

Commission d'examen des plaintes concernant la police militaire du Canada

Chairperson

270 Albert Street, 10<sup>th</sup> Floor Ottawa, Ontario K1P 5G8 Présidente

270, rue Albert, 10° étage Ottawa (Ontario) K1P 5G8

July 18, 2025

# Decision to Conduct a Public Interest Hearing MPCC 2024-051

#### Overview

- 1. I have decided to hold a public interest hearing to address this complaint.
- 2. On November 21, 2024, Mr. Goulet, the complainant, filed a conduct complaint with the Military Police Complaints Commission (MPCC). This complaint concerns the conduct of unidentified members of the military police who participated in an active shooter exercise on a Canadian Forces (CF) base in November 2024. During the exercise, a civilian employee, who was not participating in the exercise, was allegedly violently detained and searched by members of the military police. The complainant, a union representative for the employee, filed the complaint on his behalf.
- 3. Given the seriousness of the allegations, the potential systemic issues involved and the public interest, a public interest hearing is warranted.

## **Background**

- 4. The complaint concerns an incident that allegedly occurred on November 12, 2024, during an active shooter exercise on a Canadian Forces base. The exercise involved both members of the military police and police officers from the local civilian police service.
- 5. On the morning of the exercise, the employee was finishing a painting job. According to the complaint, three or four military police members pointed their weapons at the employee as he exited the paint room. The employee had been informed of the exercise but was unaware of its timing and was not participating in it. One of the military police members allegedly instructed him to raise his arms, then ordered him to lie down on the ground and dragged him, pulling on his painter's coverall and sweater. The force used by the military police member reportedly tore his clothes. The same miliary police member reportedly ordered him to lie on his stomach, then on his back, and searched his pockets, removing his wallet and some personal papers, which he threw on the floor. The military police member reportedly questioned him about whether he was



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Téléphone : 613-947-5625 Sans frais : 1-800-632-0566 www.cppm-mpcc.gc.ca aware of the exercise and what he was doing on the base. The military police member also ordered the employee to remove his boots.

- 6. The complainant reports that the employee described the incident as unfolding so quickly that he began to believe that this was not merely an exercise but a serious incident on the base, and that he was the prime suspect. The military police member reportedly used "very aggressive" language towards him, even though he never attempted to resist the search or detention. Before ordering him to leave the area, this same military police member reportedly contacted other police officers outside, telling them that a "black employee" was leaving, that he posed no danger, and had just been searched. The employee claims he spent the remainder of the exercise outside, in temperatures around 1 °C, wearing only his painter's coverall and sweater, which had been torn by the military police member.
- 7. On November 21, 2024, the complainant, acting as the employee's union representative, filed a complaint with the MPCC on the employee's behalf. The employee says that he was shocked by the humiliation and mistreatment and, to this day, feels like crying when he thinks about the incident. He is ashamed to speak about it with his family and friends. The incident has had a negative impact on him. He belongs to a vulnerabilized group and was re-traumatized by the incident. The employee stresses that he never imagined that he would experience such a situation in a National Defence establishment and that the military police member's actions reminded him of certain barbaric acts he experienced in Rwanda in 1994.
- 8. Finally, the complainant states that the employee had to take leave from work following the incident, and he remained off work for two months. The complainant also points out that another employee impacted by these events is still off work.

Request for Information from CFPM and Preliminary Decision on MPCC Jurisdiction

- 9. On November 27, 2024, I sent a letter to the then Canadian Forces Provost Marshal (CFPM) advising him of the complaint and requesting additional information regarding the exercise and the alleged incident. I explained that the MPCC was assessing its jurisdiction and considering the possibility of launching a public interest investigation into the matter, which involved serious allegations against the military police.
- 10. On November 29, 2024, the CFPM responded by requesting that the complaint be transferred to him.
- 11. On December 3, 2024, I reiterated my request for information, stressing once again that the MPCC was assessing its jurisdiction. I also asked the CFPM to respond to the request for information made on November 27, 2024, or to provide reasons for refusing to do so, no later than December 16, 2024.

- 12. On December 6, 2024, the CFPM again requested a copy of the complaint and refused to release the information requested by the MPCC.
- 13. On December 24, 2024, based on the information available, I issued a preliminary decision on the MPCC's jurisdiction, in which I concluded that the MPCC does have jurisdiction to review this complaint. The reasons for this conclusion are outlined later in this decision.
- 14. Following this preliminary determination of jurisdiction, the complaint was transferred to the CFPM pursuant to subsection 250.26(1) of the *National Defence Act* (NDA).

#### Handling of the Complaint by the CFPM

- 15. On January 30, 2025, the Deputy Canadian Forces Provost Marshal issued his final decision on this complaint, stating that he had determined that the complaint does not involve conduct covered by Part IV of the NDA. Specifically, he states that "training" is excluded from the definition of policing duties or functions set out by the *Complaints About the Conduct of Members of the Military Police Regulations*<sup>1</sup> without, however, giving reasons for his decision, as required by *Vavilov*.<sup>2</sup>
- 16. The Deputy Canadian Forces Provost Marshal indicates in his letter that the Professional Standards office has launched an investigation under the *Military Police Professional Code of Conduct*, an internal military police process, and that the complainant will be kept informed.
- 17. In the *Vavilov* decision, the Supreme Court of Canada found that:

Reasons explain how and why a decision was made. They help to show affected parties that their arguments have been considered and demonstrate that the decision was made in a fair and lawful manner. Reasons shield against arbitrariness as well as the perception of arbitrariness in the exercise of public power.<sup>3</sup>

18. However, in his decision, the Deputy Canadian Forces Provost Marshal does not explain his reasoning for concluding that the exercise in question relates to training. He does not base his decision on the specific facts of the complaint, nor does he address the points raised in my December 24, 2024, jurisdictional decision as required by law. In my opinion, the Deputy Canadian Forces Provost Marshal failed to provide adequate justification for his decision.

<sup>&</sup>lt;sup>1</sup>Section 2 of the Complaints About the Conduct of Members of the Military Police Regulations.

<sup>&</sup>lt;sup>2</sup>Canada (Minister of Citizenship and Immigration) v. Vavilov, 2019 SCC 65 [2019] 4 SCR 653, at para 79.

<sup>&</sup>lt;sup>3</sup>Canada (Minister of Citizenship and Immigration) v. Vavilov, 2019 SCC 65, at para 79, [2019] 4 SCR 653 citing Congrégation des témoins de Jéhovah de St-Jérôme-Lafontaine v. Lafontaine (Village), 2004 SCC 48, [2004] 2 S.C.R. 650, at para 12–13.

## Request for Review by the MPCC

- 19. On February 24, 2025, dissatisfied with the CFPM's handling of the complaint and the decision to limit the matter to an internal military police investigation, the complainant requested that the MPCC review his complaint under Part IV of the NDA.<sup>4</sup> This section allows a complainant to refer their complaint to the MPCC for review if they are dissatisfied with the CFPM's decision. On March 5, 2025, the MPCC sent a notice of review and a request for disclosure to the CFPM.
- 20. In response to the notice of review, the new CFPM, who took office on December 10, 2024, sent a letter to the MPCC on May 9, 2025, stating that there could be no review under Part IV of the NDA, since the complaint did not involve conduct that could be the subject of a conduct complaint under Part IV of the NDA. In her letter, the CFPM reiterated her position that there is no ambiguity that training is excluded from policing duties or functions and advised me that no information will be provided to the MPCC regarding this complaint. Once again, this conclusion is not supported by reasons.
- 21. I cannot agree with the CFPM's conclusion, and I wish to revisit certain aspects of the MPCC's jurisdiction. I believe that the reference to "training" is not without ambiguity and that it is necessary to examine its meaning within the context of the *Complaints About the Conduct of Members of the Military Police Regulations*.
- 22. If the facts reported by the complainant are accurate, I consider that the exercise in question does not constitute "training" within the meaning of subsection 2(2) of the *Complaints About the Conduct of Members of the Military Police Regulations*. Furthermore, even if one accepts that a military exercise may constitute training, the conduct alleged, namely a violent detention and search, does not relate to "training." It is relevant to assess the conduct from the employee's perspective: the employee was detained within the meaning of Section 9 of the *Charter of Rights and Freedoms* (Charter), regardless of whether the incident occurred during training or not. Therefore, the complaint falls within the MPCC's jurisdiction. In taking this position on the MPCC's jurisdiction, I make no determination on the merits of the complaint.

## Additional Considerations Regarding MPCC Jurisdiction

#### *Interpretation*

23. The Courts have recognized that legislative provisions are to be interpreted according to the "modern principle" of statutory interpretation. According to this principle, "the words of a statute must be read in their entire context and in their grammatical and ordinary sense harmoniously with

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<sup>&</sup>lt;sup>4</sup>Subsection 250.31(1).

the scheme of the Act, the object of the Act, and the intention of Parliament." In other words, the interpretation of a legislative provision must be consistent with its text, context and purpose.

# Wording of Relevant Provisions

- 24. Subsection 250.18(1) of the NDA provides that any person may file a complaint concerning the conduct of a member of the military police in the performance of any of their policing duties or functions. The subsection states that the meaning of "policing duties or functions" is determined by regulations made by the Governor in Council:
  - **250.18** (1) Any person, including any officer or non-commissioned member, may make a complaint under this Division about the conduct of a member of the military police in the performance of any of the policing duties or functions that are prescribed for the purposes of this section in regulations made by the Governor in Council.
- 25. Section 2 of the Complaints About the Conduct of Members of the Military Police Regulations defines "policing duties and functions" as follows:
  - 2 (1) For the purpose of subsection 250.18(1) of the Act, any of the following, if performed by a member of the military police, are policing duties or functions:
  - a) the conduct of an investigation;
  - b) the rendering of assistance to the public;
  - c) the execution of a warrant or another judicial process;
  - d) the handling of evidence;
  - e) the laying of a charge;
  - f) attendance at a judicial proceeding;
  - g) the enforcement of laws;
  - h) responding to a complaint; and
  - i) the arrest or custody of a person.
  - (2) For greater certainty, a duty or function performed by a member of the military police that relates to administration, training, or military operations that result from established military custom or practice, is not a policing duty or function.
- 26. Section 2 recognizes the dual role played by military police members within the CF: their role as police officers, which requires independence from the chain of command and increased accountability; and their role as soldiers, which subjects them to the general authority and established practices of the CF. Subsection 2(1) of the *Complaints About the Conduct of Members*

<sup>5</sup> Canada (Minister of Citizenship and Immigration) v. Vavilov, 2019 SCC 65, [2019] 4 SCR 653 at para. <u>117–120</u>, citing Rizzo & Rizzo Shoes Ltd. (Re), 1998 CanLII 837 (SCC), [1998] 1 S.C.R. 27 at para. 21.

of the Military Police Regulations lists the activities that constitute policing duties or functions for the purpose of subsection 250.18(1) of the NDA. Subsection 2(2) states that some functions performed by a member of the military police in their role as a soldier are not covered by subsection 2(1).

27. According to the description of events, military police members detained and searched the employee. Under paragraph 2(1)(i) of the *Complaints About the Conduct of Members of the Military Police Regulations*, "the arrest or custody of a person" is indeed a policing duty or function. It remains to be examined whether the fact that this policing duty or function was performed in the context of an exercise changes this determination.

## Legislative Context

- 28. The MPCC was established following the recommendations from the *Commission of Inquiry into the Deployment of Canadian Forces to Somalia* as a corrective measure in response to CF personnel misconduct in Somalia. The *Special Advisory Group on Military Justice and Military Police Investigations Services* also examined the work of the military police. One of the points of discussion was the dual role of military police members as both soldiers and police officers. To this day, the military police remain a police service within the CF, while also participating in military operations alongside regular troops. However, it became clear that the performance of policing duties or functions should be independent of the military chain of command.
- 29. The MPCC was created as part of the NDA reform to enable greater transparency and accountability of the military police and the chain of command with respect to military police investigations.<sup>8</sup> Its mission is to "promote and ensure the highest standards of conduct by the military police, to deter interference in military police investigations and to enhance public confidence in military policing."
- 30. The context of the relevant provisions is important for understanding the intent of Parliament. Since Parliament delegated the authority to define "policing duties or functions" to the Governor in Council, it is necessary to examine the principles that guide regulatory interpretation.

<sup>6</sup> Commission of Inquiry into the Deployment of Canadian Forces to Somalia (1997). <u>Dishonoured legacy: the lessons of the Somalia Affair: report of the Commission of Inquiry into the Deployment of Canadian Forces to Somalia: CP32-65/1997E-PDF - Government of Canada Publications - Canada.ca</u>

<sup>&</sup>lt;sup>7</sup> Special Advisory Group on Military Justice and Military Police Investigation Services. (14 March 1997). *Report of the Special Advisory Group on Military Justice and Military Police Investigations Services*.

<sup>&</sup>lt;sup>8</sup> Department of National Defence (June 1998). An Act to Amend the National Defence Act - Bill C-25: Clause by Clause Analysis. p.71.

<sup>&</sup>lt;sup>9</sup> Military Police Complaints Commission (2024). *Mission, Vision, Values and Mandate*. <a href="https://www.mpcc-cppm.gc.ca/the-commission-la-commission-statement-enonce-de-mission-eng.html">https://www.mpcc-cppm.gc.ca/the-commission-statement-enonce-de-mission-eng.html</a>

31. When dealing with delegated legislation, the text is dependent on the enabling legislation, it's language and purpose. Regulations are normally created to supplement and implement the statutory scheme, which constitutes the context in which regulations are to be read.

# Purpose of Provisions

- 32. The purpose of Part IV of the NDA, namely to ensure oversight of the military police, is achieved through the independent civilian review of complaints, outside of the chain of command. The purpose of section 2 of the *Complaints About the Conduct of Members of the Military Police Regulations*, together with the provisions of Part IV of the NDA, is to establish the MPCC's jurisdiction over complaints concerning the conduct of members of the military police in their capacity as police officers (rather than as general members of the CF).
- 33. The purpose of subsection 2(2) of the *Complaints About the Conduct of Members of the Military Police Regulations* is to clarify or reaffirm what is already established in subsection 2(1) to eliminate any possible ambiguity. In other words, even without subsection 2(2), military police training would not be considered a policing duty or function. For example, a military police member performing first aid manoeuvres on another participant during a first aid training session would not be considered rendering assistance to the public. The same reasoning applies to the simulation of an arrest, detention or search during training at the Canadian Forces Military Police Academy these are not actual arrests, detentions or searches.
- 34. Similarly, the conduct of an investigation set out in paragraph 2(1)(a) may involve elements that relate to administration (subsection 2(2)). For instance, actions taken to document the steps of an investigation. However, this does not mean that such administrative acts in an investigation are not policing duties or functions. Thus, when reading both these two subsections of the *Complaints About the Conduct of Members of the Military Police Regulations* harmoniously, it is clear that the provision establishes that administrative tasks performed as part of an investigation are policing duties or functions that are part of the investigator's responsibilities.

#### The Alleged Actions are Policing Duties or Functions, Not Training Functions

35. The application of the relevant principles of statutory interpretation supports the conclusion that the clarification regarding training in subsection 2(2) of the *Complaints About the Conduct of Members of the Military Police Regulations* is not intended to exclude the exercise of policing duties or functions from the military police oversight regime in the context of an exercise such as the one described in the complaint.

- 36. Indeed, a clarification provision such as the one set out in subsection 2(2) of the *Complaints About the Conduct of Members of the Military Police Regulations* is meant to clarify or reaffirm the intention of Parliament with respect to subsection 2(1) preceding it, not to arbitrarily exclude the exercise of certain policing duties or functions in certain situations.
- 37. Training is distinct from an exercise. Training typically occurs within an organized and institutionalized learning process and is intended to teach CF members the basic skills required for their roles. An exercise, on the other hand, is a practical activity aimed at improving or consolidating skills. It may involve simulating an active shooter situation, as in the case in question. Police response simulations are normally conducted within a defined framework, with clear boundaries, and involve participants who have consented to take part.
- 38. In the present case, I cannot conclude that the military police members were acting within a basic skills training process. First, it is alleged that although the employee was not participating in the simulation, he was violently detained and searched by military police members. It is also alleged that the military police members continued to search and mistreat the employee even though he did not resist detention or search and attempted to explain that he was not participating in the exercise.
- 39. Furthermore, based on the information available, the exercise was conducted jointly with a local civilian police service, and all indications are that the military police members were in military police uniforms and carrying their service weapons at the time of the exercise. Additionally, according to the evidence on file, the military police members used their official vehicles during the exercise. Finally, from the employee's perspective, it was a real detention and search.
- 40. Another point I must consider when interpreting regulations such as the *Complaints About the Conduct of Members of the Military Police Regulations* is the presumption of validity, which favours an interpretation reconciling regulations with their enabling legislation.<sup>10</sup>
- 41. In the present case, the purpose of Part IV of the NDA is to ensure oversight of the military police in order to strengthen transparency and accountability by investigating conduct or interference complaints. In this context, it would be inconsistent to conclude that Parliament intended to exclude from the complaint process an incident involving misconduct by uniformed military police members who violently detained on the margins of an exercise, a person not participating in the exercise as in this case.

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<sup>&</sup>lt;sup>10</sup> The Construction of Statutes, (7th ed., 2022), page 343.

- 42. Oversight bodies play an important role in reviewing the conduct of police officers that directly affects the public, even in a training context. In 2023, the Civilian Review and Complaints Commission for the RCMP (CRCC) examined a complaint (23-060) regarding an incident that occurred while an RCMP member was training his police service dog. A passerby's dog got into a fight with one of the police dogs. The RCMP member discharged his firearms at the passerby's dog, injuring it. The internal RCMP investigation concluded that the RCMP member acted appropriately and did not contravene any RCMP policies or procedures. Upon review of the RCMP's decision, the CRCC determined that the RCMP member did not act unreasonably, but issued recommendations to the RCMP, including the development of policies and procedures for these types of situations, as well as training sessions. This decision highlights the value of independent review.
- 43. The nature of the incident and the function being performed must be considered by the oversight body in carrying out its mandate. The Ontario Special Investigations Unit investigates incidents involving police officers on duty. It also has jurisdiction if the officer was involved in the detention or arrest of a person or otherwise exercised the powers of a police officer, or if the incident involved equipment or other items issued to the officer as part of their duties, even if the officer was off duty. <sup>11</sup> This example shows that even in a situation where a police officer was off duty, the nature of the function they were performing is taken into account when reviewing their conduct.
- 44. In the present case, even if one accepts that the exercise was in fact a training activity, the alleged conduct -violent detention and search- does not relate to the training that the military police members received on that day.
- 45. Indeed, the wording of the *Complaints About the Conduct of Members of the Military Police Regulations* establishes that a function "that relates to administration, training, or military operations that result from established military custom or practice..." (my emphasis) is not considered a policing duty or function.
- 46. However, the alleged conduct- namely violent detention and search does not fall under functions "related to" training, as these actions are explicitly listed in subsection 2(1) of the Complaints About the Conduct of Members of the Military Police Regulations as policing duties or functions.
- 47. Conduct "that relates to" training would include, for example, a military police member who refuses to participate in training or makes inappropriate comments during training. In such a case, the MPCC would indeed lack jurisdiction to review such conduct.

<sup>&</sup>lt;sup>11</sup> Special Investigations Unit Act, S.O. 2019, c. 1, Sched. 5, s. 15.

- 48. More importantly, from the employee's perspective, and according to the criteria established by the Supreme Court of Canada in *R. v. Grant*, 2009 SCC 32, [2009] 2 SCR 353, he was detained within the meaning of section 9 of the *Charter*. He believed he could not refuse to comply with the military police member and thought he was involved in a real situation in which he was the main suspect. He never consented to participate in the exercise and was unaware that the actions he was subjected to were part of a simulation. This lack of consent and awareness placed the employee in a position distinct from that of an actor or a consenting participant taking part in a training exercise who knows that the interaction is simulated and can choose to withdraw at any time.
- 49. Thus, the central question is whether the employee was arrested or detained in the legal sense. Considering the alleged facts and the relevant case law, particularly the *Grant* decision, it appears that he was indeed detained. In my view, this is sufficient to establish that the conduct of the military police members falls within paragraph 2(1)(i) of the *Complaints About the Conduct of Members of the Military Police Regulations* and that they were performing policing duties or functions. The fact that the incident took place in the context of training does not alter the true nature of the detention. The *Charter* does not provide an exception allowing police officers to violate the rights and freedoms of citizens during military exercises.
- 50. Finally, the interpretation that violently detaining and searching a non-consenting person during an exercise does not constitute a policing duty or function would run counter to the very spirit of the system established by Parliament to ensure oversight of military police conduct through independent civilian review of complaints. Therefore, in my view, the complaint falls within the jurisdiction of the MPCC.
- 51. Once again, in taking this position on jurisdiction, I make no determination regarding the merits of the complaint.

## **Considerations Relevant to a Public Interest Hearing Determination**

52. Under the NDA, I have a broad discretion to decide whether the MPCC should conduct a public interest investigation or hearing. The NDA provides that:

**250.38** (1) If at any time the Chairperson considers it advisable in the public interest, the Chairperson may cause the Complaints Commission to conduct an investigation and, if warranted, to hold a hearing into a conduct complaint or an interference complaint.

- 53. The MPCC has recognized the following factors, which are not meant to be exhaustive, as relevant to decisions on the holding of public interest investigations or hearings in respect of complaints:
  - The inherent seriousness of the alleged conduct;

- The systemic issues raised in the complaint;
- The involvement of senior officials or military officers;
- The public interest in the issues related to the complaint;
- Process considerations which suggest that it would be more fair, credible, coherent or efficient to deal with the complaint as a public interest case.
- 54. These factors are not relevant in every case. Those that apply to this complaint are examined below and form the basis of my decision.
- 55. Given the CFPM's refusal to disclose information related to this case, these reasons are based on the evidence on file, namely the complaint and the information provided by the complainant and the employee.

### The Alleged Conduct is Serious

- 56. The allegations in this complaint are serious. If substantiated, they could amount to a serious breach of police conduct in relation to fundamental rights. Everyone is protected against arbitrary detention, and certain rights arise from arrest or detention under sections 9 and 10 of the *Charter*. Section 8 protects against unreasonable searches. Moreover, the allegations concern not only these elements but also to the excessive use of force and aggressive language, raising concerns for the right to life, liberty and security of the person guaranteed by section 7 of the *Charter*. <sup>12</sup>
- 57. At the same time, the alleged harm must also be considered. The employee claims to have experienced humiliation and mistreatment that caused him significant trauma, the effects of which he continues to suffer today.
- 58. Given the nature of the allegations and the harm alleged, I find that the seriousness of the allegations is a factor that supports holding a public hearing.

#### The Issues Raised May Be Systemic in Nature

- 59. The complainant's allegations may raise issues of a systemic nature, including police brutality and racial profiling. These allegations raise serious concerns about the conduct of military police members in relation to the use of force against the public, and Black people in particular.
- 60. In Canada, there are specific concerns related to discrimination and racial profiling by police services that have been addressed by the Courts. Several reports have examined this issue, including one by the Commission des droits de la personne et des droits de la jeunesse au Québec

<sup>&</sup>lt;sup>12</sup> R. v. Nasogaluak, 2010 SCC 6, [2010] 1 SCR 206.

<sup>&</sup>lt;sup>13</sup> R. v. Le, <u>2019 SCC 34 (CanLII)</u>, [2019] 2 SCR 692, par. 97; *Procureur général du Québec c. Luamba*, 2024 QCCA 1387 (CanLII) par. 67 to 77.

[French only] which raises serious concerns about the disproportionate use of force by police against racialized people, particularly Black people.<sup>14</sup>

- 61. Despite the vigilance of police services, situations marked by racial profiling, whether real or perceived, can occur and undermine the legitimacy of certain interventions involving a group or an individual.
- 62. A public interest hearing will shed light on issues that extend beyond the employee and those directly involved in this case. The findings from the hearing and the resulting decision may be relevant to the military police beyond this complaint. The potential systemic issues raised by this complaint therefore support the holding of a public interest hearing.

# The Complaint Is of Public Interest

- 63. It is in the public interest to examine the concerns raised in the complaint in a broader public forum given the seriousness of the allegations regarding the military police's treatment of apprehended individuals during arrest and detention. It would therefore be more beneficial, efficient and appropriate to investigate this matter through a public interest hearing rather than the more private process typically used to review conduct complaints.
- 64. The active shooter exercise held on November 12 attracted media attention, notably in an article by *The Canadian Press* on February 25, 2025. The incident was also covered by <u>Radio-Canada</u> [French only] and was the subject of a <u>television report</u> [French only]. The report noted that the Department of National Defence acknowledged the seriousness of the event.
- 65. Lastly, the complainant reported that other employees had been affected by the conduct of the exercise. Media articles also mention that other individuals were disturbed by the event. A public hearing is the only forum that will enable anyone, especially those who may feel impacted by the incidents of November 2024 incidents, to follow the progress and the outcome of the complaint in a transparent manner, and even to be heard if they so wish.
- 66. The public interest supports the holding of a public interest hearing.

#### **Decision**

67. For these reasons, I designate this conduct complaint, CPPM 2024-051, an MPCC public

interest hearing. The hearing will be conducted primarily virtually in a manner accessible to the public.

<sup>&</sup>lt;sup>14</sup> Commission des droits de la personne et des droits de la jeunesse (CDPDJ) [Quebec commission for human rights and youth rights]. September 2020. *Bilan de la mise en œuvre des recommanditions du rapport de la consultation de la Commission des droits de la personne et des droits de la jeunesse sur le profilage racial et ses conséquences* [French only]. <a href="https://www.cdpdj.qc.ca/storage/app/media/publications/bilan-profilage-racial.pdf">https://www.cdpdj.qc.ca/storage/app/media/publications/bilan-profilage-racial.pdf</a>.

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68. Despite numerous requests, the MPCC has yet to receive disclosure of relevant information and materials from the CFPM. The public interest hearing will not begin until the MPCC has received and reviewed all disclosure, at which point we will also be able to identify and notify all the subject military police members.

69. By deciding to conduct a public interest hearing, I am concurrently deciding that the Final Report for this matter will be made public, subject to the need to protect especially sensitive personal information.

SIGNED in Ottawa, Ontario, on this 18th day of July 2025.

Original document signed by:

Me Tammy Tremblay, MSM, CD, LL.M. Chairperson