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# CANADIAN ASSOCIATION OF POLICE BOARDS

## Sixteenth Annual Meeting & Conference

### 2005 CONFERENCE REPORT

~ BEST PRACTICES IN POLICE GOVERNANCE ~

The Canadian Association of Police Boards held its Sixteenth Annual Meeting and Conference in Ottawa, Ontario from August 18 - 20, 2005. This publication documents the proceedings of the Annual Meeting including Resolutions passed, and provides a summary of the presentations, workshops and discussion groups that took place at the Conference.

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#### **PRESIDENT'S REPORT**

**CAPB President, Don Robinson**, welcomed delegates to the 16<sup>th</sup> Annual Meeting of the Canadian Association of Police Boards. He was joined by the **Honourable Monte Kwinter, Minister of Community Safety & Correctional Services Ontario, Ottawa Chief of Police Vince Bevan** and **Ottawa Police Services Board Chair Herb Kreling** in bringing greetings to CAPB delegates.

This year's conference was the best attended ever as CAPB membership continues to grow. The President

acknowledged the participation of an unprecedented number of delegates from **First Nations** police governing authorities and welcomed them on behalf of the CAPB Board of Directors.

Mr. Robinson took the opportunity to publicly recognize and thank the **Department of Public Safety and Emergency Preparedness Canada** for once again assisting financially in delivering this year's conference. Other sponsors of this year's conference are recognized at the end of this report.

The CAPB was particularly delighted to welcome **The Honourable Irwin Cotler, Minister of Justice and Attorney General of Canada**, who addressed delegates at a luncheon about the principles and priorities that underpin Canada's justice agenda, and the critical role that the police play as the men and women who work on the front lines of the struggle for justice, equality and human dignity. A summary of his speech appears later in the report.

**Mr. Geoff Gruson, Executive Director, Canadian Police Sector Council**, addressed delegates at a luncheon about the 2001 report entitled "Strategic Analysis of Human Resources in Public Policing in Canada", and the brand new Police Sector Council that has been established to facilitate the implementation of the report's recommendations, which are aimed at improving human resource strategies in Canadian police services. This is a significant initiative that CAPB members will be hearing a lot more about in the coming months.

#### REPORT ON CAPB ACTIVITIES

Mr. Robinson reported on the following initiatives undertaken on members' behalf this year, with the goal of improving police governance and policing in Canada.

## PARTNERSHIPS

In keeping with the core value of “Collaborative” identified in the CAPB’s newly adopted Strategic Plan, the Association placed an emphasis this year on enhancing existing relationships and forging new partnerships.

**We continue to build relationships with the CACP & CPPA** - In March the CAPB Board of Directors participated in the fourth annual joint meeting with the Boards of Directors for the Canadian Professional Police Association (CPPA) and the Canadian Association of Chiefs of Police (CACP). This forum continues to help us build better relationships with our most important partners, and to explore opportunities for further collaboration on issues of mutual concern.

This year’s workshop allowed the three associations to discuss information about three priorities, with each association selecting one priority important to them. The CAPB chose the topic of Best Practices in Police Governance and used the opportunity to collect input from the Chiefs and police association representatives in attendance as part of the research project conducted over the past year.

The CACP took the opportunity to advance its work on an Integrated Policing Policy Framework. This important initiative is aimed at enhancing integration of policing and defining policing responsibilities at all three levels of government. The CAPB has been pleased to support the CACP in this undertaking from the outset. Please refer to the summary of the presentation made by Chief Edgar MacLeod later in the report for more info.

The CPPA chose to talk about an issue of great significance to their members: developing a fair and transparent Transfer Protocol for officers when they are involved in a takeover or amalgamation. Their efforts to secure a transfer protocol with the RCMP have proven successful and they now have a protocol in place. The CAPB was able to assist the CPPA by providing a sample protocol used successfully in other jurisdictions.

The three associations communicate with one another on a regular basis throughout the year through meetings of their respective executive directors. A fifth annual joint meeting is planned for March 2006.

**Coalition for Community Safety, Health and Well-Being** - The CAPB is pleased to be a key supporter and member of the Steering Committee of the CACP-led initiative to establish a Coalition for Community Safety,

Health and Well-Being. The Coalition will enable the formation of partnerships with national associations with which the police have not traditionally had a working relationship, but whose support for social development complements the CACP’s vision of safe and healthy communities.

For the past year the CACP has been laying the groundwork for this “social development through crime prevention” plan, obtaining funding from the federal government and identifying potential members of the Coalition. The newly established Steering Committee held its first meeting this summer, and is planning a Community Safety Round Table for early next year.

**Police Sector Council** - The Canadian Police Sector Council was established in late 2004 with funding from Human Resources Skills and Development Canada (HRSDC) to facilitate the implementation of recommendations contained in the 2001 study entitled “Strategic Human Resources Analysis of Public Policing in Canada”. All conference delegates received a copy of the Study, which was referenced by Mr. Gruson in his lunchtime speech, as well as during the workshop on “**Finding the Next Generation of Culturally Diverse Police Officers**”. HR issues such as recruitment, retention, training and succession planning are without a doubt one of the greatest challenges on the horizon for police managers today.

The CAPB has been involved with the Human Resources Analysis Study since 1999 when it joined the Steering Committee overseeing the study, and we continue to play a key role on the Sector Council Board of Directors and Executive Committee. The establishment of the Sector Council is a critical development for the Canadian policing community.

**Forging a Partnership with FCM** - Over the past year the CAPB has had the opportunity to work with representatives from the Federation of Canadian Municipalities (FCM) on a number of projects, among them the Integrated Policing Policy Framework, the Coalition for Community Safety, and the Police Sector Council. FCM has been the national voice of municipal government since 1901 and with its focus on quality of life issues, it is a natural partner for the CAPB. We recognize the enormous potential for collaboration with FCM and plan to look for increased opportunities to work with them on other emerging issues. A CAPB representative will be attending an upcoming meeting of FCM’s Standing Committee on Community Safety and Crime Prevention to discuss how to enhance governance in municipalities with RCMP contracts.

### **Continued Strong Relationship with Public Safety and Emergency Preparedness Canada**

The CAPB Executive Director continues to participate in regular meetings of the Police Association Advisory Committee. This Committee is chaired by the Assistant Deputy Minister of the Policing and Law Enforcement Branch in the Department of Public Safety & Emergency Preparedness Canada, and is comprised of the Executive Directors of the three policing associations plus PSEPC personnel. The group meets 3 or 4 times a year with the dual goals of improving collaboration between the three national policing associations and PSEPC, and sharing information on upcoming events and priorities. It has proven to be a useful forum for keeping up to speed with federal government actions on issues of concern to us.

**Meeting with Federal Ministers** - In March, the CAPB Board of Directors held its annual meetings with the Minister of Public Safety and Emergency Preparedness, and officials from the Department of Justice Canada. Unfortunately due to the tragic murder of four RCMP officers in Mayerthorpe, Alberta, Deputy Prime Minister McLellan was unable to meet with us at the last minute, but several high level officials took our messages back to her. As in the past, the meetings provided the CAPB Board with an opportunity to present and discuss your concerns as expressed through resolutions approved by the membership. Meetings are already planned for next March and it is our hope that we will be able to meet with the Minister responsible for PSEPC and the Minister for Justice at that time.

#### LEGISLATIVE AGENDA

Several CAPB resolutions were addressed over the past year through federal legislation, although some important matters, such as Canada's National Drug Strategy and Drug-Impaired Driving, remain in limbo. The following is a status report on what occurred over the past year in terms of our legislative agenda:

**Canada's National Drug Strategy** – In 2002 the CAPB joined the CPPA and CACP in endorsing a common position with regard to a national drug strategy. The resolution called on the Government of Canada to implement a Canadian Drug Strategy in partnership with municipalities, provinces and territories. It included a series of statements, one of which was that the three national police associations do not support or endorse the legalization of marijuana or any other currently illicit substances.

The Government has introduced legislation commonly referred to as the Cannabis Reform Bill to amend the

*Contraventions Act* and the *Controlled Drugs and Substances Act*, but it has yet to be approved. Along with the CACP and CPPA, the CAPB continues to have concerns with the proposal to weaken marijuana possession laws. A CAPB response to the current Bill C-17 has been prepared with input from our members. We will continue to monitor this Bill.

**Drug-Impaired Driving** - Another Bill currently in the House is Bill C-16, which deals with Drug-Impaired Driving. This is a significant concern for policing agencies and for MADD Canada, and is one of the issues that we feel must be addressed before laws involving possession of marijuana are weakened. The CAPB joined with the CACP and CPPA in submitting a joint response to the Government's consultation paper on the subject in the fall of 2003, and we have continued to make our views known since then. We look forward to its passage this fall.

**Protection of Children from Sexual Exploitation (Bill C-2)** – The federal government's Bill C-2 received Royal Assent on July 20, 2005 and came into force on November 1, 2005. The legislation contains several amendments to the *Criminal Code of Canada* aimed at better protecting children and other vulnerable persons from sexual exploitation. Among the revisions was one to expand the existing definition of written child pornography to include material that describes prohibited sexual activity with children. The amendment responds to a CAPB resolution urging the federal government to show leadership in responding to the "artistic merit" legislative loophole used by John Robin Sharpe in a Supreme Court of B.C. ruling in 2001.

**DNA Data Bank Legislation** – Input was sought from CAPB members on the federal government's DNA Data Bank Legislation Consultation Paper in the fall of 2002. The responses received were unanimously in favour of more comprehensive and widescale use of DNA testing and collection, and supported an expanded use of DNA similar to the current use of fingerprints. Your opinions were submitted to the federal government as part of a CAPB response to the consultation paper. CAPB reps also appeared before the House of Commons committee reviewing the draft legislation in February of this year. Legislation in the form of Bill C-13 received Royal Assent this spring, and included many of the suggestions you made to strengthen the effectiveness of the DNA Data Bank.

**Funding Responsibilities** - In 2004 several resolutions dealt with the need for greater financial resources for municipal policing and front-line responders, in areas

such as Proceeds of Crime and Counter-Terrorism. We have raised the issue of greater funding for municipal policing with the Federal Ministers dating back as far as 1996 and continue to make it a priority when speaking with Government officials, although to date we have not received much positive news.

The 2004 report from the Senate Standing Committee on National Security and Defence entitled "National Emergencies: Canada's Fragile Front Lines", identifies many shortcomings by both federal and provincial governments in not properly funding, equipping and communicating with front-line responders. It sets out sweeping recommendations aimed at improving the country's national emergency preparedness, including putting money directly in the hands of municipalities for emergency response, and involving first response organizations in a more collaborative manner. We have asked to receive a copy of the Government's response to the Senate Committee report as soon as it is available, and hope that it will respond to some of the specific recommendations regarding resources for municipal first responders.

#### OTHER PRIORITIES

Other priorities for the CAPB over the past year have included the following:

**The Best Practices in Police Governance Research Project** – Please refer to the summary of the presentation made by Frederick Biro that appears later in this report.

**CAPB Strategic Planning Exercise** – Last year the CAPB Board of Directors approved the undertaking of a strategic planning exercise to develop the future direction of the Association. Throughout the year members were asked for their input, and the Plan was approved at the Annual General Meeting on August 19th.

The CAPB Board of Directors and Executive Director look forward to continuing to work on your behalf over the coming year.

### **NOMINATION REPORT**

The Nominating Committee consisted of Committee Chair Don Robinson, outgoing CAPB President (Halton Region); Dan MacLeod (New Glasgow, NS); and Mayor Mary Reeves (Abbotsford). The following individuals were elected as the CAPB Board of Directors and Executive for 2005/2006:

#### **Executive:**

Lynne Kennedy, President	Vancouver, BC
Ian Wilms, Vice President	Calgary, AB
Maureen Meikle, Secretary-Treasurer	Victoria, BC
Herb Kreling*, Past President	Ottawa, ON

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

Robert Angel	Amherst, NS
Ivan Court	Saint John, NB
Greg Dionne	Prince Albert, SK
Shelley Lavallee	Regina, SK
Dave Petryna	Greater Sudbury, ON
Sal Polito	Kawartha Lakes, ON

\* Mr. Kreling resigned on Sept. 9/05 upon being appointed a Justice of the Peace by the Attorney General of Ontario. The resulting vacancy was filled by **Emil Kolb (Peel Region)** at the invitation of the Board of Directors.



CAPB Board of Directors: (top row, from left to right), Sal Polito, Robert Angel, Herb Kreling, Dave Petryna, Ivan Court, Shelley Lavallee, (bottom row) Wendy Fedec (Executive Director), Ian Wilms, Lynne Kennedy, Maureen Meikle, Greg Dionne.

Outgoing President Donald Robinson, Q.C. was honoured at the Conference banquet for the five years he served the Association as a Director, and for the commitment and diligence with which he pursued excellence in police governance both nationally and in his own province of Ontario, where he also served as President of the Ontario Association of Police Services Boards.

The membership also had an opportunity to recognize the contributions of former President Edward Keyes, who resigned in November 2004 after serving 6 years on the CAPB Board, two years as President. Both were outstanding contributors to the CAPB and to police governance nationally, and will be greatly missed.



In recognition of their contributions to the CAPB, former President E. Keyes (left photo) receives a token of appreciation from outgoing President Robinson, and D. Robinson (right photo) receives his Honorary Life Member award from incoming President L. Kennedy.



## RESOLUTIONS

The following resolutions received the support of the membership:

### **RESOLUTION 05-1: ACTION PLAN TO DEAL WITH CRYSTAL METH**

WHEREAS the use of and addiction to Crystal Methamphetamine is spreading at alarming rates in our communities; and

WHEREAS Crystal Meth is a highly addictive drug with a high potential for abuse, dependence and psychological damage; and

WHEREAS the ever increasing dependency on this illegal street drug makes this a lucrative and very dangerous business for those who manufacture and traffic it; and

WHEREAS there is a growing need for addiction services and detoxification centers within our communities because of the use of Crystal Meth; and

WHEREAS there is an obvious need for a unified and strong commitment to enforce all laws on those who traffic in Crystal Meth while at the same time, a commitment to education and prevention practices is necessary in an attempt to prevent more widespread use;

THEREFORE BE IT RESOLVED THAT the Canadian Association of Police Boards lobby the Federal Government to establish an Action Plan in consultation with provincial governments and national and provincial policing associations, that includes education, information and enforcement to help communities across Canada to deal with the increasing and alarming rates of Crystal Meth addictions; and

BE IT FURTHER RESOLVED THAT the Canadian Association of Police Boards lobby the Federal Government for immediate funding to increase the amount of beds, facilities for detoxification and treatment programs.

### **RESOLUTION 05-2: PENALTIES FOR PRODUCTION, POSSESSION AND TRAFFICKING OF CRYSTAL METHAMPHETAMINE**

WHEREAS methamphetamine (crystal meth) is a dangerous and highly addictive drug which can cause paranoia, depression, behavioural changes and permanent brain damage in its users; and

WHEREAS the chemical precursors of methamphetamine, and information about production methods, are easily accessible, and the resultant growing number of "meth labs" pose a danger of explosions, fire and exposure to hazardous agents; and

WHEREAS cases involving the production or importation of significant amounts of methamphetamine are being seen more frequently before the courts; and

WHEREAS these cases are often treated by the courts as equivalent to marijuana grow-ops, despite the extreme danger to the community that both the labs and their product pose; and

WHEREAS the maximum sentence of 10 years for production of methamphetamines, no matter the amount, is inadequate for major cases and does not adequately reflect the seriousness of those offences;

THEREFORE BE IT RESOLVED THAT the Canadian Association of Police Boards urge the federal government to move methamphetamine from Schedule III to Schedule I of the Controlled Drugs and Substances Act, thereby increasing the maximum penalty for trafficking or possession for the purpose of trafficking to life imprisonment, consistent with the maximum sentence for offences involving drugs such as heroin and cocaine, and;

BE IT FURTHER RESOLVED THAT the Canadian Association of Police Boards urge the Federal Government to amend the Controlled Drugs and Substances Act to include Class A precursors found in Schedule VI within the list of substances that are the responsibility of Health Canada to destroy.

**RESOLUTION 05-3:  
TOUGHER SENTENCING FOR  
VIOLENT AND DRUG TRAFFICKING CRIMES**

WHEREAS the citizens of our communities feel that lenient or inappropriate sentences are being given in serious criminal matters; and

WHEREAS there is no deterrent effect for offenders when lenient or inappropriate sentences are given in serious criminal matters; and

WHEREAS citizens are being victimized in our communities with insufficient retribution or punishment for perpetrators of these crimes; and

WHEREAS drug trafficking is an illegal and prosperous business, solely based on greed with a devastating effect on society, with respect to both policing costs and human suffering; and

WHEREAS violent crimes must be taken seriously and have accountability within punishment guidelines to send clear messages to those offending;

THEREFORE BE IT RESOLVED THAT the Canadian Association of Police Boards lobby the Federal Government to address the current sentencing guidelines, including minimum sentences, for violent and drug trafficking offences in order to establish consistent sentencing principles that reflect the seriousness of the offence, with the emphasis on protection of our society.

**RESOLUTION 05-4: VIDEO GAME VIOLENCE**

WHEREAS the Canadian Association of Police Boards (CAPB) is dedicated to the safety of police officers in carrying out their duties and responsibilities on behalf of all citizens;

WHEREAS the CAPB is also dedicated to the well-being of children and youth;

WHEREAS the video game Grand Theft Auto – San Andreas released in October 2004, allows its players to run over a police officer and steal his gun; kill three innocent bystanders; shoot two more police officers; beat a woman to death; and carjack a taxi driver to a soundtrack of racial slurs and hardcore gangster rap, all the while receiving cumulative rewards for each subsequent killing;

WHEREAS many children spend 90 minutes a day playing video games and many parents are not aware that home video games like Grand Theft Auto – San Andreas

involve a constant hurting and/or killing of others, depict violent death and provide cumulative rewards to the player for each killing;

WHEREAS, many in the police governance and law enforcement communities are concerned about the possible influence and effects of visual violence, including the rampant killing of police officers, depicted in video games like Grand Theft Auto – San Andreas;

WHEREAS, the availability of a video game that rewards young people for killing police greatly undermines the positive work that police officers do with youth in our schools and communities;

WHEREAS there is no current legislation in Ontario that requires classification stickers on mainstream videos intended for home use;

WHEREAS the Ontario Film Review Board states it represents a cross-section of many diverse communities across Ontario and therefore reflects their current standards;

WHEREAS under pending legislation by the Ontario Government, the Ontario Film Review Board will be given authority to adopt the American classification system of video games played by Ontario youth;

WHEREAS the Ontario Film Review Board states that its policies have been shaped and influenced by external social forces and that it continues to adapt and mirror the tastes and standards of the various societies it serves;

WHEREAS most informed parents and grandparents would not likely accept that the killing of police officers and women in video games mirrors their tastes or standards or those of the communities in which they live;

THEREFORE BE IT RESOLVED that the CAPB urge provincial and federal governments to ban the purchase, sale and distribution of all video games, including Grand Theft Auto – San Andreas, that depict the injuring and killing of police officers, women and children; and

BE IT FURTHER RESOLVED that the CAPB urge provincial and federal governments to pass legislation that requires classification stickers on mainstream videos intended for home use; and

BE IT FURTHER RESOLVED that the CAPB urge provincial governments to adopt video game classification systems that reflect the standards of their communities; and

BE IT FURTHER RESOLVED that the CAPB work with interested police boards and provincial policing associations, the Canadian Association of Chiefs of Police and the Canadian Professional Police Association in urging police services and their community partners to develop effective public awareness strategies aimed at reducing young people's consumption of violent video games; and

BE IT FURTHER RESOLVED that the CAPB forward this resolution to the Federation of Canadian Municipalities for distribution to municipalities in Canada; and

BE IT FURTHER RESOLVED that the CAPB support the efforts of all those agencies involved in developing a consistent Canadian legislative or regulatory framework that will address video game violence.

#### **RESOLUTION 05-5: RAISING AGE OF CONSENT**

WHEREAS the Ontario Association of Police Services Boards (OAPSB) has forwarded a letter on behalf of one of its members, the LaSalle Police Services Board, requesting that all police boards in Canada be asked to write to the Attorney General of Canada requesting that the age of consent for sexual activity with an adult be raised from fourteen (14) years of age to eighteen (18) years of age; and

WHEREAS the Canadian Association of Police Boards approved a resolution in 1998 urging the Federal Government to amend the *Criminal Code of Canada* to raise the age of consent to sexual activity from 14 years to 16 years for those offences enumerated in section 150.1; and

WHEREAS, under the *Criminal Code of Canada*, it is currently not a criminal offence for an adult to engage in sexual activity with a young person aged 14 years or older if the young person consents to the sexual activity with certain exceptions (i.e. it is a criminal offence for an adult in a position of trust or authority over a young person to engage in consensual sexual activity with a young person 14 years or older; and it is a criminal offence for an adult to obtain, for consideration, the sexual services of a person under the age of 18);

WHEREAS raising the age of consent from 14 years could assist in the prosecution of adults who buy sex from young people because it would permit a prosecution for sexual assault without the necessity of proof that there was payment of money or other consideration;

THEREFORE BE IT RESOLVED THAT the Canadian Association of Police Boards urge the Federal Government to amend the *Criminal Code of Canada* to raise the age of consent for sexual activity from 14 years to 16 years.

#### **RESOLUTION 05-6: ACTION PLAN TO DEAL WITH THE IMPENDING INFLUENZA PANDEMIC**

WHEREAS the World Health Organization (WHO) has declared that the coming Avian Influenza (H5N1) pandemic will cause a worldwide public health emergency; and

WHEREAS it has been estimated by the World Health Organization that this influenza pandemic could occur any time within the next few years; and

WHEREAS the recent experience in Canada of SARS (severe acute respiratory syndrome) has shown us how quickly such an infectious agent can circle the globe and have a powerful negative physiological, psychological, and economic impact; and

WHEREAS there is a growing need for co-ordinated disaster management plans between levels of government and their respective emergency services;

THEREFORE BE IT RESOLVED THAT the Canadian Association of Police Boards urge the Government of Canada to establish a Disaster Management Plan for Avian Influenza, in consultation and in coordination with provincial and municipal governments, that includes such essential components as education, information and enforcement to help communities across Canada to prepare for the impending pandemic; and

BE IT FURTHER RESOLVED THAT the Canadian Association of Police Boards lobby the Government of Canada for immediate funding to increase the amount of resources available to publicly funded emergency services first responders in order to properly deal with an influenza pandemic, including such resources as early access to any influenza vaccine.

#### **RESOLUTION 05-7: ACTION PLAN TO DEAL WITH THE EXPLOSIVE GROWTH OF COMPUTER CRIME**

WHEREAS the use of the Internet and computers by criminal elements has given rise to the emergence of new types of crime as well as the commission of traditional crimes by means of new mediums; and



WHEREAS the increased connectivity of both businesses and home residences to the Internet has dramatically increased the vulnerability of our citizens and our information systems by providing increased opportunities for criminal exploitation if proper precautions are not taken; and

WHEREAS there is a growing need for law enforcement to attract, train, and retain more technology savvy members, both sworn and civilian; and

WHEREAS those who perpetuate crime by way of computers and the Internet are increasingly located in places other than where their acts produce their effects and this results in jurisdictional, investigative, and procedural challenges for law enforcement; and

WHEREAS solutions to the problems posed by computer and Internet crime must be addressed by international law, necessitating the adoption of adequate international legal instruments; and

WHEREAS the U.S. Federal Bureau of Investigation has recognised the seriousness of computer crime and made it their third priority after counter-terrorism and counter-intelligence;

THEREFORE BE IT RESOLVED THAT the Canadian Association of Police Boards urge the Government of Canada to establish an immediate Action Plan, in consultation and in coordination with other levels of governments, and the governments of other countries, that addresses education, information, and enforcement strategies to deal with the explosive growth of worldwide computer crime; and

BE IT FURTHER RESOLVED THAT the Canadian Association of Police Boards urge the Government of Canada for immediate funding so as to increase the number of law enforcement officers engaged in policing the Internet and preventing computer crime generally.

#### **RESOLUTION 05-8:**

##### **FEDERAL SEX OFFENDER REGISTRY**

WHEREAS the protection of the public, especially children, must be the primary focus of any registry of sexual offenders; and

WHEREAS a rapid response is critical in an investigation of a child abduction for a sexual purpose, in that of victims murdered in these circumstances 44 per cent were dead within an hour of abduction, 74 per cent were dead within three hours and 91 per cent were dead within 24 hours; and

WHEREAS the Ontario Sex Offender Registry 'Christopher's Law' provides for this capability, as well as numerous other features designed to maximize the ability of a police service to investigate and locate potential victims of sexual offenders in as timely a fashion as possible; and

WHEREAS the efficacy and investigative practicality of the Ontario Sex Offender Registry has been proven over the course of the four years it has been in effect; and

WHEREAS SOIRA is deficient in many ways to the Ontario registry, including a lack of investigative capabilities, a delayed response to queries, and legislative restrictions on queries from law enforcement personnel, to a point where it is estimated that 70 per cent of current convicted sex offenders are not being tracked; and

WHEREAS, in the near future when the Provincial Sex Offender Registry and the Federal Sex Offender Information Registration Act are to be merged, the investigative capabilities of the OSOR may be eliminated, either through the merger or a legal and/or constitutional challenge;

THEREFORE BE IT RESOLVED that the Canadian Association of Police Boards urge the Government of Canada to take every action possible to ensure that the advantages provided by 'Christopher's Law' be incorporated into SOIRA, and to the extent possible, be adopted by every jurisdiction in Canada.

#### **RESOLUTION 05-9:**

##### **INTEGRATED POLICING POLICY FRAMEWORK**

WHEREAS a policy review of policing arrangements has not been conducted during the past two decades in Canada; and

WHEREAS the current system of policing creates inefficiencies, duplication and fragmentation at a time when many serious threats to public safety are multi-jurisdictional and global in nature; and

WHEREAS Canadian police services are embracing "integrated policing" as a concept to guide collaborative operational work across jurisdictional and agency boundaries, to meet the expectations of citizens and orders of government; and

WHEREAS Canadian police agencies, governance bodies, municipal representatives, independent research and government officials have agreed that a definition of integrated policing is required so that there is no

ambiguity about respective roles and responsibilities and how this concept applies at the tactical, operational and especially strategic levels; and

WHEREAS an integrated policing policy framework is required to be developed by governments, in their role in providing the legislative and policy structure to clarify and support police management and operations; and

WHEREAS orders of government have an opportunity to shape policing for Canada's future in a way that reflects a greater voice for communities in the national dialogue about safety and security

THEREFORE BE IT RESOLVED THAT the Canadian Association of Police Boards join with the Canadian Association of Chiefs of Police in calling upon the federal and provincial governments to:

- 1) pursue studies and analyses on the costs, and operational and strategic implications of current policing arrangements;
- 2) confirm roles and responsibilities of each order of government consistent with Canada's constitution and governments' stated commitment to municipal engagement on public safety issues;
- 3) jointly, with representatives of the municipal order of government, establish a policy framework to support police agencies in operating within Canada's multi-jurisdictional policing environment; and
- 4) define integrated policing as a concept and analyze the implications of this concept applied respectively at the tactical, operational and strategic levels.

## ***PLENARY SESSIONS***

### **BEST PRACTICES IN POLICE GOVERNANCE**

Speaker:

- **Mr. Frederick Biro, Executive Director, Peel Regional Police Services Board, and Leader, CAPB Best Practices in Police Governance Research Project.**

*Best Practices in Police Governance* was the theme of this year's conference and many of the sessions addressed various facets of this issue.

The first guest speaker, **Mr. Frederick Biro**, was the Project Leader for the CAPB's year-long research project

entitled: *Best Practices: A Framework for Professionalism and Success in Police Governance*, and he presented his findings at the conference. Mr. Biro is well qualified to have led the project, having served as Executive Director for the Regional Municipality of Peel Police Services Board since 1991, as Executive Director of the Canadian Association of Police Boards from August 1993 until October 1996, and as interim Executive Director of the Ontario Association of Police Services Boards for a six month term in 2001-2002.

#### Introduction

In 1994 under Mr. Biro's guidance, the Canadian Association of Police Boards published a report on the civilian governance of police in Canada. Entitled *Putting the Tools in Place*, it was designed to provide sound fundamentals for good governance practices in the police sector. It began with the following statement:

*Board governance is essentially an invisible function. Its practitioners leave daily operations to a chief executive officer who often becomes the public personification of the organization. It is only when problems surface and the organization is in crisis that the governing entity, and questions about its role and effectiveness, is thrust into the spotlight. It is only then that the true importance of an effective board emerges.<sup>1</sup>*

Slightly more than a decade later, with one exception, these words proved prophetic. The exception however, is noteworthy. With the spectacular failures of companies such as Enron, Worldcom and Tyco, governance is now anything but an invisible function. Instead, it has become the focus of legislators and regulators, and has energized exponential growth in studies, research and instruction all aimed at understanding and improving governance practices.

In light of these ongoing developments in governance, especially in the private sector, the Canadian Association of Police Boards believed the timing was right to undertake a research project to identify best practices in corporate board governance, apply and test them within the police sector environment, and develop a framework for their application throughout Canada. Specifically, the initial mandate was to:

- Undertake a review of developments in governance from all sectors, including commissions, inquiries, legislation and public policy positions, with a focus on recent activity in Canada, the United States and England;

- Interview key stakeholder groups to determine opportunities, obstacles and issues concerning civilian governance of police; and
- Identify common elements and initiatives that are seen to promote success.

<sup>1</sup> Canadian Association of Police Boards. Putting the Tools in Place: The final Report on Phase 1 of 'Pursuit of Excellence.' November, 1994.

The CAPB approached Public Safety and Emergency Preparedness Canada who, along with the Peel Regional Police Services Board and the CAPB, agreed to fund the project, in large part because of the broad practical application of the anticipated results.

### Context

Since the start of this millennium the poster child for governance reform in the private sector has been Sarbanes-Oxley, named after its sponsors, which created a new, rigorous set of rules for monitoring and reporting by public companies in the United States. The size of the U.S. market dictated that multi-nationals around the world were forced to respond to the Sarbanes-Oxley legislation.

At the outset of the CAPB project, it was believed that elements of Sarbanes-Oxley, as well as similar proposals for private sector governance reform from Canada and the United Kingdom, would provide much of the background and framework for recommendations for the police sector. Much has changed however. Recently business leaders in Canada have questioned the expense of compliance, and even the effectiveness, of a rules-based regime as proposed by Sarbanes-Oxley.

### The Stakeholders

An important element of this project was to meet with stakeholders (representatives of police boards, Chiefs of Police, police associations and government officials) to determine their views and ensure the delivery of a product that would assist the entire police profession. While there was almost universal interest in learning and applying lessons from the private sector, it became increasingly clear that in many areas of the country the police community is still seeking clarity on the fundamentals of effective board governance.

Issues around continuity of board membership, training, remuneration, and competency were themes addressed by all sectors within the police community. These are the exact same points identified in the 1994 report from the CAPB and they remain relevant today.

Also, while there was general agreement on the importance of effective civilian governance of police services, there was little agreement on what that meant. Even police board members, often at the same meeting, found consensus elusive. Some were enthused with introducing a new policy framework for governance; others took the attitude that: '*If it ain't broke, why fix it?*' Some boards have adopted the more complex elements of governance, while others, often because of a wholesale change in membership, struggle with basic questions of process and procedure.

The cost of governance, whether it implies policy development, training, self assessment, or even attendance at provincial or federal meetings of colleagues, was a constant point of discussion. Many individuals expressed the view that police boards, with very few exceptions, are not well funded entities, often to their own detriment.

### The State of Governance

The literature review that commenced in 2004 and extended to mid-year 2005 can be summarized as follows: It is doubtful if the extent of study, analysis and review of governance has ever been healthier. There are numerous, well researched and well supported views on governance practices, methods, and frameworks. Governance training has become a burgeoning field. There is, if anything, a plethora of riches available for a study of this nature. Unfortunately, while there is agreement on what boards need to do, there is far less consensus on how they should operate to meet their goals and objectives. This is an even more complex exercise in the public sector with its multiple and often interchanging '*bottom lines*', then it is in the private sector.

### Project Parameters

The goal of this initiative was to review the current state of governance, especially in the private sector in light of the scrutiny and investigation that followed the collapse of well-known corporations such as Enron and Worldcom, and develop a menu of best practices that could be implemented by police boards of all sizes. Input from the stakeholders altered the expected outcome by including comment on the fundamentals of board governance. Finally, any recommendation(s) must be practical and accept the reality that police boards generally have minimal budgets and limited access to human resources.

## GENERAL CONCLUSIONS

### Principle-Based Governance

Both the literature review and personal interviews reinforce a '*principle-based*' versus a '*rules-based*' approach to board governance such as advocated by

Sarbanes-Oxley. This validates yet also accommodates a wide-range of approaches. It focuses on what needs to be accomplished, common to all boards, while providing flexibility on how it is done. ‘One size does not fit all’ is a truism that applies to governance in all sectors.

### Board Fundamentals

As stated previously, while the aim of this project was to learn from the lessons gained from the private sector, many police board members are urging a continued emphasis on the building blocks necessary for good governance. This may be in part because of the mandatory rotation of board members who tend to be appointed for fixed terms, thus creating the loss of institutional memory. It also reflects the reality that most boards do not have dedicated staff or a system to sustain and hopefully improve on governance practices.

### Relationships

Every board relies upon individual members working together in a constructive fashion, and from that, rely upon the board as a whole working together with its Chief of Police. The relationship the board develops internally, and then externally with its Chief, its appointing and funding bodies, and the community it serves, will determine its success.

### Lessons from the Private Sector

Despite the recent negative commentary surrounding Sarbanes-Oxley, there are lessons to be learned from the outpouring of research, legislation and studies on governance in the corporate sector. The analysis undertaken for this project indicates these lessons, in some form or fashion, are transferable to the police sector.

These can be summarized under four headings:

- **Oversight** – the role of effectively monitoring the organization. The parallel in the private sector would be the emphasis placed on the role of the Audit Committee.
- **Risk Management** – many private sector commentators view risk management, both internal and external, as a key responsibility of the board.
- **Procedures and Processes** – recent developments stress the need for boards not only to do what they are required to do, but also be able to demonstrate that they have done so. While seemingly mundane, in the current environment, and especially in the police sector, boards must be able to document to all their stakeholders, including the organization they lead, that they have followed through on their

responsibilities in a professional and defensible manner.

- **Responding to the Shareholders** – ensuring transparency and accountability to the ‘shareholders’ represented by the boards. In the police sector that includes a wide spectrum starting with the community-at-large, the appointing body, the funding body(ies) and depending on the governing legislation, the members of the police service.

These general fundamentals of good governance are addressed in 16 recommendations contained in the *Best Practices: A Framework for Professionalism and Success in Police Governance* report. Over the next year, the report recommendations will be ‘field-tested’ by a minimum of three police boards, with representation from boards that govern small, medium and large police services, using the framework provided in the report. The findings from the test boards and any resulting amendments will be incorporated into a final document that will be presented at the 2006 annual conference. The *Best Practices* report is available online at [www.capb.ca](http://www.capb.ca).



Governance Experts Panel: (from left to right) M. Jolicoeur, D. Brown, F. Biro and CAPB President L. Kennedy

## PANEL: GOVERNANCE EXPERTS RESPOND TO BEST PRACTICES RESEARCH PROJECT FINDINGS

### Panelists:

- **David A.H. Brown, Executive Director, Brown Governance Inc. & The Directors College**
- **Marc Jolicoeur, lawyer, Borden Ladner Gervais LLP**

**Mr. D. Brown** began by commending the CAPB for undertaking this extremely important work, noting that

police governance across the country lacks standard guidelines. He encouraged everyone to support the development of the proposed framework and to adopt the final version by putting it into practice. He believed that examining the recommendations in a broader context and finding out what is going on in the world of governance was a helpful way to develop these recommendations.

Mr. Brown identified four drivers or macro trends and their implications for governance of police services:

- i. Democratization – The triumph of liberal democracy can be considered one of the biggest stories of the 20th century. At the beginning of the century we had no idea what political or economic system, if any, would come to dominate the world. Democratization, or the process by which people power and market economies of the western industrial capitalist countries came to dominate the international system, has had a tremendous effect on governance. Through this process, individual rights have been amplified resulting in a general belief that the public and individuals have the right to effect the direction, strategy and policy of police services.
- ii. Globalization - Not only have western industrialized market economies come to dominate the international system, but the whole notion of globalization means that a bar has been raised in terms of governance expectations everywhere in the world: there are expectations of minimum behaviour in all areas of politics and communal life, including police services. Globalization affects national and local community governance, as well as the ethical conduct and behaviour of both the board and the police force itself. There is a much higher standard now than ever before. Ethical conduct starts in the boardroom, and boards are the leaders of ethical conduct expectations in our organizations.
- iii. Information Technology (IT) - The rise of IT has meant an increase in access to information; because information is so easily gathered the public expect it to be disbursed just as easily and therefore the demand for information grows.
- iv. Decline in trust - There has been a massive decline in trust throughout the world and particularly in Canada. The level of faith has gone from high to low. Boards will be affected when it comes to disclosure; there will be a need to air on the side of transparency.

Governance is not just a second level of management, and it isn't re-management. Governance is the purview of the Board, management is the purview of the Chief, staff and the force. Governance has to do with the strategic direction and strategic control of the organization,

whereas management has to with day to day operations, investigations, human resources and everything else that is going on in the organization. The purpose of governance reform is to address the concern that the term 'governance management' has become co-mingled in many organizations and therefore the separate natures of governance and management have been overlooked.

It was Mr. Brown's opinion that the most important recommendations in the report are: recommendation 8 regarding the chief and the delegation of authority; and recommendation 10 dealing with strategic planning. Board members can make the biggest difference to the effectiveness of the organization within these two areas. In future drafts of this report he suggested it would be beneficial to expand the strategic planning section. Every police board needs to be involved in the articulation of the purpose (public policy) and identification of the principals to which police services and boards are accountable. He fully endorsed the Best Practices report and bid the CAPB good luck in their field testing.

**Mr. M. Jolicoeur** believed the report was well done and well researched, and he encouraged everyone to go through it with their boards in detail as the recommendations are entirely consistent with other works on governance.

During the early 1990's the Toronto Stock Exchange came out with a report containing a very detailed set of recommendations in response to corporate collapse at that time. It was stated in their analysis that the collapses were a direct result of a lack of effective governance and pointed the finger at the boards. However, the responsibility had to be shared with the shareholders who failed to demand accountability from their respective boards. In the mid 1990's boards began to implement these governance best practices, which were well received by other sectors.

Two important points need to be stressed:

- 1) Fundamentals – statutes only provide boards with their duties and do not deal with how to be an effective board; however, it is crucial for board members to understand their role and their authority. This is where the differentiation between the board (governance) and the role of senior staff (management) becomes important. This division of responsibility must be clearly understood: unless the board knows its role, it cannot really define what the key relationship is between itself and staff.
- 2) Governance - best practices alone will not keep the organization on the proper course; having the right people on the board will. To avoid disasters such as

Nortel, directors must have the required skills and knowledge to detect trouble soon. Suggestions to help rectify the situation include seeking people with more than business skills and knowledge, who have a sound basis for understanding the risks at hand.

One thing that is crucial to understanding the role and being effective is taking the time to learn about your sector as well as to acknowledge and address the risks the organization is facing. Roles of the board include strategic planning, oversight, and many others. The one that is emerging as the most important role to play is that of risk identification and assessment. In order to be effective, directors of the organization must follow some key points: obtain the information needed to understand the company, its business, customers, and operations as well as its revenues and expenses; analyze the information and understand how it affects the key parts of the organization and its strengths and weaknesses; and be prepared to take a wise and constructive position on issues and problems. As a director you must play an active role and not act as a passive observer; you must have the commitment, courage, wisdom, sensitivity and political savvy to add to the value of the board by using your power, influence and judgment in the best interest of the shareholders to whom you are ultimately accountable.

### TRUE CONFESSIONS OF A FORMER POLICE BOARD MEMBER

Speaker:

- **Professor Patrick Knoll, University of Calgary**

“Police governance is a very important subject matter”. This phrase began Professor Knoll’s light-hearted and humorous reflections about his time on a police commission between 1998 and 1991. He clarified that instances used throughout his presentation were in the public domain or not of a confidential nature, and that the individuals were all good people trying to do their job right. With his vivid and creative memory, Professor Knoll used instances from four specific board meetings he attended during his tenure on the commission.

It began in the summer or fall of 1988 when Professor Knoll noticed an advertisement from the City of Calgary looking for people to join boards or commissions. He submitted his name thinking it would be interesting and that somehow he could make a contribution. There was no manoeuvring on his part, as he had no connections at City Hall or on the commission. About six weeks later he received a very short letter saying that he’d been

appointed to the Calgary Police Commission and given a date for the next meeting. He was taken aback by the lack of detail; he had expected to receive a call from the executive director or an invitation to an orientation meeting. The following day he received a call from a commission member asking for his vote during the elections for the position of Chair. As he didn’t know who else was running, he felt it safest to thank the individual for his call and say that he’d think about their conversation.

The first item on the agenda of Professor Knoll’s first meeting was “Election of the Chair”. The Professor found himself seated beside an alderman who was a sworn member of the commission; he asked the professor who he was voting for. As only one individual had previously approached him for his vote, he said that he was voting for that person. From the moment the election was over the Alderman never spoke a word to Professor Knoll.

In preparation for the second meeting, a closed meeting, the Professor decided to go to the commission office and meet with the Executive Director. He was going to ask for additional information with full intentions of beginning a positive relationship. He had reviewed the Police Services Act and noted that part of a commissioner’s job was to create policy for the police service. His quest for copies of the policies led to a conversation similar to one between Abbott and Costello. Eventually the Professor was told the commission didn’t have any policies. Professor Knoll was stunned. He could not comprehend a commission in business for over 20 years that did not have any policies. Because of the Executive Director’s reaction, Professor Knoll assumed the Executive Director thought that he was being blamed for the commission’s lack of policies. By the end of the second meeting, Professor Knoll had alienated two people completely and he wondered what could possibly happen next.

The third meeting happened at the end of 1988. The night before the meeting a package was delivered to the house. It contained a large document of raw data that the Police had prepared for board members to digest for the meeting. There was no executive summary or breakdown of the data. At the meeting, commission members were unable to properly deal with the issue and were completely outfoxed and outmanouvered by police staff; a trend was beginning to take shape. This was a serious issue and it did not leave a good feeling with the Professor in a governance context. Commission members were not organized, there were no committees, and the process

hadn't been broken down so it could be managed properly. The commission was rubberstamping, pussyfooting around and didn't have a clue what they were doing.

Also at this meeting a report about use of force was presented and a discussion ensued about a specific incident. At the end of the meeting all commission members agreed how these incidents would be handled in the future. Unfortunately, they didn't pass a motion or give any direction whatsoever to the chief. Why? In Professor Knoll's opinion, it was because they were just too nice to do anything like that and have it recorded in the minutes. The repercussions from this lack of action would be felt in meeting number four.

About six months later, in June of 1989, the same issue of use of force arises; someone had been seriously hurt. One commission member reminded the Chief that this issue had been dealt with six months earlier; he thought they had resolved how things were to be handled. The chief replied in the negative, he indicated no motions had been passed, nor had he received any direction from the commission. Members were shocked, and so they proceeded to discuss the same issue again. Yet again no final decision was made. Professor Knoll went home after the meeting thinking there was something seriously wrong in the way they were handling their governance job. The chief had silently sat back for six months and allowed the incident to reoccur. The Professor felt very uneasy. He decided, unconsciously, that he was going to do something about it. He didn't know what or how or when, but he wasn't going to continue being a member of a governance organization that allowed this type of occurrence to continue.

Two weeks later meeting number four occurred, the last meeting of the summer. During those days Alberta had a major problem with high-speed chases. At this particular meeting a high-speed chase report was presented to the commission; it detailed how a 25 year old officer chased a 17 year old through a residential area during school hours at a high speed. The Professor had been smoldering for weeks trying to figure out what to do about this matter and was still contemplating it while the chief gave his report. He had not planned on doing anything, when his arm shot up to speak, and to his surprise he spoke these words: "Tell us Chief, can you tell us please what Sunday this summer is some family going to church going to be killed in a high speed chase? Tell us chief, which one, what Sunday?" The Chief muttered something that no one understood; he honestly did not know how to respond. That night on television and the next day the headline

read 'What Sunday will your family be killed?'. This wasn't something the Professor had set out to do, however, once it was over he was not displeased with the results. He was seriously worried that someone would be killed, and as a member of the police commission if he had said nothing he would have felt guilty all his life.

It was that day he actually started doing his work as a member of the police commission and felt he had earned being a member. The incident wasn't about getting one up on the chief or putting him in a bad spot or being popular with the police. The Professor did not care about popularity, he cared about how he'd feel if someone was killed because some young officer couldn't stop driving through a part of the city where children were getting out of school at 140ks an hour just because someone didn't stop for him. That was the attitude of some young officers, and there was no proper control over them. After that meeting members of the commission started to recognize each other.

Professor Knoll then fast-forwarded six months to when the commission had become highly polarized. He perceived the commission to have two contrasting positions. The first position, on the far right, would have been called the "Gang of 4" and if they had a mantra it would have been "Cops are Tops". They were unqualified cheerleaders for the police. Their general philosophy tended to be 'you've got to turn a blind eye every now and then for the sake of the service and we've got to stand up and support them through these tough times'. The only way the "Gang of 4" would oppose the service or the chief was to express some mild concern. They would never pass a policy or make a motion or want to issue any direction to the chief. They never admonished him or the service in any way. The second position, comprised of three members, was described as being left of centre. Their perceived mantra would have been "Accountability and Integrity First", that is what they were interested in. "SOBs" is what this group was called. Professor Knoll then made a true confession; he was an unqualified "SOB"!

In his jocular manner he described some of the pros and cons of being a "Cops are Tops" or an "SOB". Being a "Cops are Tops" was less aggravating and stressful than being in the other group because you simply flowed along with the organizational tide, you went with the culture and ethos of the service. The "SOBs" were just the opposite. They were like salmon constantly swimming upstream against the organizational tide, against the culture and against the ethos. "Cops are Tops" had a lot less work to do on the commission; they didn't have to do their homework, whatever the chief wanted, they voted in

favour. The “SOBs” had to work like dogs, read and study all the homework to find out where the real problems were. “Cops are Tops” were more chummy with the police, there was a bond between them. The “SOBs” were treated with a frosty politeness and limited civil conversation. In many jurisdictions “Cops are Tops” were more likely to be reappointed to the commission if they wanted. If you were a disturber or a boat rocker, you easily got pitched at election time.

In closing, Professor Knoll asked his audience to reflect on their role with their board or commission and about their inclinations. He emphasized how important it was to support our police services and that they needed governance support, but not in an unqualified way. Commissions or boards must be behind their police service 100% and be visible about it when necessary. Unqualified support is the wrong approach; you must be an occasional “SOB”, not for public interest but for the police service. It does not help to have “Cops are Tops” around the table who are not prepared to be “SOBs” when necessary. This country has seen the effects of complacency: the service begins to move towards difficulty, challenge, trouble, and public inquiry. There are reports describing this happening, particularly in Ontario, where commission members did not stand up to the service when necessary.

Professor Knoll summarized his presentation quite eloquently: “We have great police services in this country, they need our support, but they need our support in a proper governance context. So please be an “SOB”, support the service and do the important job that you have.”

## PUBLIC SAFETY AND EMERGENCY PREPAREDNESS CANADA

Guest Speaker:

- **Ms. Diane MacLaren, Assistant Deputy Minister, Policing, Law Enforcement & Interoperability Branch, Department of Public Safety & Emergency Preparedness Canada**

Ms. MacLaren began by stressing that the CAPB is one of the Department of Public Safety and Emergency Preparedness Canada’s (PSEPC) most valued stakeholder groups. Her presentation covered four areas of discussion. The first topic looked at recent changes within PSEPC, including an explanation of its organization structure. Secondly, she discussed the important themes that were identified through recent CAPB resolutions and what

PSEPC has done to advance these initiatives. Thirdly, she outlined some major ‘think pieces’ to guide the relationship between PSEPC and the CAPB. Lastly, she looked at the 2005 fall agenda and discussed upcoming parliamentary legislation of interest to the CAPB.

### Recent Changes at PSEPC

Ms. MacLaren noted that the most recent change at PSEPC was the retirement of Paul Kennedy, Senior ADM, Emergency Management and National Security Branch (EMNSB). He was succeeded by Ms. Patricia Hassard, who addressed CAPB delegates last year as the ADM of the Branch now headed by Ms. MacLaren. Ms. MacLaren advised that she assumed Ms. Hassard’s previous position just six weeks ago.

Ms. MacLaren reviewed the reorganization at PSEPC that began in Dec. 2003, was solidified legislatively in April 2005, and is now nearly complete. She acknowledged that PSEPC is a new Department and that work needs to be done within the portfolio. Horizontally, this includes working with RCMP, CSIS, Canada Border Services, Corrections Canada, the National Parole Board, and the Canada Firearms Centre. The goal is to promote collective priorities and coordinated policies. Across federal departments, PSEPC works with the Privy Council Office, the Departments of Justice, Transport, Health, Fisheries and Oceans, Foreign Affairs, International Trade and National Defence. Cooperation with territories, provinces, municipalities, and stakeholders such as the CAPB is also being strengthened. Providing an example of increased integration with the CAPB, Ms. MacLaren cited her involvement with the FPT ADM Policing Issues Committee, which has been working with the CACP, CAPB and FCM on the issue of Integrated Policing (see presentation by Chief E. MacLeod later in report). Links are also being deepened with international partners, such as the United States.

### CAPB Resolutions:

#### *Municipal Policing and Public Safety*

CAPB’s 2004 resolutions addressed a number of issues that fit within the theme of municipal policing and public safety. These issues included: Chemical Biological Radiological Nuclear (CBRN) funding and a national counter-terrorism strategy; the response to the Senate Committee on National Security and National Defense (with emphasis on support and funding for first responders); financial support for municipal police within the context of the National Security Policy; and police training.

PSEPC has responded to these issues by administering the Joint Emergency Preparedness Program (JEPP), which is



used to address public security and anti-terrorism initiatives. Examples of funding initiatives include specialized CBRN equipment and training for first responders, and the development of Heavy Urban Search and Rescue (HUSAR). Funding through JEPP is provided on a cost-sharing basis. On the topic of police training, Ms. MacLaren recognized that at the federal level, training is provided through the RCMP's Canadian Police College. She stated that PSEPC's role on the new Canadian Police Sector Council will provide it with an ideal forum to address the development of a national police training strategy.

#### *Serious and Organized Crime*

Within the theme of getting tough on serious and organized crime, Ms. MacLaren noted that the CAPB had addressed three primary issues through its resolutions. They included proceeds of crime (particularly the sharing arrangements), illicit drugs, and the need for a review of organized crime legislation.

The Forfeited Property Sharing Regulations allow only for the sharing of this revenue by the federal, provincial and territorial governments. However, Justice Canada has established a working group to address concerns related to revenue sharing. She encouraged all those concerned to contact Justice Canada to be directed to their respective representative on that group. Follow-up discussions are set to resume in Fall 2005. In addition, the Integrated Proceeds of Crime (IPOC) program was renewed in the March 2005 Federal Budget, allocating \$117 million in funding over five years. Continuing within the context of the proceeds of crime, the Minister of Justice introduced legislation in May 2005 (Bill C-53) which places the onus of proof in the hands of suspected criminals to establish that their funds were acquired legitimately. The Bill will continue through Parliament in Fall 2005.

With regard to illicit drugs, Ms. MacLaren acknowledged the CAPB's request for Bill C-17 (formerly Bill C-10: Cannabis Reform) to be delayed until funding has been secured for evidence-based, recognized drug and education programs for all Canadian youth. She acknowledged that the Government is aware of the concerns expressed by the police and the CAPB, and encouraged stakeholders to express their views as the Bill proceeds through Parliament.

In addition to legislation, Ms. MacLaren noted that work is currently underway by Health Canada, which has begun an initiative under Canada's Drug Strategy to develop an education campaign to discourage first-time and regular use of illicit drugs, particularly marijuana. PSEPC is actively involved in this initiative. PSEPC is also involved

in developing a national strategy on marijuana grow operations (MGO) and synthetic drugs. This strategy includes many of the recommendations of the Report of the National Organized Crime Committee MGO Working Group which, she noted, have been endorsed by the CAPB.

On the issue of illicit drugs, Health Canada has also introduced proposed amendments to the Precursor Control Regulations in the Canada Gazette. The amendments seek to make it more difficult to purchase, possess, and distribute precursor chemicals for the production of drugs such as crystal meth. Approval for these amendments will be sought in Fall 2005. In August 2005, Health Canada, jointly with PSEPC and Justice Canada, announced the Federal Government's decision to increase maximum penalties for crimes related to methamphetamine.

Turning to organized crime, Ms. MacLaren stated that the Federal Government acknowledged the CAPB's call for a comprehensive review of organized crime legislation. She stated that the government is in the process of determining if legislative amendments are needed to improve the Government's effectiveness in addressing organized crime.

#### *Lawful Access*

The third theme that Ms. MacLaren addressed in relation to CAPB resolutions was the tool of lawful access. The CAPB has recognized the need to update the legal framework, and the Government has announced that it intends to introduce legislation in the near future. PSEPC has worked with police services across the country to address their concerns, and she was grateful for the input the CAPB has provided. (*Note: legislation was introduced on 15 November 2005.*)

#### *Sentencing and Corrections*

The fourth and final theme that Ms. MacLaren used to summarize the CAPB's 2004 resolutions was sentencing and corrections. The CAPB resolutions focused particularly on the increase in remand rates. Ms. MacLaren stated that while PSEPC was not directly impacted by the issue of remand rates, it was interested in the issue within a policy and operational context.

Looking to the future, Ms. MacLaren highlighted three areas where PSEPC needs to work closely with the CAPB. Firstly she acknowledged the completion of the CAPB's study on best practices in governance, stating that it would be a valuable tool for everyone, including the FPT (Federal/Provincial/Territorial) Assistant Deputy Ministers' Policing Issues Committee, which she co-chairs. Ms. MacLaren extended an invitation to the

CAPB to attend a future FPT meeting to present the Best Practices report.

Secondly, she highlighted the issue of maritime security, stating that since 2003 federal surveillance capacity has been increased, the tracking and screening of vessels and crews has been enhanced, RCMP investigative teams have been created, and on-water patrols have been introduced to the Great Lakes and St. Lawrence Seaway. In addition, the National Waterside Policing Coordination Team was created. This team, headed by the RCMP, includes members of PSEPC, the OPP, and the Vancouver and Niagara Regional police services. It is currently looking at the capacities of police services involved in waterside policing and developing recommendations to better coordinate these assets. PSEPC will be working with stakeholder groups, such as the CAPB, to determine if any enhancements are required to improve the team's recommendations.

#### Fall 2005 Agenda

While acknowledging the possibility of a federal election which might bring forth a new government, Ms. MacLaren stated PSEPC will continue to work on several parliamentary initiatives. These include:

- Bill C-13, which significantly broadens the scope of the DNA scheme. In a related matter, PSEPC will be working with FTP Ministers to develop a DNA Missing Persons Index, on which the CAPB has provided valuable consultation.
- Bill C-16, which deals with drug-impaired driving.
- Bill C-2, which received Royal Assent in July 2005, provides the most comprehensive child protection legislation of any country in the world and was supported by the CAPB.

In Toronto, shooting deaths have put the issue of gun crime in the news. In May 2004, the Government committed almost \$50 million over five years to enhance the capacity of police agencies to combat firearm-related crimes. In addition, PSEPC is working with Transport Canada to develop a broad Transport Security Strategy in response to the bombings in London, England.

In concluding her speech, Ms. MacLaren introduced the idea of developing and offering a workshop at the CAPB's next annual conference. The goal would be to educate CAPB members on selected aspects of the Federal government and PSEPC.



D. MacLaren and CAPB Vice President I. Wilms

**LUNCHEON SPEAKER:  
THE HONOURABLE IRWIN COTLER,  
MINISTER OF JUSTICE AND  
ATTORNEY GENERAL OF CANADA**



CAPB Secretary-Treasurer M. Meikle and Minister I. Cotler

The CAPB was honoured to welcome the **Honourable Irwin Cotler, Minister of Justice & Attorney General of Canada** to its conference. The Minister spoke about the principles and priorities that underpin Canada's justice agenda, and the critical role that the police play as the men and women who work on the front lines of the struggle for justice, equality, and human dignity. The following points were addressed:

- Security and Human Rights  
Counter-terrorism is the promotion and protection of the security of a democracy and fundamental human rights in the face of this injustice—the protection, indeed, of human security in the most profound sense. The enforcement and application of counter-terrorism law and policy must always comport with the rule of

law. Counter-terrorism must not undermine the very human security we seek to promote and protect.

- Protection of the Most Vulnerable Amongst Us  
The test of a just society organized around the principles of equality and human dignity, is how it treats the most vulnerable of its members: children, women, the elderly, the sick, refugees, minorities, Aboriginals. An important component in the protection of the vulnerable is addressing the inequity faced by so many Aboriginal people who are overrepresented as offenders and victims in the criminal justice system, and under represented as police officers, judges, court-workers and lawyers.
- Combating Racism, Hate Speech and Hate Crimes  
Hate crimes constitute an assault on the inherent dignity of the human person, an assault on the equal dignity of all persons, an assault on the right of minorities to protection against group vilification, and an assault on our own multicultural democracy. The practice of racial profiling has attracted considerable attention, both in Canada and other western countries. Racial profiling is discriminatory both as a matter of principle and policy – and a denial of the rights to equality before the law – and is an unacceptable practice that has no place in Canada's justice system.
- Criminal Justice Reform and the Protection of Human Rights  
This is a general, encompassing priority that includes the three particular priorities already mentioned but also recognizes a general need for a fair and effective criminal law system, and one anchored in the dual human rights concerns of protecting human security and respect for the rule of law, including legal rights guaranteed under the Constitution.

In closing, the Minister emphasized that by focusing on our priorities and giving expression to our principles, we will not only improve Canada's justice system, but no less important, we will improve our quality of life in Canada.

For a complete transcript of Minister Cotler's speech, visit:

<http://canada.justice.gc.ca/en/news/speeches/index.html>.

### LAW ENFORCEMENT ABORIGINAL AND DIVERSITY NETWORK (LEAD)

Guest Speakers:

- **Dr. William Beahen, LEAD Program Director**

- **Sgt. Ron Johansson, Steering Committee, Law Enforcement and Aboriginal Diversity Network, Winnipeg Police Service**

A special program of the CACP, LEAD represents a group of police services across Canada dedicated to improving consultation with and service to Aboriginal and diverse communities. LEAD acknowledges that police services lack cultural competence and aims to improve this across Canada. It encourages all law enforcement agencies to acknowledge and strive to eliminate barriers that impede relations with Aboriginal and diverse communities.

At the Vancouver Launch of LEAD in March 2005, Chief George encouraged Canadians and LEAD to embrace nature's model of diversity: "Canada", said Chief George, "is like a forest in which the various flora, from the most simple moss to the grandest trees, seem to exist independent of one another, but actually thrive in an intricate web of interdependence for mutual sustenance." In response, Chief Edgar MacLeod, President of CACP, pledged that LEAD "would encourage and support the professionalism and the commitment of all Police Services to instill cultural competency in their officers."

LEAD is contributing to the *Cultural Competency Forum* in Toronto, October 12 – 15, 2005 and will be supporting a national Law Enforcement Aboriginal and Diversity Conference entitled *Building Trust* from April 30 – May 3, 2006. Co-sponsored by the Ontario Provincial Police, the Royal Canadian Mounted Police, the Toronto Police Service and First Nations Chiefs of Police, and supported by the Multiculturalism Program of the Department of Canadian Heritage, the Conference is expected to attract about 800 delegates from various police services and communities. For more information, visit the CACP website at [www.cacp.ca](http://www.cacp.ca).

### INTEGRATED POLICING POLICY FRAMEWORK: A FRAMEWORK FOR THE FUTURE OF POLICING

Guest Speaker:

- **Chief Edgar MacLeod, President, Canadian Association of Chiefs of Police**

In the global context of public safety and security threats, coherent and seamless policing responses across domestic and international boundaries are deemed necessary in order to gather and share intelligence, investigate and apprehend suspects, prevent crime and keep communities safe. Government and taxpayers expect police services to

be cost-effective, responsive to community needs, and accountable.

Police in Canada have embraced "integrated policing" as a concept to guide the current and future efforts of police agencies working together at the ascending tactical, operational and strategic levels. There have been notable successes in ad hoc integrated policing efforts at the tactical and operational levels, however, integrated policing at the strategic level poses a policy challenge in Canada's tri-government environment.

A policy framework designed by governments to clarify responsibilities, governance and accountability is required to guide the application of the integrated policing concept at each of these respective levels, with the objective that citizens have comprehensive public safety coverage and that national, provincial, regional and local concerns are met.

In the absence of an existing formal structure within which key decision makers from all orders of government might address the issue of the future of policing in Canada, the Canadian Association of Chiefs of Police urges the federal-provincial-territorial governments to seek ways to engage representatives of the municipal order of government and municipal police governance authorities in a process or forum.

The Canadian Association of Chiefs of Police is committed to maintaining the momentum on the issue of an integrated policing policy framework, to assisting governments in this public policy discussion, and to contributing its leadership to the work ahead.

## ***BREAK-OUT SESSIONS***

All members and staff of police boards or commissions were assigned to a discussion group based on the size of the police service they govern. Discussion topics were selected prior to the conference based on a survey of members, and the sessions were led by trained facilitators from the City of Ottawa and Ottawa Police Service.

### **SMALL BOARDS**

At the beginning of the session it was recognized that board training is necessary, particularly for new members. It was also recognized that there are variances among boards across Canada as to the applicable legislation that may apply and that may impact boards differently. For example, in Ontario, under the Police Services Act,

Section 31 boards function differently from Section 10 (OPP) boards. It was also recognized that there are significant challenges and variances in how First Nation police service commissions or boards function and how they are administered. No one process can be recognized as a cookie-cutter template for the rest of the country.

The group discussed the following:

#### Board Training: What Are The Most Critical Needs?

- Members must understand and adhere to their roles and responsibilities as board members;
- It is important to understand the relevant legislation that governs your board;
- Communication among board members, local council members and with the community members that you represent;
- Developing a code of ethics to govern the board in its duties;
- Building relationships regionally, provincially and nationally, and how to share information effectively = education and learning from other board experiences;
- Accessing regional, provincial and national training workshops and conferences for the purpose of information gathering.

#### Board/Council Communication – Best Practices

- Ensure regular meetings between the Chair and the Council;
- Develop annual report(s) of activities and share with all community members and partners;
- Distribute minutes of meetings as a record of ongoing activities;
- In some communities, there may be a liaison role between the board and the Council (i.e First Nations Police Governance).

#### Chief Selection Process and Drafting A Contract

- Three stage process: Chiefs Selection, Board Selection (Interview Process), Outside Consultant. This provides political independence but at some cost to the Board; usually a 60-90 day process costs \$25-\$40,000;
- Review regularly; adjust as needed;
- Performance review of Chief annually;
- Prepare a strategic plan with goals and objectives for the Chief;
- When negotiating a contract, a legal review protects the board.

### Crisis Management and Emergency Plans

- Negotiate/develop contingency funding for natural disasters, unforeseen incidents (eg. potential lawsuits);
- Have a crisis management plan and communication plan/strategy for the community in times of emergency or crises.

### Succession Planning For Senior Police Executives

- Mentoring/Progression Program for senior officers;
- Cross-referencing of job duties (shadowing);
- Review existing process – does it allow for promotion from within?;
- Maintain senior officer standards through annual management level testing.

## MEDIUM BOARDS

The Medium break-out group discussed the following topics:

### Strategies for Controlling Costs of Policing

It was unanimously agreed that all police services are coping with cost increases. Numerous suggestions for coping were discussed, for example: using forms of private policing, by-law enforcement officers, re-alignment of manpower, reducing administrative “jungles”, and sharing services with other police services. Policing is ‘needs driven’ and the need is not diminishing. The tax payer must determine what level of safety it wants regardless of cost, as cutting the number of police officers does not sit well with residents.

### Best Practices

Board members from various municipalities across Canada shared their best practices in attempting to improve the image of the police with the community stakeholder. Samples of initiatives included: Prince Albert – presenting budget to Council prior to Commission approval; Thunder Bay – Chief meets with senior City management regularly; Moncton – hired a media person to control the release of information; Lethbridge – Commission meetings are televised locally; Saint John – ride-alongs with police promote open communication with police officers.

### Absenteeism

Absenteeism must be reduced in police services; it was observed that an absenteeism problem is usually accompanied by a management (leadership) problem. Members of the group offered suggestions that were in place in their municipalities to alleviate the problem such

as: rewards for perfect or good attendance; granting secondments to other agencies; and in-house fitness facilities. (*Note: the Ottawa Police Service has an international award winning program to reduce absenteeism and would be happy to discuss their Attendance Enhancement Program with others.*)

## LARGE BOARDS

The Large Boards group discussed the following topics:

### Racial Profiling

The group began by discussing the need for clarity around what racial profiling is and isn't. Racially-based decision-making without unduly restricting investigations must be addressed. Presumption of individual guilt based on membership or affiliation cannot be allowed; rather, investigation must be based on facts.

Profiling in pursuit of a known suspect is justified and appropriate; proactive enforcement based only on imbalanced racial considerations is wrong. The issue is not the racial data information, but how it is used or misused.

The following possible solutions to the problem were offered by members of the group: screen for non-prejudicial persons in the recruitment and hiring process; ongoing sensitivity training; continued communication with communities; stiffer penalties and changes to legislation.

### Succession Planning – Police Executives

The impending retirement of baby-boomers is presenting significant challenges. Other difficulties that must be dealt with include a para-military structure; unionized management; a rigid “through the ranks” culture; insistence on “sworn” executives, as well as highly educated and expectant junior officers. A number of ideas or possible solutions came to light such as looking to private security as a source of managers, and two-tiered entry levels similar to those used in other sectors.

### Recruitment and Retention Strategies

Members had individual perceptions regarding this issue and voiced possible solutions such as creating provincial / national recruiting and hiring standards, as well as contemporary entry level tests that stress communication skills and knowledge of different cultures. Proactive representation of ethnic communities, including First Nations, must continue to be part of the recruiting strategy.

## LARGEST BOARDS

The Largest Boards group discussed the following subjects:

### Public Complaints Process

Several provincial governments are either reviewing this process or have completed a review. During the discussion it was deemed that there are many similarities between the provinces, however, there are also major differences. Participants discussed possible requirements and changes that could improve the complaints process: a need to ensure there is a mediation process; police boards should feel they are a part of the process and a third party body be set up for this purpose; a need to be able to measure the Chief's performance and the complaints process while keeping the Chief accountable should the board become involved; and a need to implement best practices and have the ability to visit professions outside of policing.

### Province Wide Bargaining

The 3, 6 and 9% retention bonus pay that was introduced in 2004 in Ontario has filtered its way throughout the province after starting with Toronto and the Ontario Provincial Police. It is expected that fire departments and paramedics will now seek these increments. The problem for employers is these associations have a strong bargaining background; their unions are stronger than employers on these issues. Concern was expressed that municipalities will become bankrupt unless there is province wide bargaining.

### Sustainable Funding

The main focus of this discussion was how to determine an optimal ratio of population to police officer. It was suggested that the CAPB do a study to determine best practices and retain the information as a national repository. National bodies have been asking for sustainable funding from the federal government as population is expanding and police demands are increasing. Boards, more than ever, need to be accountable for funds allocated to police budgets and how they are spent.

## **CONCURRENT WORKSHOPS**

Concurrent workshops were held to give delegates an opportunity to learn in small group settings and to share ideas with one another. Four different topics were covered and each workshop was led by people chosen for their expertise in the respective areas. The workshops

were offered twice during the conference so delegates could attend more than one. Each session began with a presentation or overview by the workshop leader(s), following which participants discussed or worked on assignments related to the topic. Summaries of the workshops are provided below.

## MEETING PROCEDURES AND PRACTICAL TIPS

Presented by:

- **Dorothy McDonald, Executive Director, Halton Regional Police Services Board**
- **Rick O'Connor, Deputy City Clerk, City of Ottawa**

**Dorothy McDonald**, Executive Director for the Halton Regional Police Services Board, and **Rick O'Connor**, Deputy City Clerk for the City of Ottawa, who injected humour and anecdotes into the presentation, expertly led this session. The main message of the workshop was the importance of parliamentary procedure in structuring police board/commission meetings. It was emphasized that parliamentary procedure is meant to level the playing field for all those participating in a meeting, and the Chair as referee must be well versed in those rules of order and enforce them.

Sometimes parliamentary procedure is determined by by-law and sometimes it is left to the Board/Commission to select its own rules of order. Either way, parliamentary procedure must service the will of the Board/Commission, not restrain it. Effective parliamentary procedure ensures that the majority rules only after each individual has had an equal opportunity to express his/her point of view in an efficient meeting structure.

Participants in this workshop were invited to share stories of their best and the worst meeting experiences. It was generally agreed that the worst examples are cases where the meeting was either completely unstructured from the outset or the Chair did not enforce the rules of order, where the meeting went on many hours past its scheduled end-time, or where one member of the group was permitted to dominate. Examples of the best meeting experiences included ones where the Chair was able to take control of a meeting when the unstructured debate was getting out of hand, and where everyone was well prepared ahead of time.

The facilitators emphasized that the most effective meetings are those where the agenda is developed and distributed ahead of time. In order for a meeting to be legal, all members must have been given adequate notice

and the meeting must be called to order by the Chair at the scheduled time with quorum present. If discussion on any particular item is getting bogged down in details or the need for more information, the Chair, with the consent of the Board/Commission, should refer it back to staff or to a subcommittee to collect more information before the matter is placed back on the agenda for another Board/Commission meeting.

The duties of the Chair are to protect the rights of all in attendance while ensuring majority rules, maintain decorum in remarks and actions, ensure the agenda is followed and the meeting proceeds efficiently, remain impartial, be assertive and respectful, and to summarize lengthy discussion.

The duties of the Board/Commission members include coming to meetings prepared and on time, to speak one at a time, to address one question at a time, to show mutual respect, and to accept and support Board/Commission decisions.

Meeting reports should include background information, issue analysis, legal and financial implications, and recommendations and alternatives. Motions should be drafted by a member in writing (with the help of staff) before the question is put to a vote. Requiring that a motion be made before discussion is permitted will give that discussion better focus.

Minutes are the legal record of the decisions made at the meetings and should be accurate, concise and coherent and completed in a timely manner. Minutes should contain the date, time and place of the meeting, those in attendance and “regrets”, any declarations of conflict of interest, the title of reports and any decisions. It was recommended that the Board/Commission develop an indexing system for motions so that they can be located through a keyword search at a later date.

The chief of police or detachment commander must be informed of the Board’s/Commission’s decisions that apply to the police service.

For better use of time, Boards/Commissions were encouraged to consider “consent agendas” which group together non-contentious items that will be carried without debate or comment. If any member wants to remove an item from the “consent agenda” for discussion, that request should be accommodated.

The facilitators concluded the session with **six practical tips for more effective meetings:**

1. **Don’t Meet** – if there is a better way to share the information;
2. **Set Objectives for Each Meeting** – so that your meeting has focus;
3. **Provide an Agenda in Advance** – so that members can come prepared;
4. **Assign Meeting Preparation** – enabling participation by all members;
5. **Assign Action Items** – and record them in minutes for follow-up; and
6. **Examine Your Meeting Processes** – as a group, at least once a year.

There was significant participation from the group, sharing stories, questions and advice around all these topics. Attendees left the session both informed and entertained.

*Special thanks to **Patricia Tolppanen**, Executive Director, Calgary Police Commission, for reporting on this workshop.*

#### THE BOARD / CHIEF RELATIONSHIP

Presented by:

- **Dr. Curtis Clarke, PhD., Associate Professor, Criminal Justice Program Co-ordinator, Athabasca University, Alberta**

*‘The Police-Board relationship is like a marriage or other relationship. There can be elements of dysfunction. But you can counteract this through good governance.’*

**Dr. Curtis Clarke** tackled a tough subject that constantly challenges boards. How do you make the ambiguous Board/Chief relationship work? What kind of leadership style works best? How do you make the Chief accountable without undermining the relationship? Tough questions. No easy answers followed.

Board Members need to understand the history of Board-Chief relationships and how the environment of policing continues to change. Referring to police models in the United Kingdom, Dr. Clarke outlined how policing had evolved from the Reform Era (1850 – 1920), to the Professional Era (1940 – 2000) through to the current Integrated Systems Era. Policing has evolved from its primary focus on law enforcement to one which includes crime prevention, community development and intelligence-led policing. Today, accountability reigns supreme. Boards allocate resources to Chiefs who must then produce results that are measurable and consistent with a high level of public safety and security.

Notwithstanding legislative changes over time that have affected board-chief relationships, they remain ambiguous. Lack of communication or clarity about roles can lead to tensions between boards and their Chiefs.

However, boards can reduce ambiguity and tensions by assuming a transformational leadership role. Transformational boards have a clear vision, and approach organizational development strategically. They encourage the police service to acquire new competencies and assist it in overcoming obstacles. Transformational boards enjoy a strategic relationship with their Chief.

Dr. Clarke spent some time discussing the doctrine of police independence and how it is an integral part of the Board-Chief relationship. Unique to commonwealth countries, the principle of police independence safeguards the right of police officers to enforce the law without influence by external bodies like police boards. Board members must understand that certain policing decisions are not subject to their direction. The ‘operationalization’ of policing is the responsibility of Chiefs of Police, not governing bodies. A board that violates the doctrine of police independence will inevitably clash with its Chief of Police.

*‘Simply put, governance is about leadership, not management of operational details.’*

Dr. Clark discussed the two primary functions of Police Boards, namely, governance and oversight, and clarified the relationship between leadership and management functions. Boards that confuse governance and management functions will fail to function.

He encouraged Boards to be true to their primary leadership responsibilities which include determining the organization’s mission and purpose; selecting the Chief of Police and assessing his/her performance; providing proper financial oversight; ensuring adequate resources; ensuring ethical and legal integrity and maintaining accountability; ensuring effective organizational planning; monitoring and strengthening the organization’s programs and services; and enhancing the organization’s public standing.

Dr. Clark proceeded to outline competencies for effective Board/Chief relationships within a multidimensional framework - contextual, educational, strategic, analytical and political.

First and foremost, Boards should learn about the culture and norms of the police organization they govern. Board must also ensure that their members are knowledgeable

about policing both as an organization and as a profession. Grounded contextually and educationally, Boards can proceed to set strategic directions. Well functioning Boards recognize that ambiguity and uncertainty are healthy preconditions for critical discussions at the Board table. Committed to the integrity of the governance process, Boards respect the legitimate roles and responsibilities of other stakeholders.

Ultimately, Boards must hold the Chief accountable. But how do you achieve this accountability without alienating the Chief?

Be clear about the specific outcomes that you expect from the Chief. Identify objective, measurable indicators of success. And hold the Chief accountable for achieving successful results.

The presentation was punctuated with numerous questions by Board Members whose reality of working with Chiefs begged for comment and clarification. Dr. Clark parked his case study and responded with clarity, thereby bridging the gap between academia and reality.

*Special thanks to **Connie Phillipson**, Executive Director, York Regional Police Services Board, for reporting on this workshop.*

## “P” IS FOR POLICY

Presented by:

- **Barbara Hume-Wright, Executive Director, Ontario Association of Police Boards**
- **Fred Kaustinen, Executive Director, Durham Regional Police Services Board**

**Ms. Hume-Wright** provided a brief overview of the purpose of the workshop, noting that police services boards are responsible for the governance and oversight of police services within their communities. In explaining the difference between governance and oversight, she stated that:

- Governance refers to the processes and structure used to provide direction to an organization’s operations and activities; and
- Oversight involves ensuring that the legislated functions for the police service are carried out by the organization.

Ms. Hume-Wright explained that governance sets out how something is (or is not) to be done, while oversight allows the board to ensure the policy is being followed.



The governance process for police services board members involves three basic functions – representation, leadership, monitoring and evaluation. These constitute the “what” of governance - meaning “what different players do”. The representation function involves the identification and representation of community needs through community consultations, business planning and deputations as well as advocacy. The leadership function includes prioritizing what needs to be responded to, policy development and adoption by thoughtful and deliberate decision-making. The function of monitoring and evaluation can be achieved through performance management of the Chief of Police or Detachment Commander, policy review, as well as board and service performance audits and program evaluations.

Ms. Hume-Wright outlined the accountability framework in which board members do their work of governing a police services board. She said an ‘accountable’ police board has a process for meeting and making decisions contained in a procedural by-law and provides clear corporate direction by understanding and using policy governance. An accountable board understands its role as representing the community and can establish control mechanisms to assess and manage risk. It also understands effective planning and can establish service priorities and levels. Accountability protects the reputation of the board and service through integrity in communications, policy and planning. It carries out a managerial function through monitoring the implementation of policies and directives, hiring and evaluating the chief, budgeting and monitoring expenditures. It also acts in accordance with the law and undertakes ongoing advocacy through a pro-active government relations program.

Ms. Hume-Wright stated that the purpose of civilian oversight of police services is to demonstrably increase public confidence in the provision of police services. Police services boards are to oversee the provision of police services in accordance with the principles laid out in the *Police Services Act*.

Delegates then explored the relationship between the board and its chief of police. Essentially boards have only “one” employee, namely the chief, who is responsible for putting the board’s policies and priorities into action. The board/chief relationship is an interactive one and it is the role of the chief to implement, through the day-to-day operations of the police service, the policies and management practices enunciated by the board.

In summary, Ms. Hume-Wright said it is critical that police services boards understand their role and that of the chief.

She stated that the responsibilities of a police services board are divided between the board, chief of police, and police service staff. The board governs the police service, through its policy-setting and priority setting role, while the chief of police manages the organization and service staff administer the implementation of programs and services.

**Mr. Kaustinen** addressed the ‘who, what, why, where and when’ of policy in effective governance. He stated that a policy articulates the principles (values), approach, protocols and procedures to address a particular issue. To intervene at a policy level means one is attempting to influence the behaviour of a system to achieve desired objectives. Policies describe WHAT to do while procedures (or protocols) describe HOW to do it. Policies provide a framework for governance, and decisions made by the board that are recorded in policy format can be used in similar situations without having to make other policy decisions. Once policies are written they must be treated as living documents that can be changed at any point to meet new challenges or to incorporate improvements.

Mr. Kaustinen highlighted the need for organizational policies as they instruct the group on what they have agreed to do to achieve policy and management objectives using available resources. Policies are created when an issue develops that will happen again and either the Chief of Police or Board members need to systemize or standardize what needs to be done to address an issue. It can address anything from recruiting strategies to spending restrictions. A sub-committee, Board staff or the Chief of Police can be delegated with the task of drafting a policy that will be considered and approved by the Police Services Board. Anyone can raise the issue at a decision-making meeting but the Board must ultimately rule on the need for and the appropriateness of the proposed policy.

Mr. Kaustinen outlined components of a good policy framework and provided a sample format for policy development. He identified three types of policies – governance framework policies, strategic policies, and operational policies and procedures.

- Framework and governance policies reflect the values and mandate of the organization and outline its strategic direction. They set limits on the activities and lay out principles to guide decisions. Governance policies are developed by the board and might address such issues as mission statement, goals and objectives, constitution, by-laws, organizational structure, and the role, responsibilities and functions of the board, committees and senior staff.

- Strategic policies set the goals and boundaries for the core activities of the organization and provide a guide for decision-making, and outline the allocation of physical, human and financial resources. Boards develop strategic policy in financial management, human resources management, and program management (prioritization of the policing services offered).
- Operational policies and procedures govern the day-to-day delivery of services and activities. They are developed by the Chief of Police and can be provided as information to the Board. The Board needs to know that they are in place, but it does not have to approve them. The chief develops administrative procedures in human resources management, financial management and field operations.

Delegates then broke out in groups and discussed how to build an effective policy. Stages in the policy development process involve a number of inter-related steps and require the Board to:

1. Define the issue or the problem;
2. Gather necessary information on the issue;
3. Reach agreement on the facts of the issue and objectives to be met by the police services board/commission;
4. Analyze alternatives and develop recommendations through either a report from the Chief of Police and/or Deputy Chief of Police, or from an ad-hoc committee of the police services board and/or staff;
5. Discuss and debate recommendations at the police services board level;
6. Draft policy;
7. Adopt policy;
8. Communicate/consult with Chief of Police;
9. Monitor compliance with policy;
10. Policy evaluation and revision or modification.

In closing, Mr. Kaustinen stated that an effective Board policy must be reflective of the goals of the board and the police service as determined by the strategic and business plans. Policies must be written within the scope of the board's authority and adopted through proper board procedures that are respectful of legal and constitutional rights and requirements, and clearly communicated to the people it will affect.

*Special thanks to **Deb Morton**, Executive Director, Niagara Regional Police Services Board, for reporting on this workshop.*

### FINDING THE NEXT GENERATION OF CULTURALLY DIVERSE POLICE OFFICERS: OTTAWA'S OUTREACH RECRUITMENT PROGRAM

Presented by:

- **Staff Sergeant Syd Gravel, Ottawa Police Service**
- **Geoff Gruson, Executive Director, Canadian Police Sector Council**

Mr. Gruson launched the session with an overview of the transition Canadian police services will experience over the next 5 years, as approximately 60% of senior officers become eligible for retirement and 5% of the sworn complement will retire each year. He went on to state that the Canadian workforce pool is also in transition, with more deaths and fewer births, which has resulted in a minimal natural increase and fewer applicants coming into the system. Although immigration rates are rising dramatically, immigrants are coming from third world countries, and lack language and job skills in addition to viewing policing as a corrupt and less than desirable occupation.

Mr. Gruson pointed out that private-sector industries have developed bold marketing strategies to attract employees and are willing to accept young candidates, while Canadian police forces have limited themselves to candidates who have post-secondary education or life experience, pushing the average age of recruits up to 27 years old. In addition, there is typically a six-month waiting period post-testing before applicants know if they have been accepted by a police force, following which they must undergo six months of training. Many candidates are unwilling and/or unable to wait that long to commence their career.

Staff Sergeant Gravel commenced his portion of the workshop at this point, by providing the following statistics specific to the City of Ottawa:

- In 2001 immigrants represented 22% of Ottawa's population
- People in Ottawa belong to more than 61 different ethnicities and speak more than 70 languages
- 20% of Ottawa Police Service's constables and sergeants will be eligible to retire in the next 5 years.

Staff Sergeant Gravel went on to say that the Ottawa Police Service has made outreach recruitment their #1 strategic priority. The force is working in partnership with community leaders to make policing a more attractive career option to the various ethnic groups which comprise the city's population. A committee was established for this purpose, with membership comprised

of community leaders and police management. Staff must report to this committee on action taken to make policing more attractive to the community.

A research project was undertaken which included: looking at best practices across the country, as well as conducting community forums and focus groups within the police community (based on race, sexual orientation, gender, etc.). At the conclusion of the research project, a study on change management was undertaken to determine how to incorporate the findings into the organization.

Staff Sergeant Gravel stated the Ottawa Police Service is bolstering recruitment and diversity through outreach into the community – as previously discussed, most new immigrants coming to Canada today view policing as a corrupt occupation, so the first step is to change that perception. From there, the recruiters work with the potential candidates to prepare them for the application and testing process, as well as ensuring applicants are aware that the lengthy waiting period between completion of testing and being notified of the outcome is part of the process, and doesn't mean that they have been disqualified. Staff Sergeant Gravel also emphasized the important role coach officers play in the process, and stated that they should be selected from the "cream" of the organization. He also stated that each and every officer's job includes recruiting.

Staff Sergeant Gravel concluded his presentation with a review of the business case developed by the Ottawa Police Service for becoming an employer of choice. The business case is comprised of five key elements, as follows:

- Meeting operational requirements
- Competing for talent
- Increased effectiveness
- Achieving competitive advantage
- Leadership in compliance with policy and legislative initiatives.

The workshop wrapped up with a general discussion of recruitment initiatives adopted by other police forces and a small group exercise on the development of a successful business case.

*Special thanks to **Shelley Porteous**, Executive Director, Peel Regional Police Services Board, for reporting on this workshop.*

The CAPB extends special thanks to the Ottawa Police Services Board and its staff, and the team of volunteers that assisted with the conference, in particular Lynn Kennedy, Ottawa Police Services Board; Supt. Knowlton Roberts, Ruth Verdon and Pam Wright, Ottawa Police Service; Tandra Holroyd, Doris Morrow, Clare O'Brien, Ron Rivard, Anita Saxena and Jaimie Tessier, Ottawa Police Service Volunteer Program. Their efforts were integral in making the 16<sup>th</sup> Annual Meeting and Conference a huge success. Special thanks also to Clint Eastop of the Ottawa Police Service for documenting the conference with his photographs.

## **SPECIAL THANKS TO OUR SPONSORS**

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"Three Sheets to the Wind" (a.k.a. Dan MacLeod, New Glasgow, Curly Everitt, Blind River, & Baj Puri, New Westminster) and an actor entertain delegates.



Chief Lorne Smith (New Glasgow) - what a good sport!

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