

Publication ban: Any information that could identify the Complainant in the present decision may not be published, broadcast or transmitted in any way.



**ROYAL CANADIAN MOUNTED POLICE**

in the matter of

a conduct hearing pursuant to the

*Royal Canadian Mounted Police Act*, RSC, 1985, c R-10

Between:

**Commanding Officer, "K" Division**

Conduct Authority

and

**Corporal William Weatherdon**

Regimental Number 53731

Subject Member

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**Conduct Board Decision**

Kevin Harrison

September 8, 2020

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Mr. Denys Morel, Conduct Authority Representative

Mr. John Benkendorf, Subject Member Representative

## TABLE OF CONTENTS

SUMMARY OF FINDINGS .....	3
INTRODUCTION .....	4
Publication ban.....	5
ALLEGATION.....	5
Determination of Established Facts .....	6
Agreed Statement of Facts .....	11
Decision on the allegation.....	12
CONDUCT MEASURES.....	13
Joint proposal on conduct measures .....	13
Common law on joint proposals .....	13
Decision on conduct measures.....	15
Appropriate range of conduct measures.....	15
Mitigating and aggravating factors .....	16
CONCLUSION .....	17

## SUMMARY OF FINDINGS

The *Notice of Conduct Hearing* contained a single allegation of a contravention of section 7.1 of the Code of Conduct: Corporal Weatherdon had allegedly engaged in non-consensual sexual misconduct with a co-worker from his home unit while seconded to the G7 Summit in Quebec.

The conduct hearing was scheduled to commence on July 27, 2020; however, prior to the hearing, the parties reached a resolution. The hearing proceeded by video conference on July 29, 2020, without the Conduct Board hearing oral evidence. Corporal Weatherdon admitted to the allegation. The Conduct Board was also presented with an *Agreed Statement of Facts*, which supplemented the Conduct Board's own *Determination of Established Facts*. Based on the record, the Conduct Board found that the lone allegation was established.

A joint proposal on conduct measures was accepted by the Conduct Board. The following conduct measures were imposed:

- a. demotion to the rank of constable for a period of two years; and
- b. transfer to a general duty policing function at the discretion of the “K” Division Commanding Officer.

## INTRODUCTION

[1] On July 18, 2019, the Commanding Officer and Conduct Authority for “K” Division (the Conduct Authority) signed a *Notice to the Designated Officer*, in which he requested a conduct hearing be initiated in relation to this matter. On July 25, 2019, I was appointed as the Conduct Board, pursuant to subsection 43(1) of the *Royal Canadian Mounted Police Act*, RSC, 1985, c R-10 [*RCMP Act*].

[2] The *Notice of Conduct Hearing*, which contains one allegation under section 7.1 of the Code of Conduct, was signed by the Conduct Authority on September 13, 2019. It alleged that Corporal Weatherdon had engaged in non-consensual sexual misconduct with a co-worker from his home unit while seconded to the G7 Summit in Quebec in June 2018.

[3] Corporal Weatherdon provided his written response to the allegation, pursuant to subsection 15(3) of the *Commissioner’s Standing Orders (Conduct)*, SOR/2014-291 [*CSO (Conduct)*] on March 23, 2020.

[4] A conduct hearing was held by video conference on July 29, 2020. In my oral decision, I found the lone allegation to be established. I also accepted the parties’ joint submission on conduct measures, which included a demotion to the rank of constable for a period of two years and a transfer to a general duty function with the location being at the discretion of the “K” Division Commanding Officer. This written decision incorporates and expands upon that oral decision.

**Publication ban**

[5] At the request of the Conduct Authority Representative and with the consent of Corporal Weatherdon, a publication ban was made to direct that information which could identify the Complainant shall not be published in any way in a document or broadcast or transmission, pursuant to paragraph 45.1(7)(a) of the *RCMP Act*.

**ALLEGATION**

[6] The lone allegation in the *Notice of Conduct Hearing* reads as follows:

**Allegation 1**

On or between June 10 and June 11, 2018, at or near Saint-Siméon, in the Province of Quebec, Corporal William Weatherdon engaged in discreditable conduct, contrary to section 7.1 of the *Code of Conduct of the Royal Canadian Mounted Police*.

**Particulars**

1. At all material times you were a member of the Royal Canadian Mounted Police (“RCMP”) posted to “K” Division, [specialized plain clothes unit] in Edmonton, Alberta.
2. You have been a Corporal (“Cpl.”) with [specialized plain clothes unit] since 2017. At the time of the alleged incident, [the Complainant] was a Constable recently seconded to your unit.
3. In June 2018, you were deployed to the G7 in the Province of Quebec and lodged at the Motel Cofotel, in the town of Saint-Siméon.
4. At approximately [10:30 p.m.], on June 10, 2018, you met [the Complainant] at a social gathering with other RCMP members which took place at the end of rue du Festival, on the beachfront, in the Town of Saint-Siméon.
5. [The Complainant] was cold and decided to leave and go back to her lodging facility. You offered to walk her back and insisted on stopping by your room to get hand and foot warmers for her. You both entered your room located in the Motel Cofotel. You gave foot warmers to [the Complainant] and she sat on one of the beds. You sat on the other bed facing her and talked about work related issues. At some point, you grabbed [the Complainant]’s legs and put her feet on your lap; she did not object.
6. You subsequently made unwelcomed sexual advances and engaged in unwanted sexual touching on [the Complainant] including:

- i. pulling her legs causing her to fall between the two beds;
  - ii. pulling her on top of you, flipping her on her back and getting on top of her;
  - iii. pulling her pants to get them down stating words to the effect “let me see that thing”;
  - iv. commenting to the effect that you wanted to see her breasts;
  - v. rubbing the inside of her legs, touching her vagina and telling her to “just relax”.
7. [The Complainant] resisted your advances and told you “no” repetitively until you eventually stopped.
8. Your actions made [the Complainant] uncomfortable and were discreditable.

[Sic throughout]

### Determination of Established Facts

[7] Pursuant to *Administration Manual* XII.1.11.10.3, I presented the parties with a *Determination of Established Facts* on May 8, 2020. The document, dated May 7, 2020, consists of 79 paragraphs<sup>1</sup> contained in 11 pages. The parties raised no objections to any of my findings. It is not imperative that I reproduce my *Determination* in its entirety, but it is necessary for me to present portions of it in order to put the circumstances of what occurred into perspective. The following are those findings I feel are important in this respect:

1. At all material times, Corporal William Weatherdon (“Corporal Weatherdon”) was a member of the Royal Canadian Mounted Police posted to “K” Division, [specialized plain clothes unit] in Edmonton, Alberta. [**Particular 1** – Admitted]
2. Corporal Weatherdon has been a Corporal with the [specialized plain clothes unit] since 2017. [**Particular 2** – Admitted]
3. At the time of the alleged incident, [the Complainant] was a Constable recently seconded to the [specialized plain clothes unit] from [another plain clothes unit in “K” Division]. [**Particular 2** – Admitted]

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<sup>1</sup> The paragraph numbers appearing below are the original paragraph numbers in the *Determination of Established Facts*.

4. Both Corporal Weatherdon and [the Complainant] were deployed to the G7 held in Quebec in June 2018. [**Particular 3** – Admitted]

[...]

6. Corporal Weatherdon was lodged at the Motel Cofotel in the Town of Saint-Siméon. [**Particular 3** – Admitted]

7. [The Complainant] was lodged at the Motel Bo Fleuve in the Town of Saint-Siméon.

[...]

10. Although [the Complainant] was scheduled to work through to June 12, 2018, her last shift of the deployment ended at 1:00 a.m. (ET) on June 10, 2018 with her arrival at her lodgings in Saint-Siméon. She was off duty for the remainder of June 10, 2018 and was awaiting transportation back to “K” Division.

[...]

12. [The Complainant] had originally planned to go to Quebec City with two co-workers from “K” Division, however, she over slept and failed to make the trip.

13. [The Complainant] decided to go to the grocery store to pick up some food.

[...]

14. While at the grocery store, [the Complainant] met Sergeant [B.B.] and Sergeant [H.V.].

[...]

17. Sergeants [B.B.] and [H.V.] invited [the Complainant] to join them at an impromptu gathering of some members deployed to the G7 who were staying in the area.

18. The gathering was at the Motel Vue Belvédère.

19. [The Complainant] returned to the Motel Bo Fleuve to drop off her groceries and change into warmer clothes.

20. [The Complainant] estimated that she arrived at the gathering at the Motel Vue Belvédère shortly after 5:00 p.m. (ET).

21. There were a lot of members already present at the gathering when [the Complainant] arrived.

22. [The Complainant] did not know many people at the gathering.

[**Note:** The Complainant says that Sergeants B.B. and H.V. were the only two members at the gathering that she knew.]

23. At the gathering, [the Complainant] consumed some pizza and a drink containing alcohol (a pre-mixed Caesar provided to her by Sergeant [H.V.]). This drink may or may not have been fully consumed by [the Complainant].

24. [The Complainant] did not bring any alcohol of her own to the gathering as she did not intend on drinking.

25. [The Complainant] does not consume alcohol on a frequent and/or regular basis.

26. Someone made the suggestion that they (the group of members) move down to the beach for a bonfire.

[...]

28. The bonfire took place on the beach front at the end of Rue du Festival in the Town of Saint-Simeon. **[Part of Particular 4 – Admitted]**

29. [The Complainant] was at the beach prior to 8:11 p.m. (ET).

30. The gathering on the beach began with approximately 8 or 10 members. As time passed, the number of members at the beach grew.

[...]

33. While at the beach, [the Complainant] was provided two pre-mixed Caesar drinks by Sergeant [H.V.]. Both of these drinks were fully consumed by [the Complainant].

34. A man (possibly one of the bus drivers) came down to the beach and yelled out to the members that their pick up time was early the following morning.

35. The members at the beach were not pleased to have received the news of the early morning pick up at this time.

36. [The Complainant] left the beach in the company of Sergeant [B.B.], Sergeant [H.V.] and [another member] to return to their respective lodgings to pack for their departure the next morning. [The Complainant] was also quite cold at this point.

37. At some point, [the Complainant] parted company with Sergeant [B.B.], Sergeant [H.V.] and [the other member] as their lodgings were in different directions.

38. Shortly after parting company with Sergeants [B.B.] and [H.V.], [the Complainant] decided to return to the beach.

39. [The Complainant] returned to the bonfire and met Corporal Weatherdon at 10:30 p.m. **[Part of Particular 4 – Admitted]**

[...]

41. [The Complainant] had only been at the beach for 10 to 20 minutes before she decided to leave the beach because she was cold and wanted to go back to her lodgings to pack. **[Part of Particular 5]**

42. During the 10 to 20 minutes that [the Complainant] was at the beach with Corporal Weatherdon, [the Complainant] told Corporal Weatherdon a story about her breast augmentation/enhancement surgery.

[**Note:** The Complainant says she brought the topic up because Corporal Weatherdon was teasing her and she wanted Corporal Weatherdon to hear her side of the story rather than hearing it from a mutual friend, D.M. Corporal Weatherdon simply says that the Complainant wanted to tell him a secret.]

43. The story was that Corporal Weatherdon and [the Complainant] have a mutual friend by the name of [D.M.].

44. [The Complainant] and her husband attended [D.M.]’s wedding reception.

45. Also in attendance at the wedding was the plastic surgeon who had performed breast augmentation/enhancement surgery on [the Complainant].

46. The plastic surgeon was a relative of [D.M.].

[**Note:** The Complainant says that the “cup size” she had chosen was discussed during the original conversation on the beach whereas Corporal Weatherdon says that this did not come up until the Complainant brought the topic of the breast augmentation / enhancement up again while they were in his motel room.]

[...]

48. Corporal Weatherdon and [the Complainant] left the beach together.

49. Corporal Weatherdon offered to provide [the Complainant] hand/foot warmers which he had in his motel room.

50. Corporal Weatherdon and [the Complainant] held hands on the way to the Motel Cofotel.

[**Note:** The initiator of the hand-holding has not been established.]

51. Corporal Weatherdon and [the Complainant] entered Corporal Weatherdon’s motel room at the Motel Cofotel through the sliding glass patio door. [**Part of Particular 5**]

52. Corporal Weatherdon gave [the Complainant] foot warmers. [**Part of Particular 5**]

53. There were two beds in the motel room.

54. [The Complainant] sat on one of the two beds. [**Part of Particular 5**]

55. Corporal Weatherdon went to the washroom.

[**Note:** The Complainant says that Corporal Weatherdon actually went to the washroom (urinated) whereas Corporal Weatherdon simply says that he went in search of towels to warm the Complainant’s feet.]

56. [The Complainant] removed her flip flops.

57. [The Complainant] ended up with the foot warmers on her feet.

58. After Corporal Weatherdon came out of the washroom, he sat on the other bed across from [the Complainant]. They had a work-related discussion. [**Part of Particular 5**]

59. Corporal Weatherdon asked to see [the Complainant]'s breasts. [**Particular 6 iv**]

[**Note:** Corporal Weatherdon states that he first asked to see the Complainant's breasts while they were still at the beach. The Complainant does not mention this. Rather, she says that the request to see her breasts did not come until they were in Corporal Weatherdon's motel room.]

60. [The Complainant] ended up flat on her back on a bed with Corporal Weatherdon on top of her.

61. Corporal Weatherdon kissed [the Complainant].

62. Corporal Weatherdon attempted to pull [the Complainant]'s pants down. [**First half of Particular 6 iii**]

63. [The Complainant] told Corporal Weatherdon to stop because it would be awkward at work.

64. [The Complainant] told Corporal Weatherdon that she was "having her period".

65. The physical encounter between Corporal Weatherdon and [the Complainant] ended abruptly after [the Complainant] told Corporal Weatherdon to stop. [**Last part of Particular 7**]

66. Corporal Weatherdon offered to have [the Complainant] to stay the night in his room, in separate beds. [The Complainant] declined the invitation.

67. Corporal Weatherdon walked [the Complainant] to the Motel Bo Fleuve.

68. [The Complainant] was in her room at the Motel Bo Fleuve at 1:47 a.m. (ET) (June 11, 2018).

69. Corporals Weatherdon and [the Complainant] did not see each other until they arrived at the Welcome Centre on the morning of June 11, 2018.

70. Sergeant [H.V.] and [Corporal] Weatherdon, [the Complainant] and [J.T.] (a co-worker of [Corporal] Weatherdon and the Complainant) were taken by bus to a hotel in Quebec City where they were to spend the night before returning to Alberta the following day.

71. Corporal Weatherdon and [the Complainant] sat together on the bus behind Sergeant [H.V.] and Corporal [J.T.].

72. Sergeant [H.V.] and [Corporal] Weatherdon, [the Complainant] and [J.T.] went out for dinner together that evening.

[...]

75. On the morning of June 12, 2018, the members were taken by a shuttle bus to the Quebec City Airport where they sat in RCMP Detachment prior to being taken to an aircraft for the flight home.

[...]

### **Agreed Statement of Facts**

[8] I was presented with an *Agreed Statement of Facts* by the parties on July 24, 2020. According to the parties, the *Agreed Statement of Facts* was not intended to be all inclusive of the facts agreed upon by the parties, but supplemental to my *Determination of Established Facts*. The agreed facts are as follows:

5.<sup>2</sup> [The Complainant] was cold and decided to leave and go back to her lodging facility. Cpl. Weatherdon offered to walk her back and insisted on stopping by his room to get hand and foot warmers for [the Complainant]. Both entered Cpl. Weatherdon's room located in the Motel Cofotel. Cpl. Weatherdon gave foot warmers to [the Complainant] and she sat on one of the beds. Cpl. Weatherdon sat on the other bed facing her and they talked about work related issues. At some point, Cpl. Weatherdon grabbed [the Complainant]'s legs and put her feet on his lap; she did not object.

6. Cpl. Weatherdon initiated sexual contact without seeking [the Complainant]'s consent and proceeded to touch her without first ensuring that it was okay.

7. Cpl. Weatherdon's unwelcomed sexual advances and unwanted sexual touching included:

- i) getting on top of her;
- ii) pulling at her pants to get them down and stating words to the effect, 'let me see that thing' without seeking [the Complainant]'s explicit consent to do so;
- iii) commenting to the effect that he wanted to see her breasts to which she repeatedly said no, and, rubbing the inside of her legs and telling her to 'just relax', or words to that effect.

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<sup>2</sup> The *Agreed Statement of Facts* began at paragraph 5, which is the number of the Particular found in the *Notice of Conduct Hearing*.

8. Both members were intoxicated by alcohol at the time of the incident. Cpl. Weatherdon kissed [the Complainant] and she let him kiss her. [The Complainant] attempted to dissuade Cpl. Weatherdon in pursuing his advances by stating that it would be awkward at work, that she was having her period, at one point contorting her body away from him amongst other actions, and by stating no when Cpl. Weatherdon attempted to remove her pants. Cpl. Weatherdon stopped any attempts to engage in sexual activity when he understood that [the Complainant] was not consenting.

9. Cpl. Weatherdon's actions made [the Complainant] uncomfortable and the incident led her to believe that she would not be promoted in the corporal's position with [the specialized plain clothes unit], which had been her goal since the beginning of her career. However, in August 2018, [the Complainant] was promoted to corporal and joined the [specialized plain clothes unit] permanently.

10. Cpl. Weatherdon recognizes that, as a senior corporal, it was improper to pursue a relationship with a junior member of the [specialized plain clothes unit]; he also recognized that [the Complainant] could have perceived him as having the ability to influence her selection and promotion within the [specialized plain clothes unit].

11. Cpl. Weatherdon recognizes that his conduct was discreditable.

[*Sic throughout*]

### **Decision on the allegation**

[9] The RCMP External Review Committee (ERC) offers its analysis of the nature of conduct "likely to discredit the Force" in ERC recommendation C-2015-001 (C-008), dated February 22, 2016. I accept and adopt the approach found at paragraphs 92 and 93 of its recommendation. Simply put, the test for whether a member has contravened section 7.1 of the Code of Conduct is that any reasonable person with the knowledge of the facts, including the realities of policing in general, and the RCMP in particular, would find the conduct discreditable or likely to discredit the Force. The Conduct Authority must demonstrate this on a balance of probabilities.

[10] Based on the general admission made by Corporal Weatherdon to the lone allegation, his admissions to the various particulars in his subsection 15(3) of the *CSO (Conduct)* response to the allegation, my findings in the *Determination of Established Facts* and the facts presented in the *Agreed Statement of Facts*, I find that the allegation against Corporal Weatherdon is established.

## CONDUCT MEASURES

[11] Having found the allegation established, I am obliged, by virtue of subsection 45(4) of the *RCMP Act*, to impose at least one of the conduct measures set out in that subsection. These conduct measures include dismissal, a direction to resign or “one or more of the conduct measures provided for in the rules”. The conduct measures “provided for in the rules” are found in sections 3, 4 and 5 of the *CSO (Conduct)*.

### Joint proposal on conduct measures

[12] During a pre-hearing conference held on July 20, 2020, the parties advised me that they would be presenting a joint proposal on conduct measures. This joint proposal included the following conduct measures:

- demotion to the rank of constable for a period of two years; and
- transfer to a general duty policing function with the location being at the discretion of the “K” Division Commanding Officer.

### Common law on joint proposals

[13] The Supreme Court of Canada, in *R v Anthony-Cook*, 2016 SCC 43 [*Anthony-Cook*], at paragraph 25, recognized that joint submissions on criminal sanctions are not only an accepted and desirable practice, but they are “vitally important to the well-being of our criminal justice system, as well as our justice system at large”. The Court further noted that the majority of such agreements are “unexceptional” and readily approved by judges. However, judges are not obliged to follow these joint agreements for various reasons. These notions are equally applicable to conduct adjudicators in the RCMP conduct regime.<sup>3</sup>

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<sup>3</sup> See *Rault v Law Society of Saskatchewan*, 2009 SKCA 81, and *Constable Coleman v Appropriate Officer, "F" Division*, (2018) 18 AD (4th) 270.

[14] In *Anthony-Cook*, the Supreme Court also set out the test to be applied when a judge is considering departing from a joint submission in a particular case. After examining the tests adopted by various other courts, the Supreme Court declared that the test to be applied is the “public interest” test. The question that must be answered is whether the proposed sentence would bring the administration of justice into disrepute, or would otherwise be contrary to the public interest. The Supreme Court noted that this test best reflects the many benefits that joint submissions bring to the justice system and the corresponding need for a high degree of certainty in them.

[15] In determining whether a joint submission will bring the administration of justice into disrepute or is contrary to the public interest, the Supreme Court noted that the following statements made by the Newfoundland and Labrador Court of Appeal, in two separate cases, capture the essence of the “public interest” test. The statements are as follows:

[...] despite the public interest considerations that support imposing it, it is so ‘markedly out of line with the expectations of reasonable persons aware of the circumstances of the case that they would view it as a [breakdown] in the proper functioning of the criminal justice system’.<sup>4</sup> [...]

And:

[...] trial judges should ‘**avoid rendering a decision that causes an informed and reasonable public to lose confidence in the institution of the courts**’.<sup>5</sup> [...] [Emphasis added]

[16] In applying the Supreme Court’s direction to this decision, I must consider whether the joint proposal on conduct measures will bring the administration of justice into disrepute or is contrary to the public interest. In doing so, I must consider whether it is so markedly out of line with the expectations of a reasonable person aware of the circumstances of the case that they would view it as a breakdown in the proper functioning of the RCMP conduct system.

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<sup>4</sup> *R v Druken*, 2006 NLCA 67, 261 Nfld & PEIR 271, at paragraph 29.

<sup>5</sup> *R v B.O.2*, 2010 NLCA 19 (CanLII), at paragraph 56.

## Decision on conduct measures

[17] The ERC established an analysis framework under the old RCMP discipline system which remains relevant to conduct proceedings implemented under the amended *RCMP Act*. Under this framework, conduct boards are required to first examine the appropriate range of conduct measures and then to examine the mitigating and aggravating factors in order to determine the appropriate conduct measures for the specific case. This approach is consistent with the provisions of *Administration Manual* XII.1.11.15.

### *Appropriate range of conduct measures*

[18] The *Conduct Measures Guide* sets out a range of possible conduct measures for discreditable conduct. It contains several sections relating to sexual misconduct, but it does not contain a specific section pertaining to non-consensual off-duty sexual misconduct with a co-worker. Based on Corporal Weatherdon's admission that there was a power imbalance in his relationship with the Complainant, the closest section in the *Conduct Measures Guide* deals with "improper relationship", which is defined as "engaging in or seeking a romantic relationship with a subordinate".

[19] In this category, the mitigated range includes an isolated incident, which is the case here. The recommended conduct measures in the mitigated range are the forfeiture of between 20 and 30 days' of pay. The normal range calls for dismissal. The aggravated range, which includes several examples of specific factors, none of which are present in the instant case, also calls for dismissal.

[20] The matter before me is undoubtedly a very serious one that involves a member's sexual misconduct with another member, albeit off-duty. Other conduct boards, including myself, have noted that the degree of seriousness of sexual misconduct is high and that the RCMP, through repeated messaging to its employees, has communicated that workplace harassment, including sexual harassment, and off-duty non-consensual sexual misconduct are all unacceptable and will not be ignored or tolerated.

[21] Prior to the conduct hearing, I was presented with three prior conduct board decisions<sup>6</sup> in which conduct measures imposed by the respective conduct boards included demotion and/or transfer, sometimes coupled with a monetary penalty.

[22] Given the foregoing, dismissal from the Force was certainly a real possibility in this case, but measures short of dismissal can also be an acceptable outcome.

*Mitigating and aggravating factors*

[23] Prior to the conduct hearing, I was presented with 8 letters of support for Corporal Weatherdon. The general flavour of these letters is that he is a solid member. The consistent themes are that he is dedicated, hard-working and compassionate. The annual performance evaluations presented to me, which span Corporal Weatherdon's entire career, align with the letters of support.

[24] The parties outlined several mitigating factors, all of which I acknowledge and accept. These include:

- Corporal Weatherdon did not take this matter to a contested hearing. He has accepted responsibility for his actions.
- Corporal Weatherdon has a record of strong performance throughout his career.
- This is a case of an honest, but mistaken, belief in consent. As soon as Corporal Weatherdon became aware that the Complainant was not consenting, he stopped.
- Corporal Weatherdon was cooperative throughout the investigative process.

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<sup>6</sup> See *Commanding Officer, "T" Division v Corporal Mark Jenkins*, 2018 RCAD 4; *Commanding Officer, "K" Division v Constable Lee Brown*, 2019 RCAD 12, and *Commandant de la Division J et Membre civil Mark Gaudet*, 2020 DAD 10.

[25] The parties also outlined several aggravating factors, all of which I acknowledge and accept. These include:

- The non-consensual sexual misconduct of a member is serious in nature.
- Corporal Weatherdon was a senior corporal.
- The incident has had serious repercussions for the Complainant.
- Corporal Weatherdon's suspension adversely impacted the overall operations of the Force and the specific operations of the highly specialized plain clothes section.
- There is an element of abuse of authority in this matter.

[26] During the conduct hearing, Corporal Weatherdon also made a heartfelt apology for his actions, in which he expressed regret for his actions and acknowledged the impact of his actions on the RCMP.

[27] Having considered the record before me, the nature of the misconduct, the mitigating and aggravating factors as well as the submissions from the parties, I cannot find that the joint proposal on conduct measures would bring the administration of justice into disrepute or that it is contrary to the public interest. Therefore, I accept the parties' joint proposal on conduct measures.

## **CONCLUSION**

[28] Having found the lone allegation established and in accordance with the joint proposal presented by the parties, the following conduct measures are imposed:

- a. demotion to the rank of constable for a period of two years; and
- b. transfer to a general duty policing function with the location being at the discretion of the "K" Division Commanding Officer.

[29] It should be noted that the conduct measures imposed fall just short of dismissal. Corporal Weatherdon is being permitted to continue his career with the RCMP. However, any future contravention of the Code of Conduct will be seriously reviewed by the appropriate conduct authority and could lead to his dismissal from the Force.

[30] This decision constitutes my written decision required to be served on the parties under subsection 25(3) of the *CSO (Conduct)*. It may be appealed to the Commissioner by filing a statement of appeal within 14 days of the service of the decision on Corporal Weatherdon (section 45.11 of the *RCMP Act*; section 22 of the *Commissioner's Standing Orders (Grievances and Appeals)*, SOR/2014-289).



September 8, 2020

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Kevin L. Harrison

Conduct Board