

Peter J. M. Palliser
P.O. Box 72133
Inermore RPO
Calgary, Alberta.
T2J-5H9.



86

Canada



10 1994

RECEIVED

MAR 15 1994

QUESNEL DETACHMENT

Cst. Baltej S. Dhillon
RCMP Police
Quesnel Detachment
Quesnel, British Columbia

P.O. Box 72133,
1600 - 90th Avenue SW,
CALGARY, Alberta.
T2J-5H9
Telephone: 281-1783
10th March, 1994.

Dear Cst. Dhillon,

Please find enclosed various materials in connection to the litigation that took place here in Calgary, Alberta for eight days concerning R.C.M.P. uniform variation.

I drafted a two page letter to Mr. Rick Bracko of the Reform Party of Canada and suggested that the Policy Resolution Committee carefully reconsider the position outlined on R.C.M.P. uniform variations for religious and traditional reasons. I also provided to the national headquarters of the Reform Party of Canada a copy of the legal action commenced in recent years which by the repeated use of the term 'religion' and 'religious' clearly stakes out the primary issue involved. It will be in time corrosive to the Reform Party of Canada to take a position on any religious issue.

You are to my knowledge the only member of the Sikh religion actively serving with the R.C.M.P. but not identified in the legal action. Political support by both Mrs. Barbara J. Sparrow the former MP for Calgary Southwest and the present MP who is leader of the Reform Party of Canada and also from this constituency is identified in the legal action otherwise through published political materials. Calgary Southwest is under the jurisdiction of the Calgary Police Service and the issue at hand is not of direct local concern.

Those bringing this action are I feel from a generation of Canadians not always able to grasp the changes and dynamics of the country. Canada was in fact the exclusive preserve of the Assembly of First Nations and the European influence was Francophone by nature from 1622 to 1759. This changed with the British conquest of the country and in about the year 1900 many different European nationalities started to settle in the country. This has again changed in the past three decades with the arrival of wider categories of immigrants to settle in Canada. It is no surprise that this action originated from Alberta as more extreme views on religious matters have arisen since the 1930's and very pronounced in recent years against members of the Jewish faith.

I do not believe that elected MP's have the right nor understand the 'Canada Clause' nor the intent of the Charter when they undertake any support for an issue that is intended to force an individual to make a choice between their religion and as to whether they will continue in their capacity as a member of the police services in this country. The overt reason for this action is to preserve a Canadian tradition whereas the covert reason felt by some is racism. The politicians fall in neither category as they are out to ferret votes notwithstanding the potential damage it could result in to yourself as a private citizen nor the negative message it sends to Francophones, Aborigines and visible minorities in Canada.

PAGE TWO/...

PAGE TWO:

Hopefully the enclosed is of interesst to you and my best wishes to yourself, your family and colleagues, I remain,

Yours sincerely,



Peter J.M. Pallesen.

Cst. Baltej S. Dhillon,
R.C.M. Police Deteachment,
QUESNEL, British Columbia.

Encls.

:pjmp

J. J. Mark Edwards
'85 (Sask) '89 (Ont.)

-499-91

IN THE FEDERAL COURT OF CANADA
TRIAL DIVISION

BETWEEN

JOHN R. GRANT, KENNETH E.
RILEY, HOWARD S. DAVIS, who
together form an unincorporated
association known as the
"LETHBRIDGE R.C.M.P. VETERANS'
COURT CHALLENGE COMMITTEE",
each on their own behalf and on
behalf of the unincorporated
association, and KIRSTEN M.
MANSBRIDGE

PLAINTIFFS

- and -

THE ATTORNEY GENERAL OF
CANADA, THE SOLICITOR GENERAL
OF CANADA, NORMAN D. INKSTER,
COMMISSIONER OF THE ROYAL
CANADIAN MOUNTED POLICE

DEFENDANTS

FURTHER
AMENDED AMENDED STATEMENT
OF CLAIM

Nelligan • Power
Suite 1900, 66 Slater Street
Ottawa, Ontario
K1P 5H1

per: J.J. Mark Edwards
Solicitors for the Plaintiffs

FILE: 27252

IN THE FEDERAL COURT OF CANADA TRIAL DIVISION

FEDERAL COURT OF CANADA COUR FÉDÉRALE DU CANADA	
MAR 26 1992	
C. GHONIMA REGISTRY OFFICER AGENT DU GREFFIER	
OTTAWA, ONT	16

BETWEEN

JOHN R. GRANT, KENNETH E. RILEY, HOWARD S. DAVIS,
 who together form an unincorporated association
 known as the "LETHBRIDGE R.C.M.P. VETERANS'
 COURT CHALLENGE COMMITTEE", each on their
 own behalf and on behalf of the
 unincorporated association, and
 KIRSTEN M. MANSBRIDGE

*Infer in
 medic association
 with R.C.M.P. Veterans
 Association*

PLAINTIFFS

- and -

THE ATTORNEY GENERAL OF CANADA,
 THE SOLICITOR GENERAL OF CANADA,
 NORMAN D. INKSTER, COMMISSIONER OF THE
 ROYAL CANADIAN MOUNTED POLICE

DEFENDANTS

FURTHER
AMENDED AMENDED STATEMENT OF CLAIM

Further Amended Amended Statement of Claim filed this ____ day of March, 1992, pursuant to the Orders of The Honourable Mr. Justice Strayer, both granted the 10th day of February, 1992.

Amended Amended Statement of Claim filed on the 26th day of February, 1992

See Dickson — R. v. Keegstra (1990) on religion/
 religious intolerance.

The Plaintiffs claim as follows:

1. The Plaintiff, John R. Grant ("Grant"), is a resident of Lethbridge, Alberta. Grant served as a Constable in the Royal Canadian Mounted Police (the "R.C.M.P.") from 1930 to 1940. *Religious affiliation? Fraternal? Domicile? family origin?*
2. The Plaintiff, Kenneth E. Riley ("Riley"), is a resident of Lethbridge, Alberta. Riley served as a member of the R.C.M.P. from 1947 to 1969, retiring with the rank of Staff-Sergeant. *Religious affiliation? Fraternal? Domicile? family origin?*
3. The Plaintiff, Howard S. Davis ("Davis"), is a resident of Pincher Creek, Alberta. Davis served as a member of the R.C.M.P. from 1950 to 1976, retiring with the rank of Staff-Sergeant Major. *Religious affiliation? Fraternal? Domicile? family origin?*
4. Grant, Riley and Davis are members of the Lethbridge Division of the Royal Canadian Mounted Police Veterans' Association, a corporation incorporated pursuant to the laws of Canada.
5. By resolution passed at a general meeting of its members held April 30, 1990, the Lethbridge Division of the Royal Canadian Mounted Police Veterans' Association authorized the establishment of a three member committee to commence a court challenge of the constitutionality of Section 64(2) of the Royal Canadian Mounted Police Regulations.
6. The said Committee consists of Grant, Riley and Davis.
7. Subsequent to the establishment of the said committee by the Royal Canadian Mounted Police Veterans' Association, Lethbridge Division, and prior to the commencement of this action, the Dominion Executive of the Royal Canadian Mounted Police Veterans' Association advised the Lethbridge Division that such a court challenge would violate the Regulations of the said Association. *Section 2 of Constitution?*

8. In response to the said advice, Grant, Riley and Davis formed the Lethbridge R.C.M.P. Veterans' Court Challenge Committee, an unincorporated association (the "R.C.M.P. Veterans' Committee"). *Media continues to identify with the RCMP Veterans' Association?*

9. The Plaintiff, Kirsten M. Mansbridge ("Mansbridge"), is a resident of Calgary, Alberta. *(Resides in Calgary South West)
Present MP - Hon. E. Preston Manning*

10. In May, 1989, Mansbridge, with her sisters, Doris Miles and Genevieve Kantelberg, commenced to circulate a "Petition to the Honourable House of Commons of Canada, in Parliament Assembled" (the "Petition"), and to solicit the signatures of Canadians to that Petition.

SOURCE OF MONEY FOR LITIGATION?

11. The Petition requested the following relief:

ie. Statute adopted 1901 USA origins (New Jersey)

"Wherefore the undersigned, your Petitioners, humbly pray and call upon Parliament to preserve the distinctive heritage and tradition of the R.C.M.P. by retaining the uniformity of dress code with all the recognizable colour and trappings that have such great historical value for this country. The pride and "Esprit de Corps" should not be jeopardized by any concessions to religious or ethnic minorities which result in changes to this truly great Police Force and its proud traditions and uniform". - MAIN ISSUE?

FRANCOPHONES?

{ networking employed? }

12. The Petition was signed by more than 210,000 persons.

13. Portions of the Petition were filed by Barbara Sparrow, Member of Parliament, Calgary South West, in the House of Commons, on various dates between June 19, 1989 and March 7, 1990.

*PC Candidate defeated 26 OCT 1993.
See involvement with Leslie James Bennett out-of-court settlement (1993)*

14. The Defendant, Norman D. Inkster (the "Commissioner") is, and was at all material times, Commissioner of the R.C.M.P..

15. The R.C.M.P. is established pursuant to the Royal Canadian Mounted Police Act, R.S.C. 1985, Chap. R-10, as amended, (the "Act"). The Act is administered by the Department of the Solicitor General which is in turn under the control and direction of the Solicitor General of Canada, a Minister of the Crown.

Rt. Hon Charles Joseph Clark?

16. The Crown, on the advice of her Privy Councillors, by her representative the Governor General, did amend the R.C.M.P. Regulations, 1988, made pursuant to subsection 21(1) of the Act as follows:

1. Section 64 of the Royal Canadian Mounted Police Regulations, 1988, is revoked and the following substituted therefor:

NOT IN USE/ADOPTION 1901

"64.(1) Subject to subsection (2), the significant uniform of the Force, the design of which is to be approved by the Minister, shall, together with such other items of uniform as the Minister approves, consists of a felt hat, scarlet tunic, blue breeches with a yellow cavalry stripe, brown Strathcona boots and jack spurs.

Challenge

(2) The Commissioner shall determine the occasions on which members are required to wear the significant uniform referred to in subsection (1) and may exempt any member from wearing any item thereof on the basis of the member's religious beliefs". — Uniform changes for female members?

(SOR/90 - 182 15 March, 1990; hereafter the "Regulation amendment").

17. Pursuant to the Regulation amendment, the Commissioner has exempted certain members of the R.C.M.P. from wearing items of the significant uniform on the basis of the members' religious beliefs. The particulars of these exemptions are known to the Defendants.

(known member) Sikh faith in RCMP. (1994)

18. The Commissioner has, pursuant to section 66 of the RCMP Regulations, 1988, prescribed a working uniform for the members of the R.C.M.P.. The Commissioner has exempted certain members of the R.C.M.P. from wearing items of the prescribed uniform on

the basis of the members' religious beliefs. The particulars of these matters are known to the Defendants.

See No 17

19. In addition to the exemptions referred to in the two preceding paragraphs the Commissioner has permitted uniformed members of the R.C.M.P. to display symbols of their religious beliefs. The particulars of these matters are known to the Defendants. *See No. 17*

20. In addition to the exemptions and permissions described above the Commissioner has provided certain members of the R.C.M.P. with symbols of their religious beliefs which, by their colours and markings, are represented to be items of one or other of the uniforms of the R.C.M.P. and has permitted these symbols to be displayed by the members in substitution for certain items of one or other of the uniforms of the R.C.M.P. The particulars of these matters are known to the Defendants.

21. The Commissioner, by permitting certain uniformed members of the R.C.M.P. to display symbols of their religious beliefs which, by their colours and markings, are represented to be items of one or other of the uniforms of the R.C.M.P., and by permitting these symbols to be displayed by the members in substitution for certain items of one or other of the uniforms of the R.C.M.P., is acting contrary to and beyond the powers granted to him * as Commissioner by the Regulation amendment and the Act.

22. In the alternative, the Commissioner's actions, as described immediately above, and the Regulation amendment and Act, if and to the extent that they do authorize the Commissioner to so act, violate Sections 2(a), 7 and 15 of the Canadian Charter of Rights and Freedoms (hereafter the "Charter").

23. The display of religious symbols by certain uniformed members of the R.C.M.P. implies the adoption by those members of the personal, social, cultural, spiritual, and political systems of beliefs, values, and objectives of the religion so symbolized (the "religious beliefs").

See Reform Party published position on RCMC uniform changes.

24. The display of religious symbols by certain uniformed members of the R.C.M.P. has had and will continue to have the following effects:

a) to diminish the integrity of the law, law enforcement and the administration of justice; *Charter in disrepute?*

b) to diminish the ability of the R.C.M.P. and its members to perform their duties impartially, in accordance with the law and without abuse of their authority, and to diminish the appearance of the ability of the R.C.M.P. and its members to do so; *Wearing turban branches*

British Police Federation (120,000) concept of impartially no issue.

c) to place the R.C.M.P. and its members in a situation of actual, apparent and potential conflict of interest; *Religious symbols (turban) RACISM v. Religion*

d) to represent or imply that the R.C.M.P. approves and endorses certain religious beliefs of its members; *ie Protestant and Roman Catholic clergy at AGM!*

e) to represent or imply that the Crown approves and endorses certain religious beliefs of its servants or agents; *ie HM Queen Elizabeth II Head Church of England.*

f) to inhibit citizens in the exercise of religious beliefs other than those symbolized; *Turban prevents Christian church attendance!*

g) to deprive, potentially or otherwise, citizens of the right to life, liberty and security of the person, other than in accordance with the principles of fundamental justice; *S. 7 Leslie James Bennett proposed remedy — turban issue similar?*

h) to deny citizens equality before and under the law, equal protection and equal benefit of the law, without discrimination on the basis of religion. *Turban member leaves Charter in disrepute?*

25. These effects are exacerbated when symbols of the religious beliefs of certain members are provided by the Commissioner which, by their colours and markings, are represented to be items of one or other of the uniforms of the R.C.M.P., and are then permitted to be displayed by the members in substitution for certain items of one or other of the uniforms of the R.C.M.P.

Categories of citizenship?

26. Each of the Plaintiffs has a genuine interest as a citizen and a former member of the R.C.M.P., or as a citizen and an active participant in the political process with respect to these matters, in the validity of the Regulation amendment, the Act, and the Commissioner's actions.

Member of federal political party?

27. There is no other reasonable and effective manner by which the issue of the validity of the Regulation amendments, the Act and the Commissioner's actions may be brought to court. ?

28. On the 21st day of September, 1990, the Attorney General of Canada was requested by Riley to refer these matters to the Supreme Court of Canada. No reference has been made.

Source of funds for litigation?

29. The Plaintiff therefore requests of this Honourable Court the following relief:

- a) An interlocutory and permanent injunction enjoining the Defendant, the Solicitor General of Canada, and the Defendant, Norman D. Inkster, as Commissioner, and any successor to the position of Commissioner from permitting uniformed members of the R.C.M.P. to display symbols of their religious beliefs and from providing certain members of the R.C.M.P. with symbols of their religious beliefs which, by their colours and markings, are represented to be items of one or other of the uniforms of the R.C.M.P., and from permitting those symbols to be displayed by

the members in substitution for certain items of one or other of the uniforms of the R.C.M.P.;

See Lundeau's b) writings on aims and objectives of Charter

b) A Declaration pursuant to Section 52 of the Constitution Act, 1982, that subsection 64(2) of the R.C.M.P. Regulations, 1988, as amended, is inconsistent with the Constitution and is of no force and effect;

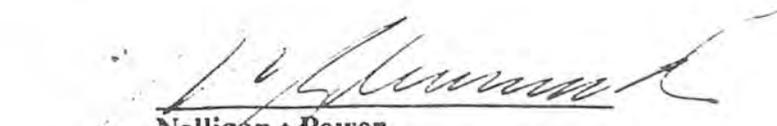
Rt. Hon Brian Dickson's speech on Charter 15 NOV. 1983

c) A Declaration pursuant to Section 52 of the Constitution Act, 1982, that the actions of the Commissioner, exempting members from wearing items of the working uniform on the basis of a member's religious beliefs, permitting uniformed members of the R.C.M.P. to display symbols of their religious beliefs providing certain members of the R.C.M.P. with symbols of their religious beliefs which, by their colours and markings, are represented to be items of one or other of the uniforms of the R.C.M.P., and permitting those symbols to be displayed by the members in substitution for certain items of one or other of the uniforms of the R.C.M.P., are inconsistent with the Constitution and are of no force and effect;

Eighteen mentions of religion

d) The Plaintiffs' costs of this Action.

Further Amended Amended Statement of Claim dated at Ottawa, this 24th day of March, 1992.


Nelligan • Power
Solicitors for the Plaintiffs

Per: J.J. Mark Edwards

NELLIGAN/POWER
Barristers & Solicitors
66 Slater Street
Suite 1900
Ottawa, Ontario
K1P 5H2

SASK BAR 1985
ONTARIO BAR 1989

J.J. Mark Edwards
(613) 238-8080

John R. Grant, retired
2502-12th Avenue South
Lethbridge, Alberta
T1K 0P5

Kenneth E. Riley, retired
1730-17th Avenue South
Lethbridge, Alberta
T1K 1A8

Howard S. Davis, retired
Pincher Creek, Alberta

Lethbridge R.C.M.P. Veterans'
Court Challenge Committee,
an unincorporated association
2502-12th Avenue South
Lethbridge, Alberta
T1K 0P5

Kirsten M. Mansbridge, retired
224-2425 90th Avenue S.W.
Calgary, Alberta
T2V 4X8

Battle begins over RCMP uniform

By Helen Dolik

Calgary Herald

A police officer's uniform should not reflect his religion, culture or race, a retired Mountie testified Tuesday during a court challenge of the RCMP's decision allowing Sikh officers to wear turbans.

"It should reflect totally the representation of the state," said Howard Davis, one of the retired officers behind the challenge.

Davis testified that an RCMP officer with a turban reflected two things - partly a police officer and partly a religious symbol.

A group of retired Mounties faced off against the Crown in a small, packed courtroom in the Federal

Court of Canada in Calgary for the first day of the eight-day hearing.

The lawsuit was launched by three former RCMP officers - John Grant, Ken Riley and Davis, who form the Lethbridge RCMP Veterans' Court Challenge Committee, and committee supporter Kirsten Mansbridge.



Shannon Oatway, Calgary Herald

COURT FIGHT: From left, Ken Riley, Bernie Pelot, Kirsten Mansbridge, Howard Davis and John Grant say there's no room for turbans in RCMP

Mansbridge, of Calgary, collected more than 210,000 signatures on a petition protesting turbans.

They claim the regulations adopted almost four years ago by RCMP Commissioner Norman Inkster violate provisions of the Charter of Rights and Freedoms. They say allowing Sikh officers to wear turbans diminishes the "integrity of the law" and the "ability of the RCMP and its members to perform

their duties impartially." They say they want separation of church and state.

"The RCMP have always presented a neutral and impartial image," testified Mansbridge. "They were apolitical."

She said if you allowed one religious symbol, then every other religious symbol should be allowed. It would no

□ See **UNIFORM**, Page A2



February 18, 1994

Policy Memo

1. CALL FOR AMENDMENTS OR ADDITIONS TO THE BLUE BOOK

This year, we will be submitting amendments/additions to the Blue Book that Calgary Southwest Members have prepared and debated. All members wishing to submit an amendment for consideration by the Calgary S.W. membership are urged to do so. If it will aid you in preparing an amendment, copies of the Blue Book (also called the Blue Sheet) are available from Rick Bracko at 251-4161.

Amendments/additions can relate to any area of policy. For example, there may be additions or modifications to our Blue Book required to better address some of the issues from the election (Jobs, Deficit, Health Care, UIC, Pensions, etc.)?

Amendments/additions should:

- (i) be stated as RESOLVED THAT the Reform Party support/oppose....;
- (ii) be accompanied by a short rational explaining the reason for the amendment or addition.
- (iii) be submitted to Rick Bracko 456 Woodglen Place S.W. T2W 4P4 by March 7th.

2. MEETING TO DEBATE AMENDMENTS / ADDITIONS

Tuesday March 8 7:00 - 10:00 p.m.

Henry Wisewood Sr. High School Cafeteria
910 - 75th Avenue S.W. (Corner of Elbow Drive and 75th Avenue)

Resolutions submitted in the above process will be debated and voted on at this meeting. Our Policy Resolutions Committee has come up with four amendments and these will also be debated and voted upon. Copies of these are available from Rick Bracko.

Policy Resolution Committee Proposed Amendments:

- ♦ Adjusting the Immigration rate to coincide with the rate of Unemployment
- ♦ N.A.F.T.A. and its provision for U.S. Investment in Canada
- ♦ The United Nations endorsement of Pedophilia
- ♦ Eliminating the return of 50% of Campaign Funds when a candidate for Member of Parliament gains 15% or more of the vote.

Please attend! We need a minimum of 50 members in attendance for our submissions to be accepted.

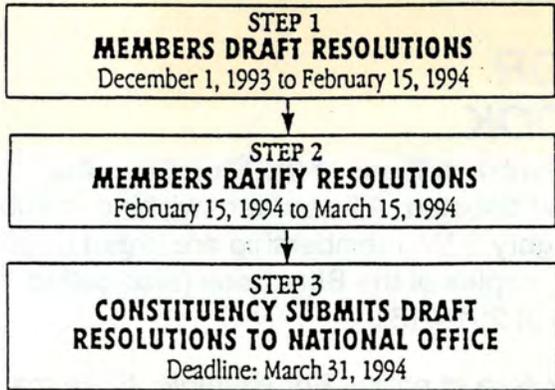
**URGENT BUDGET '94
TOWN HALL MEETING
February 28, 1994 at 7:00 p.m.**

**Auxiliary Gymnasium
Dr. E.P. Scarlett High School
220 Canterbury Dr. S.W., Calgary**

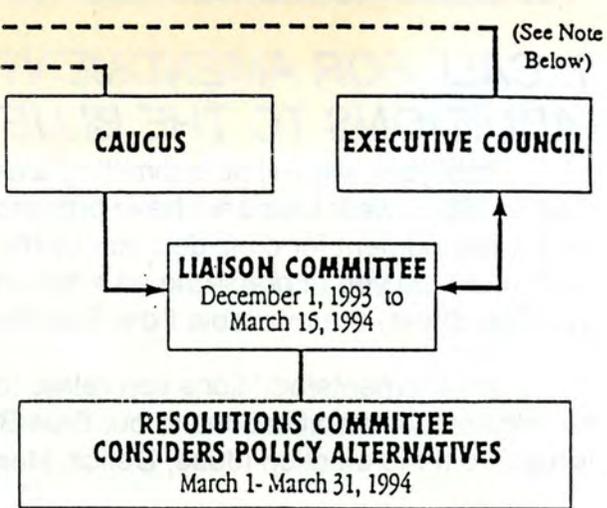
**Guest: E. Preston Manning
M.P. Calgary, Southwest**

REFORM PARTY POLICY DEVELOPMENT 1994

PART I



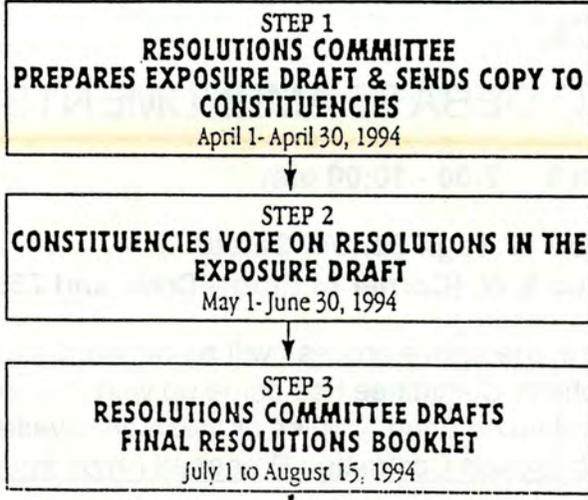
PART II



(See Note Below)

DRAFT

PART III



PART IV

