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6650-88

December 8, 1993

Cst. Baltej Dhillon  
Community Policing Unit  
"E" Division Quesnel Detachment  
Royal Canadian Mounted Police  
584 Carson Street  
Quesnel, BC  
V2J 2B5

Dear Cst. Dhillon:

Re: **Grant v. Her Majesty the Queen; Federal Court Action**

I appreciated your taking time to discuss this case with me yesterday. I represent the Commissioner in these proceedings, and on his behalf I instruct my litigation colleagues Terry Joyce and Linda Wall who have conduct of the court proceedings.

At its simplest, this case is about whether the Commissioner (and the Solicitor-General) had the authority to change the uniform of the RCMP. The Plaintiffs claim their *Charter* rights have been violated by this decision. We are of the view that the Crown had proper authority to do what it did, and that the Crown's actions are entirely consistent with the rights guaranteed in the *Charter* and the *Canadian Human Rights Act*.

We shall be calling former D/Commr. (Admin.) Roy Moffatt and the Director of Personnel, A/Commr. Gerry Leahy, to speak about the development of the policy change relating to the turban. Dr. William Beahen, Force Historian, and William Mackay, Curator, RCMP Centennial Museum, will provide historical evidence on the substantial changes to the uniform over the 120 years of the RCMP.

Dr. W.H. McLeod, an international expert on Sikhism, will give expert evidence on the Sikh history and culture, including the significance of the turban. We have also retained Dr. Spelman, who was recommended to us

by the World Sikh Organization, to provide us with additional information particular to the Canadian context. Finally, we have retained two academics to deal with the applicability of the doctrine of the separation of church and state, which we anticipate will figure largely in the Plaintiffs' case.

We have not involved you directly in this case (other than requesting you to provide photographs of yourself in dress uniform), because the legal issue is the authority of the Commissioner. We had hoped to avoid confusing the case by drawing unnecessary attention to you personally. It is my view, however, that your practical concern for the implications of the case as it may relate to your own career, and the Commissioner's legal interests in defending his authority, are entirely consistent. Consequently, the Department of Justice can represent your interests in these proceedings as well as those of the Crown.

My copy of Andrew Schroeder's correspondence to you indicates that he has forwarded you the Statements of Claim and Defence. Plaintiffs' counsel and ourselves attempted to agree on a Statement of Facts, but my review of the file indicates that only a draft was completed and it was never filed. I have asked the litigators to provide me with a copy of the draft, and I shall forward it to you once it arrives.

If after review of the pleadings and the draft statement of facts you identify any matter that you would like us to take into consideration in preparing our defence, I invite you to contact me directly to discuss it. I can be reached at [REDACTED]

I very much enjoyed speaking with you and I greatly appreciate your cooperation and assistance.

Yours truly,



Susanne N. Frost  
Legal Counsel

SNF/kb