

ORAL QUESTION—JULIE GREEN, MLA YELLOWKNIFE CENTRE

**QUESTION 764-18(2)—767-18(2)
POLICING PRACTICES IN RESPONSE TO SEXUAL ASSAULT ALLEGATIONS**

May 26, 2017

MS. GREEN: Mahsi, Mr. Speaker. Mr. Speaker, yesterday, the Minister provided a response to my written questions on the number of cases that were found to be unfounded of sexual assault. He indicated that a reclassification had reduced the number to 18.7.

My question, first of all, is whether the Minister is going to direct the RCMP to reinvestigate or follow up with those cases? Thank you.

MR. SPEAKER: Masi. Minister of Justice.

HON. LOUIS SEBERT: No, I can't direct the RCMP to do that. I do know that the RCMP are treating this matter very seriously. I understand that they looked at these old files, and I think that was the satisfactory and correct response from the RCMP.

MS. GREEN: Mr. Speaker, what I'm asking is whether, in addition to establishing that there were classification errors, the RCMP, in their new number of unfounded cases, are going to re-investigate, review, follow up to determine whether in fact those cases were unfounded.

HON. LOUIS SEBERT: As I mentioned earlier in this House, I was informed by the RCMP that they did do an investigation of those past cases. I'm not sure of the extent of that investigation as to whether they examined the evidence. I do know that they did look at those files that were identified as unfounded in that six-year period. I'm not certain as to the exact nature of that investigation.

MS. GREEN: Mr. Speaker, could the Minister commit to getting that information for us about exactly what kind of an investigation took place into those old files, including whether the evidence was re-examined?

HON. LOUIS SEBERT: The RCMP, Mr. Speaker, are, of course, independent of the Department of Justice. I will ask for an expansion of the information that I have been given so that I can supply that to the Members of this House.

MR. SPEAKER: Masi. Oral questions. Member for Yellowknife Centre.

MS. GREEN: Mahsi, Mr. Speaker. Mr. Speaker, the Minister reported yesterday in his long response that, of those cases that were re-examined, 42 per cent were found to be third-party complaints and were unacceptable. What about the other 58 per cent? What was the reason that they were dismissed? Thank you.

MR. SPEAKER: Masi. Minister of Justice.

HON. LOUIS SEBERT: Yes, Mr. Speaker, the information provided me by the RCMP

indicated that 42 were third-party which were not proceeded with. I imagine the others were proceeded with because there was perhaps insufficient evidence or, possibly, the complaint was actually unfounded. Thank you.

**QUESTION 767-18(2):
SEXUAL ASSAULT CLASSIFIED BY RCMP AS UNFOUNDED**

MS. GREEN: Mr. Speaker, I would just like to get to a couple more of my questions on the unfounded cases with the Minister of Justice. My question about the review of the unfounded cases is whether there was any additional communication between the RCMP and the complainants who talked about the review and about any of the results that might be relevant to the individuals. Mahsi.

MR. SPEAKER: Masi. Minister of Justice.

HON. LOUIS SEBERT: From the information that has been provided to me, Mr. Speaker, I am not certain as to whether that was done. I can ask the RCMP to respond.

MS. GREEN: Mr. Speaker, I appreciate that commitment from the Minister. We don't have the opportunity to question the RCMP ourselves, of course, and so we are appreciative of his efforts to do that on our behalf. I am wondering, after the Minister read the response to the unfounded cases, what he thinks may need to change in terms of best practices in dealing with these sexual assault complaints.

HON. LOUIS SEBERT: As I mentioned in my response to this issue yesterday, when I read in the return to the written question, there are many things that the RCMP are doing. Clearly, enhanced training is part of it. There were quite a number of things that were identified in the curriculum for sexual assault investigation, and it appears that the police are, of course, treating this very seriously, as they should. It appears that, to me at least, the training is exactly what is required to sensitize the RCMP further on this issue.

MS. GREEN: Thank you to the Minister for that information. The training was very helpful. Now that the Minister has seen the results of this survey, has he given any more thought to the idea of advocating for the Philadelphia model, where there is a civilian member of an unfounded oversight committee? Does he think that is a good idea?

HON. LOUIS SEBERT: I have, of course, heard of the Philadelphia model, which was developed some time ago so that it would be more civilian oversight. I think that kind of decision would have to be made by the RCMP, not just in this jurisdiction, but throughout Canada. I am not certain whether such a major change is being contemplated. If they did decide to follow that model, which has been used in the United States -- hence the name "Philadelphia" -- and some jurisdictions, I think, in Canada, that decision would have to be made at the national level by the RCMP. Thank you.

MR. SPEAKER: Masi. Oral questions. Member for Yellowknife Centre.

MS. GREEN: Mahsi, Mr. Speaker. My final question is whether the Minister will

advocate at the FPT table for the RCMP to adopt this civilian oversight at the national level so it can be implemented everywhere that they serve. Thank you.

MR. SPEAKER: Masi. Minister of Justice.

HON. LOUIS SEBERT: Mr. Speaker, I think before I did that, I would have to receive more information as to the Philadelphia model. I will undertake to do some personal research into that area and also determine which other police forces in Canada are using that model and attempt to determine how well that is working. So I am prepared to investigate it. Whether I bring it forth at an FPT, I am not prepared to make that decision at this time until I have looked further into the matter. Thank you.