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# *1997 Annual Conference Report*

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Eighth Annual Meeting and Conference, June 19-22 1997 -- Victoria, British Columbia

The Canadian Association of Police Boards was pleased to host its Eighth Annual Meeting and Conference in Victoria, British Columbia from June 19 - 22, 1997. This publication documents the proceedings of the Annual Meeting, including Resolutions passed, and provides a summary of each of the panel presentations made at the Conference. Copies of most of the presentations are available through the office of the CAPB in Ottawa.

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## *Reports from Break-Out Groups*

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The Annual Meeting took place on Sunday, June 22, 1997. After a number of preliminary motions and formalities, President Mike Badham called upon the facilitators of the three break-out groups to report on the discussions that took place. All three groups stated they would like to see more time devoted to the break-out sessions at future conferences, as they provide an excellent way of sharing information and helping one another.

### **Small Boards**

Sylvester Atkinson from Middleton, Nova Scotia, reported on the small boards discussion. As in previous years, shrinking financial resources were identified as a recurring concern. The role of the CAPB was also discussed. Participants recognized the CAPB's ability to communicate with the federal government on behalf of its members, and stated they would like to see the CAPB play an increasing role as a clearing house of information.

Mr. Atkinson expressed his dismay at learning that not one person in the group knew about the CAPB's CD-ROM training tool called "Welcome to the Job", which was sent to each member board/commission in November 1996. The CD-ROM represents Phase II of the Pursuit of Excellence project. Mr. Atkinson highly recommended it as an excellent educational tool for new Board members. He also reminded delegates about the CAPB's website

Concerns were raised about the potential for perceived conflict of interest when a Chief's secretary also serves as Board secretary and is the person responsible for reporting to municipal Council.

Mr. Atkinson wrapped up by making some suggestions for next year's conference. Participants recommended the conference not be held in June, and suggested that it occur in conjunction with the Chief's conference in alternate years.

It was also suggested that speaking time be given to the Attorney General in the host province in order to gain insight into provincial priorities and variations.

### **Medium Boards**

Jesse Dillard, Victoria, British Columbia, served as the facilitator for the medium-sized boards' discussion, which he characterized as "lively". He reported that although a number of issues were identified, only one was discussed in detail - that of the relationship between police boards and municipal councils.

Participants recognized the potential for conflict for politicians on the board due to the fact that they provide boards with funding, yet the board's mandate comes from the province. The group had a number of suggestions for establishing a good relationship. These included: holding joint board/council meetings; that board members be elected instead of appointed; that council tell the board how much money it can spend in one year and leave it up to the board to allocate the funds; and, that tax increases attributed to policing be identified on tax bills. Participants emphasized the importance of establishing trust and better communication, and of viewing the relationship as a joint partnership.

The group also came up with some suggestions for improving the CAPB, including: making better use of e-mail to communicate with each other (*note: e-mail addresses have been included in the 1997 Directory*); and, that any boards with established guidelines addressing conflict of interest should submit them to the CAPB to be posted on the website.

### **Large Boards**

Ann Frost, West Vancouver, British Columbia, jointly facilitated the Large Boards session with Anne Boudreau, Ottawa-Carleton, Ontario, and reported on the group's discussion.

Significant concern was expressed about governance and policy development. Participants agreed that boards just do not have enough time to address important policy issues, or to establish a clear vision. Concerns were also expressed about the difficulties of orienting new Board members due to the sharp learning curve they face, and the lack of an institutional memory due to frequent changes in appointments. Thirdly, the group commented on the different kinds of accountability between government appointments and elected officials serving on boards, and the challenge of finding common goals.

The group believed it would be useful for the CAPB to offer a separate session at future conferences for new board members, to help them understand their generic role and their relationship with the CAPB. Other suggestions from the Large Boards group included: that the CAPB play a role in developing and distributing policy, and that a session be held at the annual conference to allow boards to share new policies; that the CAPB distribute a generic self-audit to assist boards in assessing their own performance; that boards hire trained facilitators to assist them in long-range planning and in clarifying roles/responsibilities; and that unfettered advice be sought on issues such as bargaining and budgeting.

## *President's Report*

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CAPB President Mike Badham (Regina), echoed a point raised by Chief of Police Julian Fantino during his presentation on Child Sexual Exploitation - that board members can and do make a difference in their communities and can affect national policy on important issues such as the one presented by Chief Fantino.

Mr. Badham stated the move of the CAPB office to Ottawa last year was a good decision as it has allowed the CAPB to build on its liaison with the federal government and has put us closer to the decision makers. In addition, Mr. Badham commended the contribution of the CAPB Board of Directors, which receives no remuneration for its work and whose members finance their own involvement in Board activities.

Reporting on recent activities, Mr. Badham stated that in late January the Board met with the Minister of Justice and Solicitor General of Canada to discuss issues of importance to police boards across the country. While in Ottawa, the Board took the opportunity to meet with representatives of the Canadian Association of Chiefs of Police and the Canadian Police Association as well.

In February, CAPB representatives appeared before the sub-committee reviewing the Gun Control Regulations. The CAPB's position was generally supportive, but concern was expressed that costs of the system not be downloaded to municipalities. Also in February, Mr. Badham participated in a two-day seminar on the establishment of an Aboriginal Justice Learning Network.

Mr. Badham commented on his involvement with the Canadian Association of Civilian Oversight for Law Enforcement (CACOLE). Although he is on its board of directors, he has had little communication or involvement with the group throughout the year. However, he felt it was important to continue a liaison with the group.

Mr. Badham stated **next year's annual conference and meeting will be in Edmonton, August 20-22, 1998**, just prior to the CACP conference. He thanked delegates for their comments and suggestions, and noted the CAPB Board will be making a recommendation with regard to the location and time of future conferences. He also thanked members for the opportunity to work with police governing bodies across the country.

Finally, Mr. Badham encouraged members to have a look at the CD-ROM "Welcome to the Job", stating it is an excellent tool that should be shared; as well, the newsletter and website offer alternative means of sharing information.

## *Resolutions*

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The following Resolutions received the support of the membership (*introductory comments to each Resolution have been omitted unless considered critical to an understanding of the issue*):

### **Resolution 97-1: Fostering Communication**

BE IT RESOLVED THAT, in principle, membership in the CAPB carries with it the obligation to share information about police-related matters, including collective agreements, with other member boards/commissions upon request;

AND BE IT RESOLVED THAT this Resolution be referred back to the CAPB Board of Directors for the development of a policy on the types of information to be shared.

### **Resolution 97-2: Sexual Exploitation of Children**

BE IT RESOLVED THAT the Canadian Association of Police Boards:

1. Communicate to the federal Minister of Justice the critical need for a National Strategy to enhance awareness about the victimization of children who are sexually exploited; and
2. Communicate to the federal government, through the Minister of Justice, the need to allocate the necessary resources, specialized training, technology, and public education initiatives to ensure optimum protection for children.

### **Resolution 97-3: Car-Jackings**

WHEREAS the Canadian Association of Police Boards believes that it is necessary for the Government of Canada to declare that this crime (car jackings) has been identified as a significant problem and will be dealt with as such;

THEREFORE BE IT RESOLVED THAT the Canadian Association of Police Boards recommend to the Minister of Justice that legislation be enacted providing that upon conviction for a robbery involving an occupant of a motor vehicle as a victim, in addition to the sentence imposed, an additional consecutive mandatory minimum period of incarceration will apply.

### **Resolution 97-4: Internet Victimization**

BE IT RESOLVED THAT the Canadian Association of Police Boards urge the Solicitor General and the Justice Minister to develop in collaboration with their Provincial counterparts, the education system and policing community, a national strategy to prevent victimization offenses of children and youth as a result of their access to the Internet;

AND BE IT RESOLVED THAT the Canadian Association of Police Boards encourage police forces to continue to deal with victimization offenses arising from the Internet from a crime prevention perspective and become involved in public education on the problem.

### **Resolution 97-5: Technological Change & Policing**

BE IT RESOLVED THAT the Canadian Association of Police Boards urge the Federal Minister of Justice and Solicitor General to encourage and assist police forces to develop appropriate investigative skills to be able to competently investigate technological crime, such as that which takes place on the Internet, and to establish a method of disseminating and sharing information on technological and Internet-based crime on the national level;

AND BE IT RESOLVED THAT the Canadian Association of Police Boards urge the Federal Minister of Justice and Solicitor General to encourage and support their provincial counterparts to support development, within police agencies, of specialized investigative police units to target technological crimes, by providing financial assistance.

AND BE IT RESOLVED THAT the Canadian Association of Police Boards encourages the Federal Solicitor General to ensure that appropriate prosecution levels are maintained to deal with offenders in technological crimes.

### **Resolution 97-6: Non-Returnable Warrants**

WHEREAS police officers are continuing to discover offenders who have outstanding arrest warrants from their jurisdictions;

AND WHEREAS these offenders proceed to other jurisdictions to avoid the warrant and to continue their criminal activity;

AND WHEREAS these offenders continue to offend and thereby subvert justice while exacting both a considerable toll on society and increasing the strain on limited police resources;

THEREFORE BE IT RESOLVED THAT the CAPB urges the Federal Government to accelerate its efforts to develop, in collaboration with Provincial Governments and the policing community, an efficient and effective system that addresses the issue of non-returnable warrants via specific legislation, and that development of legislation take into account such mechanisms as:

- statutory right to arrest when a warrant is in existence
- establishment of a transport centre and system to ensure offenders face trial in the jurisdiction where the offence occurred
- an increased transportation "window" from 6 days to 14 days
- show-cause hearings through video or teleconferencing
- a national cost-sharing arrangement.

#### **Resolution 97-7: Justice Reform and Diversion**

BE IT RESOLVED THAT the Canadian Association of Police Boards request that when the Minister of Justice and the Solicitor General and their provincial counterparts consider the promotion and implementation of diversion as a justice reform measure, they should:

- consult with key stakeholders, including municipal police forces, and explore more fully diversion application and potential success for small towns versus large urban cities
- assess the impact on real and perceived public safety and carefully identify types of crimes which could be considered for diversion
- take into account the real costs of delivering diversion in terms of police administration and personnel costs
- the need for specialized training for police officers to participate in diversion programs
- prevent downloading of costs to municipal police forces for the delivery of diversion.

#### **Resolution 97-8: Outlaw Motorcycle Gangs**

BE IT RESOLVED THAT the Canadian Association of Police Boards endorse the nationwide initiative of the Canadian Association of Chiefs of Police and the Criminal Intelligence Service of Canada to curtail the illegal activities of outlaw motorcycle gangs and overall organized crime;

AND BE IT RESOLVED THAT the Canadian Association of Police Boards urge the Federal Justice Minister and Solicitor General to take all possible legislative measures to combat organized crime.

#### **Resolution 97-9: Provision of Sufficient Financial Resources for Policing**

BE IT RESOLVED THAT the Canadian Association of Police Boards strongly opposes downloading and reductions of funding that could jeopardize effective policing in Canada;

AND BE IT RESOLVED that individual police service boards urge their municipal governments, despite downloading and reductions of funding from senior levels of government, to continue to provide sufficient resources for police services so that police departments can fulfill their mandate to protect public safety.

### **Resolution 97-10: Resolution on Prostitution**

WHEREAS an offence in relation to prostitution as defined by section 213 of the *Criminal Code* is an offence punishable by summary conviction;

AND WHEREAS the general penalty for an offence punishable by summary conviction is, by section 787 of the *Criminal Code*, a fine of not more than two thousand dollars or to imprisonment for six months or to both, *except* where otherwise provided by law;

AND WHEREAS the Courts pursuant to the present provision of the *Criminal Code* frequently impose insignificant fines, such that the amount is no more than a licensing fee which implicitly encourages prostitution activity;

AND WHEREAS the current provisions of the *Criminal Code* do not allow police to use adult decoys to obtain evidence that an adult attempted to procure a youth;

AND WHEREAS the current *Criminal Code* provisions governing prostitution do not allow the finger printing and photographing of offenders and hence a reliable means of identifying, tracking and prosecuting repeat offenders;

THEREFORE BE IT RESOLVED THAT the Federal and Provincial Ministers of Justice and Attorney General be requested to collaborate and develop a joint program and law amendments to address the problems of youth and prostitution by addressing the use of children in the sex trade as a Child Welfare issue;

AND BE IT RESOLVED THAT the following proposed amendments be forwarded to the Federal Minister of Justice:

- Section 212(4) of the *Criminal Code* be amended to say, "Every person who, in any place, obtains or in any manner communicates with any person for the purpose of obtaining, for consideration, the sexual services of a person under the age of 18 years..." and that Section 212(5) be repealed as a result.
- Section 213 of the *Criminal Code* be amended to make the offence in relation to prostitution a hybrid or dual procedure offence;

AND BE IT RESOLVED THAT the Minister of Justice and Attorney General be requested to consider prescribing a minimum fine in relation to an offence contrary to section 213 of the *Criminal Code*.

### **Resolution 97-11: Use of Knives - Criminal Activity**

BE IT RESOLVED THAT the Canadian Association of Police Boards recommend to the Minister of Justice that legislation be enacted providing minimum mandatory consecutive penalty (four years) for the use of a knife during the commission of an indictable offence.

### **Resolution 97-12: Repeal of Section 745 (Faint Hope Clause)**

BE IT RESOLVED THAT:

1. The *Criminal Code* be amended so as to allow a discretionary capital penalty for those persons convicted of first degree murder as currently defined;
2. All other persons convicted of first degree murder but not sentenced to capital punishment be imprisoned for life with no chance of parole or conditional release in any form (except for emergency medical treatment), until the expiration of twenty-five years;
3. Section 745 of the *Criminal Code* be repealed;
4. Section 746 of the *Criminal Code* be repealed;

5. The Criminal Code be amended so as to require consecutive parole eligibility periods for multiple convictions or for offences while on conditional release from a life sentence.

### **Resolution 97-13: Supreme Court Ruling on Powers of Arrest**

BE IT RESOLVED THAT the CAPB Board of Directors discuss the serious implications on the effective performance of policing caused by the Supreme Court of Canada ruling requiring police to obtain a judge's warrant before forcibly entering a home to make an arrest;

AND BE IT RESOLVED THAT the CAPB Board of Directors pursue its concerns about this Supreme Court decision at its next meeting with the Minister of Justice.

### **Resolution 97-14: Pardons for Offenses Involving Child Abuse or Exploitation**

WHEREAS, there is increasing and ongoing evidence of abuse of children;

WHEREAS it is critical that all Canadians be assured that anyone acting as a caregiver for children have no record of any earlier mistreatment of children;

WHEREAS the current system of granting pardons under the *Criminal Records Act* means that all criminal records could be expunged three years after a summary conviction and five years after conviction for an indictable offense;

THEREFORE BE IT RESOLVED THAT the CAPB call on the Solicitor General of Canada to amend the *Criminal Records Act* so that pardons can never be granted for offenses involving child molestation, child pornography, child prostitution or any other form of child abuse or child sexual exploitation;

AND FURTHER BE IT RESOLVED THAT each delegate at the CAPB Annual Meeting call on his or her member Board to write to the Solicitor General of Canada to support this Resolution.

## ***Nomination Report***

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Outgoing Vice President Ann Frost (West Vancouver) served as Chair of the Nominating Committee, assisted by Mayor Henry Dayday (Saskatoon). The following individuals were elected as the CAPB Board of Directors and Executive for 1997/98:

### **Executive:**

**Mike Badham**, President Regina, SK

**Dan MacLeod**, Vice President New Glasgow, NS

**Gail Martin**, Vice President Delta, BC

**Anne Boudreau**, Secretary/Treasurer Ottawa-Carleton, ON

### **Directors-at-Large:**

**Bob Dean**, Edmonton, AB

**Marianne Hanson**, (on temporary leave) New Westminster, BC

**Grant Hopcroft**, London, ON

**Bill Nothing**, (*First Nations rep.*) Sioux Lookout, ON

**Bob Rippey**, St. Catharines, ON

**Eric Simmons**, Victoria, BC



## ***Panel Presentations***

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The Panel Presentations have been summarized below:

- [Bargaining More Effectively](#)
- [National Update: Solicitor General Canada](#)
- [Update: National Crime Prevention Council](#)
- [National Update: Canadian Firearms Centre](#)
- [Police Officer Safety](#)
- [Cost Recovery/Revenue Enhancement](#)
- [Child Sexual Exploitation](#)

### ***Bargaining More Effectively***

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A constant challenge that all boards across the country grapple with is that of bargaining effectively with associations that are well organized and well informed about national trends and standards. As has often been pointed out at both the provincial and national level, the need for boards to be more diligent about sharing settlement information with one another is critical. The speakers for this session shared some additional suggestions on how to bargain more effectively.

#### **Making Interest Arbitration Work**

*Mark Leffler, Manager, Personnel and Labour Relations, Greater Vancouver Regional District,* presented the results of a project started four years ago by his department entitled "Making Interest Arbitration Work". The project originated from a desire on the part of municipal employers of police and firefighters in the Greater Vancouver region to seek an alternative to conventional interest arbitration for the resolution of collective bargaining disputes.

Past experience has shown that arbitration creates a "chilling" effect in the bargaining process: a tendency to keep parties from bargaining realistically in an effort to better position themselves for arbitration.

Further, there has evolved a tendency to rely only on arbitration (the "narcotic" effect), and to adopt trends from other areas of the country (the "parasitic" effect). There is also evidence that arbitration drives wages higher.

Mr. Leffler noted some governments have attempted to address the problems by legislating arbitration criteria. These have included ability to pay, comparability, and the public interest. However, such criteria have not proven entirely successful because they have either been too general, or have been interpreted inconsistently by arbitrators who are often untrained for the complexities and magnitude of interest arbitration decisions.

Alternatives examined in the Greater Vancouver study included:

- Mediation-Arbitration: which has been found to promote voluntary settlements and improve relations between parties.
- Tri-partite Panels: which increase costs and delays, but also increase the probability of a mediated settlement and improves communications between parties.

- Final-Offer Selection (FOS): increases voluntary settlement levels and can be used either on an issue-by-issue or total package basis, or for economic issues only.

Mr. Leffler concluded by outlining the following recommendations contained in his department's report:

1. That a system of mediation-arbitration be used when interest disputes cannot be resolved.
2. That safeguards be built into the system so that arbitration is only invoked when the mediator is satisfied the collective bargaining process is exhausted.
3. That monetary issues be resolved as a package by Final-Offer Selection.
4. That the following criteria be adopted to guide arbitrators:
  - a. that settlements be freely negotiated between the employer and other occupational groups;
  - b. that current public and private sector settlement levels within the province be considered;
  - c. the need to maintain appropriate relationships within and between employer's occupations;
  - d. the need to establish fair and reasonable terms and conditions of employment;
  - e. the interests of the public; and
  - f. other factors not inconsistent.
5. That the award be subject to review for adherence to criteria.
6. That non-monetary issues be resolved by conventional arbitration.

### **The Need for Regional Bargaining**

The team of Ms. Wendy Southall, Executive Director, Niagara Regional Police Services Board, and Ms. Lillian Waldie-Lawson, Executive Director, Halton Regional Police Services Board, addressed aspects of bargaining from an Ontario perspective.

Ms. Southall began by providing an overview of legislation in Ontario and the problems and complexities faced by boards as a result of the legislation. The first area she addressed was that of bargaining categories. Ms. Southall drew the conclusion that the bargaining units allowed under Ontario's *Police Services Act* present an inherent conflict of interest in that staff may bargain on the board's behalf who are not only in a bargaining capacity, but who are members of a bargaining unit themselves.

The bargaining committee structure allowed under the *Act* also presents disadvantages to boards. Ms. Southall noted association committees are better able to maintain continuity through service members and through using professional resources locally or through the Police Association of Ontario. Conversely, board bargaining committees, if not using their own staff or municipal staff professionals, may lack sufficient knowledge and strategy, and do not have the same continuity due to re-appointments. Ms. Southall said it was critical that labour negotiations be conducted by professionals and that there be continuity from year to year.

Due in part to the implications noted above, the Niagara Regional Police Services Board recently fought to have board staff recognized as employees of the board and not of the police service. The position taken by the Niagara Regional Police Association (NRPA) and Niagara Regional Police Senior Officers Association (NRPSOA) was that all board employees were members of the Police Service and should be part of a police association.

The Ontario Civilian Commission on Police Services which ruled in the case, accepted the Board's argument with respect to staff performing clerical, secretarial and administrative functions relating to the duties assigned to Boards under the *Police Services Act*.

Ms. Southall also discussed the positive implications of recent changes to Ontario's *Police Services Act* with respect to arbitration awards. Unlike the previous wording of the *Act*, the new wording specifically directs the arbitration board to take into consideration all factors it considers relevant including: the employers' ability to pay in light of its fiscal situation; the extent to which services may have to be reduced in light of the decision or award if current funding and taxation levels are not increased; the economic situation in Ontario and in the municipality; and, a comparison with other comparable employees in the public and private sectors.

Niagara was one of the first police services to receive an arbitrated award using these new factors. In presenting its case, the Board asked experts to speak on their behalf with regard to the local economy, comparators with employees in the public and private sectors, and regional government finances.

The arbitration award reflected the information provided, particularly that regarding the local economic situation, and was quite favourable to the Board. The arbitrator awarded a 0% increase in 1996, 1% for December 31/96 and 1% for July 1/97. Approximately \$150,000 in benefit reductions on a full year were also awarded.

Finally, Ms. Southall mentioned the possible implications for boards of new legislation governing the bargaining/arbitration process under the proposed *Public Sector Transition Stability Act* (Bill 136). Currently, labour negotiation disputes unable to be resolved through conciliation can be settled through arbitration. Under the proposed legislation, a dispute resolution commission appointed by the province would replace the current arbitration process.

Ms. Southall believed this legislation may assist boards who have not settled in 1998 as the dispute resolution commission concept may be more advantageous to boards than arguing before an arbitrator.

Ms. Lillian Waldie-Lawson spoke about the advantages and disadvantages of centralized or regional collective bargaining. She began by describing the difficulties traditionally experienced by police boards in Ontario. The process is decentralized and fragmented, and has allowed police associations to "leapfrog" over settlements reached by other associations, and to set benchmarks which the remaining forces in the province try to meet. As noted by Ms. Southall, the bargaining and arbitration process has placed boards at a disadvantage. Centralized bargaining has been suggested in the past as a possible alternative to alleviate some of these disadvantages.

Ms. Waldie-Lawson outlined some of the advantages she believed a centralized bargaining process would provide:

- only one set of negotiations would provide boards with better resources and make it more likely that they would be represented by skilled, experienced negotiators.
- boards would be better prepared and more aware of the impact their decisions will have on other boards.
- alleviate the significant responsibility placed on part-time board members.
- one set of negotiations would increase administrative efficiencies for boards collectively and would result in reduced legal costs.
- help to maintain market uniformity, reduce out-of-line settlements and standardize wages and benefits.
- would address the difficulty of having police service staff assisting or bargaining on behalf of boards.

On the other hand, Ms. Waldie-Lawson cited the following disadvantages:

- the actual process of collective bargaining would be more time consuming in terms of obtaining input and providing feedback, as there would be a greater number of individuals involved on both sides (association and boards).
- there could be problems in the local administration of collective agreements.
- most importantly, it would not take into account individual communities' ability to pay, economic situation or other factors such as high unemployment or industry closings.

In summary, Ms. Waldie-Lawson drew the following conclusions:

1. The decentralized process which has historically characterized the Ontario police bargaining process works generally to the advantage of associations and disadvantage of boards.
2. Prior to the recent legislative changes described by Ms. Southall, a centralized process seemed like a viable alternative. However, with the introduction of arbitration criteria such as ability to pay, and the proposed arbitration process by a dispute resolution commission instead of an arbitrator, a centralized process may not be needed in Ontario just yet.

### **Interest Arbitration versus Right to Strike - The Atlantic Canada Experience**

*Ms. Mildred Royer, Deputy Minister of Human Resources, Province of Nova Scotia*, provided a completely different option to the more common practice of interest arbitration. Unlike most other provinces, police in Nova Scotia have the right to strike. Ms. Royer described the experience that Halifax went through in 1981 when its police officers did go on strike.

Ms. Royer stated that when boards use interest arbitration, they are abdicating their accountability to a third party with possibly little expertise or knowledge of police issues. In this instance, the police board and the city council banded together and stood firm against the police. They believed it was in the public's best interest and essential for the long term viability of the police service to exert their authority as employers.

The results of the "power struggle" described by Ms. Royer were that the public supported the politicians for not allowing themselves and the public to be "blackmailed", the police acquired a new-found respect for their employers and the public they serve, and accountability was maintained. The quality of policing greatly improved. On the downside, for a few days during the strike the city of Halifax was not safe.

Ms. Royer concluded by saying she hoped she had challenged our perceptions about what is acceptable in dealing with labour disputes, and that arbitration is not necessarily the only alternative.

## ***National Update: Solicitor General Canada***

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The CAPB was pleased to hear directly from Solicitor General Canada officials about initiatives on which they are currently working. *Ms. Dorothy Franklin, Director, Law Enforcement Division, Policing & Law Enforcement Branch*, was the first presenter and provided a general update on the following law enforcement initiatives: DNA Data Bank, Drug Policy, Internet Crime, Child Sexual Exploitation, and Organized Crime.

With regard to crime prevention initiatives, she limited her comments to saying that Solicitor General Canada's activities are ongoing and they continue to work in partnership with Justice, the RCMP and others on this cross-sectoral issue.

A crime prevention strategy is currently being developed in consultation with the RCMP and the Canadian Association of Chiefs of Police (CACP). These activities are consistent with the Solicitor General's endorsement of community policing as the preferred approach to policing in Canada, of which crime prevention is an integral part.

### **DNA Data Bank**

Ms. Franklin explained Phase I of the government's initiative on DNA came into effect in July 1995. It allowed police to obtain a warrant in order to compel a suspect to provide biological samples for the purposes of forensic DNA analysis. Phase II (Bill C-94) provided for the creation of a national DNA data bank to hold DNA data from bodily samples taken from offenders convicted of serious personal injury and sexual offences. The Bill was introduced by the Solicitor General on April 10, 1997. Unfortunately, it died on the Order Paper with the dissolution of Parliament on April 27, 1997 and will have to be re-introduced when the new Parliament convenes.

Ms. Franklin identified some highlights of Bill C-94. The data bank would be comprised of two separate indexes: a "crime scene index" to hold DNA information obtained in relation to unsolved crimes; and a "convicted offenders index" to hold DNA profiles of offenders convicted of designated *Criminal Code* offences. There would be a two-tiered approach to obtaining DNA profiles to be included in the convicted offenders index. For primary designated offences (the most serious personal injury and sex offences), collection would be mandatory upon conviction. For secondary designated offences (the remaining offences covered under DNA warrant legislation), samples would be collected at the discretion of a judge. All offender samples would be collected post-conviction by a peace officer or trained designee under the supervision of a peace officer. The Bill contained strict access restrictions and criminal sanctions against misuse/abuse of samples.

Ms. Franklin stated start-up costs are estimated at \$3 million, and annual operating costs are estimated to cost the same. The average cost of casework is estimated at \$4,000, however, costing studies are being initiated this summer to clarify and confirm this estimate.

### **Drug Policy**

Ms. Franklin reported the Department's interest is focused in three areas: the decriminalization debate, enforcement, and prevention. With regard to decriminalization, she noted both California and Arizona have now legalized the use of cannabis for medical treatment of cancer and HIV/AIDS, and the debate over decriminalization continues. The Standing Committee on Health had undertaken a comprehensive review of Canada's drug policies prior to the election; Ms. Franklin believed they would continue that work in the fall.

In addition, the Policing & Law Enforcement Division (PLED) is continuing to monitor global decriminalization trends; Ministry official Mr. Michel Perron recently attended an international conference on the subject in Sweden.

Enforcement efforts were aided by the passage into law of the *Controlled Drug and Substances Act* on May 14, 1997. It provides statutory authority for police to initiate reverse sting and controlled delivery operations, and also allows Canada to meet its international obligations by providing the legislative framework to control precursor chemicals designated to produce illicit drugs and other substances.

In terms of prevention, Ms. Franklin reported PLED is involved in a joint study with the Canadian Centre on Substance Abuse to determine the attributable costs of substance abuse and crime, which is due to be completed by September 1998. Also, they are attempting to develop joint policy proposals and long term partnerships such as "Health and Enforcement in Partnership",

which has produced a report outlining the range of collaborative projects across Canada and is finalizing a "How To" manual for community, social services and police agencies.

### **Internet and Telecommunications Crime**

Ms. Franklin noted that although the Internet has tremendous benefits, it unfortunately continues to be abused by a small minority of users for purposes such as the distribution of child pornography and hate propaganda, unauthorized access to computer networks, computer virus distribution, copyright infringements and the distribution of "mayhem manuals". More recently, concern has arisen with the advent of electronic cash that criminals will soon be able to manipulate these systems to gain access to personal information or to launder the proceeds of crime.

Although Ms. Franklin acknowledged the detection and apprehension of individuals conducting these types of crimes is a challenge for law enforcement officials, she suggested it could be better accomplished through advancements in the following areas:

**Education and Training:** The Canadian Police College continues to work with law enforcement officials from across the country to deliver up-to-date information and education to meet the needs of computer-crime investigators today. Both police and private sector companies are increasingly recognizing the value of pro-active partnerships.

A police-industry seminar on telecommunications issues organized by PLED staff was to be held in June, and education materials have been prepared by Industry Canada to prevent telemarketing fraud.

**Responsive Legislation:** The recent passage of Bill C-17 provided a number of important steps to help officers investigate computer-based crimes such as: measures to curtail the misuse and trafficking of forged credit cards and computer passwords used to break into computer systems; measures to assist officers in gathering computer-related evidence from Internet service providers; and increased support in the investigation phase of computer crimes, including increased authorization to intercept private communications.

Bill C-67 (which died on the Order Paper but which could be re-introduced) was intended to introduce amendments to the *Competition Act* to deal with deceptive telemarketing practices and to facilitate law enforcement efforts.

**International Cooperation:** Ms. Franklin stated domestic laws alone are not enough to curb a truly global phenomenon. The government is therefore working in a number of international forums aimed at harmonizing law enforcement techniques and increasing cooperation to ensure that national boundaries do not also serve as safe havens for these criminals.

### **Child Sexual Exploitation**

Ms. Franklin acknowledged the need to address this issue, and highlighted recent legislation designed to help. Bill C-27 (*an Act to Amend the Criminal Code: Child Prostitution, Child Sex Tourism, Criminal Harassment and Female Genital Mutilation*) received Royal Assent on April 25, 1997. Under the *Act*, any Canadian citizen who commits any act, in another country, that is against subsection 212(4) of the *Criminal Code*, can be brought to trial and punished in Canada. It imposes a mandatory minimum sentence of five years for pimps living off the avails of prostitution of a child under the age of 18 years, allows witnesses to testify behind a screen or outside the court room if deemed appropriate, and allows law enforcement officials to use decoys who say they are under 18 to catch offenders.

Ms. Franklin said Solicitor General Canada has identified a number of programs, initiatives and needs surrounding this problem, such as:

- The RCMP is currently developing a cohesive strategy to combat child sexual exploitation, with an emphasis on collaboration and partnership as well as increased training and community education.
- The Canadian Police Information Centre and the National Information System are useful tools for law enforcement officials, however they do not capture individuals who have plea bargained, have had their records sealed through pardons, or have not been formally charged. Solicitor General Canada hopes to discuss this further in order to identify appropriate mechanisms to enhance the safety of Canadians.
- Senator Landon Pearson has set up a committee of federal partners in an effort to establish a National Strategy on children in situations of exploitation in Canada.

Upcoming seminars and conferences planned include an international Youth Conference to be held next spring, a session at the annual CACP conference in August, and a week-long conference organized by Chief Fantino of London, Ontario in November 1997.

### **Organized Crime**

Ms. Franklin stated it is estimated that the money in international circulation as a result of the illegal drug trade alone ranges between \$100 billion and \$500 billion U.S.. International efforts to address transnational organized crime are increasingly coordinated, and Canada is participating. Discussions have been ongoing over the past two years with G-7 countries (plus Russia) to address this and in particular, money laundering. As a result, 40 recommendations have been developed and are in the process of being examined to determine the most effective means to implement them.

On the domestic front, Ms. Franklin outlined a number of activities undertaken by Solicitor General Canada, many of which flow from the 1996 National Forum on Organized Crime. One is the establishment of a network of regional and national coordinating committees to serve as a consultative mechanism and facilitate coordination. Input from this network will feed into the development of an annual statement to the House of Commons by the Solicitor General.

Ms. Franklin also discussed gangs. She noted there is an increasingly serious concern about gang activity in Canada, both "hard core" gangs like the Hell's Angels, and the rising problem of urban youth gangs. Bill C-95, proclaimed into force May 2, 1997, deals with many recommendations regarding gangs discussed at the Organized Crime Forum.

The legislation includes:

- new offence of "participating in a criminal organization"
- new peace bond targeting gang leadership
- new sentencing provisions, providing longer sentences for criminal acts by gangs
- new powers to seize proceeds of organized crime and access to income tax information
- new offences and penalties targeting the use of explosives
- measures to support police surveillance of gang activity.

Speaking to **youth gangs** particularly, Ms. Franklin stated the government is focussing its efforts on crime prevention. Solicitor General Canada has established a homepage called "Youth Gangs Fact Sheet", and has published documents entitled "Youth Gangs on Youth Gangs" (1993), and "Youth Violence and Youth Gangs: Responding to Community Concerns" (1994).

In addition, Minister Axworthy hosted a Youth Gang Session in Winnipeg in March, and announced funding for a full-time gang prevention coordinator position. Solicitor General Canada has partnered with the Quebec government in supporting one phase of a five-year Youth Gang Project spearheaded by the Montreal Urban Community Police Department.

Ms. Franklin concluded by stating the successful National Forum on Organized Crime is a model she believes may also be applied to the gang issue. A meeting of experts is being planned for early next year, followed by a more open, multi-disciplinary forum, where policy options will be developed.

### **Review of National Police Services**

*Mr. Michel Perron, Senior Policy Analyst, Policing & Law Enforcement Division*, spoke about the government's recently initiated review of National Police Services. He stated the goal of the review is to improve client services, and to identify emerging needs and opportunities for cost-sharing arrangements. He provided a brief history, stating although the Canadian Criminal Identification Bureau was established in 1910, the official creation of the current National Police Services emerged from the 1996 Federal-Provincial Conference on Organized Crime in Canada. It was charged with providing technical and information services for all police jurisdictions in Canada, and has done so largely free of charge.

Mr. Perron said the purpose of the consultation document on National Police Services (NPS) released by Solicitor General Canada is to seek our views on issues such as governance, funding and the continued operation of NPS in order to identify service delivery options to meet existing and future needs.

NPS federally cost \$81 million annually, and the issue of increasing costs to keep pace with new technology is important to all NPS partners. NPS consists of five organizations, each with its own budget and client groups, although all exist within the organizational and budgetary framework of the RCMP. The five organizations are: the **Canadian Police Information Centre (CPIC)**; the **Forensic Laboratory Services; Identification Services**; the **Canadian Police College**; and **Criminal Intelligence Service Canada (CISC)**.

Preparatory work for the consultation document began in 1995 and to date has consisted of interviews with service clients and providers, focus groups and questionnaires, an environmental scan, and an activity-based costing study. The RCMP and Solicitor General Secretariat are proposing that consultation focus on three themes; Mr. Perron provided an overview of each theme and the types of questions proposed for discussion.

### **Governance**

- Should NPS have a new governance structure to monitor effectiveness, provide strategic vision and policy direction?
- How should your jurisdiction be involved in the governance of NPS?
- Should NPS stay within the RCMP or be re-configured as a new organization?

### **Services**

- Are you satisfied with the quality of services being provided?
- Which services are most indispensable for the future? Should new ones be added?
- How would the delivery of services by the private sector be received?

### **Funding**



- Are there preferred options for the funding of NPS such as: user fees; targeted financial contributions; F/P/T cost-shared agreements?
- Should different funding options be considered for each service, or should NPS be considered as a single unit?

Mr. Perron stated that in looking to the future, consideration must be given to the need for increased revenue and capital spending to maintain the current standard of client services and to keep pace with new technology. He explained the RCMP administers federally provided funds for all NPS, but the cost of generating the data contained in the data banks is largely borne by provincial partners. In return, the partners are able to access without charge the information contained in the data banks. For the past 30 years, this arrangement has proven satisfactory, but its success has also led to the need to increase NPS' capacity to meet expanding service demand.

Mr. Perron noted meeting this demand will require new financial commitments from the federal government and its NPS partners.

In conclusion, Mr. Perron explained the next steps in the consultation process. Following distribution of the consultation document, a Consultation Team will be setting up regional consultation sessions in the fall of 1997 to meet with partners and solicit their views. Written comments and responses to the Document are also welcome. The information collected will be synthesized into recommendations and summarized in a Consultation Report. Subsequent consideration of the draft Report will result in the preparation of specific federal government options to be tabled at an appropriate federal/provincial/territorial meeting.

*[Note: This is a topic of considerable interest to the CAPB as it has potential implications for all police services in the country. The CAPB has learned that it will be invited to participate in a consultation meeting sometime in October, and is in the process of preparing a response on behalf of its membership. CAPB members are encouraged to submit their comments to the Executive Director. Copies of the Consultation Document can be obtained through the CAPB office, or by contacting Mr. Perron, Solicitor General Secretariat, 340 Laurier Ave. W., Ottawa, K1A 0P8, tel: 613-990-7039/fax: 613-993-5252; or, Inspector Steve Graham, RCMP Corporate Services, 1200 Vanier Parkway, Ottawa, K1A 0R2, tel: 613-990-0653/fax: 613-993-4453.]*

*The CAPB gratefully acknowledges the sponsorship of Solicitor General Canada for this session. As importantly, it wishes to recognize the ongoing supportive and cooperative relationship between staff at Solicitor General Canada and the CAPB.*

## ***Update: National Crime Prevention Council***

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*Ms. Elaine Scott, Executive Director, National Crime Prevention Council, spoke to delegates about the work of the Council. She stated the Council was established in July 1994 by the Minister of Justice and Solicitor General of Canada, in cooperation with provincial and territorial ministers responsible for justice. The Council is comprised of 23 volunteer members from a wide cross-section of Canadian society. It is in effect a microcosm of the kinds of opinions, concerns and expectations found in communities across the country and hence provides a necessary reality check.*

Ms. Scott explained the Council's emphasis is on the prevention of crime through social development, in balance with opportunity reduction. It is presently focusing on crime prevention directed at children and youth because it believes this is the area with the greatest potential for long term reduction in criminal behaviour and victimization.

During the first three years of its mandate, the Council has achieved the following:

- The production of a series of factual reports such as "Picture of Crime in Canada", "Offender Profiles", "Risks or Threats to Children" and "Resiliency in Young Children".
- The organization of a workshop in 1996 to evaluate the social and financial effectiveness of crime prevention approaches. The Council estimates the costs and expenditures associated with crime in Canada to be \$46 billion annually ("The Dollars and Sense of a Comprehensive Crime Prevention Strategy for Canada").
- A three-part crime prevention model focused on children has been published. The three models are entitled: **Preventing Crime by Investing in Families: An Integrated Approach to Promote Positive Outcomes in Children** (aimed at youngsters under the age of six); **Preventing Crime by Investing in Families: Promoting Positive Outcomes in Children Six to Twelve Years Old**; and **Preventing Crime by Investing in Families and Communities: Promoting Positive Outcomes in Youth Twelve to Eighteen Years Old**.
- In June 1997, the NCPC released **Mobilizing for Action: The Second Report of the National Crime Prevention Council**. It outlines a three-phased, comprehensive prevention strategy which targets the factors affecting children that may lead to future criminal behaviour, and is designed as a practical blueprint to enable communities to tackle the serious problem of youth crime. It provides communities with the information they need to identify effective crime prevention programs already in place and to help them establish new programs of inter-agency linkages needed to fill the gaps.

Ms. Scott stated the social development approach taken by the NCPC is multi-disciplinary, and she viewed the police community as one of their essential partners in ensuring prevention is an essential component of the many services they provide. This approach seeks to alleviate the effects of factors believed to contribute to criminal behaviour such as poverty, early behavioural problems, inconsistent uncaring parenting, delinquent peer influence, and parental criminality. Achieving safer communities means we must place a higher priority on crime prevention through social development, and Ms. Scott said there is no quick fix. It will require a long term commitment. Ms. Scott believed this could be done by designing accessible, user-friendly programs to meet the specific needs of those at risk and coordinating those programs with other existing ones.

The **Second Report of the National Crime Prevention Council** begins to move towards community mobilization by offering two basic recommendations:

1. The primary role of the key partners in a nation-wide crime prevention strategy is to provide the resources, skills and knowledge communities need to mobilize to prevent crime and victimization. Governments should take responsibility for co-ordinating this process in their spheres of influence.
2. The NCPC's role should shift from one of policy development to community mobilization. An independent Council with an adequate level of resources could play a key role in the support of the development of a national strategy for community mobilization to prevent crime.

Ms. Scott concluded by saying she hoped these recommendations would set the stage for the next phase of community-based action, which she believed was critical in advancing our national capacity to prevent crime and reduce victimization.

Copies of National Crime Prevention Council publications can be obtained through their office at 130 Albert Street, Room 845, Ottawa, Ontario, K1A 0H8, tel: 613-957-4040, fax: 613-952-3515.

## *National Update: Canadian Firearms Centre*

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Two representatives from the *Ministry of Justice's Canadian Firearms Centre* provided an update on activities associated with the implementation of the *Firearms Act*, which received Royal Assent on December 5, 1995.

*Mr. Gordon Parry, Director, Policy & Programs*, began with a general overview of progress made to date. He clarified that whereas the statute set out what had to be done in terms of changes to firearms control, the Regulations set forth *how* it will be done. The first of two sets of Regulations was tabled in the fall 1996 and is expected to receive final approval this fall.

The second set of Regulations is scheduled to be tabled on September 15, 1997 and will cover areas such as registration certificates, shooting clubs and ranges, and gun shows. He expected that all the regulations will be finalized by the end of 1997.

Mr. Parry stated the Canadian Firearms Centre (CFC) was formed in January 1997 to oversee the implementation of the *Act*. The government plans to administer the *Act* through agreements with its provincial partners and is currently in the negotiation process. This will ensure funds flow from the federal government to the provincial level, and that a cost-recovery program for technical assistance provided by the federal government is implemented. However, these costs will not be passed on to municipal police services.

Mr. Parry addressed concerns about the potential costs to municipalities associated with implementation of the gun control regulations. He stated former Minister of Justice Allan Rock consistently said the system will not result in increased costs to police. Mr. Parry believed the system will provide better investigation tools, allow for better enforcement, and reduce the number of deaths caused by firearms.

The system is estimated to cost between \$85 million to \$107 million. The estimate varies depending on factors such as spousal notification and central processing, and whether some provinces "opt out" of the process. In terms of central processing, it is expected that the bulk of applications will be handled centrally, with approximately 16% requiring secondary screening by a provincial firearms officer, and a further 6% requiring screening at a local level. The plan for five-year license renewals is expected to reduce the workload required.

Mr. Parry ended by addressing the implementation schedule, saying the CFC hopes to have the process in place by mid-1998.

*Mr. Jim Bickford, Manager, National Training*, continued the update with a briefing on the training and educational information the federal government is preparing for police officers and other public organizations.

Mr. Bickford stated police training is targeted at the 36,000 municipal and provincial police and 16,000 RCMP police across the country. In addition, there are approximately 23,000 other persons who require training such as customs officers, federal and provincial officials, prosecutors, justices of the peace, judges and dealers. In the new system, dealers will perform administrative functions vis a vis the registration of firearms. Mr. Bickford emphasized the

importance of the police understanding the roles of these various groups and their relationship with each other.

Within the police community, there are three target audiences: the general police population, who must be fully trained to deal with enforcement issues; police academies and training centres, which need specialized training courseware; and firearms officers.

Mr. Bickford noted the duties of many of the existing firearms officers will be significantly reduced under the new legislation, however, the legislation is quite different and those administering it will require extensive training.

Mr. Bickford next described the training products that the CFC is preparing. He noted that with all products, a problem-centered approach will be used. The information is to be organized and presented in terms of situations of relevance to the police, rather than chronologically, and will be designed from the perspective of what the police officer needs in order to do his or her job. Also, the training material will demonstrate a sensitivity to regional, cultural and linguistic differences.

Training products being developed include: reference materials such as an extensive desk manual suitable for firearms officers, and an abbreviated, indexed field handbook for all officers; between 8 and 10 videos of no more than 10 minutes each in length - the first are already in the process of completion through the Niagara Regional Police Service; and courseware consisting of an Instructors' Guide, Participants' Guide and associated training aids.

Training for Firearms Officers will be extensive and of at least two weeks in duration, in order to cover the legislative requirements and to operate the supporting system. At this point, it is anticipated that training will occur in five locations across Canada, and that it will take place just prior to the legislation coming into force, and after the system is installed in police offices.

Mr. Bickford outlined where they were now in terms of preparation. The Core Material Preparation is presently on the verge of being completed. It consists of about 50 modules divided into subjects such as Licences, Registrations, Authorizations to Transport and Carry, Imports and Exports, and Criminal Offences. These modules will form the basis of all further training material to be developed. Training contractors have been hired, and consultations with police academies and a focus group with police officers is about to begin. The CACP is being kept apprised of the work. Mr. Bickford concluded by saying they are on schedule for delivery in early 1998.

## *Police Officer Safety*

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Early in the planning stages of the conference, organizers identified police officer safety as a topic they felt police boards should know more about, and set about trying to find someone who had done research or statistical analysis on the subject. They were stunned to learn of the scarcity of information in this area and were about to give up when they heard about the research conducted by *Dr. D. J. Loree, Research and Evaluation, Community, Contract and Aboriginal Policing Services, RCMP*. The very fact that statistics are so scarce emphasizes the need to address this issue.

Dr. Loree began his presentation by stating police officer safety is an issue of major concern that can involve everything from training to equipment, and can include incidents ranging from accidents on the job to assaults with high-powered weapons. In 1995, the RCMP undertook a year-long pilot study of violent, or potentially violent, incidents experienced by their officers. The study was intended primarily to provide information that would assist in understanding and dealing effectively with the incidence and consequences of violence directed toward officers.

Dr. Loree emphasized that while injuries to officers can and do occur, it was important to understand why and when they happen, and to understand the larger context of violence or potential violence in order to work toward effective prevention or risk reduction.

In terms of methodology, Dr. Loree said a data collection survey was prepared that would provide essential data, yet was short, simple and easy to complete. Participation was voluntary and resulted in 671 useable "Violent Incident Reports" from RCMP members across the country. As each incident was unique and no amount of training could create a "standard" interpretation or response, the study relied upon and reflected the perceptions of the officers as to what happened.

In order for a violent incident to be included in the study, one or more of the following trigger or screening factors had to exist:

1. A weapon (gun, knife, club, etc.) was involved in the incident.
2. An RCMP member was physically assaulted.
3. Serious and believable threats were made to members or their families.

Dr. Loree highlighted the results of each category in the study. Statistics were compiled in the following categories: a regional comparison of the percentage of reports and members; screening factors, i.e. weapon, assault and/or threat; time of incident by day and hour; circumstances surrounding the incident such as domestic/family violence, effecting arrest/executing warrant, traffic/auto incident; contributing factors such as alcohol, drugs, psychological/mental illness; number of officers that initially responding and number involved in call; single member incidents; back-up and support requests; response time; numbers of people involved; level of force used; types of weapons and threats; and, injuries sustained.

For instance, Dr. Loree reported that over half (55%) of the incidents occurred between 8 p.m. and 4 a.m., and 1/3 of those occurred between 10 p.m. and 2 a.m.. One quarter of all violent incidents were reported on Saturday and over 40% on Saturday and Sunday combined. Another interesting statistic gathered from the report is that alcohol, by itself, was identified as the major contributing factor in half of the incidents reported. Psychiatric or mental illness problems were identified as the main factor in 7% of the incidents and, in combination with other considerations, was a factor in about 16% of all cases. Dr. Loree believed that given the present trend toward de-institutionalization of psychiatric patients, this will likely be a growing problem.

Dr. Loree stated RCMP management has decided to continue the data compilation on an ongoing basis and there are plans to automate the collection process. It was believed the data can be used to help understand the context and implications of violent incidents for individual officers and for the organization as a whole, and with improved management data collection, the statistics could also be improved.

Dr. Loree emphasized information of this nature was immediately pertinent in several key areas of interest to police governing bodies:

- Resource Allocation and Minimum Standards - Greater knowledge about when violent incidents are encountered by police, when injuries are most likely to occur, and the availability of support, as well as their situational and operational context, can provide police managers with additional tools for use in determining staffing levels, shift scheduling, number of officers on shift at one time, etc.
- Officer Education and Training. By better understanding the situational dynamics and the causal factors underlying violent incidents, and using this knowledge in training, officers can develop better and alternative approaches to dealing with them.

- District and Jurisdiction of Responsibility. Studies such as this allow for the possible examination of differences between neighbourhoods in larger centres and between large and small communities. It can provide greater knowledge of circumstances surrounding the differences in communities and their demands for service, patterns, and relationships.

In conclusion, Dr. Loree believed police boards could gain valuable information through implementing similar studies of their own. In fact, he believed they had a greater advantage because their jurisdictions are smaller and they have greater control over the data.

## ***Cost Recovery/Revenue Enhancement***

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Police services across the country are under pressure to meet increasing demands for service with ever-shrinking financial resources. As a result, alternative, non-traditional methods of funding and reducing costs are increasingly being considered as viable options. These same opportunities, however, present questions about the extent to which police should be involved in revenue-generating initiatives. The three participants in this panel shared their ideas for revenue enhancement, as well as their thoughts on some of the concerns generated by the direction in which police funding seems to be moving.

### **There's Money in Tows**

The first speaker, *Bob Dean, a member of the Edmonton Police Commission*, outlined an initiative entitled "The Edmonton Police Service Towing Service." He began by reviewing the history of the activity beginning in 1990 with the purchase of land by the City of Edmonton to be used by the Police Service as a vehicle seizure and storage lot. From 1990 to April 1997, the Police Service, as the property owner, contracted out the operation of the lot to one large local contractor.

In return, they received approximately \$13,500 per month from the contractor for use of the lot and the business, amounting to revenue to the Police Service and City of Edmonton of approximately \$180,000 per year. All monies accrued from the towing service went directly to the contractor.

Mr. Dean stated that as of 1 May 1997, the Edmonton Police Service took over operation of the lot through the award of contracts to five eligible tow companies in Edmonton able to meet an extensive list of criteria. In addition, in order to respond to concerns expressed by some of the smaller tow companies with regard to the delegation of business, the Police Service developed a Rotational Call Service (RCS), a computerized system incorporating the tow companies accepted as contractors. Mr. Dean explained that the system equally and fairly distributes car seizures by indicating the next eligible approved company in the rotation, taking into consideration such things as special equipment needed, or options to decline calls.

Mr. Dean reported the Edmonton Police Service expects to spend approximately \$274,000 in salaries to ensure efficient operations. Included in this figure are a tow lot manager and four clerks. In addition, three senior Edmonton Police officers are required to access the CPIC data base and to carry out investigative responsibilities. In return, the Service expects to realize a profit of at least \$500,000 in the current operational year (a lower figure due to one-time start-up costs).

Projected revenues and expenditures identify a total revenue of \$2,258,500 and expenditures of \$1,052,541, providing a net income of \$688,973 for the first year of operation and \$1,205,959 for subsequent years.

Mr. Dean concluded by stating the plan makes good business sense, is legitimate, fundamentally sound and economically advantageous. Equally important, it brings equity and fairness to the towing industry which previously was not demonstrated.

*(Editor's Note: Additional information about the Edmonton Police Towing Service can be obtained by contacting Staff Sergeant Mike Miller of the Edmonton Police Service at 403-421-2159.)*

### **The Police Perspective on Cost Recovery**

The second speaker was *Steve Kanellakos, Director General, Corporate Services, Ottawa-Carleton Police Service*. He began by reviewing the key issues surrounding the panel topic such as: escalating costs yet decreasing financial support; police boards being forced to make difficult choices; the possibility of cuts to programs, staffing and new initiatives; and the need to seek alternative sources of funding.

Mr. Kanellakos noted revenues are presently obtained primarily from tax levies on residential, commercial and industrial property; provincial grants; and fees for non-core policing services. However, police are increasingly looking to alternative sources of funding such as the following: charging fees for police services (such as responding to false alarms); selling department products, assets or services such as crime prevention and training videos; selling advertising rights; creating a "revolving training fund"; and private funding through corporate giving.

Mr. Kanellakos stated alternative sources of funding raise several questions, many of which are issues of public policy which police boards and chiefs should be considering each time proposals come forward. He reported that a committee of the Ontario Associations of Chiefs of Police (OACP) has addressed these concerns and is opposed to any scheme which creates the impression that police services are "for sale". They have expressed concern about the potential to undermine police credibility, and that commercialization may distort priorities.

The OACP believes programs should be developed on a province-wide basis with fixed tariffs, and that no essential police services should be funded by private or commercial activity. Mr. Kanellakos said the OACP continues to support the sharing of knowledge and information between police and public/private sector on a cost recovery basis, as well as community fundraising activities. However, it believes there is a need to develop criteria for entering into fundraising relationships.

Drawing on his own experience, Mr. Kanellakos reviewed some of the ideas either already initiated or under consideration by the Ottawa-Carleton Regional Police Service for alternative sources of revenue such as: specific user fees for services, i.e. figure prints, criminal record checks, insurance reports, paid duty, funeral escorts; partnerships such as a computer component theft project, specific project funding or software development; selling the Police Service logo; recruit testing fees; recovery of items by police divers; disclosure packages provided to the Crown; private sector product promotion; selling training expertise; facilities partnerships; receipt of assets in exchange for promotion such as computers, clothing, vans for community police centres; or false alarm fines.

Mr. Kanellakos concluded by saying that police boards have a key role to play in setting policy for their police executive. He emphasized the need to address this as a broad, strategic initiative within the organization, rather than on an ad hoc basis. Finally, he encouraged boards to look for ideas from within the organization because that is where to find the people who best know the business and where opportunities lie.

### **Reducing the Costs of Technology**

The third and final speaker, *Sergeant Tom Davidson, Delta Police Department*, spoke about the Delta Police Department's computer aided dispatch system project. The project entitled "Cellular Digital Packet Data" is a system which established Delta as the first police department in Canada to use a public system for its mobile network rather than building a private radio network. Sergeant Davidson explained the project was born out of the need to reduce radio and labour costs in the communications centre, to give officers the ability to perform checks in their cars, and to better manage information in general.

Sergeant Davidson explained that from the beginning, an entrepreneurial approach was taken. Lengthy consultations were held with the technology and computer industry. BCTel Mobility proposed a package entitled "Cellular Digital Packet Data" (CDPD) which was a parallel system to the cellular voice network that provided the ability to carry data over a cellular network. Sergeant Davidson noted the CDPD system had already been installed, or was in the process of installation, in several public safety organizations in the United States. However, it was recognized that a need existed for a truly Canadian application that would meet all individual needs. The system would have to be compatible with Canada's two legacy systems: the Canadian Police Information Computer and the RCMP Police Information Retrieval System.

In developing the project, a team was established from within the police department with representation from dispatchers, members, management and executive support. The team developed clearly defined goals and a plan which consisted of four primary components of the system: hardware, software, communications and workflow of the system. Some of the critical goals of the system included efficiency, reliability, one time data entry, open architecture, and that it be economical and user friendly.

Sergeant Davidson noted the use of a public switch would reduce the costs by approximately \$750,000.00. At the same time, it was recognized that a great deal of risk was involved and steps needed to be taken to reduce that risk. This led to the development of the detailed Request for Proposal and Letter of Understanding, and the formation of a partnership with BCTel Mobility.

Next followed trial stages, testing, implementation, comparisons to other systems and cost analyses to determine if the project was feasible and realistic. Partnerships were formed with some of the hardware vendors such as Toshiba Canada and Panasonic Canada.

Sergeant Davidson said the Department now has 20 cars equipped with the technology. Measurable benefits include the ability to do more inquiries (an increase of approximately 87,000 inquiries over the voice only system); reduced radio traffic (a 30% reduction) and labour in the dispatch centre; and the incorporation of the records management system into the computer aided dispatch system resulting in self sufficiency. The system has proven to be more efficient and economical.

The Department has also realized a further benefit as a result of the entrepreneurial approach taken. As the Department helped to design the system and felt it had some intellectual proprietorship over it, a residual was built into the Request for Proposal that entitles Delta to some revenue should other police departments decide to use the system. Delta has been able to assist other police departments that have expressed an interest and there are currently four other police departments using the system.

Sergeant Davidson concluded by emphasizing the potential to learn from each other through sharing information. He also pointed out that revenue-generating opportunities should be kept in mind when developing new software such as the Cellular Digital Packet Data system.

## ***Child Sexual Exploitation***



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The CAPB was very fortunate to have as moderator of this panel, *Ms. Joan Fisher, a senior research officer with the Ministry of Justice*, on secondment from Solicitor General Canada. Ms. Fisher has done extensive work in the areas of children and youth at risk. She provided some background and introduced the four panelists for the session. The session generated considerable shock, outrage and a renewed commitment to action on the part of delegates.

As a result of the information they obtained from the panelists, delegates passed a resolution the following day regarding the granting of pardons for offences involving child abuse or child exploitation (see *Resolution No. 14*).

The first panelist, *Chief Julian Fantino, London Police Service*, made a presentation on "Project Guardian" - a criminal probe into the sexual exploitation of children initiated by the London Police Service. He began by saying that Project Guardian evolved from a relatively routine criminal investigation into one of the most demanding and complex initiatives undertaken by the London Police. Investigators were shocked to uncover a pervasive and secretive multi-victim, multi-accused network of men and young boys who were engaged in a wide range of criminal sexual activity. In addition, the proponents of adult/child sex orchestrated vicious attacks on police. The investigation was depicted as a homophobic exercise led by a homophobic police chief and powerful influences were exerted against it.

Accusations of corrupt practices against police overshadowed the fact they were honouring their legal, ethical and moral mandate to enforce the laws of the land. Under these circumstances, it was difficult to imagine the trauma experienced by victims, families, and investigators as they worked through the issues.

Chief Fantino noted that investigations like Project Guardian are not regular police routine. This fact, coupled with the lack of task-specific expertise and the inability to sustain an investigative approach centered on the victim within existing budgetary allocations, contributed to the enormity and complexity of the task. In order to adequately address the problem, it was decided a multi-agency approach was needed and that it would be developed with the assistance of various community-based child care professionals and institutions.

Chief Fantino stated the findings of Project Guardian clearly illustrate that children in Canada are not safe; that Canada and Canadians are in a state of chronic denial about this problem and that extraordinary power and influence can be exerted by advocates, apologists and protagonists of adult/child sex. The police were under siege until the first cases began making their way through the criminal justice system. Chief Fantino said that eventually, the critics and the vicious attack contingent were silenced by the realisation that Project Guardian stood as a benchmark of integrity and that a truly innovative approach to the protection of children was being developed.

Chief Fantino highlighted a number of benefits attributable to Project Guardian:

- an improved ability to define critical issues that impact on the criminal victimization of children;
- a more realistic awareness of the enormity of the problem;
- a new understanding of the reasons behind Canadian society's denial of a pervasive and serious public safety issue.

He stated the success of Project Guardian can be attributed to the commitment, dedication and professionalism of police officers; to child care and medical officials; to individuals within the judicial system and to the victims and their families who demonstrated extraordinary courage in the pursuit of justice. What the project highlighted was that police and the broader community need to revisit the full spectrum of existing child care services and programs.

Also, public awareness about the sexual exploitation of children needs to be raised. Chief Fantino spoke about the attention and support needed by the victims, most of whom are emotionally traumatized, mentally distraught and extremely vulnerable to the rigors imposed by the judicial process.

Chief Fantino stated Project Guardian has received international recognition for the following components:

- the determination of police to vigorously pursue such a massive endeavour
- the victim-centered approach focusing exclusively on children throughout every aspect of the investigation
- the comprehensive partnership formed between those professionals who have the duty, the responsibility and the mandate (medical or otherwise) to deal with children
- the experience, research and information-sharing opportunities factored into the investigation process and beyond.

The findings of the investigation are being used by professionals concerned with the protection of children world-wide. Chief Fantino expressed the hope that, with the passing of time, and as more is learned about the predatory nature of child sexual exploitation, Canadians will demand more effective approaches to protect children from this kind of victimization.

Chief Fantino concluded his presentation by saying members of police boards are influential people, and he encouraged them to use that influence to ensure that action is taken to address this very serious problem. He invited delegates to attend a conference entitled "Agenda for Action", to be held in Ontario in November 1997. The conference will be sponsored by the Canadian Association of Chiefs of Police.

*Detective Noreen Waters, Coordinated Law Enforcement Unit, British Columbia Ministry of the Attorney General*, was the second panelist. She focused her comments on child pornography and the Internet. She said she recently returned from an International Conference on Child Pornography, in New Orleans, Louisiana, where representatives from the United Kingdom, France, Hong Kong, Belgium and Australia expressed their concern about the prevalence of child pornography, and indicated a desire to deal with the issue.

Ms. Waters noted recent statistics have shown that identifiable Internet child pornography sites account for only 07% of all files, yet represent 20% of Internet traffic. The Internet allows persons with a sexual interest in children to reach their victims in their own homes, and parents must be made aware of this aspect.

She said that having to convince the police community that child pornography must be dealt with, and obtaining the resources to do so, are the biggest hurdles she has had to face since she began investigating child pornography in 1992.

Ms. Waters indicated that, since December 1996, the Coordinated Law Enforcement Unit (CLEU) has arrested and charged three males involved in the computer transmission of child pornography via the Internet, and one male for possession of child pornography downloaded from this source. One individual arrested had in his possession sixty undeveloped films and a large quantity of child pornography and related material. A second individual living in British Columbia used an Internet site in Cleveland, Ohio; when arrested, he was found to have in his possession several hundred computer disks containing graphic images of child pornography.

Ms. Waters stated another area of great concern is the granting of pardons to persons convicted of offences involving children. The National Parole Board denies pardons to only two percent of those who apply, and does not keep a record of which offences are pardoned. This lack of

accountability makes it difficult to see how a registry of offenders would work effectively. Another issue of concern relates to the age of consent. Many paedophiles begin contacting children at age fourteen, because they know this is the age of consent. In many instances, charges cannot be laid against the perpetrator(s) because of this factor.

Ms. Waters concluded by saying that police boards and senior police management need to recognize that child pornography is a serious problem. In addition, resources must be provided and maintained in order to deal with the problem effectively. Investigators need to receive awareness and specialized training to deal with pornography and paedophiles. Civilian support services are required, as well as dedicated Crown Counsel prepared to deal with this kind of material. The final requirement is a justice system that will impose proper and effective sentencing to provide sufficient deterrents or remove offenders from society.

The third panelist, *Ms. Elaine Scott, Executive Director, National Crime Prevention Council*, spoke about the work undertaken by the Prevention and Children Committee of the National Crime Prevention Council. She stated that the observations Chief Fantino made about the public response to the findings of Project Guardian also applied to Project Jericho, in Prescott, Ontario, where many in the community wanted the entire matter "swept under the carpet". No consideration was shown for the victims of the abuse and it was only through the persistence of police and certain politicians that the investigation took place.

Ms. Scott said the following statistics gathered by Correctional Services Canada illustrate that the victims of today are the criminals of tomorrow:

- a random sample of 935 files of men admitted to federal facilities in 1992 found that almost half had been victims of abuse as a child or adolescent, or had witnessed family violence; the abuse of boys is generally under-reported;
- 82% of federally-sentenced women and 72% of provincially-sentenced women have experienced both physical and sexual abuse;
- one-third of sexual offenders reviewed had been sexually abused before the age of sixteen, more than three-quarters by males; a high percentage of individuals who commit violent offences have histories of abuse during childhood.

Ms. Scott spoke about the resources available through the National Clearing House on Family Violence. These include fact sheets on child sexual abuse, documents on revising the victimization of male children, information on a national inventory of treatment programs for child sexual abuse offenders, a catalogue of Canadian videos available from the National Film Board and numerous other documents of interest. In 1988, the Clearing House filled 3,500 requests for information; this number grew to 85,000 in 1996.

Ms. Scott emphasized the importance of a multi-disciplinary approach when dealing with child abuse issues. She stated Police Boards can influence policy development and use their powers to ensure agencies work together towards a common goal. She concluded her presentation by saying that society must ensure children are not losing their childhood, and must not lose sight of the fact that the victims of today have a much greater chance of becoming the perpetrators of tomorrow.

The fourth and last panelist was *Dr. Jacquelyn Nelson, Senior Policy Analyst, Ministry of Attorney General, British Columbia*. She focused her presentation on two initiatives, the Federal/Provincial/Territorial Working Group on Prostitution, and the British Columbia Provincial Action Plan on Prostitution.

Both have identified the sexual exploitation of youth as a key area of concern and have provided demographic information on exploited and victimized youth. Some of those findings include:

- the average age of entry into the sex trade is between 14 and 15 years of age and many enter before they become teens;
- sexual exploitation may take the form of pimped girls standing on street corners; young boys may be street prostitutes, or meet clients in bath houses or bars;
- youth involvement in prostitution occurs in large urban and in smaller, rural communities where it often happens indoors. In coastal communities, both young girls and boys are "hired" onto fishing boats to provide sex for the crew;
- in smaller communities, police are unaware of this sexual exploitation because it is seldom reported.
- Dr. Nelson spoke about the Federal/Provincial/Territorial Working Group on Prostitution saying it has highlighted the following areas of concern: violence against prostitutes, youth involved in prostitution, and neighbourhood concerns about street prostitution.

The interim results of the Working Group's consultation, published in 1995, show that the sexual exploitation of youth is a major concern and that reforms to protect this group would be favourably received. Soon after these results were published, Bill C-27 was tabled in Parliament. It addresses a number of concerns identified, including amending Section 212(4) of the Criminal Code which deals with adults who buy sex from youth, to make it more enforceable and to provide protection for youth who testify in court on prostitution-related offences.

*The Provincial Action Plan on Prostitution* did its consultation in concurrence with the Working Group. As part of the Action Plan, a wide range of prevention and awareness initiatives were developed. These include a toll-free line, a youth theatre group, an information guide for parents, and the formation of the Provincial Prostitution Unit - a multi-force Unit mandated to work with communities to develop and coordinate enforcement, prevention and education strategies. A Status Report on the activities of the Unit will be circulated to city councils, police and Community Action Teams across British Columbia and will include a paper describing the enforcement role and policy approach of the Unit. Community Action Teams are comprised of police, street outreach workers, street nurses, school representatives, and any agency which is able to address issues of youth involvement in prostitution.

Dr. Nelson concluded her presentation by saying Canadians recognize that youth involvement in prostitution must be addressed from a number of fronts. There is a new awareness that these persons are victims of their past and they continue to be victimized in the sex trade. In addition, a number of innovative responses are being developed by the Community Action Teams. By working closely with the Teams and with service providers such as outreach workers and street nurses, an integrated problem-solving approach will be developed to help victims of the sex trade move on to better lives.

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