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**CIVILIAN REVIEW AND COMPLAINTS COMMISSION  
FOR THE ROYAL CANADIAN MOUNTED POLICE**

**COMMISSION'S FINAL REPORT AFTER COMMISSIONER'S RESPONSE**

*Royal Canadian Mounted Police Act*  
**Subsection 45.76(3)**

Complainant

British Columbia Civil Liberties  
Association

File No.: PC-2013-0358

## COMMISSION'S FINAL REPORT AFTER COMMISSIONER'S RESPONSE

### The Chairperson-Initiated Complaint and Public Interest Investigation

[1] On February 6, 2013, the British Columbia Civil Liberties Association ("BCCLA") filed a complaint with the Commission for Public Complaints Against the Royal Canadian Mounted Police (now the Civilian Review and Complaints Commission for the Royal Canadian Mounted Police,<sup>1</sup> hereinafter "the Commission"), concerning the events that led up to the shooting death of Gregory Matters. Those allegations related to the deployment and conduct of RCMP Emergency Response Team (ERT) members in the hours leading up to the shooting and included member conduct relating to the arrest, detention and treatment of Mr. Matters' mother, Lorraine Matters.

[2] On May 1, 2013, the Commission sent a letter to the Minister of Public Safety Canada and the RCMP Commissioner notifying them that it would conduct a public interest investigation into the BCCLA's complaint, pursuant to the authority granted to it under subsection 45.66(1) of the *Royal Canadian Mounted Police Act* ("the RCMP Act"). The Commission's public interest investigation concluded in April 2014.

### The Commission's Review and Interim Report

[3] The Commission provided its Interim Report regarding this matter to the RCMP Commissioner and the Minister of Public Safety Canada on October 13, 2015 (**Schedule 1**). While the Commission made no recommendations in this case, its Interim Report included 13 findings, which are detailed below in the section titled "The Commission's Findings."

### The Commissioner's Response

[4] Pursuant to subsection 45.76(2) of the RCMP Act, the RCMP Commissioner is required to provide a written response indicating any further action that has been or will be taken in light of the findings and recommendations contained in the Commission's Interim Report. The RCMP Act does not stipulate a timeframe within which such response must be provided.

[5] On January 3, 2017, the Commission received the Commissioner's Response, dated December 22, 2016 (**Schedule 2**). The Commissioner agreed with all the Commission's findings.

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<sup>1</sup> As a result of the coming into force of the *Enhancing Royal Canadian Mounted Police Accountability Act* on November 28, 2014, the Commission for Public Complaints Against the Royal Canadian Mounted Police was replaced with the Civilian Review and Complaints Commission for the Royal Canadian Mounted Police.

## The Commission's Findings

[6] In light of the foregoing, the Commission reiterates its findings.

### Findings

**FINDING: Corporal Warwick had reasonable grounds to arrest Ms. Matters for obstructing and assaulting a peace officer.**

**FINDING: Corporal Warwick did not point his firearm at Ms. Matters and did not press it to her chin.**

**FINDING: The force used to effect the arrest of Ms. Matters was reasonable in the circumstances.**

**FINDING: Ms. Matters' continued detainment following her initial arrest pending the apprehension of Mr. Matters on the family property was reasonable in the circumstances.**

**FINDING: Ms. Matters' detainment following the death of her son was unnecessarily prolonged due to a misunderstanding on the part of the RCMP with respect to the next-of-kin notification, which resulted in its delay.**

**FINDING: Corporal Warwick did not make Ms. Matters position herself in a way that he knew would cause her pain and injury.**

**FINDING: There is no credible information to support the allegation that an unidentified RCMP member accused Ms. Matters of lying and refused to listen to her.**

**FINDING: RCMP members did not prevent Ms. Matters from contacting legal counsel and reasonably restricted any requests made by her to call Mr. Matters directly.**

#### **FINDINGS:**

- 1. No strip search was conducted on Ms. Matters by RCMP members following her arrest on September 10, 2012.**
- 2. The search conducted by Constable Reis was minimally invasive and reasonable in the circumstances.**

**FINDING: Members removed the handcuffs from Ms. Matters within a reasonable period of time following their arrival at the RCMP detachment.**

**FINDING: RCMP members did not ignore Ms. Matters' pleas to contact the doctor treating her son, but rather made significant efforts to contact him and were ultimately successful in reaching him.**

**FINDING: Corporal Garcia did not make an unwarranted comment to Ms. Matters that her son was "out of it" and would not recognize her.**

[7] Pursuant to subsection 45.76(3) of the RCMP Act, the Commission respectfully submits its Final Report and, accordingly, the Commission's mandate in this matter is ended.



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Guy Bujold  
Interim Vice-chairperson and  
Acting Chairperson