Joint Statement Regarding Report Following a Public Interest Investigation into the Conduct of
RCMP Members in Nova Scotia in Respect of Matters Involving
Nicole (Ryan) Doucet; Royal Canadian Mounted Police Act Subsection 45.43(1)

July 11, 2013 – The Women’s Legal Education and Action Fund (LEAF) and Canadian Association of
Elizabeth Fry Societies (CAEFS) are disappointed with the findings of the Commission for Public
Complaints Against the RCMP Report released on July 10, for its failure to grasp the realities of the lives
of abused women such as Nicole Doucet.

In his report, Interim Chair Ian McPhail, Q.C., states that: “the Commission’s mandate is not to determine
whether or not Ms. Doucet was a victim of violence at the hands of Mr. Ryan”, yet he concludes that: “it is
apparent that there was no information conveyed by her at any time that would indicate that she was a
victim of abuse.” We strongly disagree with this assessment, which ignores critical facts and simply
reinforces the police position.

The report repeatedly claims that Ms. Doucet did not report the abuse to the police officers who asked her
for evidence of abuse, yet the report also acknowledges that: “Over a period of several years, Ms. Doucet
made many calls to police with a variety of complaints, interacted with Victim Services, went through
custody proceedings, and dealt with the military police.”

Among those interactions with police the report also acknowledges that Ms. Doucet had reported in 2007
that Mr. Ryan had threatened to burn down the house, had a history of violence, access to firearms, was
formerly in the military and that she feared for her safety, particularly as they were undergoing a
separation. After that report, Ms. Doucet was referred to Victims Services, which was an appropriate
response by the RCMP, but Mr. McPhail fails to connect this report to any of the other reports made by Ms.
Doucet.

Unfortunately, it appears that Mr. McPhail did not have the benefit of expert testimony on spousal abuse, as
did the trial judge, Justice Farrar of the Nova Scotia Supreme Court, in this matter. The judge accepted the
evidence from several expert witnesses who stated that victims of abuse may not be forthcoming about the
circumstances of that abuse. It is common for women in abusive relationships to deny the abuse when
questioned by outsiders.

Further, McPhail omits to refer to the report accepted into evidence by Justice Farrar of a Victims Services
clinical social worker with 37 years of experience. The social worker treated Ms. Doucet on nine occasions,
documented the abuse described by Ms. Doucet and recommended that the RCMP provide a panic button
to Ms. Doucet. Mr. McPhail found that it was reasonable for the RCMP to deny the request, and discounts
the evidence provided to the Commission investigator by an RCMP officer who stated that the supervisor
who denied the request was biased in favour of Mr. Ryan. In fact, the report notes that the supervisor had
called Crown counsel in an attempt to modify the custody order so that Mr. Ryan would have access to the
couple’s daughter. Justice Farrar accepted the evidence of the social worker as consistent with that of Ms.
Doucet that she felt a real fear for her safety and the safety of her daughter.
Mr. McPhail cites an exchange between Ms. Doucet and the Commission investigator that graphically attests to the helplessness of an abused spouse. Ms. Doucet tells the investigator that she does not know how to respond when she is asked if she was ever physically abused: “What is holding a gun to my head? Is that physical abuse? There is no physical contact there…. what is that line that determines, you know, being pinned up against the wall, having my throat squeezed, what is it in the law book?” She states that she feels that no one would believe her, and describes the shame of being in an abusive relationship, noting that she expected the response would be: “Were you that dumb? Come on! Are you that stupid? Aren’t you an educated woman? You look fine to me!”

Counsel for LEAF/CAEFS in our intervention in R. v. Ryan at the Supreme Court of Canada, Professor Emeritus Christine Boyle, Q.C., states: “Ms. Doucet testified at her trial. There was a full opportunity to cross-examine her and call police officers to contradict her testimony at that trial. The trial judge, after explicitly finding corroboration, believed her completely. I am concerned that the McPhail report does not grapple with whether there are any lessons to be learnt about how the police respond to women seeking protection. What do abused women have to say to trigger vigorous police investigations, such as sting operations, when they seek such protection?”

Mr. McPhail has exonerated the RCMP for its inaction regarding Ms. Doucet’s plight, but he has done so largely by accepting the evidence of the RCMP members themselves – with the exception of the one RCMP member who complained about the RCMP’s lack of response. We are concerned that Mr. McPhail ignored evidence that showed a longstanding pattern of anger and abusive behavior by Mr. Ryan, stretching back to his conviction for an unprovoked assault on another man in 1996, and his conviction in a road rage incident, in which he broke the back window and left mirror of another driver’s vehicle in March 2007.

We echo the call by Ms. Doucet’s lawyer for better collaboration between the RCMP and Victim Services – while the RCMP was correct to refer Ms. Doucet to Victim Services, the RCMP then failed to act on recommendations by the Victim Services social worker, and failed to consider the incident that prompted the referral in any of their later dealings with Ms. Doucet. It is apparent to us that police policies for effective response to reports from women who fear their partners may be ineffective if the police are incapable of conducting effective interviews of women who may be distraught and terrified. The police now know of the evidence accepted by Justice Farrar, including his findings of corroboration, and should accept that they have missed opportunities to effectively explore the concerns of a woman living in a reign of terror. We hope such opportunities are not missed for other women, yet the report does not hold out any hope for correcting these errors.

We reiterate the Supreme Court’s concerns that: “There is also the disquieting fact that, on the record before us, it seems that the authorities were much quicker to intervene to protect Mr. Ryan than they had been to respond to [Ms. Doucet’s] request for help in dealing with his reign of terror over her.” As Kim Pate of the Canadian Association of Elizabeth Fry Societies asserts: “It is outrageous. This report reconfirms that, far too often, women who experience violence cannot rely upon the state to protect them. Implicit in these findings are the discriminatory attitudes that women should not be believed when they report abuse, and that the police may be justified in blaming those whom they fail to protect. Women should not be deputized and essentially told to protect themselves and their children; and they most certainly should not be criminalized when they act to do so.”

**About Canadian Association of Elizabeth Fry Societies (CAEFS)**
CAEFS is an association of self-governing, community-based Elizabeth Fry Societies that work with and for women and girls in the justice system, particularly those who are, or may be, criminalized. Together, Elizabeth Fry Societies develop and advocate the beliefs, principles and positions that guide CAEFS. The association exists to ensure substantive equality in the delivery and development of services and programs through public education, research, legislative and administrative reform, regionally, nationally and internationally. For more information please visit: [www.caefs.ca](http://www.caefs.ca)

**About Women’s Legal Education and Action Fund (LEAF)**
LEAF is the only women’s organization in Canada, founded in 1985, committed to confront all forms of discrimination through legal action, public education and law reform to achieve equality for women and
For more information please visit:

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LEAF is a national, non-profit organization committed to confront all forms of discrimination through legal action, public education, and law reform to achieve equality for women and girls under the Charter of Rights and Freedoms.