

## **List of Documents:**

- 1. Complaint to Auditor General**
- 2. Email confirming one of the articles authored by Colin Mangham was written for the RCMP**
- 3. Email confirming that the RCMP wished to have its name removed from the same article**
- 4. Email confirming the Mangham article was internally reviewed before publication**
- 5. Email from officer Doucette's inbox referring to the 'BC Centre for Excellence in HIV/AIDS' as the "Centre for Excrements"**
- 6. Email trying to get RCMP officers and government officials to phone into a local radio call-in show regarding Insite.**
- 7. Email showing that Conservative MPs met with the RCMP officials who commissioned the reports**

# PIVOT LEGAL LLP

October 8, 2008

VIA: Fax: (613) 943-5485

Reply to: Douglas King  
Direct Line: (604) 255 9700 ext. 111  
E-mail: dking@pivotlegal.com

Office of the Auditor General  
240 Sparks St.  
Ottawa, ON. K1A 0G6

## Attention: Senior Communications Advisor

Dear Sir/Madam,

Pivot Legal Society would like to formally request the Auditor General examine a series of transactions between members of the RCMP's "E" division, based in Vancouver, pertaining to the commission of academic articles on *Insite*, Vancouver's safer injection site. It is our belief that the RCMP acted inappropriately, and outside of the boundaries of their statutory mandate in using public funds to finance politically motivated research on an issue of public health.

### Details of the complaint:

In the Spring of 2006 the RCMP paid Ray Corrado, professor of Criminology at Simon Fraser University, and Irwin Cohen, professor of Criminology at the University of Fraser Valley, to write and publish a "critique" of the pre-existing research that had already been conducted on *Insite*, Vancouver's safer injection site, which is operated by Portland Hotel Society. Two articles authored by Cohen and Corrado were released shortly thereafter, with findings that were largely favourable towards continuing the operation of *Insite*.

It would appear that the findings of the two articles were not satisfactory to the members of the RCMP who commissioned them, and in the fall of 2006 the RCMP approached two additional authors, Garth Davies, of the Addictive Drug Information Council, and Colin Mangham, Director of Research for the Drug Prevention Network of Canada, to again write "critiques" on the pre-existing research surrounding *Insite*.

Mr. Mangham's article was subsequently published in January, 2007 through the *Global Journal of Drug Policy*, with the proviso that the RCMP was not to be mentioned anywhere in the report. The findings of the article were quite inflammatory, and were meant to be an attack on the scientific basis for *Insite's* existence. Freedom of Information Requests to the RCMP regarding the use of public funds to commission these articles failed to reveal how they were paid for, and how much of public funds were used to compensate the authors. Despite this fact three of the four authors have admitted that they were paid by the RCMP to write this literature.

### Mandate of the RCMP:

The RCMP is a policing body, created by statute through the RCMP Act. This Act creates the purpose and duty of the RCMP, which can be found at section 18 of the Act. It states:

## DUTIES

### Duties

**18.** It is the duty of members who are peace officers, subject to the orders of the Commissioner,

(a) to perform all duties that are assigned to peace officers in relation to the preservation of the peace, **the prevention of crime** and of offences against the laws of Canada and the laws in force in any province in which they may be employed, and the apprehension of criminals and offenders and others who may be lawfully taken into custody;

(b) to execute all warrants, and perform all duties and services in relation thereto, that may, under this Act or the laws of Canada or the laws in force in any province, be lawfully executed and performed by peace officers;

(c) to perform all duties that may be lawfully performed by peace officers in relation to the escort and conveyance of convicts and other persons in custody to or from any courts, places of punishment or confinement, asylums or other places; and

(d) to perform such other duties and functions as are prescribed by the Governor in Council or the Commissioner.

While the ability for the RCMP to spend public funds on the prevention of crime has long been recognized, and prevention of drug use is also recognized as one of the four pillars to intervening in Canada's drug problem, *Insite* is a health care provider. Using public funds to lobby a position on harm reduction does not fall under the RCMP's mandate. The operation of the safe injection site in Vancouver was firstly given a temporary exemption from federal drug laws by the federal government, and more recently given a permanent constitutional exemption to the possession and trafficking provisions of the Controlled Drug and Substances Act by the B. C. Supreme Court. With these exemptions *Insite* has never fallen under the banner of crime prevention, as the operation of safe injection sites has been formally recognized to be a matter of public health.

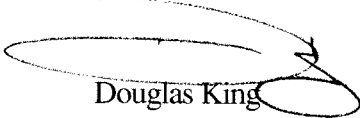
### Suspicion of improper behaviour:

Despite numerous requests through the Freedom of Information Act, the RCMP has not provided detail as to how the authors of these pieces were paid for their work, or how much they were paid. In addition to this an email from Constable Chuck Doucette, formerly of the "E" division, and obtained through the Freedom of Information Act, shows a specific direction that the RCMP's name be removed from the publication of Mr. Mangham's article. This lack of transparency is troubling, and an indication that the RCMP may have been aware they were endeavoring to spend public funds outside of their statutory mandate. For all of the above reasons we ask the auditor general to examine the RCMP's use of public funds in this case, and make a determination on whether or not there was impropriety.

Thank you,

PIVOT LEGAL LLP

per:

  
Douglas King  
Barrister & Solicitor

**From:** Chuck Doucette  
**To:** Mark Sorokan s.19(1)  
**Date:** 5/7/2007 10:30 AM  
**Subject:** Re: Report Request  
**Attachments:** SIS report for RCMP mangham.doc

Hi Mark,

Here it is. Paul Nadeau should have it.  
Bob and I don't get in until 9:00 pm tonight. I assume someone will pick us up in the morning. Do you know what time?

Thanks  
Chuck

>>> Mark Sorokan 2007-05-07 05:57 >>>  
Chuck,

Can you send us the first report that Colin Mangham wrote for us on Harm reduction/SIS?  
I am not sure if I have it here....name of the report?? Thanks

Mark

**From:** Chuck Doucette  
**To:** Carl Busson; Paul Nadeau  
**CC:** Bob Hall  
**Date:** 5/2/2007 11:50 AM  
**Subject:** Fwd: Vol 1 Issue 2 of Journal of Global Drug Policy and Practice

s.19(1)

Carl & Paul:

Dr. Mangham's report has now been published. This email contains a link to the web page for the Journal of Global Drug Policy and Practice and to his report. As per our request, the report has no reference to the RCMP.

Chuck

>>> @dfaf.org> 2007-05-01 08:35 >>>

You gave Drug Free America Foundation <<http://www.dfaf.org>> permission to send you this email. Please add [info@dfaf.org](mailto:info@dfaf.org) to your address book or safe sender list.

<[http://maildogmanager.com/pics/dfaf/40\\_31logo.jpg](http://maildogmanager.com/pics/dfaf/40_31logo.jpg)>

<<http://maildogmanager.com/images/templates/111bt.gif>>

Harm Reduction: Background, Outcomes, Appraisals and Implications for Future Drug Policy

<<http://maildogmanager.com/images/templates/111bb.gif>>

One of the most difficult subjects to understand and assess in the drug policy and practice field is harm reduction because of disputes about its intent and meaning. Issues 2,3, and 4 will address the subject in depth with special attention to the history of the concept in a three part series.

"The Lure and Loss of Harm Reduction In UK Drug Policy" (reprinted with permission of Addiction Research and Theory) by Neil McKeganey, BA, MSc, PhD, FRSA

"A Critique of Canada's INSITE Injection Site an Parent Philosophy: Implications and Recommendations for Policy Planning" by Colin Mangham, PhD

"Is It Harm Reduction or Harm Continuation?" by Peter O'Loughlin

"History of Harm Reduction - Provenance and Politics, Part 1" by Peter Stoker, C. Eng.

<<http://maildogmanager.com/images/templates/111circle.gif>>

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You gave Drug Free America Foundation <<http://www.dfaf.org>> permission

**From:** Chuck Doucette  
**To:** Paul Nadeau s.19(1)  
**Date:** 5/3/2007 10:05 AM  
**Subject:** Re: Fwd: Journal of Global Drug Policy and Practice

I don't know what kind of feedback they give.

Colin has already had several calls from media as well as people who don't agree with him (Portland Hotel). I heard them mention the report on the radio news this morning. It will be interesting to see where this goes...

Chuck

>>> Paul Nadeau 2007-05-03 06:48 >>>  
I take it the review was favorable?

Paul

>>> Chuck Doucette 05/02/07 7:02 PM >>>  
Hi Paul,

Yes, the paper was peer reviewed. My understanding is that it is done by the Editorial Board. They would have picked the people they thought were appropriate. That was not done by Colin. This email contains the names of the members of the Editorial Board. I also sent it to Darryl Plecas for his review shortly after Colin wrote it.

Chuck

>>> ' 007-05-02 01:42 >>>  
Vol 1 Issue 2 of Journal of Global Drug Policy and Practice Sign up for this publication...It has a real powerhouse of drug experts on the Editorial Board, most of whom I know from all the international conferences that I have attended over the years...

Our Editorial Board consists of respected professionals in drug policy, practice and substance abuse prevention.

You gave Drug Free America Foundation permission to send you this email. Please add [info@dfaf.org](mailto:info@dfaf.org) to your address book or safe sender list.

Harm Reduction: Background, Outcomes, Appraisals and Implications for Future Drug Policy

s.19(1)

**From:**  
**To:**  
**CC:**  
**Date:** 5/26/2007 1:49 AM  
**Subject:** Re: Globe & Mail article

Good observations ...more bogus stats to bolster their position...I'll bet that the Centre for Excrements could create a 'peer-reviewed' article about the highly increased prevalence of HIV and Hep C (currently around 35% and 95% respectively) since the pre-NEP days (both < 5%), into a positive thing. They never mention those stats do they?

----- Original Message -----

From: :  
To:  
Cc:  
Doucette :

Chuck

Sent: Friday, May 25, 2007 12:28 PM  
Subject: Re: Globe & Mail

Is anybody looking at the actual numbers?

According to this report, 9.7 more people per month went into detox. Nine Point Seven. As far as we can tell, nobody went into treatment. This is such a tiny drop in the bucket (especially considering how ineffective detox by itself is in getting people permanently off drugs).

Also, the stated correlation in the report is NOT with SIS usage, but with the YEAR of usage. This identical argument could be used to directly blame the SIS for the deaths of 11 people during the same period according to BC Coroner's reports.

But the mavens are all claiming this is the death knell for the anti-SIS argument. It's just more bogus science from the same people.

On 25-May-07, at 9:22 AM, Al Arsenault wrote:

FYI...Al

There are important flaws/questions with this latest "proof"; here are a couple:

1. Correlation does not, ever, prove causality. Just because two events are present at the same time does not mean that one caused the other. Drawing inferences of causality from correlation is not bad science, it is simply NOT science.

Sent: May-05-08 9:55 AM  
To: Al Arsenault; Billy and Kim; Brad Clancy; Colin Mangham; Dennis Farrell; Garth McIver; Harry Mcneil; jerry topley; Michelle&Bob Hall; Norman Stowe; Pat Leamon; Peter Webster; Roger Lake; Roy McKinley; Toby Hinton; Vince Casey; [wjeffery@shaw.ca](mailto:wjeffery@shaw.ca)  
Subject: Bill Good show - Tuesday May 13

Hi all,

Just to let you know, Bill Good is going to do another show on Insite. He has asked me to be on the show with one of our doctors next Tuesday (May 13th) morning at 9:30 AM.

It would be great if you could be ready to phone in with your comments. You know that the Pro Insite side will have people lined up to support it. Let's try get more calls in than they do.

Thanks

Chuck

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-----Original Message-----

From: Pat Leamon [mailto:[Pat.Leamon@rcmp-grc.gc.ca](mailto:Pat.Leamon@rcmp-grc.gc.ca)]  
Sent: Thursday, July 20, 2006 9:00 AM  
To: Sharon Lyons; [al\\_arsenault@city.vancouver.bc.ca](mailto:al_arsenault@city.vancouver.bc.ca); Colleen Yee; Dave Nelmes; Doug Lepard; [toby\\_hinton@city.vancouver.bc.ca](mailto:toby_hinton@city.vancouver.bc.ca); [vcasey@dccnet.com](mailto:vcasey@dccnet.com); [wsnia@earthlink.net](mailto:wsnia@earthlink.net); [roy.morton@fraserhealth.ca](mailto:roy.morton@fraserhealth.ca); [Michael.Thompson@gems3.gov.bc.ca](mailto:Michael.Thompson@gems3.gov.bc.ca); Stanley deVlaming; Colin Mangham; [106@police.westvan.bc.ca](mailto:106@police.westvan.bc.ca); [emay.dthompson@primus.ca](mailto:emay.dthompson@primus.ca);

s.19(1)

**From:** Lise Crouch  
**To:** Doucette, Chuck  
**Date:** 10/26/06 4:33PM  
**Subject:** Re: Fwd: Drug Prevention Network has Policy for Conservatives

>>> Chuck Doucette 10/26/06 10:39 AM >>>  
L & M:

This is the paper that I mentioned to you that speaks of the need to focus on prevention, enforcement and treatment and not Harm Reduction. The DPNC will be using this document to help persuade the Fed. Government to re-focus Canada's Drug Strategy. As I mentioned, the MP's that spoke to us at our meeting indicated that was the direction they wanted to go in. As we know, with a minority government, it isn't going to change overnight; but, at least we know this is what they will be pushing for when they can.

This would be a great paper for Raf to introduce to the CACP.

Chuck

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2006-10-25 19:23 >>>

To the Canadian media. The Drug Prevention Network of Canada in concert with the International Task force on Strategic Drug Policy has given the attached policy to the Government of Canada to use as a foundation for its new National Drug Strategy.

The policy and press release are attached.

Drug Prevention Network of Canada