

B.C. Civil Liberties Association - APEC Inquiry fonds

Compiled by Alan Doyle (December 2002)

Last revised September 2010

[University of British Columbia Archives](#)



a place of mind
THE UNIVERSITY OF BRITISH COLUMBIA



The Library

Table of Contents

- **Fonds Description**
 - Title / Dates of Creation / Physical Description
 - Administrative History
 - Scope and Content
- **Series Descriptions**
 - Counsel Submissions series
 - Exhibit series
 - Miscellaneous series
 - Michael P. Doherty series
 - Reports series
- **Additional Notes**
 - Guide to Acronyms
 - A Brief Chronology of Events
- **File List**
- **Catalogue entry** (UBC Library catalogue)

Fonds Description

British Columbia Civil Liberties Association - APEC Inquiry fonds. – 1997-2001.

2.26 metres of textual records.

3 computer diskettes.

10 videotapes.

Administrative History

The British Columbia Civil Liberties Association (BCCLA) is a "non-partisan, autonomous and charitable society" whose mandate is to "preserve, defend, maintain and extend civil liberties and human rights in British Columbia and across Canada".

On November 25, 1997, approximately 1,500 protesters came to the University of British Columbia campus to voice their opposition to the Asia-Pacific Economic Co-operation (APEC) summit. Protesters were concerned that APEC discussions aimed at liberalizing trade between the participating countries would not include any reference to human rights and social and environmental issues. In particular, the protesters demonstrated against the participation of President Jiang Zemin of China and President Suharto of Indonesia. In the days leading up to the protest a number of anti-APEC organizers, including Jaggi Singh, were detained or arrested.

Following a series of peaceful demonstrations on the morning of November 25th, protesters clashed with police in the afternoon. At the Rose Garden plaza protesters broke through a police barricade and were pepper sprayed by the police. The protesters then spread out in hopes of being seen by APEC delegates. At one of the roadblocks on N.W. Marine Drive, Royal Canadian Mounted Police (RCMP) Staff Sergeant Hugh Stewart warned protesters that officers would use whatever force necessary if they did not clear the area. Shortly thereafter officers moved into the crowd with pepper spray.

Differing versions of events, both prior to, during, and after the protest led to the initiation of a variety of legal actions. Serious charges were levelled at the RCMP for their handling of the event, and for their alleged role in the suppression of free speech and other civil liberties. Allegations of political interference by the Prime Minister's Office (PMO) into the actions of the RCMP were also made.

The APEC Inquiry was launched by the RCMP's Public Complaints Commission (PCC) on February 20, 1998, and formal hearings commenced October 5, 1998. Following additional allegations of renewed political interference, the hearings ended abruptly with the resignation of the Inquiry's Chief Commissioner, Gerald Morin, on December 4, 1998. A second round of hearings under the direction of Ted Hughes began on March

23, 1999, and concluded on June 30, 2000. The PCC's interim report was released on July 31, 2001, and its final report appeared on March 25, 2002.

The B.C. Civil Liberties Association, through its president, Kay Stockholder, filed a complaint with the RCMP - PCC. Although the BCCLA took no position on the merits of the various protestor's views, the Association was the first to call for public hearings into the events at the APEC summit, and, as President of the BCCLA, Stockholder was the complainant before the PCC until replaced in 1998 by incoming president Andrew D. Irvine.

Scope and Content

The fonds consists of exhibits and submissions from assorted counsel, as well as notes relating to the BCCLA and their role the APEC Inquiry.

Series Descriptions

Counsel Submissions Series. - n.d.

1.21 m of textual material.

Series consists of submissions by counsel representing a variety of groups, including The Attorney General of Canada, The British Columbia Civil Liberties Association, The Royal Canadian Mounted Police, and The University of British Columbia. The material includes Books of Authorities (previous legal decisions) as well as arguments and reply submissions.

Boxes: **3** (8,9), **4** (12-22, 26-33), **5** (1-6, 8-10), **6**, **7**

Exhibit Series. - n.d.

93 cm of textual material.

10 videotapes.

Series consists of 709 exhibits presented during the APEC Inquiry. Exhibits include witness statements, police statements, arrest reports, copies of photographs, and published and unpublished anti-APEC material. As well, the exhibits include 10 compiled videotapes of assorted events relating to the incidents surrounding the APEC protests. It should be noted that the numbered exhibit list often refers to evidence that although exhibited at the Inquiry, was too unwieldy to be retained, such as banners, signs, and posters.

Boxes: **1**, **2**, **3** (1-7), **4** (1-11, 23-25)

Videotapes 901-1001

Miscellaneous Series. - n.d.

1 cm of textual material.

Series consists of correspondence, articles, and copies of newspaper clippings relating to the role of the BCCLA in general as well as within the context of the APEC Inquiry.

Box: **3** (10)

Michael P. Doherty Series. - n.d.

6 cm of textual material.

3 computer diskettes.

Michael P. Doherty was lead counsel for The British Columbia Public Interest Advocacy Centre, an organization representing the BCCLA during the APEC Inquiry. Series consists of three computer diskettes as well as the printed information they contain. The material includes drafts of questions, cross-examinations, statements, as well as background information on a variety of people connected with the Inquiry.

Box: 8

Reports Series. - 2001.

5 cm of textual material.

Series consists of the Commission Interim Report released July 31, 2001.

Box: 5 (7)

Additional Notes

Guide to Acronyms

PCC = RCMP Public Complaints Commission

APEC = Asia-Pacific Economic Co-operation

AELM = APEC Economic Leaders' Meeting

ACCO = APEC Canada Co-ordinating Office

TAG = APEC Threat Assessment Joint Intelligence Group

BCCLA = British Columbia Civil Liberties Association

PMO = Prime Minister's Office

MOA = UBC Museum of Anthropology

A Brief Chronology of Events

November 22-24, 1997

A variety of non-violent arrests occur prior to the AELM.

November 25, 1997

AELM takes place at the UBC MOA; additional arrests occur and violence breaks out.

December 8, 1997

BCCLA President Kay Stockholder files a complaint with the RCMP- PCC and becomes the first to call for public hearings into events at the APEC summit.

February 20 1998

Shirley Heafey, Chair of the RCMP PCC appoints a three-person panel (Gerald Morin, Vina Starr, John Wright) to oversee the preliminary hearings into complaints arising out of the APEC summit.

October 5, 1998

Formal hearings commence.

November 23, 1998

Following severe criticisms of political interference into the affairs of the PCC panel, Solicitor General Andy Scott resigns and is replaced by Lawrence MacAulay.

December 4, 10, 1998

PCC Commissioner Gerald Morin resigns, alleging additional political interference. This is followed six days later by the resignations of Vina Starr and John Wright.

December 21, 1998

Shirley Heafey, Chair of the RCMP- PCC appoints Ted Hughes as sole commissioner to oversee a new (second) round of hearings.

March 23, 1999

Formal hearings commence for a second time.

June 30, 2000

Formal hearings end.

July 31, 2001

The PCC's interim report ("The Hughes Report") is released.

March 25, 2002

The PCC's final report is released.

Further information as well as photographs relating to APEC can be found in W. Wesley Pue (ed), *Pepper in Our Eyes: The APEC Affair* (Vancouver: UBC Press Vancouver, 2000).

File List

EXHIBIT SERIES

Box 1

- 1-1 Index to Exhibits 1 - 405
- 1-1a Index to Exhibits 406 - 701
- 1-1b/26 Exhibits 1-9, 11-375 (Note: Exhibit 10 is located in box 4(1-6))

Box 2

- 2-1/22 Exhibits 376-709

Box 3

- 3-1 Exhibit Lists [index]
- 3-2 Video Exhibit Lists
- 3-3 Lettered Exhibit List
- 3-4 Commission Exhibits
- 3-5 Document List
- 3-6 Additional Document list
- 3-7 "Will Say" and Transcript List

[\(continued\)](#)

COUNSEL SUBMISSION SERIES

- 3-8 Reply of the British Columbia Civil Liberties Association
- 3-9 Final Argument of the British Columbia Civil Liberties Association

[\(continued\)](#)

MISCELLANEOUS SERIES

- 3-10 Assorted Material relating to the British Columbia Civil Liberties Association

Box 4

EXHIBIT SERIES cont'd

- 4-1/6 Exhibit 10
- 4-7/11 Filed Complaint Index List (1-52)

COUNSEL SUBMISSION SERIES cont'd

- 4-12/17 Book of Authorities of Complainants' Counsel (Arvay, Sandford, Ward) -
Final Submissions - (1-35)
- 4-18 Complainants' Case Authorities In Reply (Arvay, Sandford, Ward) (1-4)
- 4-19 Complainants' Case Authorities In Reply (5-10)
- 4-20 Final Submissions of Complainants' Counsel (Arvay, Sandford, Ward) (1-6)
- 4-21 Final Submissions of Complainants' Counsel (7-13)
- 4-22 Final Submissions of Complainants' Counsel (14-19)

EXHIBIT SERIES cont'd

- 4-23/25 Selected Exhibits Submitted by 44 RCMP Officers

(continued)

COUNSEL SUBMISSION SERIES cont'd

- 4-26 Evidence Relevant to "Green College" Submissions Submitted by 44 RCMP
Officers
- 4-27/31 Final Submissions on Behalf of 44 RCMP Officers (1-16)
(Note: See 6-17/19)
- 4-32 Brief of Authorities on Behalf of Staff Sergeant Stewart and Sergeant McLaren
(1-9)
- 4-33 Final Submissions on Behalf of Staff Sergeant Stewart and Sergeant McLaren

Box 5

- 5-1 Book of Authorities of Commission Counsel Reply Submission Volume 1
- 5-2 Book of Authorities of Commission Counsel Reply Submission Volume 2

- 5-3 Reply Submission of Commission Counsel
- 5-4 Book of Authorities of Commission Counsel Final Submission Volume 1
- 5-5 Book of Authorities of Commission Counsel Final Submission Volume 2
- 5-6 Book of Authorities of Commission Counsel Final Submission Volume 3

REPORTS SERIES

- 5-7 Commission Interim Report

COUNSEL SUBMISSION SERIES cont'd

- 5-8 Final Submission of Commission Counsel - Parts 1,2
- 5-9 Final Submission of Commission Counsel - Parts 3,4
- 5-10 Final Submission of Commission Counsel - Part 5/Appendix

Box 6

- 6-1 Submissions of The Attorney General of Canada - Public Interest Immunity
- 6-2 Book of Documents of The Attorney General of Canada - Final Submission
- 6-3 Final Submission of The Attorney General of Canada
- 6-4/13 Book of Authorities of The Attorney General of Canada - Final Submission - (1-38)
- 6-14 Reply Submission of The University of British Columbia
- 6-15 Further Reply Submission of The University of British Columbia
- 6-16 Closing Submission of The University of British Columbia
- 6-17 Brief of Authorities on Behalf of 44 RCMP Officers - (Not including cases referenced by RCMP found in Commission Counsel's Brief of Authorities) - Volume 1 (Book 1 of 2)
- 6-18 Brief of Authorities on Behalf of 44 RCMP Officers - as above - Volume 1 (Book 2 of 2)
- 6-19 Brief of Authorities on Behalf of 44 RCMP Officers - as above - Volume 2

Box 7

- 7-1 Book of Authorities of The British Columbia Civil Liberties Association - Volume 1 of 3
- 7-2 Book of Authorities of The British Columbia Civil Liberties Association - Volume 2 of 3

- 7-3 Book of Authorities of The British Columbia Civil Liberties Association -
Volume 3 of 3
- 7-4 Book of Authorities of The British Columbia Civil Liberties Association
Respecting Public Interest Immunity and the Testimony of C.W. Chrustie

Box 8

MICHAEL P. DOHERTY SERIES

Michael P. Doherty's notes, drafts of questions and cross-examination, as well as background information relating to the APEC Inquiry. Includes computer diskette as well as printed contents of computer diskettes

- 8-1 Diskette #1 with printed contents
- 8-2 Diskette #2 with printed contents
- 8-3 Diskette #3 with printed contents

EXHIBIT SERIES cont'd

Videotapes

- UBC VT 991 "RCMP - PCC - APEC INQUIRY - VIDEO EXHIBITS # 1-20"
VHS Tape Description of tape contents may be found at 3-2, Video Exhibit Lists
- UBC VT 992 "RCMP - PCC - APEC INQUIRY - VIDEO EXHIBITS # 21-25"
VHS Tape For description see above
- UBC VT 993 "RCMP - PCC - APEC INQUIRY - VIDEO EXHIBITS # 26-39"
VHS Tape For description see above
- UBC VT 994 "RCMP - PCC - APEC INQUIRY - VIDEO EXHIBITS # 40-78"
VHS Tape For Description see above
- UBC VT 995 "RCMP - PCC - APEC INQUIRY - VIDEO EXHIBITS # 79-101"
VHS Tape For description see above

UBC VT 996 "RCMP - PCC - APEC March 1999 - Video Compilation, Exhibit 68"
VHS Tape For Description see 3-1 Exhibit Lists

UBC VT 997 "RCMP - PCC - APEC INQUIRY S/SGT. STEWART
COMPILATION 1hr. 15 minutes Exhibit 504"
VHS Tape For description see 3-1 Exhibit Lists

UBC VT 998 "CBC APEC DEMO TAPE #5" VHS Tape

UBC VT 999 "PCC - RCMP APEC - 1 hr 17 minutes Fred Cawsey - Frontrunner
Productions (1st Draft)"
VHS Tape

UBC VT 1000 "RICHMOND RCMP DETACHMENT CELL-BLOCK DRUNK
TANK (1998-10-08)"
VHS Tape

UBC VT 1001 "PUBLIC COMPLAINTS COMMISSION RCMP - UBC CAMPUS
AREA - Fred Cawsey, Frontrunner Productions"
VHS Tape