



Marie Landry vs Royal Canadian Mounted Police 20230331Canadian Human Rights Commission

1 message

COMPLAINT / PLAINTE (CHRC/CCDP) <complaint.plainte@chrc-ccdp.gc.ca>
To: marielandryceo@gmail.com <marielandryceo@gmail.com>

Wed, Aug 6, 2025 at 8:38 AM

PROTECTED

Complaint File Name: Marie Landry vs Royal Canadian Mounted Police 20230331

Dear Marie Landry,

Y

This is further to your correspondence of August 5, 2025, sent to the Canadian Human Rights Commission ("the Commission") in which you share a rebuttal of the Commission's decision for complaint file 20230331.

Thank you for your correspondence. Kindly note that **if you are dissatisfied with the Commission's decision or process, your recourse is to apply for judicial review with the Federal Court**, This is your formal recourse, as outlined in the decision letter.

Please note:

- You have **30 days** from the date you received the decision to file an application under **subsection 18.1(1) of the Federal Courts Act**.
- Our office is **not involved** in the judicial review process.
- For guidance on filing or next steps, contact the **Federal Court** toll-free at **1-800-663-2096**.

Sincerely,

Complaints Services

Canadian Human Rights Commission
Toll free: 1-888-214-1090 / Website: www.chrc-ccdp.gc.ca

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From: Marie Seshat Landry <marielandryceo@gmail.com>
Sent: August 5, 2025 11:58 AM
To: COMPLAINT / PLAINTE (CHRC/CCDP) <complaint.plainte@chrc-ccdp.gc.ca>
Subject: Rebuttal |Re: Canadian Human Rights Commission - Decision Letter - 20230331

The Canadian Human Rights Commission's (CHRC) Record of Decision to dismiss Marie Landry's complaint against the Royal Canadian Mounted Police (RCMP) can be robustly challenged based on the information provided in the documentation. The decision appears to overlook or misinterpret key details and direct statements from the parties involved.

Here is a rebuttal of the CHRC's decision:

1. **Rebuttal of the "Statutory Time Limit" Argument (Paragraph 41(1)(e) of the CHRA):** The CHRC dismissed allegations concerning the false charging and the officer's post-court statement, stating they occurred more than one year before the complaint was filed and that Marie Landry provided no reasonable explanation for the delay.

- **Marie Landry's Explanation for Delay:** Marie Landry explicitly provided reasons for the delay in filing her complaint. She stated she was **unaware that the police system falsely showed her as guilty until recently (May 2023)**. She only learned about the details in her police report and was advised by a lawyer to contact human rights organizations at that time. This directly contradicts the CHRC's assertion that no reasonable explanation was provided.
- **Ongoing Nature of the Discrimination:** While the initial incident and officer's statement occurred in 2016, Marie Landry consistently alleges that the **false information was perpetuated in the RCMP's internal system for seven years, until May 2023**. She states the RCMP *only* updated their file when she presented a newly issued certificate from a judge in May 2023. This suggests the discriminatory "act" was not a single past event but an **ongoing failure** to correct a fundamental error, which constitutes continuous discrimination until its rectification was forced in 2023. The false record continued to impact her and her interactions with law enforcement and the community for years.
- **Fear and Lack of Legal Representation:** Marie Landry also cited "fear of retaliation from both the RCMP and the witnesses involved, challenges in gathering evidence, and the inability to secure legal representation" due to high costs as factors contributing to her delay. These are valid considerations for a human rights body to assess when evaluating timeliness.

2. **Rebuttal of the "Plain and Obvious Cannot Succeed" Argument (Paragraph 41(1)(d) of the CHRA):** The CHRC found the remaining allegations (failure to update police record, failure to recognize transgender status, and reputational damage) to be "bald allegations" with "insufficient information" to establish a link between RCMP actions and prohibited grounds of discrimination, and deemed her assertions of reputational damage "bald and speculative".

- **The Source of the "Clerical Error":** The CHRC decision states the record update issue "appears to stem from a clerical error made by a **municipal employee, and not the Respondent [RCMP]**". This directly **contradicts the RCMP's own admission**. Cpl. Yanick Soucy, an investigator with the Codiak RCMP's Public-Complaints Unit, explicitly stated in an email to Marie Landry: "I feel bad that there was a **mistake made by one of our PSE** back in 2016 in your case, in reference to the disposition, but be reassured that the charge under Section 173 was withdrawn accordingly in October 2016 before the Court". "PSE" stands for Public Service Employee, which refers to **civilian staff employed by the RCMP**. Furthermore, an investigation by the **RCMP "J" Division's Criminal Operations Office and the Professional Responsibilities Unit** itself **acknowledged the administrative error** that led to Marie Landry's "wrongful convictions" in a letter dated December 1, 2023. This clearly indicates the error originated *within* the RCMP's operations, not with an unaffiliated "municipal employee."
- **Link to Prohibited Ground of Discrimination (Transgender Status):** The CHRC claimed insufficient information to link the RCMP's actions to discrimination based on transgender status, calling it a "bald allegation". However, Marie Landry's complaint is deeply rooted in this very issue:
 - She states the RCMP **"refused to recognize and acknowledge my transgender status, repeatedly emphasizing that I was found guilty of being a sexual offender rather than accepting my identity as an openly transgender woman"**.
 - She explicitly names **Constable Gabriel Gallant** as persistently denying her womanhood and insisting she was a sexual offender. This is a direct, consistent allegation of discrimination based on gender identity.
 - The maintenance of the false conviction, despite court withdrawal, allegedly led to **"very transphobic stays in Restigouche, George Dumont, and Moncton City Hospital psych wards, as well as time in Moncton holding cells and Shediak Medical Isolation Cell 113 where I suffered greatly of mental health challenges under extreme conditions"** where she was "denied my identity and made a mockery, as if I was a violent and psychotic sexual offender". This is a clear and detailed link between the false record, the denial of her transgender identity, and severe adverse treatment.
- **Examples of Reputational Damage and Adverse Treatment:** The CHRC asserted Marie Landry provided "no actual examples" of reputational damage or adverse treatment, deeming her claims "bald and speculative." This overlooks significant details provided:
 - Marie Landry states the actions "ruined my reputation for many years" and that she "had to deal with public harassment" as a result.
 - She experienced **"significant mental health challenges, including symptoms of post-traumatic stress disorder (PTSD), anxiety, and depression," social isolation, loss of friendships, dissolution of a relationship, and homelessness**.
 - Her claims of **"false imprisonment in a psychiatric ward based on false information"** and "very transphobic stays" in multiple specific hospitals are concrete examples of severe adverse treatment.
 - She states her subsequent court cases and alleged need for self-defense were "due to the refusal of the RCMP to address transphobic bullies and the facts of court case #33094001" and that her "depositions were never taken or investigated until today". This paints a picture of systemic adverse treatment and a justice system that failed to acknowledge her reality.

In conclusion, the CHRC's decision to dismiss Marie Landry's complaint appears to be based on an incomplete or selective interpretation of the provided information. Her submissions detail specific allegations, personal impacts, and even direct acknowledgements of error from RCMP officials that contradict the CHRC's reasoning for dismissal.

Marie Seshat Landry

File Number: 20230331

Dear Marie Landry:

Please find enclosed the Letter of Decision in your complaint (20230331) against the Royal Canadian Mounted Police.

Sincerely,

Complaint Services

Canadian Human Rights Commission

TEL: 1-888-214-1090

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