

Female officers settle harassment case against Hamilton sergeant

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Kevin Dhinsa

SCOTT GARDNER/THE HAMILTON SPECTATOR

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They were street cops, undercover officers and plainclothes detectives with anywhere from a month to 30 years of police experience.

What brought them together was a determination to hold a Hamilton police sergeant accountable for what they describe as “serial” sexual harassment, which included invitations to sit on his lap and in his hot tub.

“I think we found strength in numbers,” said Det. Const. Angela Weston in an exclusive interview Friday before the 11 female Hamilton officers and one civilian employee settled a human rights complaint over the conduct of Sgt. Kevin Dhinsa.

The settlement avoids a lengthy hearing that was set to begin Monday in Toronto before the Human Rights Tribunal of Ontario. The terms of the settlement remain confidential.

In dealing with female officers under his command, Dhinsa made obscene gestures simulating oral sex, invited them to take “naps” with him, commented on their “boobs” and “butt,” asked suggestively if they needed to be “disciplined” and grabbed one officer’s crotch at a party, according to allegations in a brief filed with the tribunal by Ontario’s Human Rights Commission.

When one officer asked to leave work early for child care reasons, Dhinsa replied by asking “what’s in it” for him, the brief alleged.

One day, Dhinsa pulled up next to Weston’s cruiser in the parking lot and rolled down his window.

“Hey Ang, I just got my new hot tub,” he said, according to the brief. “When are you going to come over and get into it with me?”

The women initially hesitated in bringing forward complaints for fear of being ostracized and considered complainers or “rats” by other officers.

They were abandoned by their police association, which funded Dhinsa’s legal costs but not theirs.

“This has been a very discouraging process and it’s not been easy,” Det. Helena Russell told the *Star*.

Dhinsa denied the allegations. In material filed with the tribunal, he alleged the female officers came to him for advice and sexualized the workplace.

They flirted, one asked for his phone number, another asked him repeatedly to treat her to dinners and drinks and yet another jumped on a hotel room bed and kissed him during a business trip to Ottawa, he claimed.

Dhinsa alleged one officer removed her bra at an annual police party known as the “Vice and Drug Levy.”

Another entered the daily police parade with her vest open, he said, and commented on the size of her breasts.

Dhinsa said it was his long-standing practice to joke with his squad by making comments such as “what’s in it for me?”

The women disputed everything he said.

Lawyer Julian Falconer, who represented 10 of the complainants, said he is “very proud” to have acted for them.

The male-dominated police culture places a greater premium on protecting an alleged harasser “than on getting any kind of justice for the victim and they, for years, had to bear the burden of that,” he said.

The human rights commission argued the union’s conduct contributed to a poisoned work environment.

While the women ended as a group of 12, they began coming forward individually.

In the fall of 2005, Weston was approached by three junior female officers who complained that Dhinsa had been harassing them.

Weston had also learned Dhinsa was about to be transferred to the sexual assault squad. Given her own history with the sergeant and the new information that had come her way, Weston and the other officers provided statements to the Hamilton police force’s professional standards branch.

Around the same time, Russell had filed her own sexual harassment complaint about Dhinsa. Others followed.

Dhinsa was charged with 24 counts of misconduct under the Police Act and suspended with pay.

But the Police Services Act complaint filed by Chief Brian Mullan, which triggered the charges, had been filed eight days after a deadline for filing complaints had expired and a police hearing officer threw out the charges.

The complainants attempted to fight that decision all the way to the Supreme Court of Canada, but were told they had no authority to do so because they were merely “witness” officers and the official complainant had been the chief.

The complaints process needs to be reformed to give victims a greater say, Weston and Russell contended Friday.

“We really don’t want to go through anything like this again and don’t want anyone else to,” said Russell.

After the Police Act charges were thrown out, Dhinsa returned to work, with no warning to the complainants and no protocol for his reinstatement, according to the human rights commission’s brief.

Dhinsa's lawyer, Mark Labenski, could not be reached for comment Sunday.

David Migikovsky, a lawyer representing the Hamilton Police Services Board, did not respond to the *Star’s* requests for an interview.

Dhinsa is currently on secondment to the Royal Canadian Mounted Police.

