

Royal Canadian Mounted Police

Deputy Commissioner
Pacific Region

Sous-commissaire
région du Pacifique



Gendarmerie royale du Canada

Commanding
Officer

Commandant
divisionnaire

Guided by Integrity, Honesty, Professionalism, Compassion, Respect & Accountability

October 01, 2010

RECEIVED

OCT - 4 2010

Rod Wiebe, President
BC Wildlife Federation
Unit 101-3060 Norland Avenue
Burnaby, BC V5B 3A6

Dear Mr. Wiebe:

Re: Denial of Public Right to Access

Thank you for your letter dated August 30, 2010. I have made some inquiries with the Detachments having policing responsibility for the area in question and can now address your concerns.

One of the guiding principles of policing is to protect life and property and maintain public order. To accomplish this, the police rely on several strategies. First and foremost is to seek amicable solutions through negotiation wherever possible, especially where there are competing legal claims or entitlements that may render a conventional law enforcement response less effective. This permits all sides of an issue to be heard and the parties can confidently work towards a peaceful and mutually beneficial resolution to the conflict. At times negotiations are not possible or they do not accomplish the desired outcome. In many cases, the issue will then be referred to a court to decide upon a resolution. Once this occurs, an order will be made based on the submissions of all parties; if it is shown that one or neither side is abiding by the court's order, then a subsequent court order may be issued that provides authority for the police to enforce its terms.

Such a court order authorizes the police to act, however, it is important to understand it does not command the police to act. This gives the police broad discretion to exercise their authority in an effective manner. When there is a breach in the terms of an order, the police determine their response under the civil injunction and enforcement order process, provincial statutes and the Criminal Code based on a full consideration of the specific event and the public interest. It is important to note that the police need to continually demonstrate absolute impartial service to the law.

I cannot commit to a firm answer to your question regarding what enforcement actions you may expect from the RCMP. Every situation is unique and the circumstances need to be considered carefully before any level of response is carried out, with our actions responding specifically to each situation. It is always my preference that the RCMP defer confrontation in favour of peaceful discussion and resolution. Direct intervention is a less preferable option, especially in non-violent disputes and demonstrations.

.../2

RECEIVED

OCT - 4 2010

Page 2

With specific reference to the Skookes Landing issue, it is my understanding that the area has been continually open since August 13, 2010, and there are no impediments to public access. The Province of British Columbia has engaged the Kaska Dene First Nation and I am hopeful that their discussions will bear positive results. Ultimately, it is the provincial government that passes legislation or regulations governing hunting and fishing activities in the province, and I would encourage you to discuss with the appropriate provincial officials your concerns with respect to hunting restrictions.

My suggestion to you about how to deal with aggressive blockades would be consistent, I'm sure, with what our local Detachments would advise: contact the local police immediately, and make no attempt to confront, or handle the situation on your own.

Finally, public safety and maintaining public peace is the RCMP's primary concern, and I would vigorously discourage anyone from doing anything that would escalate on-going conflict to the point where it would jeopardize personal safety.

Yours sincerely,



Gary D. Bass, O.O.M.

Deputy Commissioner - Pacific Region &
Commanding Officer, "E" Division

657 West 37th Avenue
Vancouver, BC V5Z 1K6