

**CANADIAN HUMAN RIGHTS TRIBUNAL TRIBUNAL CANADIEN DES
DROITS DE LA PERSONNE**

YARINDER BRAR

Complainant

- and -

CANADIAN HUMAN RIGHTS COMMISSION

Commission

- and -

ROYAL CANADIAN MOUNTED POLICE

Respondent

RULING

MEMBER: J. Grant Sinclair 2007 CHRT 12
2007/04/17

UPON the joint Notice of Motion, filed by the Complainant and the Respondent on February 28, 2007, and heard on March 8, 2007;

THIS TRIBUNAL ORDERS THAT:

[1] The Respondent's motion to clarify the nature and scope of the complaint which will be the subject matter of the inquiry before the Tribunal is disposed of on the basis that the Complainant will be allowed to make the allegations as set out in paragraphs 33-52, but excluding paragraphs 51 (b), (f) and (h), of his Statement of Particulars dated June 23, 2006 and call evidence relating to those allegations, without precluding the Respondent from objecting to any of these allegations, or any of the witnesses coming forward to support these allegations on the basis of prejudice or other objections.

[2] The Respondent's motion for an order prohibiting the Complainant from calling certain witnesses is dismissed, without prejudice to the Respondent to argue the relevance of the evidence, the timeliness of the evidence, any prejudice of the evidence, or the fact that the evidence should be subject to immunity, in context of the hearing.

[3] The Respondent's motion for an order limiting the ambit of the testimony to be given by certain other witnesses is dismissed, without prejudice to object at the time of the hearing when these witnesses appear.

[4] Subject to any privacy concerns and subject to the Complainant identifying the location and source of the following information, the Respondent will produce the following:

- a) Full disclosure regarding any complaints made by Constable Sharon Matharu against her supervisor including particulars of how the supervisor was dealt with as a result of these complaint(s) and particulars of any promotion for, or disciplinary action against, the supervisor.
- b) Full disclosure regarding the alleged misconduct of the following RCMP officers: S/Sgt. Robert Blundell, C/Supt. Graham Muir, Fraser Mccauley, Supt. Art Crockett, and S/Sgt. Dan McNaughton, including particulars of any disciplinary response taken by the RCMP.
- c) Full disclosure regarding any human rights or harassment complaints made against S/Sgt. Keith Milner, including the manner in which the RCMP dealt with those complaints, their outcome, and any impact on Milner, from 1995-2004.
- d) Full disclosure regarding any human rights or harassment complaints from the Prince George Detachment during the periods 1989-1993 and 2000-2002, including the resolution of those complaints and the disciplinary or other consequences of the complaints.
- e) Full disclosure regarding the allegations referred to in paragraph 18 (a)-(h) of the Complainant's Statement of Particulars of the Complainant, including particulars of any disciplinary action taken by the RCMP.
- f) Full disclosure regarding any discrimination or harassment complaints made against Cpl. Phil Noonan, including how they were addressed, the outcome of those complaints, and any impact on Cpl. Noonan.

[5] The Respondent shall provide documentation regarding RCMP promotional opportunities over the last 10 years for member to the Officer ranks.

[6] Both parties are directed to consult with each other to resolve any difficulties that may arise in the disclosure of the above subject matter. The parties will advise the Tribunal of any difficulties that cannot be resolved as between the parties.

"Signed by"

J. Grant Sinclair

OTTAWA, Ontario
April 17, 2007

PARTIES OF RECORD

TRIBUNAL FILE:	T1102/8305
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STYLE OF CAUSE:	Yarinder Brar v. Royal Canadian Mounted Police
RULING OF THE TRIBUNAL DATED:	April 17, 2007
APPEARANCES:	
David Yazbeck	For the Complainant
No one appearing	For the Canadian Human Rights Commission
R. Jeff Anderson / Emily Farrimond	For the Respondent