that was going to be my next question to you and I don't know if you want to elaborate on how the RCMP is this Canadian icon, and how that can be a barrier to bringing meaningful change in the RCMP. So, do you want to elaborate on that a little bit more?

**Jane Gerster:** I'm sorry. I was responding to a question there from someone. I got distracted by the questions in the chat—I should minimize that.

**Shivangi Misra:** There's a lot of wonderful comments and definitely have time to attend to those, but you can integrate them into your answers if you wish too, we have some time.

**Jane Gerster:** I'm sorry. I'm so sorry. I got distracted by the chat. Would you mind actually reasking your question?

**Shivangi Misra:** Yeah, no, no problem. So, I was just asking that how it's something that you just spoke about that RCMP is considered as a Canadian symbol and symbolism and the mythology around the RCMP versus the reality. And if you could elaborate on that.

**Jane Gerster:** Yeah. So, I think it impacts the framing of these conversations. I think it makes—if the natural reaction that you reach for in terms of the mythology is that “oh it's this good, well-intentioned, they don't even need guns, they're just walking in and you know majestically stopping conflict,” I think...I've talked a lot with with Keith Walden and Michael Dawson on this, one of the things that comes up over and over again is what that allows. What that allows people to do essentially gives you an excuse to say, “well this is just a one off. This is an aberration. This was a specific set of circumstances.”

And I think we, you know, if we're actually to fully and truly understand that, you know, it's very repetitive, I mean you would ask the original question to me about sort of the lack of actual punishments for people and like how are they being tracked through the systems? And I think it's actually really important to note that RCMP punishment for its own membership has a very long history back to one of the original six Mounties in being designed around its reputation. From the very beginning, the RCMP has been very focused on its reputation, and especially in the 70s like it learned how to capitalize on it so if we are going to see the scope of these problems, as you know, major systemic issues and repeating patterns that need to be addressed, we need to help change how the general public thinks of the RCMP. Because those, you know, the RCMP only actually polices 22% of the country. For the rest of the country, we have local police forces. And so for most of the country, the RCMP is a symbol—it's a very powerful symbol, it's not actually a lived reality and finding a way to have that conversation more productively on a national scale, I think, is, is key to actually embracing a broad set of possible solutions.

**Honourable Michel Bastarache:** I think it's created another thing—the RCMP is seen as being right, they determine what's right. And actually, many women have told me that in their course in Saskatchewan, they have been repeatedly told, you know, there's the right way, the wrong way, and the RCMP way. And that is the one you're going to follow, which means that they don't have tremendous respect for the law. They think they're above the law. And this has proven to be true in many many circumstances.

There have been inquiries about police conduct, not respecting the law itself. And it's because of this attitude that they're paramilitary, and they're there to determine the way things should be—and that is a very dangerous condition. And I think it's created that condition, by the fact that the RCMP is really seen as, you know, the people in authority, they're there to protect you and just follow along, what they say. And of course they take that seriously—means we can do what we want, we can do what we like and there are very few barriers to that. Misconduct by the police in that sense, is also not really being addressed. There's a lot of protection for the people who are not respecting the law.

**Shivangi Misra:** Absolutely. Thank you so much, Justice Bastarache and Jane. I will now call upon Dr. Pam Palmater.

Dr. Pamela Palmater is a Mi'kmaw lawyer, Professor, author and social justice activist from Eel River Bar First Nation in New Brunswick. She's currently a professor and Chair in Indigenous Governance at Ryerson University. Dr Palmater was one of the spokespeople and public educators for the Idle No More movement, and advocates, alongside other movements, focusing on social justice and human rights. She was frequently called on as a legal expert before parliamentary, senate, and United Nation committees dealing with laws and policies impacting indigenous peoples. Welcome Pam.

You're a leading voice on violence against women and your work has focused on police involved racism, sexualized violence against Indigenous women, women and girls, and its contribution to the crisis of murdered and missing women, especially in the rural and northern parts of Canada where the RCMP, as we've learned is, as we know, is responsible for the day-to-day policing. Please elaborate on your concerns with the relationship of the indigenous communities with the RCMP?

**Dr. Pamela Palmater:** Thank you very much for having me, and for being part of this, this panel with the honorable Michel Bastarache and Jane Gerster about the toxic culture within the RCMP. I'm coming to you today from Mississaugas of Scugog territory, and part of my background, you know, in addition to being a lawyer and being involved in indigenous advocacy, I also did, you know, 10 years hard time in the feds—I worked at justice Canada and Indian Affairs and had lots of interactions with the RCMP so I saw from, from the inside, just how problematic they were. But it's really been in my, you know, work with First Nations across the country and research, specifically on, you know, police racism, violence, and sexualized violence against Indigenous women and girls, that really opened my eyes to how widespread it was because even me, you know, it's hard to fight against the mythology of a few bad apples. That's always the

response—the two responses I get is, you know, “there's always a few bad apples” or “Oh well, you don't like the police, don't call them next time you get raped,” as if those are the two options, you know, and they don't understand just what the issue is for Indigenous women and girls.

So, the research that I have done has shown that there's like widespread racism within the police, especially the RCMP, but that's also combined with multiple layers of misogyny, homophobia, sexualized violence, and all of that is supported or shielded to some extent by this thin blue line mentality: ‘Don't say anything, don't report, you know, your fellow officer’ and outright instances of corruption, because the few investigations that the RCMP have done of themselves about internal corruption found hundreds of officers who give false testimony, plant evidence, manipulate the justice system, you name it, and that's just literally the tip of the iceberg. So, think about how those things would work together—you know people aren't going to testify against you; you know if they do, you can just change the evidence. I mean, it's this unaccountable force, so it's long beyond a few bad apples.

They regularly engage—we know this statistically—in racial profiling against black and indigenous peoples, harassment, over-arrests, overcharging, high rates of brutality and excessive use of force against indigenous peoples and sexualized violence against Indigenous women and girls and this is the issue that gets so little attention. This is the one that's often shielded to “well you know this is like the rare instance. Of course, there's going to be one or two bad cops.” But, you know, if you look at all of it together—you know like CBC did the Deadly Force investigation and found that, you know, the RCMP, the rates at which they kill indigenous peoples is more than 36% and the experts say we know it's more than that because RCMP doesn't fully collect race-based data, for example, so we know that the number's likely bigger.

But add to that multiple layers of not just racism, but also sexism and misogyny and this idea that has been perpetuated in society, and especially in the Northwest Mounted Police and RCMP that Indigenous women are exploitable and expendable with a high degree of impunity. I mean literally the very first police force North West Mounted Police was working with Indian agents to use food rations to extort sex from young indigenous girls that were trapped on reserve being told that they weren't allowed to leave the reserve, even though RCMP and North West Mounted Police knew that was against the law. So, from the very beginning of this colonial takeover of Canada and the RCMP being the strong arm of colonization has always involved the sexual exploitation of Indigenous women and girls. Fast forward to 2013 and you actually have the Human Rights Watch report that documented many cases of Indigenous women and girls being

physically abused, sexually abused and assaulted by RCMP officers and not getting any justice. Being threatened. And in fact, you know, some of those women were so terrified of the police and their lived experiences is well they either arrest you, or they rape you—this is how the relationship is with the police.

And what was the response? So, I think it's important to look at the responses by RCMP leadership to critique, to findings, to investigations commissions reports. What was the RCMP response to that Human Rights watch report? They sent an email to all of their officers saying, 'Don't worry about this, I got your back,' as in 'Don't worry boys,' instead of 'oh my goodness, what if we have a problem in the RCMP of RCMP officers actually raping indigenous girls. What if that's a problem? Shouldn't we investigate that?'

And we know the RCMP are being sued by lots of different groups, not just internally, but also externally, being sued for their failures to address murdered and missing women. In BC, they're being sued in a class action for years of racism, brutality, and sexualized violence against Inuit people in the north, including Inuit women.

But none of this is history. I mean, we look at the development and it all makes a lot of sense. Look at the role they had in residential schools in both going out and capturing runaway children and putting them back into those schools, arresting and imprisoning parents who tried to save their children, to failing to act on the abuse in residential schools. Look at their role in the 60's scoop, forced adoptions and the modern foster care crisis. I mean, how often are the RCMP showing up at the door of indigenous peoples with a social worker or at hospitals, apprehending babies, apprehending children? They're directly involved in the over incarceration of indigenous peoples, over incarceration, over-arresting, overcharging. We know, historically, they helped enforce a law that never existed. Indian agents told First Nations people they couldn't leave the reserve. The RCMP enforce it even though the RCMP lawyer said "you know what, there's no law that says we can do this and this is a violation of treaties," and they did it anyway. So, it shows they have their own mind on these things.

I mean, and today. Look at, look at what they're involved in—they stop us from hunting and fishing and trading and gathering, I mean Gustafsen Lake, the RCMP exercise out in Gustafsen Lake in BC is still one of the largest attacks on indigenous peoples and civilians ever. Thousands of rounds of ammo, tanks, explosive devices, helicopters, you name it, because people wanted to continue Sundancing peacefully on their territory, far from a threat to national security.

So, you've got a real collective failure by, you know, successive federal governments and legislators to get a handle on the RCMP and what they were set up originally to do and

what they continue to do. And so, and what are they involved in today? We know every time there's a massive human trafficking sting or child porn sting, oh, there's always some RCMP officers or other police officers in fact, that are caught up in that, who participate in those things, and none of that should have been a surprise when—if they will do this to thousands of their own female members, engaged in, you know, sexual harassment, sexual assault of a multitude that causing significant harms, how could we not possibly think as a society that they wouldn't do that to people who aren't carrying guns, who don't have power as RCMP officers, as indigenous peoples?

And one of the most upsetting things—not surprising but upsetting things—that I read from this report from the Honourable Bastarache, now RCMP officers weren't just doing this to women on the force, but they specifically targeted Indigenous women, knowing that some of them were abused as children, and to take that, that vulnerability and that trauma and to use it for their own exploitation, that shows a real sickness in the RCMP and to know that leaders know about this and don't act on it means everybody's implicated. And that's the thing I think most people have a hard time—the response is “well not everyone does it.” True, but how many know of those in the RCMP who do do it, who witnessed it, who had an opportunity to act and correct it or hold people to account and didn't? And because they didn't, that's how the entire force is implicated in what's going on and we know, despite decades of calls for change and all of these recommendations, they have failed to do so and I agree with all the conclusions in this report that the RCMP do not appear willing or capable of reforming their racist police cultures.

**Honourable Michel Bastarache:** Can I ask you a question?

I was appalled by the fact that the RCMP—I can't remember in what year they started to recruit women, Indigenous women, to create a special force that would work with the Indian communities—that was the most total failure of all, because they didn't give them support and those women were, as you say, assaulted by the people who had hired them to do the job. This, I couldn't comprehend that it could happen, because it seemed to be the reverse of their own plan that was going on. Did you see that?

**Dr. Pamela Palmater:** Yeah, so we saw that in a multitude of contexts. So, not just like individual Indigenous women who didn't want to come forward publicly but say ‘look, I was, I was supposed to be coming in and helping to work with my community. And while I'm trying to protect my community, I'm being sexually assaulted or violated or exploited or abused by the RCMP themselves.’ And then there's the other issue of pairing these women up with white men in these isolated and remote communities, and

they have to share the same—sometimes they're in specific RCMP barracks or whatever, and they have no protection. I mean, you're in the middle of nowhere, you can't even get out in a hot minute if you need to or if there's a crisis, especially if you know there's weather conditions, you know, think of flying around the communities. So then they're literally trapped with the person who sexually assaulted them and who do you call? You can't call anyone, you're literally right there and so they've created situations that are just ripe for exploitation.

**Shivangi Misra:** Thank you so much, Pam, for sharing that. And as you said, there's years and years and decades of evidence even prior to this report and I think all of you have mentioned that many times, that this internal inquiries/independent reports—the National Inquiry on the Murdered and Missing Indigenous women- which very clearly indicated that the RCMP has deep rooted issues, and it cannot be trusted to, it cannot hold itself accountable, it is incapable of doing that, so did the Merlo-Davidson report and the Human Rights Watch report.

So, according to you, what do you think needs to change urgently—like the pervasiveness of the issue and the devastating impacts that is happening on women. In your opinion, what needs to happen?

**Dr. Pamela Palmater:** I mean, I think we need to move beyond important first steps or best efforts or, you know, 'we'll give that a try and you can't expect more than incremental change.' I don't think the RCMP can survive as is. I don't think it can survive as an institution. I think Canada needs to do a fundamental and radical rethink on the function of the RCMP, and if you're going to have national security services that that's a completely separate unit with completely separate training and objectives and it's almost like you have to burn it down and start over, because it's not *our* culture that's the problem. It's not the difficulty of the job—there's lots of people who, you know, like emergency room doctors and others, have very difficult stressful jobs, and they're not on a widespread basis engaged in this kind of activity. And here's, here's a real example of what—why we can't use the recommendations of many of the reports before around cultural awareness training or diversity hires, I mean because they've been doing that for years.

Remember when the RCMP video was released, of those RCMP officers brutalizing one of the Chiefs from Alberta. They had already investigated themselves and found no wrongdoing, it wasn't an excessive use of force. It wasn't until public eyes were on it and said "wait a second, this guy was unarmed. He wasn't threatening, there was no threat to life. Why did you brutalize them that way?" when they were like, "Oh, you know what?

We need to look at it," and it's because the RCMP view of their own culture, and what's good and what isn't is so skewed that they have no capacity to look at themselves internally and hold themselves to account.

I agree with the United Nations Special Rapporteur on the rights of indigenous—or on Violence Against Women and its causes and consequences, who came to Canada, and heard stories about police sexualized violence and brutality and corruption against indigenous peoples and women, and said that there needs to be a complete ban on some of the ways in which they have ins for exploitation, like banning strip searches of Indigenous women by these indigenous men, by zero tolerance of any sexual impropriety, *any* form of excessive use of violence on Indigenous women and girls, and have a completely independent—that means *not* police officers, retired police officers or police consultants or police union members. Take a look at what needs to be stripped down and destroyed and rebuilt and that's going to require a lot of legislative amendments.

Here's where I'm not hopeful. I'm not hopeful because the first thing I looked for in the three main platforms from the Liberals, Conservatives and NDP is, what are you guys doing about the RCMP? Well we know the conservatives are doing zip—in fact, they're hiring *more* RCMP and giving them tons of money to engage in essentially 'protect us against gang crime'. The NDP are going a little bit further, they're talking about things like zero tolerance for violence but they don't really have a coordinated plan on that—they'll review budgets, but nothing else. And the liberals are the weakest of all. They're basically saying, 'well, we'll look at some of their sanctions, we'll review their policies and processes' that hasn't worked to date. We need something radical with independent expert external non-police oversight and development of things going forward like the release of documents, access to information and records. That's got to be a mandatory and to somehow legislate this distance of police unions from being from—from their power. I mean, this is just a general recommendation for Canada but definitely we've got to open the books on the RCMP.

**Shivangi Misra:** Thank you, Pam, I think I'll pose the same question to Jane, and then Justice Bastarache that, given the evidence of the failings of the RCMP and everything that we've spoken about today, in your opinion, if the institution is unable to reform itself, what do you think are the next steps and what is the future of the RCMP?

**Jane Gerster:** Sure. So I would contextualize my comments with, you know, I make them based on the many experts that I've interviewed for the pieces that I do in the book that I wrote, not because I particularly think I am well qualified to suggest one particular

avenue. My focus remains very much, sort of, you know, exposing the images' impact on these conversations as a way to create more space for these conversations to be had in a productive way.

I think that very seriously demilitarization needs to be looked at—that is something that comes up in every single report. You need to fundamentally change the structure of an institution if you expect it to change. You know, I think, if you're looking at sort of what the future is, it's complicated, but I think we also, we also have, you know, a sense of how radical the transformation needs to be based on the extent and the recurring nature of the problem, but also on the fact that the paramilitary that the RCMP was modeled after was demilitarized as an act of reconciliation in Ireland.

There is evidence that, you know, if you are going to seriously address long standing issues of trust and have a proper conversation about this, you have to actually, you know, give up—for lack of a better term at three o'clock on a Friday—you have to give up some of the sort of sacred cows, like you have to be willing...and the reason why I tend to be more pessimistic reporter on this file is because Canadians don't like when you change the RCMP. They lost their minds when the RCMP was allowed to wear turbans instead of the Stetson. ...In the height of the dirty tricks era, all these negative like headlines were coming out exposing abuses of power and like problematic relationships between politicians and senior ranking Mounties, and the requests did not stop coming in for RCMP officers to show up as like, you know, as arm candy at Canadian events abroad, like it was just this total disconnect. So, I think, I think what actually needs to happen is we need to come to the table and we need to be ready to seriously discuss major changes to the RCMP because some of what has been suggested which has already been brought up today is not only the paramilitarization, it is the the complete lack of oversight, it is the fact that most of the RCMP's changes on these files in the last decade have been critiqued by their own, you know, their own sort of watchdogs who have said, not only are these not enough but they're in some cases making things worse because they're only further confusing people and leaving people feeling powerless, whether that's members of the public who have experienced wrongdoing or whether it's Mounties themselves.

And we also need to look at, you know, as Bastarache mentioned at the beginning, whether or not we need to chop up the RCMP. There is no other democratic police force in the world that polices at that many levels. There's a huge power concern there especially when paired with the lack of accountability and the fact that you know I'm not going to pretend it's easy for the federal government to deal with some of these issues, because, you know, at times, the RCMP's beneficial to them; at other times it's you

know, a political scandal waiting to happen if they get too involved with...—so it's a very complicated dynamic which is why I think to start, we need to all sort of say, "Okay, I'm going to put the symbolism into a box and I'm going to look at the evidence. I'm going to follow the facts and we are going to have a hard but necessary conversation."

**Shivangi Misra:** Thank you, Jane. I'll call upon the Honourable Michel Bastarache to address that question.

**Honourable Michel Bastarache:** I think one of the big failures has been in believing that you can just train the people—you know, better policies, more training. I think that the officers that are abusing women know it's wrong. I don't think they need a course to determine that that conduct is abusive and illegal. So, to me it's, it's really a question of management and organization. And I think also their recruiting policies are wrong. When they recruit, trying to transform the force by recruiting new people, they should be looking at their morals, at their values, a lot more than at their physical abilities and I don't think they really understand what they should be looking for. And this is why, you know, people say, "Well, we need experts from outside to come and guide them." Well, there is some truth to that but, in a sense, you pretty well have to know policing in the organization to know what might work and what might not.

And this is why I thought it was so valuable for me to do all these interviews, because I could tell the women, "Okay, everybody is saying that the sanctions committees should be independent of the RCMP, and then you would have more confidence in presenting your grievance" and they all told me "no we wouldn't" because the problem is not only there [*technological issues, audio unclear*] who's going to address the retaliation, who are you going to go to? And this just shows how everything is interwoven, and that you need to talk to the people that are involved, that are suffering the consequences of this culture to tell you, this will work or this will not based on our own experience of how things function.

So, there has to be, according to me, separate organizations for these separate four functions; different recruiting, different training, different management, and then some kind of coordination at the top. But to say it's only one police force doing all these things with everybody with the same basic training, well, I think that has proven to be impossible as, as a solution for present day problems.

**Shivangi Misra:** Thank you. Thank you for those valuable suggestions everyone. We will take some questions from the audience. We have one and I think we've received this over the email and also. There are a couple of questions asking, What does completely

scrapping the RCMP look like? Like, if you're going to change it completely, if not RCMP, then who? ... Pam, do you want to take that question?

**Dr. Pamela Palmater:** Well I think it's a good question and people ask it with different intentions in mind. So there's the all or nothing folks right so 'oh well if you don't like the RCMP, well, don't you don't have anyone to call when someone rapes you' and it's like, the RCMP have never in the history of humanity stopped anyone from raping women. In fact they're engaged in it, you know, and from an indigenous women's perspective, your rates of being, you know, attacked go up, if you have interactions with the police. We all know to kind of stay away from the police.

So it's a matter of, you know, what is it that we need? I think the better question is what is it that we need, you know, do we need national security services that aren't being provided by CSIS or the military for example? If so, let's figure out what that chunk would look like.

But the RCMP itself just can't continue. There's no fixing it. It would fight tooth and nail—it would, there's just no fixing the RCMP. So yes, I think the RCMP should be dismantled.

Do I think we need all of these other services? Yeah, to some extent we need some of those services. Does everything that the RCMP do, is that needed to be performed by the RCMP? Like, do we need RCMP stations in schools on reserve, you know to be attending powwows on reserve, to be in these remote detachments constantly surveying these remote First Nation communities? I don't think so. I think that's where we're, you know, you could empower First Nations and communities and others to be self determining and have their own community safety, their own community protection and emergency services. You don't need the RCMP and you certainly don't need them to act as a military. We have a military. If you need tanks and helicopters and land mines in this country—and I would argue, there's never been a situation that shows that we need that—you've got the military for that. So there's, there's so much that the RCMP should stop doing that they, there's just not enough for them to exist as an organization, and certainly they present a public health risk now, they're a national security issue in and of themselves, because we haven't even talked about the infiltration of these white supremacist groups and incel groups and KKK groups and all these others within the police, within the RCMP. I mean that's another emerging issue that they are also not addressing internally that presents a public safety risk.

So I think the risks are too great to the public and to the women within the RCMP for it to continue to exist. I think we need to envision something else like along the lines of what the Honourable Michel Bastarache was talking about.

**Shivangi Misra:** Thank you, Pam. We also have a question from someone from harmony house that: In 2015, there was a survey of RCMP officers. 40% of officers who took that survey admitted to committing acts of domestic violence against their partners, and you think that that statistic has changed or how can we trust a group of people, is it possible for an RCMP officer to actually lose their job if they commit an act of violence?

Jane, do you want to address that question, and you've spoken a lot about the institutional vacuum that the RCMP has and is it possible for an RCMP officer to lose their job on committing acts of violence?

**Jane Gerster:** Absolutely, it's possible. Does it happen? Not really.

I think that's where you have to, that's where you get that reminder that it is a systemic issue because you go back and you have to say 'okay, you know, if they know, if they have serious accusations, serious allegations, if these are conversations that are being had or complaints are being made, what's the disconnect? You know, what's not quite working?' And I think this is where you have to look at one of the RCMP watchdog function so the CRCC—the Civilian Review Complaints Commission—and they have put out many reports sort of looking at the changes so you know I think some, some criminologists would make the argument that there was a window for reform, sort of post-2007 up to 2014 and then it just petered out.

And one of the things they brought in were changes in 2014 that were ostensibly meant to make their paramilitary system less punitive, less criminal base—like you know, it was meant to become more functional and and more court sort of understanding of context, and the reviews of those changes say they've been an abysmal failure—that, if anything, they've left members with the impression that they are more likely to be targeted. And I mean this is something like—I have a story and I said it to one person in the comments from their question, coming out in The Walrus magazine next month that specifically looks at the case for RCMP reform, and the fact that, you know, the systems that are meant to be holding them to account, are being misused.

They're...targeting you know in one case I wrote about an officer who was specifically targeted. So he had made great strides in sort of improving a local Alberta detachment, you know, glowing performance reviews. People said 'look at how much you've changed'. He was, you know, he's an RCMP Officer of colour, he's done all this amazing

stuff, like his performance review is like 100 pages and it's glowing, like... he makes me feel good about the changes happening. He explains the rationale for why we're doing what we're doing, like all of this work. And he quit at the end of July, because they targeted him, took him before, you know, one of their tribunals, and in the end he was cleared and the tribunal said, honesty, which is a core value of the RCMP would have resolved this entire affair. This didn't need to happen

This multi year process where taxpayers paid for members who are being harassed by their own employers to be on off duty sick and I mean that's one of the story—I did a big story of, you know, in May looking at Constable Justin Harris, who was involved with Judge David Ramsey, sexually abused predominantly, you know, underage girls in Prince George BC and Justin Harris has been on off duty sick for 17 years this month. 17 years he has been paid. And it's not because, depending on who you ask, the reason why will vary but it all comes back to sort of the same thing which is the systems that they are relying on are so delayed, that we are paying all this money for you know people to go through these mental health crises while they wait to have their cases dealt with. And in the end, they're not even satisfactorily dealt with for most people and so you're burning trust in the process and we don't have that much trust to begin with.

So, you know, trust as we know is integral to policing to do your job well you have to do with policing so I think we need to look at how toothless a lot of the oversight is and as a starting point demand that the government actually empower these oversight agencies to hold the RCMP to account.

**Shivangi Misra:** Thank you. In the interest of time, we have one last question: how can a regular person help hold the federal government accountable for getting rid or radically reforming the RCMP? There are many questions like this, asking the government is not interested, have you spoken to the executives of the RCMP and how can we—how can the people help or support and bring the change in the country? I would open that to all the panelists if anyone wants to take that on.

**Honourable Michel Bastarache:** Well, if we believe that the RCMP is not going to fix itself, it means that the government has to force it to change. And basically I think ordinary Canadians and especially all those that are involved in the administration of justice should really put pressure on the Prime Minister, the Minister of Justice and other ministers to force them to, to look at the issue seriously and to find a way of addressing the issue, because right now they're just saying, 'well, it'll pass.' You know 'we're doing what we can' sort of thing. And we all know that that isn't going to produce the kind of change that is required.

**Jane Gerster:** I would, I would just actually add to that to say I think if you look to Portapique, you see an example of how very much and my own hypothesis on this will be again the symbolism coming up again—I know I'm a small broken record here—but you can see very clearly that the government tried to avoid an extensive Commission of Inquiry into the RCMP handling of the murders in Portapique. And you can see very clearly that the pushback from the community where they said 'this is not okay, we demand oversight, we demand accountability,' that's what it takes and it's very hard to turn it into an election issue.

**Dr. Pamela Palmater:** I would agree with what everyone is saying and I think it's important to remember that when we were doing a national inquiry into murdered and missing Indigenous women and girls, what were the two things that were completely off the table? A real forensic review of the questionable failures to investigate murdered and missing Indigenous women by police forces across the country, and complaints against the RCMP. You know, if you have a complaint against the RCMP or police, you had to go back to those organizations—the same organizations that committed the crime or didn't investigate it to begin with.

So, Canada hasn't shown, you know, at least at this like government wide level that it's willing to actually look at this issue and confront it and think about for the federal government how intricate—inherently tied they are together. I mean, who does the protection on parliament and, and all of these other things, right? You know you talk about national security but, you know, they're really disconnected from what's happening because, you know, Canadians stood by and watch the RCMP stand by while non-native fishermen burned buildings and tore down fishing boats and assaulted native people while they were peacefully fishing. And you had for the first time, the Minister of Indigenous Affairs, Mark Miller, sitting beside the minister responsible for the RCMP, Bill Blair, saying the RCMP failed in their duties here to protect indigenous peoples and Bill Blair saying 'no, we didn't.' You know, so you've even got that disconnect.

But I would add that if Canada doesn't act, not only is the RCMP going to continue to be brought into disrepute—because we know this isn't changing just because we're doing this little special here—but it starts to make Canadians think that the government isn't there for them, that if they can't address this massive public safety crisis, this national security issue, then they're going to start having doubts about the government. And we know already that the United Nations Special Rapporteur on violence against women has told Canada, you have a problem in the RCMP, you need to investigate sexualized violence against Indigenous women and girls in the RCMP and take action on that.

Canada hasn't done that. The United Nations Committee for the Elimination of Racial Discrimination issued a letter to Canada saying, 'remove the RCMP and all of its weapons from indigenous territory and Wet'suwet'en territory.'

So that, I mean the whole world was looking at Canada saying you've got a problem with your RCMP, and you're not dealing with it. So I think it's incumbent on Canadians to not let this go, including the media, and any organization that works on women's rights, human rights, indigenous rights, whatever it is, needs to not let this go. We need to hammer on this until they are forced to address it.

**Shivangi Misra:** Thank you, Pam. Apologies to everyone who's attending. I know we've gone over time. There's so much to unpack and such amazing contributions.

And we will, we will soon be releasing--FAFIA will soon be releasing a thematic paper on the culture of the RCMP informed by this discussion.