

# MISSING WOMEN COMMISSION OF INQUIRY

## MUNICIPAL POLICING IN THE LOWER MAINLAND DISTRICT OF BRITISH COLUMBIA

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PREPARED FOR THE MISSING WOMEN COMMISSION OF INQUIRY  
BY STEVE SWEENEY - OCTOBER 2011

### Statement of Purpose

*The purpose of this report is to provide factual information on municipal policing in the Lower Mainland of British Columbia. The report provides fact based analysis and does not provide any commentary other than contextual explanation. It is designed to contribute to public discussion on issues within the Commission's mandate by providing background information about the current structure of policing in the province.*

***The Commission invites comments on this report by April 15, 2012.***

The purpose of this report is to provide factual information on municipal policing in British Columbia. Both independent municipal police departments and contract Royal Canadian Mounted Police (RCMP) detachments within Metro Vancouver will be examined. For ease of reference the RCMP Lower Mainland District (LMD) will serve as the geographic boundary. Under the organizational hierarchy of the RCMP B.C forms “E” Division and is currently under the command of a Deputy Commissioner.

This report will focus on current policing operations and identify areas that have changed since the 1997-2002 time frame.

Areas to be examined include:

- Role of the RCMP in BC
- Municipal Police Departments
- Contract RCMP Detachments
- Governance
- Selection and role of Police Chief Constable vs RCMP Officer in Charge
- Complaint process and discipline
- Operations, resource allocation and strategic planning
- Integrated units
- Information sharing – PRIME BC
- Intelligence sharing
- Informal integration

The report provides fact based analysis and will not provide any commentary other than contextual explanation. No comparison of efficacy or policing philosophy will be attempted.

I would like to acknowledge the assistance of:

- Deputy Commissioner Peter German, RCMP West
- Assistant Commissioner Craig Callens, RCMP “E” Division
- Chief Constable Bob Rich, Abbotsford Police Department
- Chief Superintendent Rick Taylor, OIC RCMP Burnaby Detachment
- Deputy Chief Constable Lyle Beaudoin, Delta Police Department
- Superintendent Dan Malo, RCMP, OIC IHIT
- Superintendent Rob Rothwell, VPD Investigation Division
- Superintendent Daryl Wiebe, VPD
- Simon Demers, VPD, Planning, Research & Audit Section
- Special Constable Ryan Prox, VPD Senior Analyst
- Special Constable Jill Paterson, VPD Strategic Analyst
- John Boddie, Executive Director of Operations & Planning, Missing Women Commission of Inquiry

## ROLE OF THE RCMP IN BC

Policing in British Columbia is conducted under three separate mandates: federal, provincial and municipal. The Royal Canadian Mounted Police (RCMP) performs all three functions within the province. They are the national police force for federal legislation and other duties. For the purpose of this report, the RCMP's federal role will not be addressed.

The Province of BC has contracted with the RCMP to perform the provincial police function since 1950, when the BC Provincial Police was disbanded. Only Ontario, Quebec and Newfoundland Labrador maintain their own provincial police agencies.

Municipalities with a population in excess of 5000 people have the option of forming their own police department or contracting with the Province of B.C. for RCMP municipal police services. The current contract between the province and the RCMP will expire in 2012; however, renewal negotiations are underway.

The agreement between the province and the RCMP provides for a funding formula whereby the Government of Canada pays 30% of the provincial policing cost. Municipalities with a population between 5000 and 15000 also pay 70% with the federal government paying 30%. In municipalities with a population in excess of 15000, that contract for policing with the RCMP the federal government pays 10% of the policing cost. The purpose of this arrangement is to allow the RCMP to temporarily reassign members from provincial and municipal units to federal duties. The contract also stipulates that no more than 10% of the affected agencies roster will be redeployed.

Given the RCMP's role as the provincial police force, this agency provides specialized services to all police agencies in the province. Some specialized services are also provided under the federal responsibility of the RCMP. Areas such as the RCMP Air Services, West Coast Marine and forensic laboratories are typical of these specialty services. The RCMP also contract to perform other roles for policing services such as maintenance and hosting of the PRIME-BC computer system. Contract terms cannot conflict with the federal *RCMP Act*. While this has financial benefits, it is sometimes suggested that it does bring into play the occasional conflict between the RCMP headquarters in Ottawa and the provincial police services.

RCMP members are primarily governed under the *RCMP Act* and not the *BC Police Act*, regardless of the policing role they are performing.

## Roles and Structure of Policing in British Columbia<sup>1</sup>

### Overview of Policing and Law Enforcement Service Providers in BC

As the table illustrates, there are multiple agencies that deliver policing and law enforcement services in British Columbia. All of these service providers act under the general supervision of the Solicitor General of British Columbia.

Type of Entity/Area	Service Provider	Type(s) of officers	Type of Civilian Board
Unincorporated area	RCMP (as the Provincial Police Force)	<ul style="list-style-type: none"> <li>_Constable</li> <li>_Auxiliary Constable</li> </ul>	<i>Police Act</i> , Part 6 provides for advisory committees
Municipality <5 000	RCMP (as the Provincial Police Force)	<ul style="list-style-type: none"> <li>_Constable</li> <li>_Auxiliary Constable</li> </ul>	<i>Police Act</i> , Part 6 provides for advisory committees
Municipality >5 000	RCMP municipal detachment OR	<ul style="list-style-type: none"> <li>_Constable</li> </ul>	<i>Police Act</i> , Part 6 provides for advisory committees
	Own independent municipal police force OR	<ul style="list-style-type: none"> <li>_Municipal Constable</li> <li>_Special Municipal Constable</li> <li>_Bylaw Enforcement Officer</li> </ul>	Municipal Police Board
	Contract with an existing Municipal Police Force	<ul style="list-style-type: none"> <li>_Municipal Constable</li> <li>_Special Municipal Constable</li> <li>_Bylaw Enforcement Officer</li> </ul>	Municipal Police Board
Entity*	Designated Policing Unit OR	<ul style="list-style-type: none"> <li>_Designated Constable</li> </ul>	Designated Police Board
	Designated Law Enforcement Unit	<ul style="list-style-type: none"> <li>_Enforcement Officer</li> </ul> **	Designated Board
First Nations Community	RCMP OR	Aboriginal Constable	
	First Nations Self Administered Police Service	<ul style="list-style-type: none"> <li>_Constable</li> </ul>	First Nations Police Board

<sup>1</sup> B.C. Police Board Resource Document on Roles and Responsibilities Under the Police Act pg 2

## ***MUNICIPAL POLICE DEPARTMENTS***

British Columbia currently has 11 municipal police departments, the South Coast BC Transportation Authority Police Service and the Stl'at'imx Tribal Police Service based in Lillooet. If a municipality chooses to form their own department, that department is regulated by the *B.C. Police Act*. A municipal police board is formed to provide governance of the department. Among other responsibilities, this board is responsible for hiring the Chief Constable, approving the annual budget and approving of departmental policies.

The number of municipal police departments has remained the same in the LMD since 1995 when the Matsqui Police and the Abbotsford RCMP Detachment amalgamated to form the Abbotsford Police Department. On Vancouver Island, the Esquimalt Police amalgamated in 2003 with the Victoria Police Department.

A comprehensive report on the role of a police board titled, “B.C. Police Board Resource Document on Roles and Responsibilities Under the Police Act” is attached as appendix “A”.

## ***CONTRACT RCMP DETACHMENTS***

The RCMP has 90 detachments throughout the province. Some of those detachments service more than one community. For a complete list of all detachments and departments, refer to appendix “B”.

For the purpose of this report the boundaries of the RCMP’s LMD will be used when referring to the Lower Mainland. That area is comprised of the following six Municipal departments and 15 RCMP detachments. The table below shows the police agencies operating in the LMD. There are 22 policing agencies within the Lower Mainland District, including the South Coast BC Transportation Authority (TransLink) Police Service.

<b>Municipal Departments</b>		
Abbotsford	Delta	New Westminster
Port Moody	Vancouver	West Vancouver
<b>RCMP Detachments</b>		
Burnaby	Coquitlam & Port Coquitlam	Langley (District & City)
Mission	North Vancouver (District & City)	Surrey
Richmond	Ridge Meadows (includes Pitt Meadows and Maple Ridge)	UBC
Sunshine Coast (includes Gibsons and Sechelt)	White Rock	Whistler Sea to Sky (Includes Squamish, Bowen Island and Pemberton)
Upper Fraser Valley Regional (4 sites, Agassiz, Boston Bar, Chilliwack and Hope)		

Within the RCMP's LMD is a smaller geographic region which by Statistics Canada definition is known as the Vancouver Census Metropolitan Area (CMA). The Vancouver CMA is similar to Metro Vancouver (formerly known as the Greater Vancouver Regional District) consisting of 21 member municipalities. The RCMP LMD is a recognized policing area whereas the Vancouver CMA is not therefore It was chosen as the geographic boundary for this report. Abbotsford, Mission, Pemberton, the Sunshine Coast and the Upper Fraser Valley Region are all areas included in the RCMP LMD but not the Vancouver CMA.



RCMP Lower Mainland District  
Municipal Departments shown in blue

## GOVERNANCE

### *Municipal Departments*

Municipal police departments are governed by an appointed police board. The police board usually has seven members. The mayor of the municipality serves as the chair of the board.

The *B.C. Police Act*, s.23(1), requires that the municipal police board consist of the mayor (who is designated as chair), one person appointed by the municipal council and not more than five persons appointed by the Lieutenant Governor in Council.

Under the authority of the *B.C. Police Act* municipal police boards in British Columbia perform four main governance functions:

1. Employers of sworn and civilian staff;
2. Setting policy and direction;
3. Financial oversight; and
4. Discipline authorities for policy and service complaints. (The Chair is responsible for discipline for the Chief Constable and Deputy Chief Constable(s)).

The municipal police board, by legislation, yields a great deal of influence over the respective department. It also serves to prevent political interference from influencing the operations of the department, while recognizing the municipality and the province have a legitimate concern with the provision of policing.

### ***RCMP Detachments***

Governance of the RCMP is managed under the authority of the *Royal Canadian Mounted Police Act*. Under this legislation, the RCMP is led by the Commissioner, who, under the direction of the Minister of Public Safety Canada, has control and management of the RCMP and all matters connected therewith.<sup>2</sup>

While it does not fulfill a governance role to RCMP Detachments, the *B.C. Police Act* does provide for the formation of local policing committees.

The *B.C. Police Act*, s. 31(1) provides: After consulting the councils of municipalities located entirely or partly in the area of British Columbia in which the committee is to have jurisdiction, the Lieutenant Governor in Council may establish a local police committee consisting of not less than three members appointed by the Lieutenant Governor in Council.

As previously stated, these police committees are advisory in nature. They do consult on the hiring of the Officer in Charge and in establishing budget or policy. Their duties according to the act are:

**33** A committee has the following duties:

(a) to promote a good relationship among

(i) the residents of the area of British Columbia in which the committee has jurisdiction,

(ii) the provincial police force, and

(iii) any designated policing units or designated law enforcement units that may be operating in that area;

(b) to bring to the attention of the minister, the provincial police force, the designated policing units and the designated law enforcement units, any matters concerning the adequacy of policing and law enforcement in the area of British Columbia in which the committee has jurisdiction, and to make recommendations on those matters to the minister, the provincial police force, the designated policing units and the designated law enforcement units;

(c) to perform other duties that the minister may specify.

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<sup>2</sup> Cheryl Tobias, Q.C., letter to MWCI, 2011-09-23

## **SELECTION AND ROLE OF A CHIEF CONSTABLE VS RCMP OFFICER IN CHARGE (O.I.C.) COMPLAINT PROCESS AND DISCIPLINE**

Under the *B.C. Police Act*, the selection of the Chief Constable of a municipal police department is the responsibility of that department's police board. The police board may select a Chief Constable from any eligible candidate, either internal or external. Once selected, the Chief Constable reports to the board and the board provides the overall governance of the department. The board is responsible for policy matters, strategic planning and budget, but does not interfere in the daily operations of the department.

All complaints against members of a municipal police department are administered under the provisions of the *B.C. Police Act*. The Chief Constable is also the discipline authority for the department, as legislated by the *B.C. Police Act*. The Chief therefore has the ultimate responsibility regarding departmental discipline, subject to review of the B.C. Police Complaint Commissioner.

The selection of a detachment OIC is the responsibility of the RCMP in consultation with the community. This consultation is more prevalent in the larger detachments and there is no set process for every vacancy. It is possible for the RCMP to appoint a commander of a smaller detachment at the Non-Commissioned Officer rank without consultation. When a selection process is embarked upon for a larger detachment, the RCMP will post the position and all eligible RCMP members may apply. A short list of applicants is then prepared to enter the interview stage. A typical selection committee would consist of a community representative, a representative of the RCMP "E" Division and a Human Resources representative from RCMP headquarters in Ottawa.

An OIC of a RCMP detachment is not the discipline authority for the detachment. Likewise, a Community Policing Committee consults but does not hold responsibility for policy or budget for the detachment. The municipal agreement stipulates that RCMP administrative process shall be followed.<sup>3</sup>

A complaint against a member of the RCMP is administered under the provisions of the federal *RCMP Act* and is subject to oversight by the Commission for Public Complaints Against the RCMP. The OIC of a detachment may implement informal discipline as described in Part IV, Section 41 of the *RCMP Act*. The OIC may also recommend formal discipline, but the process is conducted by an external RCMP review board.

### ***Operations, resource allocation and strategic planning***

The daily operational policing and the allocation of human and other resources, remains the purview of the detachment OIC or department Chief Constable regardless of the policing structure. Given the

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<sup>3</sup> Province of British Columbia, Municipal Policing Agreement, ARTICLE 3.0 MANAGEMENT OF THE MUNICIPAL POLICE SERVICES



discretionary nature of policing and the competing demands on limited resources, both structures are established in a manner to prevent political interference in law enforcement.

Long term strategic planning is conducted in various forms by virtually all police agencies throughout the LMD. Each agency is concerned with their own municipality and there is no overarching regional strategy. Due to the parochial nature of the agencies, it is impossible to impose a regional response. Each agency head remains committed and answerable to their own jurisdiction. No single entity retains policing responsibility for cross boundary issues.

The RCMP LMD does represent a large portion of the region, but obviously not those areas policed by the six municipal departments. While the RCMP LMD commander can make recommendations to the detachments, the OICs are able to deploy their personnel independent of the RCMP “E” Division.

### ***The British Columbia Association of Chiefs of Police (BCACP)***

The BCACP meets three times per year to discuss issues relating to policing a municipality. Membership in the BCACP is comprised of senior officers in both the RCMP and municipal departments. The president’s position alternates annually between an RCMP officer and a municipal member. When a RCMP officer is the president, a municipal officer is Vice President and vice versa.

Each meeting is usually two days long. This organization and its many committees provide a forum for discussion and problem resolution; however, it typically does not address day-to-day operational issues. The BCACP provides a unified voice to government from municipal departments and detachments. The BCACP will make recommendations to government regarding changes to legislation and other policing matters.

The BCACP has no authorized mandate, charter or constitution and therefore its role is purely advisory.

### ***The British Columbia Association of Municipal Chiefs of Police (BCAMCP)***

The BCAMCP, as the name implies, is comprised of senior officers in all the province’s municipal police departments. These officers meet immediately prior to a BCACP meeting and they also meet independently of the BCACP. In total, they meet ten times per year. No meetings are held in July and August. This group generally discusses issues that are not applicable to RCMP detachments and also provides a conduit to the Solicitor General, Police Services Branch for the municipal departments.

Like the BCACP, the BCAMCP has no authorized mandate, charter or constitution and therefore its role is also purely advisory.

## **INTEGRATED UNITS**

There are a number of “Integrated Units” operating within BC and the LMD. Some are the integration of two agencies, while others include all police agencies. There is no formal structure or model to the formation of an integrated unit. They all have different governance structures, funding

models and operational mandates. Many of the integrated units operate with a “Joint Management Team” (JMT) although in many instances these teams are a reporting conduit rather than a managerial body.

There also exist a number of units operating within the RCMP’s provincial police mandate that may include municipal police officers that are seconded to the unit. These units remain under the management of the RCMP. The BC Police Missing Persons Centre (BCMPC) is such a unit that is particularly relevant to the work of the Missing Women Commission of Inquiry. The structure of the BCMPC allows for the secondment of a VPD member however that seconded position has not been filled recently.

Likewise there are a number of special projects that may be in operation within the province under the direction of the RCMP. These projects are usually designed to address a specific target or crime problem. *Project Evenhanded* is one such project whose mandate is to investigate the disappearance of sex trade workers from Vancouver’s Downtown Eastside. A similar project is *Project E-Pana* which is mandated to investigate the disappearances of women in Northern BC near Highways 5, 16 and 97 which has become known as the *Highway of Tears*.

The first modern era integrated unit in BC was IHIT which was implemented in 2003. For the timeline established in this report this is immediately following the years Pickton was criminally active. The rationale for establishing the unit was to increase efficiencies in homicide investigations. As indicated in the RCMP webpage the five objectives for IHIT are:

- enhancing service to citizens
- better shift coverage
- better staffing
- better career streaming
- better supervision

### ***Unsolved Homicide Unit (UHU)***

The Unsolved Homicide Unit was established in 1996 as a joint forces operation between the RCMP and the VPD. The unit reviews historical “Cold Cases” that have remained unsolved. The purpose of the unit is to provide a review of previously investigated homicides and look for new or untried investigative techniques that may assist in solving the crime. The unit operates in support of other homicide investigation teams such as IHIT (established in 2003) or the VPD Homicide Unit.

### **LMD Integrated Units**

According to the Ministry of Public Safety and Solicitor General, Police Services Division report titled “*Police Resources in British Columbia, 2009*”, there are 5 Lower Mainland (LMD) Integrated Teams:

- Integrated Homicide Investigation Team (IHIT),
- Emergency Response Team (ERT),
- Police Dog Service (PDS),
- Forensic Identification Services (FIS), and
- Integrated Collision Analyst Reconstruction Section (ICARS).

1. Each of the participating LMD municipalities contributes to LMD Integrated Teams through separate funding agreements. The total financial contributions to LMD Integrated Teams have been included within the Municipal Police Statistics table on pages 7-8.

2. The Adjusted Police Strength is a calculation that adds the total authorized strength of the detachment to the financial expenditures contributed to the Integrated Team by participating LMD municipalities. The financial contributions to Integrated Teams have been translated to an equivalent number of regular members in order to calculate the adjusted police strength. This depicts the authorized strength of a detachment in addition to the resources contributed to LMD Integrated Teams. The Adjusted Police Strength has been used to calculate population per officer, caseload and cost per member.

3. ERT, FIS, and ICARS include only RCMP municipalities. Abbotsford, New Westminster and Port Moody contribute to IHIT through financial expenditures. In addition, Abbotsford contributes four officers, New Westminster contributes two officers, and Port Moody contributes one officer to IHIT. Abbotsford also contributes four officers to the PDS integrated team. The contributions of Abbotsford, New Westminster, and Port Moody have been included within the Municipal Police Statistics table on pages 7-8.

It should be noted that since the publication of the report cited above the Port Moody and West Vancouver municipal police departments have withdrawn from IHIT. This leaves Abbotsford and New Westminster as the only participating municipal departments.

A RCMP Superintendent leads IHIT and he/she reports to the RCMP. IHIT investigates homicide, police involved shootings and police in-custody deaths that are reported within the participating jurisdictions. IHIT is the only Integrated Unit that must investigate every reported crime that satisfies their mandate. In other words, there is no option of not investigating a homicide.

IHIT was established in 2003. The Memorandum of Understanding (MOU) establishing IHIT includes yearly meetings with the participating Chiefs and RCMP LMD Executive. The current head of IHIT holds these meetings every six months.

### ***The Combined Forces Special Enforcement Unit – British Columbia (CFSEU-BC)***

The Combined Forces Special Enforcement Unit-British Columbia (CFSEU-BC) is the evolution of the earliest Joint Forces Operation (JFO) that originated with the now defunct provincial Coordinated Law Enforcement Unit (CLEU). CLEU was disbanded in 1999 and replaced by the Organized Crime Agency of British Columbia (OCA BC). OCA BC was a provincially designated Policing and Law Enforcement Unit regulated by the *B. C. Police Act* and operated until 2004 when it was replaced by CFSEU-BC.

CFSEU-BC's mandate is to investigate, prosecute, disrupt and suppress criminal organizations in BC. The mission of CFSEU-BC is:<sup>4</sup>

The mission of CFSEU-BC is to facilitate the disruption and suppression of organized crime which affects British Columbians.

The CFSEU-BC operates province wide and their evolution and governance are described as follows:<sup>5</sup>

### **Evolution of CFSEU-BC**

In 1999, the Organized Crime Agency of British Columbia (OCABC) was developed as an independent Designated Policing and Law Enforcement Unit under the *B.C. Police Act*.

In 2004, the Combined Forces Special Enforcement Unit-British Columbia (CFSEU-BC) was developed in consultation with the Provincial Government as an initiative to integrate the OCABC, the municipal police departments and the RCMP.

The Board of Governance for the OCABC also acts as the Board of Governance for CFSEU-BC. The Board is comprised of the Deputy Commissioner Pacific Region and Commanding Officer "E" Division RCMP, the President of the BC Association of Chiefs of Police, the President of the BC Association of Municipal Chiefs of Police and the Chief Constable of the Vancouver Police Department. The Board determines the strategic direction of CFSEU-BC and ensures the operational priorities are aligned with the policing priorities for the Province. CFSEU-BC operates under the RCMP policies and procedures. The board members receive no remuneration.

CFSEU-BC is managed by a police executive team comprised of a Chief Officer, a Deputy Chief Officer, and an Operations Officer.

CFSEU-BC also supports other agencies by assisting in organized and major crime investigations.

CFSEU's personnel are all seconded from other agencies. Because of that, while no longer operational, OCABC still technically exists, as many of the seconded members of CFSEU-BC were employees of OCABC when it was a stand-alone agency. The work previously performed by OCABC is now conducted by CFSEU-BC

Within CFSEU-BC, there is also the British Columbia Integrated Gang Task Force (BCIGTF) with a plainclothes and uniformed component. The BCIGTF was created in late 2008 in response to an unprecedented amount of gang related violence within the LMD. All the LMD independent municipal departments and the RCMP contributed resources to form the unit, which was

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<sup>4</sup> <http://www.cfseu.bc.ca/cms/about>

<sup>5</sup> <http://www.cfseu.bc.ca/cms/about>

subsequently absorbed by CFSEU-BC. The mandate of the task force has expanded to include the entire province. A key component of the task force was the production of a timely intelligence bulletin for distribution to all police members. The RCMP's Provincial Intelligence Centre (PIC) evolved from this process and now produces the bulletin. More information about the PIC can be found on page 17 of this report.

## **OTHER INTEGRATED UNITS**

As stated previously there are a number of integrated units operating within the LMD. The following is a brief description of each unit not previously mentioned.

### ***Crisis Intervention Team (CIT)***

The CIT operates primarily in RCMP jurisdictions and its aim is to provide expertise and an appropriate police response during a mental health or an emotionally disturbed crisis. The VPD operates a similar program.

Volunteers within the First Responder community receive special training on assisting a mentally ill person in crisis. Members are then available from within their own agencies to assist on mental health related calls.

### ***Integrated First Nations Unit (IFNU)***

The Integrated First Nations Unit (IFNU) is an integrated policing unit comprised of the North Vancouver RCMP detachment and the West Vancouver Police Department. The IFNU provides culturally sensitive policing services that are responsive to the Squamish and Tsleil-Waututh Nations.

### ***Integrated Market Enforcement Team (IMET)***

#### ***Federal Mandate***

The IMET is a federally mandated unit that investigates capital market crimes that could harm the economic interests of Canada. IMET teams operate in Montreal, Toronto, Vancouver and Calgary.

### ***Integrated Proceeds of Crime (IPOC)***

#### ***Federal Mandate***

IPOC's role is to identify, seize, restrain and forfeit illicit wealth and unreported wealth accumulated through organized criminal activity. IPOC also detects and deters money laundering and the financing of terrorist activities. Additionally, IPOC facilitates the investigation and prosecution of money laundering and terrorist financing offences.

### ***"E" Division National Security Enforcement Team (E-INSET)***

#### ***Federal Mandate***

E-INSET consists of representatives of the RCMP, Canada Border Services Agency (CBSA), Canadian Security and Intelligence Service (CSIS) and municipal police resources. It utilizes criminal intelligence and provides enforcement against individuals who, because of their

terrorist related activity, pose a risk to Canada's security.

E-INSET provides both intelligence and enforcement on persons who, because of their terrorist related activity, pose a risk to Canada's security. Within E-INSET are a number of units including:

- General Enforcement Unit
- Protective Intelligence, Threat Assessment Unit .
- Anti-Terrorist Financial Investigation Unit
- Project Teams
- Air India Task Force (AITF)

E-INSET also works with international partners to provide counter-terrorism protection to Canada.

### ***Integrated Road Safety Unit (IRSU)***

IRSU was formed in 2004 to provide traffic enforcement for participating jurisdictions and includes both RCMP and Municipal Police agencies across the Province.

Mandate;

- Harm reduction on BC roadways
- Conduct strategic traffic enforcement in high collision areas in order to reduce the number of serious injury and fatal collisions on BC roads
- Focus on seatbelt compliance, aggressive driving and impaired drivers – the three factors that contribute to most of the carnage on our roads (impaired driving is still the #1 criminal cause of death in Canada)
- Commercial Vehicle Enforcement
- Criminal Interdiction
- Assist Municipal and Provincial traffic enforcement units with strategic traffic enforcement operations

Traffic Enforcement Officers use both marked and unmarked vehicles, as well as police motorcycles to conduct the traffic enforcement operations – each vehicle will be equipped with an in car camera.

### ***Lower Mainland Traffic Safety Helicopter Program - Air 1 and Air 2***

The Lower Mainland Traffic Safety Helicopter Program became fully operational in 2006 because of the funding sponsorship of the Insurance Corporation of British Columbia (ICBC). The partnership includes the BC Government, ICBC, RCMP and police departments in the Lower Mainland.

The program utilizes two provincial policing helicopters called **Air 1** and **Air 2**. They operate to support Lower Mainland police in their efforts to reduce injuries and deaths on the roadways.

Helicopters are able to safely:

- reduce police response time,
- provide an aerial perspective to ground units for perimeter containment and observation,
- enhance public and police officer safety during emergency responses to crimes in progress, police pursuit and search and rescue operations, and
- provide an effective crime reduction tool due to their patrol capabilities and “presence”.

The helicopters assist police uniform patrol members while responding to a number of different “in progress” calls and are especially useful in safely concluding car chases. The helicopters also provide assistance during large pre-planned events.

### ***Integrated Municipal Provincial Auto Crime Team (IMPACT)***

Originally established as the Auto Theft Task Force (ATTF) in 1998, IMPACT is the result of an agreement between the Attorney General of British Columbia, RCMP, Municipal Police Departments, and ICBC. The goal of IMPACT is to reduce auto related crime. To achieve this goal, IMPACT utilizes a number of creative and technical solutions. The “BaitCar” program is a key component of IMPACT’s success. As the name suggests, “BaitCars” are left in high auto crime areas and can be remotely monitored and controlled. Once stolen, the responding police agency can arrange the remote shut down of the vehicle to avoid a car chase and safely apprehend the suspect.

Another technology employed by IMPACT is the automated license plate reader. This technology can check up to 60 vehicles per hour while deployed in a parked police car.

### ***Integrated Sexual Predators Observation Teams (ISPOT)***

Formed in 2005, ISPOT is intended to keep recently released sexual offenders under surveillance to ensure they comply with probation orders and bail conditions. It consists of RCMP and municipal members. In 2008 there were erroneous media reports the unit had been disbanded due to budgetary constraints.

### ***Integrated Child Exploitation (ICE)***<sup>6</sup>

The Integrated Child Exploitation Team, (ICE) addresses the growing demand for Child Pornography investigations culminating from the dramatic increase in this crime via the internet. The ultimate objectives of this Team working with the RCMP Tech Crime Unit, are to identify and assist child victims of sexual abuse and identify those responsible for the abuse. Additionally, ICE seeks to lay appropriate criminal charges for the assaults, creation of pornographic images and their distribution.

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<sup>6</sup> <http://bc.rcmp.ca/ViewPage.action?siteNodeId=149&languageId=1&contentId=-1>

### ***Municipal Integrated Emergency Response Team (MIERT)***

MIERT is an integrated unit that is comprised only of municipal departments. There is no RCMP involvement. Abbotsford, Delta, New Westminster and Port Moody police departments all contribute to the team. The purpose of an Emergency Response Team is to provide highly skilled and trained members that utilize special tactics to try and safely resolve high-risk situations. In American parlance, they are often known as Special Weapons and Tactics (SWAT) teams. There are three components to an ERT deployment: command, tactical team and negotiators.

The RCMP operate their own LMD ERT and the VPD, because of its size, have their own unit which also responds to West Vancouver police calls on a contract basis.

### **INFORMATION SHARING – Police Databases**

Information and intelligence are two distinctly different terms in police use. Information is the raw data that is contained within police databases, reports and statistics. Intelligence is the result of applying analytical tools and human intellect to the information to formulate a product that provides assessment, context or interpretation of the information.

Prior to the establishment of a common record keeping platform police information was stored by the individual agencies. The RCMP did have an element of information sharing among their own detachments utilizing the now obsolete Police Information Retrieval System (PIRS). Other agencies maintained their own records systems. Consequently the analytical ability of police was greatly hampered as there were multiple sources of information with no common access to all of them.

### ***Canadian Police Information Centre (CPIC)***

CPIC is the Canadian database for police information. It contains criminal record information, missing person information, persons of interest, stolen property data, vehicle information and other police related data.

The CPI Centre is composed of five distinct service areas which are responsible for the delivery and sharing of national police, law enforcement, criminal justice, and public safety information. These areas include: Program Support, NPS Net Access (including the CPIC system), Field Services, Program Policy and the Police Information and Public Safety Portals.

The CPI Centre is operated by the RCMP under the stewardship of National Police Services, on behalf of the Canadian law enforcement community.<sup>7</sup>

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<sup>7</sup> <http://www.cpic-cipc.ca/English/index.cfm>



### ***Police Records Information Management Environment – PRIME BC***

The complete implementation of PRIME BC occurred in 2007, resulting in all police agencies utilizing a common records system. The use of PRIME BC as the record keeping database for all provincial and municipal police agencies was legislated by the Government of BC under section 68 (1) of the *BC Police Act*. While there are some independent records systems still in operation for classified and highly sensitive information, the vast majority of police information is now readily accessible to all agencies in BC.

PRIME BC has replaced numerous independent “Silos” of information with a single database. Because of this common environment linkage of information regarding suspects operating in multiple jurisdictions is infinitely easier. Crime Analysts have access to a vastly improved pool of data from which to make their analysis. There are some access issues still awaiting resolution when it comes to accessing another agency’s data but most data is now stored in a common environment. Investigators can now gather relevant suspect information from a single source rather than the previous system of querying multiple databases with unreliable results.

PRIMECorp (Police Records Information Management Environment Incorporated) was established in 2003 and provides governance of PRIME BC with a Board of Directors. The Board of Directors includes the Chief Constables (or designate) of the independent agencies, the president and CEO of E-Comm, the Director of Police Services for the province and the commanding officer (or designate) of RCMP E Division. Three municipal mayors also sit on the board.<sup>8</sup> PRIMECorp is a wholly owned subsidiary of E-Comm, but is operated at arms length from E-Comm by the independent board of directors.

### ***Automated Criminal Intelligence Information System (ACIIS)***

The Criminal Intelligence Service Canada (CISC) administers the ACIIS system, first implemented in 1976. ACIIS is the Canadian law enforcement community’s national database for criminal information and intelligence on organized and serious crime.

The CISC web page describes ACIIS as follows:<sup>9</sup>

Through ACIIS, law enforcement agencies at all levels collaborate in the collection, analysis and sharing of criminal intelligence across the country.

The information contained in ACIIS is used to support national law enforcement efforts to reduce the harm caused by organized crime, including:

*The production of intelligence assessments which enhance the ability of law enforcement and government to develop strategies and policies to deal with organized and serious crime. The development of a strategic approach to operational decision making, priority setting and*

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<sup>8</sup> Surrey Mayor Dianne Watts, Langley Mayor Peter Fassbender and Prince George Mayor Dan Rogers currently sit on the board

<sup>9</sup> [http://www.cisc.gc.ca/aciis/aciis\\_e.html](http://www.cisc.gc.ca/aciis/aciis_e.html)

*targeted enforcement activities.*

CISC Central Bureau manages ACIIS on behalf of CISC member agencies under the stewardship of the RCMP's Policing Support Services.

An issue currently under consideration is how widely used is ACIIS by the Canadian agencies. The system is dated and somewhat labour intensive in that it requires the re-entry of data that is already captured by the PRIME BC system. There are currently discussions underway about replacing ACIIS with a new system, tentatively called the Canadian Criminal Intelligence System.

### ***Violent Crime Linkage Analysis System (ViCLAS)***

ViCLAS is a national analytical database developed in the 1990's that was designed to compare crimes and develop a list of potential suspects based on a number of factors. The lead investigator completes a comprehensive workbook and the information is loaded into the ViCLAS system.

The following crimes are typically included in ViCLAS:<sup>10</sup>

- All solved or unsolved homicides and attempts;
- All solved or unsolved sexual assaults or attempts except familial/domestic unless there is unique or significant physical, sexual or verbal behaviour;
- Missing persons where foul play is suspected;
- Unidentified human remains where foul play is suspected;
- All non-parental abductions and attempts;
- False allegations of sexual assault or attempted murder;
- All solved or unsolved or attempted child luring.
- Regardless of the nature of the investigation, investigators may submit their case to ViCLAS using a ViCLAS Booklet if they have reason to believe that the offender involved (known or unknown) may have been responsible for other violent crimes or has the potential to offend/re-offend

While ViCLAS is sound in theory the weakness lies with contributing agencies not completing the required documentation. The completion and data entry of the workbook is quite onerous and like ACIIS requires redundant data entry. A recent improvement to ViCLAS is the ability for investigators to enter data digitally via a computer. Until this improvement was made investigators were required to complete the ViCLAS book in longhand and clerks would enter the data into the system. The ability to import data from PRIME-BC and auto-populate the ViCLAS system are also being explored.

The RCMP Behavioural Sciences Branch in Ottawa administers ViCLAS.

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<sup>10</sup> <http://www.rcmp-grc.gc.ca/tops-opst/viclas-salvac-eng.htm>

## INTELLIGENCE SHARING

As noted earlier, prior to the implementation of PRIME BC the ability of police analysts to access all the relevant information of an individual, or crime group, was greatly hampered by the multiple divergent sources of information. While PRIME BC greatly diminished the difficulty it is still reliant on contributing agencies providing complete and thorough data.

### ***Criminal Intelligence Service British Columbia and Yukon Territory (CISBC/YT)***

Criminal Intelligence Service British Columbia and Yukon Territory (CISBC/YT) is one of ten Provincial Bureaus. These bureaus operate independently of the Criminal Intelligence Service

Canada (CISC) but contribute to the CISC. CISBC/YT's purpose is to research and produce timely, relevant, intelligence products that assist in the detection and disruption of serious and organized crime. The service is housed at RCMP headquarters and is staffed with employees currently seconded from the RCMP and the VPD. The products produced by CISBC/YT provide police managers and investigators with information to assist in making intelligence led decisions.

The annual Provincial Threat Assessment (PTA) is the main document produced by CISBC/YT and is primarily used as a long-range strategic planning tool. The PTA generates a ranked listing of active crime groups utilizing the Sleipnir<sup>11</sup> technique. Sleipnir is a weighted scale that is used to rate the threat level of a given crime group. Once produced the PTA can then assist enforcement agencies in target selection.

There is a problem with the PTA in that by the time the annual document is produced factors may have changed. A good example of this is when the "Bacon Brothers" crime group became very active in violent crime around 2008 according to the then current PTA their group was ranked well down the list. Other factors such as threat to public safety, impact on police resources and level of violence are also considered when selecting targets for specialty units.

The data collected by CISBC/YT also assists in the production of CISC analytical documents.

### ***Provincial Information Centre (PIC)***

As stated earlier in this report the PIC evolved out of the BCIGTF. When the BCIGTF was first implemented a key component of the task force was a fully staffed "Intelligence Hub". This hub produced and distributed a daily "Intelligence Fan Out" regarding gang members and their activities. The RCMP, municipal departments and CISBC/YT all contributed staff for the hub.

Over time the duties of the Intelligence Hub were transferred to a newly created RCMP run Provincial Intelligence Centre. The PIC is now tasked with the production of intelligence products. The intelligence produced all focuses on gang and organized crime. To date there is still a void regarding the production and distribution of intelligence relating to sex offences, property crime, financial crime and other criminal activity not perpetrated by gangs or organized crime groups.

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<sup>11</sup> Sleipnir is not an acronym but rather the name of a mythical eight legged Norse horse. For a comprehensive explanation of Sleipnir see "Project SLEIPNIR: An Analytical Technique for Operational Priority Setting". Steven J. Strang, Royal Canadian Mounted Police

***RCMP “E” Division Criminal Intelligence Section (CIS)***  
***RCMP “E” Division Criminal Analysis Section (EDCAS)***

The RCMP CIS is comprised of specially trained police and civilian crime analysts. These analysts provide intelligence products to support all of the RCMP’s policing responsibilities. Working out of RCMP “E” Division headquarters CIS contributes to the production of CISBC/YT Provincial Threat Assessment as well as production of in-house intelligence products in support of federal, provincial and municipal police activity.

The CIS will also provide intelligence to support other police agencies when required.

***Department/Detachment Intelligence Sections***

Police agencies maintain their own crime information and produce a crime bulletin in some format or another. While the information is freely shared among agencies there is no central repository for the bulletins and no analysis conducted regionally with the exception of the PIC for gang related crime.

The use of Crime Analysts has become increasingly more common in municipal police agencies. These analysts utilizing sophisticated software programs are able to access databases such as PRIME BC and conduct comprehensive assessments.

The VPD have pioneered a system known as Consolidated Records Intelligence Mining Environment (CRIME) that utilises proprietary software known as i2 to conduct complex crime analysis.

**INFORMAL INTEGRATION**

***Regional Operational Police Managers Committee (ROPMC)***

The ROPMC is an informal meeting of Operational police managers, usually Inspector rank or higher, that meet on a monthly basis to exchange information and ideas. There is no formal mandate for the group and member departments share hosting and meeting expenses

This group would typically discuss issues relating to the uniform “Patrol or General Duties” function of a police agency.

***Investigative meetings***

Investigative units throughout the LMD will routinely meet with their counterparts when the need arises. These meetings do not follow a regular schedule but are conducted when required. Typically the lead investigator of any unit conducting a major investigation that crosses jurisdictional boundaries will convene a meeting among their neighbouring counterparts to compare notes, similarities to other investigations and the like. There is no legislation or policy compelling the holding of these meetings.

***Intelligence Sections Information Exchange***

As reported earlier detachments and departments all maintain their own internal intelligence capability. These units freely exchange bulletins and information among each other to keep informed of developing trends.

## **SIGNIFICANT CHANGES TO POLICING SINCE 1997**

### ***PRIME BC Implementation***

PRIME BC has provided a common platform for police information throughout the province. A vulnerability to PRIME BC is the use of other databases to store information that renders that information inaccessible to other users. This usually occurs when programs other than those based in PRIME BC are utilized to manage major cases.

### ***Integrated Units***

Integration of police services is not a new concept in B.C. but it has experienced increased popularity since the year 2000. Since virtually every unit is unique there is no provincial standard for funding, governance or participation in the units. Integration is the provincial response for dealing with the complexities of regional policing issues.

### ***Major Case Management Protocols***

The management and coordination of a major investigation has become a remarkable complex enterprise. The successful prosecution requires accurate and efficient records and disclosure. Within

PRIME BC there is a module for major case management however stand alone resources such as the RCMP's Evidence and Reporting version three (E&R III) are also utilized. A protocol and certification process for major case management has been implemented for B.C. police agencies.

### ***Social Media***

The recent Stanley Cup riot has highlighted the significance of social media such as Facebook as an emerging investigative tool. This medium is in its relative infancy but holds tremendous potential for future policing applications. Many police agencies utilize the Internet, Facebook and Twitter as an effective tool for communication with the public.

## **CONCLUSION**

Policing is no different than other professions and has experienced rapid and complex changes in the last twenty-five years. The *Canadian Charter of Rights and Freedom*, legal disclosure activity and *Freedom of Information and Privacy* legislation have all contributed towards more transparency and accountability in policing.

Development and implementation of new reporting processes and systems has resulted in the need for constant upgrading of officer's skills and technical expertise. The ongoing training requirements tax police resources like never before. The need for police agencies to cooperate and adapt to this rapidly changing environment has been realized.

This report is intended to give a basic overview of how daily policing activity is conducted and governed in British Columbia. The bibliography contains reference to more complete documentation of the complex nature of policing. Likewise the diverse organizational structure of the RCMP and the relationships that exist with other law enforcement and intelligence agencies has not been examined.

The significance of the implementation of PRIME BC cannot be understated. Some work that remains to be done however is to develop and implement a complementary police intelligence network to insure not just information, but also intelligence is distributed in a timely fashion.

## BIBLIOGRAPHY

BC POLICE BOARD, *Resource Document on Roles and Responsibilities Under the Police Act*  
March 2005

Hamilton, Keith R. & McKinnon, Gil D. (1994) *Provincial Governance Of Policing In British Columbia*

LePard, Doug (2010) *Missing Women Investigation Review*, August 2010

Miller, Andrea (1994) *Role Of The Provincial Police*, A Research Project For, The Commission Of Enquiry: Policing In British Columbia

Oppal, The Honourable Mr. Justice Wallace T. (1998) *CLOSING THE GAP, Policing and The Community, Commission of Inquiry into Policing in British Columbia*

PRIMECorp, (2010) *PRIME BC 2009-2010 Annual Report*

Province of British Columbia, (1992) *Municipal Policing Agreement*

Province of British Columbia, Ministry of Public Safety and Solicitor General, Police Services Division (2009) *Police Resources in British Columbia, 2009*

Strang, Steven J. *Project SLEIPNIR: An Analytical Technique for Operational Priority Setting*.

## Web Pages

[http://www.pssg.gov.bc.ca/police\\_services/publications/board/handbook.pdf](http://www.pssg.gov.bc.ca/police_services/publications/board/handbook.pdf)

<http://www.cfseu.bc.ca/cms/about>

<http://bc.rcmp.ca/ViewPage.action?siteNodeId=149&languageId=1&contentId=-1>

[http://www.cisc.gc.ca/aciis/aciis\\_e.html](http://www.cisc.gc.ca/aciis/aciis_e.html)

<http://www.rcmp-grc.gc.ca/tops-opst/viclas-salvac-eng.htm>

[http://bc.rcmp.ca/digitalAssets/25/25466\\_DISTRICTMAP.jpg](http://bc.rcmp.ca/digitalAssets/25/25466_DISTRICTMAP.jpg)

<http://www.cpic-cipc.ca/English/index.cfm>



## Appendix “A”

**ATTACHED AT END OF REPORT**

# **BC POLICE BOARD**

Resource Document on Roles and Responsibilities Under  
the Police Act

March 2005

**Ministry of Public Safety and Solicitor General**  
Policing and Community Safety Branch  
Police Services Division

## Appendix “B”

### Municipal Police Forces in BC

- Abbotsford Police Department 2838 Justice Way, Abbotsford BC V2T 3P5 Phone: 604 859-5225
- Central Saanich Police 1903 Mt. Newton X Road, Saanichton BC V8M 2A9 Phone: 250 652-4441
- Delta Police Department 4455 Clarence Taylor Crescent, Delta BC V4K 3E1 Phone: 604 946-4411
- Integrated Road Safety Units (Contact Numbers)
- Nelson Police Department 606 Stanley Street, Nelson BC V1L 1N4 Phone: 250 354-3919
- New Westminster Police Service 555 Columbia Street, New Westminster BC V3L 1H9 Phone: 604 525-5411
- Oak Bay Police Department 1703 Monterey Avenue, Oak Bay BC V8R 5V6 Phone: 250 592-2424
- Port Moody Police Department 3051 St. Johns Street, Port Moody BC V3H 2C4 Phone: 604 461-3456
- Saanich Police Department 760 Vernon Avenue, Victoria BC V8X 2W6 Phone: 250 475-4321
- Vancouver Police Department 2120 Cambie Street, Vancouver BC V5Z 4N6 Phone: 604 717-2706 (recruiting)
- Victoria Police Department 850 Caledonia Street, Victoria BC V8T 5J8 Phone: 250 995-7654
- West Vancouver Police Department 1330 Marine Drive West, Vancouver BC V7T 1B5 Phone: 604 925-7300

### RCMP Detachments in BC

#### A

- Aéroport international de Vancouver (voir Richmond)
- Agassiz 6869 Lougheed HWY, BOX 349 AGASSIZ, V0M 1A0 (604) 796-2211
- Ahousht 400 Campbell ST, BOX 280 TOFINO, V0R 2Z0 (250) 670-9612
- Alert Bay BOX 370 ALERT BAY, V0N 1A0 (250) 974-5544
- Alexis Creek BOX 40 ALEXIS CREEK, V0L 1A0 (250) 394-4211
- Anahim Lake GD, ANAHIM LAKE, V0L 1C0 (250) 742-3211
- Armstrong 3710 Pleasant Valley, BOX 558 ARMSTRONG, V0E 1B0 (250) 546-3028
- Ashcroft 720 Elm ST, BOX 100 ASHCROFT, V0K 1A0 (250) 453-2216
- Atlin BOX 10 ATLIN, V0W 1A0 (250) 651-7511

#### B

- Barriere 478 Barriere Town RD, BOX 360 BARRIERE, V0E 1E0 (250) 672-9918
- Bella Bella GD, WAGLISLA, V0T 1Z0 (250) 957-2388
- Bella Coola BOX 123 BELLA COOLA, V0T 1C0 (250) 799-5363
- Boston Bar BOX 340 BOSTON BAR, V0K 1C0 (604) 867-9333
- Bowen Island \* BOX 219 BOWEN ISLAND, V0N 1G0 (604) 947-0516
- Burnaby 6355 Deer Lake AVE, BURNABY, V5G 2J2 (604) 294-7922

**Missing Women Commission of Inquiry**  
**Report on Municipal Policing in the Lower Mainland District**

- Burns Lake 201 HWY 35, BOX 759 BURNS LAKE, V0J 1E0 (250) 692-7171

**C**

- Campbell River 275 S Dogwood ST, CAMPBELL RIVER, V9W 8C8 (250) 286-6221
- Castlegar 440 Columbia AVE, CASTLEGAR, V1N 1G7 (250) 365-7721
- Chase 226 Shuswap AVE, BOX 960 CHASE, V0E 1M0 (250) 679-3221
- Chetwynd BOX 117, CHETWYND, V0C 1J0 (250) 788-9221
- Chilliwack (Bilingual) 45924 Airport RD, CHILLIWACK, V2P 1A2 (604) 792-4611 Chilliwack Community Police Office >>
- Clearwater 205 Dutch Lake RD, BOX 338 CLEARWATER, V0E 1N0 (250) 674-2237
- Clinton 1204 Kelly Lake RD, BOX 429 CLINTON, V0K 1K0 (250) 459-2221
- Columbia Valley (Bilingual) 4936 Athalmer RD, BOX 2220 INVERMERE, V0A 1K0 (250) 342-9292
- Colwood (See West Shore)
- Comox Valley 800 Ryan RD, COURTENAY, V9N 7T1 (250) 338-1321
- Coquitlam 2986 Guildford WAY, COQUITLAM, V3B 7Y5 (604) 945-1550 Coquitlam Community Police Offices >>
- Cranbrook 31 11TH AVE S, CRANBROOK, V1C 2N9 (250) 489-3471
- Creston 421 16TH AVE S, BOX 400 CRESTON, V0B 1G0 (250) 428-9313
- 

**D**

- Dawson Creek 1230 102nd AVE, DAWSON CREEK, V1G 4V3 (250) 784-3700
- Dease Lake BOX 130, DEASE LAKE, V0C 1L0 (250) 771-4111
- Duncan (See North Cowichan) Duncan Community Police Office >>
- 

**E**

- Elk Valley Mailing address (all Elk Valley det.): Box 1450, Sparwood, B.C. V0B 2G0
  - Elkford Office - Elk Valley Detachment Physical address: 2000 Balmer DR, Elkford, B.C. V0B 1H0 (250)865-2232
  - Fernie Office - Elk Valley Detachment Physical address: 1302 5th Ave, Fernie, B.C. V0B 1M0 (250)423-4404
  - Sparwood Office - Elk Valley Detachment Physical address: 607 Douglas Fir Rd., Sparwood, B.C. V0B 2G0 (250)425-6233
- 
- Enderby 602 Granville ST, BOX 219 ENDERBY, V0E 1V0 (250) 838-6818

**F**

**Missing Women Commission of Inquiry**  
**Report on Municipal Policing in the Lower Mainland District**

- Falkland BOX 129 FALKLAND, V0E 1W0 (250) 379-2311
- Fernie (see Elk Valley)
- Fort St James (Bilingual) BOX 1510 FORT ST JAMES, V0J 1P0 (250) 996-8269
- Fort St John 10648 100TH ST, FORT ST JOHN, V1J 3Z6 (250) 787-8100
- Fraser Lake BOX 70 FRASER LAKE, V0J 1S0 (250) 699-7777

**G**

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- Gabriola BOX 100 GABRIOLA ISLAND, V0R 1X0 (250) 247-8333
- Gibsons (see Sunshine Coast)
- Gold River BOX 699 GOLD RIVER, V0P 1G0 (250) 283-2227
- Golden/Field (Bilingual) 902 9TH ST, BOX 810 GOLDEN, V0A 1H0 (250) 344-2221
- Grand Forks 1608 Central AVE, BOX 370 GRAND FORKS, V0H 1H0 (250) 442-8288
- Granisle BOX 370 GRANISLE, V0J 1W0 (250) 697-2333

**H**

- Hope 690 Old Hope-Princeton WAY, BOX 40 HOPE, V0X 1L0 (604) 869-7750
- Houston BOX 490 HOUSTON, V0J 1Z0 (250) 845-2204
- Hudson's Hope BOX 240 HUDSON'S HOPE, V0C 1V0 (250) 783-5241
- Hundred Mile House 726 Alpine AVE, BOX 37 100 MILE HOUSE, V0K 2E0 (250) 395-2456

**K**

- Kamloops City (Bilingual) 560 Battle ST, KAMLOOPS, V2C 6N4 (250) 828-3000 Kamloops Community Police Office >>
- Kamloops Traffic Services (Bilingual) 1280 Trans-Canada HWY W, KAMLOOPS, V2C 5Y5 (250) 828-3111
- T'Kumlups Rural 395 Yellowhead Hwy, KAMLOOPS, V2H 1H1 (250) 314-1800
- Kaslo BOX 632 KASLO, V0G 1M0 (250) 353-2225
- Kelowna (Bilingual) 350 Doyle AVE, KELOWNA, V1Y 6V7 (250) 762-3300 Kelowna Community Police Offices >>
- Keremeos BOX 340 KEREMEOS, V0X 1N0 (250) 499-5511
- Kimberley 436 Archibald ST, KIMBERLEY, V1A 1N1 (250) 427-4811
- Kitimat 888 Lahakas BLVD, KITIMAT, V8C 2H9 (250) 632-7111

**L**

- Ladysmith 320 6th Avenue, BOX 280 LADYSMITH, V9G 1A2 (250) 245-2215
- Lake Country 3231 Berry RD, LAKE COUNTRY, V4V 1T8 (250) 766-2288
- Lake Cowichan 70 Stanley ST, BOX 1290 LAKE COWICHAN, V0R 2G0 (250) 749-6668

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**Report on Municipal Policing in the Lower Mainland District**

- Langley 22180 48A AVE, LANGLEY, V3A 8B7 (604) 532-3200 Langley Community Police Offices >>
- Lillooet BOX 710, LILLOOET, V0K 1V0 (250) 256-4244
- Lisims-Nass Valley BOX 232, NEW AIYANSH, V0J 1A0 (250) 633-2222
- Logan Lake 2 Galena AVE, BOX 160 LOGAN LAKE, V0K 1W0 (250) 523-6222
- Lumby 2208 Shuswap AVE, BOX 1050 LUMBY, V0E 2G0 (250) 547-2151
- Lytton BOX 69 LYTTON, V0K 1Z0 (250) 455-2225

**M**

- Mackenzie 62 Centennial DR, BOX 280 MACKENZIE, V0J 2C0 (250) 997-3288
- Maple Ridge (see Ridge Meadows)
- Masset 2042 Collison AVE, BOX 39 MASSET, V0T 1M0 (250) 626-3991
- McBride BOX 497 MCBRIDE, V0J 2E0 (250) 569-2255
- Merritt 2999 Voght ST, MERRITT, V1K 1G9 (250) 378-4262 Merritt Community Police Office >>
- Midway BOX 10 MIDWAY, V0H 1M0 (250) 449-2244
- Mission 7171 Oliver ST, MISSION, V2V 6H2 (604) 826-7161 Mission Community Police Office >>

**N**

- Nakusp BOX 247 NAKUSP, V0G 1R0 (250) 265-3677
- Nanaimo (Bilingual) 303 Prideaux ST, NANAIMO, V9R 2N3 (250) 754-2345 Nanaimo Community Police Offices >>
- Nelson 1010 Second ST, NELSON, V1L 6B6 (250) 352-2156
- New Aiyansh (see Lisims)
- New Denver BOX 100 NEW DENVER, V0G 1S0 (250) 358-2222
- New Hazelton 4322 13 Ave, BOX 279, NEW HAZELTON, V0J 2J0 (250) 842-5244
- North Cowichan/ Duncan 6060 Canada AVE, DUNCAN, V9L 1V3 (250) 748-5522
- North Vancouver 147 E 14TH ST, NORTH VANCOUVER, V7L 2N4 (604) 985-1311 North Vancouver Community Police Offices >>
- Northern Rockies BOX 900 FORT NELSON, V0C 1R0 (250) 774-2777

**O**

- Oceanside (Parksville/Qualicum) 727 W Island HWY, PARKSVILLE, V9P 1B9 (250) 248-6111 Oceanside Community Police Office >>
- Oliver BOX 429 OLIVER, V0H 1T0 (250) 498-3422
- Osoyoos 16 Eagle CRT, BOX 960 OSOYOOS, V0H 1V0 (250) 495-7236
- Outer Gulf Islands BOX 122 PENDER ISLAND, V0N 2M0 (250) 629-6171

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**P**

- Parksville (see Oceanside)
- Pemberton 7413 Prospect ST, BOX 130 PEMBERTON, V0N 2I0 (604) 894-6126
- Penticton (Bilingual) 1168 Main ST, PENTICTON, V2A 5E6 (250) 492-4300 Penticton Community Police Office >>
- Port Alberni 4444 Morton Street, PORT ALBERNI, V9Y 4M8 (250) 723-2424
- Port Alice 1092 Maquinna, BOX 99 PORT ALICE, V0N 2N0 (250) 284-3353
- Port Hardy 7355 Columbia ST, BOX 86 PORT HARDY, V0N 2P0 (250) 949-6335
- Port McNeill 2700 Haddington CRES, BOX 730 PORT MCNEILL, V0N 2R0 (250) 956-4441
- Port Simpson S/Det BOX 272 LAX KW'ALAAMS, V0V 1H0 (250) 625-3400
- Powell River 7070 Barnet ST, POWELL RIVER, V8A 2A1 (604) 485-6255
- Prince George (Bilingual) 999 Brunswick ST, PRINCE GEORGE, V2L 2C3 (250) 561-3300 Prince George Community Police Office >>
- Prince Rupert 100 W 6TH AVE, PRINCE RUPERT, V8J 3Z3 (250) 627-0700
- Princeton BOX 490 PRINCETON, V0X 1W0 (250) 295-6911

**Q**

- Quadra Island BOX 399 QUATHIASKI COVE, V0P 1N0 (250) 285-3631
- Qualicum see Oceanside
- Queen Charlotte BOX 130 QUEEN CHARLOTTE, V0T 1S0 (250) 559-4421
- Quesnel 584 Carson, QUESNEL, AVE V2J 2B5 (250) 992-9211

**R**

- Revelstoke (Bilingual) 404 Campbell Avenue, PO Box 1480, REVELSTOKE, V0E 2S0 (250) 837-5255
- Richmond\* (Bilingual) 6900 Minoru BLVD, RICHMOND, V6Y 1Y3 (604) 278-1212 Richmond Community Police Offices >>
- Ridge Meadows\* 11990 Haney PL, MAPLE RIDGE, V2X 9B8 (604) 463-6251 Pitt Meadows Community Police Office >>

**S**

- Salmo BOX 550 SALMO, V0G 1Z0 (250) 357-2212
- Salmon Arm 1980 11th AVE NE, SALMON ARM, V1E 2V5 (250) 832-6044
- Salt Spring 401 Lower Ganges RD, SALT SPRING ISLAND, V8K 2V4 (250) 537-5555
- Sayward BOX 100, SAYWARD, V0P 1R0 (250) 282-5522
- Shawnigan Lake BOX 95, SHAWNIGAN LAKE, V0R 2W0 (250) 743-5514

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- Sicamous BOX 340 SICAMOUS, V0E 2V0 (250) 836-2878
- Sidney/North Saanich (Bilingual) 9895 Fourth ST, SIDNEY, V8L 2Z5 (250) 656-3931
- Slocan Lake (See New Denver)
- Smithers 3351 HWY 16, BOX 2020 SMITHERS, V0J 2N0 (250) 847-3233 Smithers Community Police Office >>
- Sooke BOX 40 SOOKE, V0S 1N0 (250) 642-5241
- Sparwood (see Elk Valley)
- Squamish 1000 Finch Drive, SQUAMISH, V0N 3G0 (604) 892-6100 Squamish Community Police Office >>
- Stewart BOX 158 STEWART, V0T 1W0 (250) 636-2233
- Summerland 8709 Jubilee RD, BOX 17 SUMMERLAND, V0H 1Z0 (250) 494-7416
- Sunshine Coast \* Box 188 SECHELT, V0N 3A0 (604) 885-2266
- Surrey (Bilingual) 14355 57TH AVE, SURREY, V3X 1A9 (604) 599-0502 Surrey Community Police Office >>

**T**

- Tahsis 166 Harbour View RD, BOX 490 TAHSIS, V0P 1X0 (250) 934-6363
- Takla Landing BOX 1240 FORT ST JAMES, V0J 1P0 (250) 996-7847
- Telegraph Creek BOX 84 TELEGRAPH CREEK, V0J 2W0 (250) 235-3111
- Terrace 3205 Eby ST TERRACE, V8G 2X7 (250) 638-7400
- Texada Island BOX 20 GILLIES BAY, V0N 1W0 (604) 486-7717
- Tofino (Bilingual) 400 Campbell ST, BOX 280 TOFINO, V0R 2Z0 (250) 725-3242
- Trail and Greater District 3601 Laburnum Drive, TRAIL, V1R 2S9 (250) 364-2566
- Tsay Keh BOX 9000 MACKENZIE, V0J 2C0 (250) 993-2155
- Tumbler Ridge 315 Founders ST, BOX 710 TUMBLER RIDGE, V0C 2W0 (250) 242-5252

**U**

- Ucluelet 1712 Cedar ST, BOX 969 UCLUELET, V0R 3A0 (250) 726-7773
- University \* 2990 Wesbrook MALL, VANCOUVER, V6T 2B7 (604) 224-1322

**V**

- Valemount 1435 5TH AVE, VALEMOUNT, V0E 2Z0 (250) 566-4466
- Vancouver International Airport (see Richmond)
- Vanderhoof 181 Columbia ST W, BOX 650 VANDERHOOF, V0J 3A0 (250) 567-2222
- Vernon 3402 30TH ST, VERNON, V1T 5E5 (250) 545-7171 Vernon Community Police Office >>

**W**

**Missing Women Commission of Inquiry**  
**Report on Municipal Policing in the Lower Mainland District**

- Wells BOX 70 WELLS, V0K 2R0 (250) 994-3314
  - West Kelowna 2390 Dobbin Rd. West Kelowna, B.C. V4T 2H9 (250) 768-2880 Westbank  
Community Police Office >>
  - West Coast Marine 4412 Boban, NANAIMO, V9T 5V1 (250) 751-8845
  - West Shore 698 Atkins AVE, VICTORIA, V9B 3A4 (250) 474-2264
  - Whistler \* 4315 Blackcomb WAY, WHISTLER, V0N 1B4 (604) 932-3044
  - White Rock 15299 Pacific AVE, WHITE ROCK, V4B 1R1 (778) 593-3600 White Rock Community  
Police Office >>
- Williams Lake 575 Borland ST, WILLIAMS LAKE, V2G 1R9 (250) 392-6211 Williams Lake  
Community Police Office >>



# H A N D B O O K

## **BC POLICE BOARD**

Resource Document on Roles  
and Responsibilities Under  
the Police Act

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March 2005



**Ministry of Public Safety and Solicitor General**  
Policing and Community Safety Branch  
Police Services Division



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- Board Resourcing and Development Office
- Beth Nielsen, Vancouver Police Board
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## SECTION 1.0 Introduction

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Police play a vital role in Canadian society. Police occupy positions of power and come into contact with people in all walks of life and in many different types of circumstances. These contacts can pose significant challenges for the police officer(s) and significant consequences for the citizen(s) involved in them.

A delicate balance needs to be struck in these contacts between the independence and discretion that police constables have under statute and common law and the need for constables to be accountable for the way in which they exercise their powers.

One accountability mechanism that Canada has established is using civilians (i.e., persons not in the police force) as part of a neutral body to oversee policing. Civilian boards work to ensure that there is a high standard of policing and that the interaction between police and the community is fair and responsive. It has been well documented that police who are well trained, understand the needs of the community and exercise fair internal discipline, greatly contribute to a free and democratic society.

In British Columbia, police boards are mandated by the *BC Police Act, 1996* to provide civilian oversight. This Act was amended in 1998 by the *Police Amendment Act, 1997*, and has since been consolidated.

Police boards in British Columbia perform four main governance functions:

1. Employers of the sworn and civilian staff;
2. Policy and direction setters;
3. Financial overseers; and
4. Discipline authorities for policy and service complaints, with the Chair being responsible for discipline matters related to the Chief Constable and Deputy.

Understanding how the British Columbia policing system functions can be a fairly daunting task for new police board members. There are numerous agencies that provide policing and law enforcement services in the province and who uphold laws that are federal, provincial and municipal in origin.

Under the *Police Act*, police in British Columbia perform three functions:

1. Maintain law and order;
2. Enforce the law; and
3. Prevent crime.

The intent of this handbook is to assist new and existing police board members to better understand their roles and responsibilities under the *Police Act* and to be used as a reference document for board members related to specific municipal police board issues that may arise.



## **SECTION 2.0   Roles and Structure of Policing in British Columbia**

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### **2.1     British Columbia Police Act**

The British Columbia *Police Act* provides the Solicitor General specific authority of importance to municipal police boards which includes the creation of independent police boards. Municipal police boards are required under the *Act* to determine the priorities, goals, and objectives of the department each year, in consultation with the Chief Constable.

To review specific information and sections of the *Police Act*, please refer to Appendix A.

## SECTION 2.0 Roles and Structure of Policing in British Columbia

### 2.2 Overview of Policing and Law Enforcement Service Providers in BC

As the table illustrates, there are multiple agencies that deliver policing and law enforcement services in British Columbia. All of these service providers act under the general supervision of the Solicitor General of British Columbia.

Type of Entity/Area	Service Provider	Type(s) of officers	Type of Civilian Board
Unincorporated area	RCMP (as the Provincial Police Force)	<ul style="list-style-type: none"> <li>Constable</li> <li>Auxiliary Constable</li> </ul>	<i>Police Act</i> , Part 6 provides for advisory committees
Municipality <5 000	RCMP (as the Provincial Police Force)	<ul style="list-style-type: none"> <li>Constable</li> <li>Auxiliary Constable</li> </ul>	<i>Police Act</i> , Part 6 provides for advisory committees
Municipality >5 000	RCMP municipal detachment OR	<ul style="list-style-type: none"> <li>Constable</li> </ul>	<i>Police Act</i> , Part 6 provides for advisory committees
	Own independent municipal police force OR	<ul style="list-style-type: none"> <li>Municipal Constable</li> <li>Special Municipal Constable</li> <li>Bylaw Enforcement Officer</li> </ul>	Municipal Police Board
	Contract with an existing Municipal Police Force	<ul style="list-style-type: none"> <li>Municipal Constable</li> <li>Special Municipal Constable</li> <li>Bylaw Enforcement Officer</li> </ul>	Municipal Police Board
Entity*	Designated Policing Unit OR	<ul style="list-style-type: none"> <li>Designated Constable</li> </ul>	Designated Police Board
	Designated Law Enforcement Unit	<ul style="list-style-type: none"> <li>Enforcement Officer **</li> </ul>	Designated Board
First Nations Community	RCMP OR	<ul style="list-style-type: none"> <li>Aboriginal Constable</li> </ul>	
	First Nations Self Administered Police Service	<ul style="list-style-type: none"> <li>Constable</li> </ul>	First Nations Police Board

\* an entity is defined as municipalities <5 000, regional districts, government corporations or any other prescribed entity

\*\* note: an enforcement officer is not a police officer

## **SECTION 2.0    Roles and Structure of Policing in British Columbia**

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### **2.3      Role of the Solicitor General**

In British Columbia, the Ministry of Public Safety and Solicitor General has overall responsibility for public safety and the protection of all citizens and their individual rights. The Solicitor General has responsibility over the following areas: policing, corrections, the provincial emergency program, crime prevention and victim assistance, liquor control and licensing, film classification, gaming policy and enforcement, landlord-tenant dispute resolution and consumer services.

The Ministry's goal is to seek innovative ways to increase public safety, enhance individual and community capacity, and continue to ensure British Columbians have a fair and efficient system of justice. When dealing with policing matters, the Ministry ensures that all decisions and policy direction are legally based, impartial, and free of partisan political considerations.

**The Minister's fundamental responsibilities with regard to policing and law enforcement in British Columbia are outlined in the *Police Act*, Part 2, s.2**

*"The minister must ensure that an adequate and effective level of policing and law enforcement is maintained throughout British Columbia."*

Specifically, the Minister ensures that the provincial government fulfills its obligations under Part 2, s. 3(1) of the *Police Act* to provide policing and law enforcement services for the following:

- Unincorporated areas of British Columbia;
- Municipalities with a population of up to 5 000 persons; and
- Municipalities with population over 5 000 persons who contract with the Minister to provide policing and law enforcement services.

Under the *Police Act* the Minister has specific authority and responsibilities of importance to municipal police board members, designated police board members and designated board members. They are as follows:

## **SECTION 2.0    Roles and Structure of Policing in British Columbia**

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### MINISTERIAL AUTHORITY OF IMPORTANCE TO *MUNICIPAL POLICE BOARDS*

<b>AUTHORITY OF THE MINISTER</b>	<b>SOURCE OF AUTHORITY</b>
To provide or reorganize policing and law enforcement in a municipality greater than 5 000 persons, on terms approved by the Lieutenant Governor in Council	<i>Police Act</i> , Part 2, s.4(1)
To take what steps the minister considers necessary in the event that a municipality and municipal police board fail to take action, as outlined by the Director of Police Services, in the event that they are not in compliance with the <i>Police Act</i>	<i>Police Act</i> , Part 4, s.17(2)
To approve or disapprove any proposals by two or more municipalities to enter into an agreement to amalgamate their municipal police boards and municipal police forces	<i>Police Act</i> , Part 4, s.18
To constitute police boards and approve or disapprove any proposals by two or more municipalities to enter into an agreement to establish a joint municipal police board	<i>Police Act</i> , Part 5, s.23 (1 & 2)
To direct a municipal constable or special municipal constable to the part of British Columbia where an emergency exists	<i>Police Act</i> , Part 7, s.38(2)

## **SECTION 2.0    Roles and Structure of Policing in British Columbia**

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### **MINISTERIAL AUTHORITY OF IMPORTANCE TO DESIGNATED POLICE BOARDS**

<b>AUTHORITY OF THE MINISTER</b>	<b>SOURCE OF AUTHORITY</b>
To establish, on behalf of an entity and on application by an entity, a designated policing unit to provide designated policing	<i>Police Act</i> , Part 2, s.4.1(2)
To make regulations respecting a designated policing unit and its board, including such things as the geographic area in which the unit and its constables must operate; the practices, procedures and quorum of the board; and the powers, duties and functions of the board	<i>Police Act</i> , Part 2, s.4.2(2)
To waive, at the minister's discretion, one or more of the application requirements under subsections 3(a) to (e) and to approve an entity's application on any terms the minister may require	<i>Police Act</i> , Part 2, s.4.1(4&5)
If the minister and the entity agree on the application terms, the minister must forward the application to the Lieutenant Governor in Council for approval	<i>Police Act</i> , Part 2, s.4.1(6)
After consulting with the entity, the minister may appoint those persons the minister considers suitable as members of the board, and the minister must appoint one of the members as chair	<i>Police Act</i> , Part 2, s.4.1(9)
To approve the appointment of designated constables by designated boards	<i>Police Act</i> , Part 2, s.4.1(11)
To prescribe the standards for training or retraining for classes of officers	<i>Police Act</i> , Part 2, s.10.1

## SECTION 2.0 Roles and Structure of Policing in British Columbia

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### MINISTERIAL AUTHORITY OF IMPORTANCE TO DESIGNATED BOARDS\*

AUTHORITY OF THE MINISTER	SOURCE OF AUTHORITY
On behalf of an entity and on application by an entity, the minister may establish a designated law enforcement unit to provide designated law enforcement	<i>Police Act, Part 4, s.18.1(2)</i>
To approve an entity's application on any terms the minister may require	<i>Police Act, Part 4, s.18.1(5)</i>
If the minister and the entity agree on the terms of the application, the minister must forward the application to the Lieutenant Governor in Council for approval	<i>Police Act, Part 4, s.18.1(6)</i>
After consulting with the entity, the minister may appoint those persons the minister considers suitable as designated board members and the minister must appoint one of the members as chair	<i>Police Act, Part 4, s.18.1(9)</i>
To approve the appointment of enforcement officers by designated boards to enforce those enactments, or parts of enactments, of British Columbia or Canada that the Minister prescribes	<i>Police Act, Part 4, s.18.1(11)</i>
To set standards for training and retraining of designated law enforcement officers	<i>Police Act, Part 2, s.10.1</i>

\* NOTE: Under the *Police Act*, Part 4, s.18.1, these boards oversee designated law enforcement units with specific defined authority to enforce all or part of one or more enactments of British Columbia or Canada. These units and their personnel provide valuable law enforcement services, but are not police, as defined in Part 1, s.1.1 of the *Police Act*.



## **SECTION 2.0 Roles and Structure of Policing in British Columbia**

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### **2.4 Role of the Director of Police Services, Ministry of Public Safety & Solicitor General**

Under the *Police Act*, the Director of the Police Services Division, Ministry of Public Safety and Solicitor General, is assigned broad powers, including all former functions of the BC Police Commission (with the exception of public complaints). These functions include: audits, inspections and reviews, recommendations about appointments to police boards, policing policy, research and statistics, and advice to the Minister, police boards and Chief Constables.

The fundamental legislated authority of the Director is contained in Part 8, s.39(1) of the *Police Act*:

*“On behalf of the minister and subject to the direction of the minister, the director is responsible for superintending policing and law enforcement functions in British Columbia.”*

There are a number of ways in which the work of Police Services Division, under the direction of the Director of Police Services Division, interconnects with police boards.

First, a Police Services Division Program Manager is assigned to provide ongoing support for police boards. The Program Manager is responsible for activities such as assisting in the selection and appointment process of municipal board members and organizing training opportunities.

Second, the development of provincial government policy around various aspects of policing may impact activities of police boards. For example, integration projects, such as the implementation of a new records management system for all police agencies in the province (i.e., PRIME), may influence policing budgets thereby impacting on financial planning conducted by police boards.

The third way in which the work of Police Services Division interconnects with that of police boards is through the dissemination of statistical information. Each year, Police Services Division produces annual police and crime statistical reports which can inform police boards of trends in crime and police workloads. Electronic versions of these reports are available on Police Services Division website at: [www.pssg.gov.bc.ca/police\\_services/publications/index.htm](http://www.pssg.gov.bc.ca/police_services/publications/index.htm)

Finally, as the employers of both sworn and civilian members, police boards are impacted by the audit process of municipal police departments performed by the Police Services Division. At the provincial government level, operational accountability for the municipal police forces is measured through the audit process. The audit process encompasses inspections, evaluations and reviews of municipal police departments.

The main objectives of the police audit process are to improve the quality and standard of services provided by the police and to support the implementation of professional police practices.

Section 40 of the *Police Act* mandates the audit of the municipal police departments by Police Services Division. In addition, sections 42 to 44 of the *Act* authorize Police Services Division to conduct studies, inquiries and special investigations into matters concerning policing, law enforcement and crime in British Columbia.

In practice, Police Services Division currently conducts three types of “audits” under the *Police Act*. These include:

## **SECTION 2.0    Roles and Structure of Policing in British Columbia**

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- Inspections – All aspects of a particular police department are inspected for compliance to provincial policing standards. A report is produced that deals exclusively with that department.
- Evaluations – One aspect (e.g., operation of emergency response teams) of all police departments is evaluated during the same time period. Individual jurisdictional reports and a summary provincial report are produced.
- Reviews – A particular issue or aspect of one police department is reviewed (e.g., management relations). A report is produced that deals exclusively with that department.

The Director of Police Services Division will provide written notice to the Chair of the municipal police board prior to undertaking an inspection, evaluation or review of a department.

## SECTION 2.0 Roles and Structure of Policing in British Columbia

Without limiting the above, board members should note the following main legislated functions of the Director of the Police Services Division:

FUNCTION	SOURCE IN LEGISLATION
Inspect and report on the quality and standard of policing and law enforcement services delivery (including but not limited to inspecting policing and law enforcement operations and procedures, evaluating officer selection and training programs and evaluating standards of policing and law enforcement).	<i>Police Act</i> , Part 8, s.40.1(a)
Maintain a system of statistical records required to carry out inspections, evaluations and research studies.	<i>Police Act</i> , Part 8, s.40.1(b)
Consult with and provide information and advice to the minister, chief constables, chief officers, boards and committees on matters related to policing and law enforcement.	<i>Police Act</i> , Part 8, s.40.1(c)
Make recommendations to the minister about appointments to a board.	<i>Police Act</i> , Part 8, s.40.1(d)
Make recommendations to the minister on <ul style="list-style-type: none"><li>the minimum standards for the selection and training of officers or classes of officers;</li><li>the use of force by officers or classes of officers, including, without limitation, their training and retraining in the use of force; and</li><li>any other matter related to policing and law enforcement.</li></ul>	<i>Police Act</i> , Part 8, s.40.1(e)
To establish and carry out, or approve and supervise programs to promote co-operative and productive relationships between officers and the public.	<i>Police Act</i> , Part 8, s.40.1(f)
Assist in the coordination of policing and law enforcement provided by the provincial police force, municipal police departments, designated policing units and designated law enforcement units.	<i>Police Act</i> , Part 8, s.40.1(g)
Report to the minister on the activities of police forces, police departments, designated policing units and designated law enforcement units in their provision of policing and law enforcement services.	<i>Police Act</i> , Part 8, s.40.1(h)

## **SECTION 2.0    Roles and Structure of Policing in British Columbia**

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<b>FUNCTION</b>	<b>SOURCE IN LEGISLATION</b>
Perform other functions and duties assigned to the director under this Act or the regulations or under the <i>Private Investigators and Security Agencies Act</i> and its regulations.	<i>Police Act</i> , Part 8, s.40.1(i)
May at any time order an investigation into an alleged act or an alleged omission of an act, committed by a person appointed under this Act on direction from the minister, or director, on the director's own initiative or on request of the police complaint commissioner or a board.	<i>Police Act</i> , Part 8, s.44(1b)

## **SECTION 3.0    Municipal Police Board Legislative Authority**

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### **3.1        Composition of the Municipal Police Board**

The *Police Act, Part 5, s.23(1)*, requires that the municipal police board consist of the mayor, who is designated as chair, one person appointed by the municipal council and not more than 5 persons appointed by the Lieutenant Governor in Council (LG in C). After consultation with the director of the Police Services Division, the LG in C appoints board members based on recommendations put forward by the Solicitor General. Board members are chosen to reflect the demographics of the community and are persons who have demonstrated that they can act in the best interest of the community.

Board members are appointed to a term not exceeding four years, although they may be re-appointed, they cannot hold office for more than six consecutive years. Appointments are usually staggered in order to have some continuity from year to year on the respective boards. Members of municipal police boards are generally not paid, however some municipalities may cover specific expenses incurred by board members while performing board duties. It is recommended that new municipal police board members check with the chair and make themselves familiar with their board's policy.

The municipal police board, like other boards and commissions, acts as a corporate entity. Only the chair or designate can speak on behalf of the whole board, and then only after consensus of the members. Boards may wish to look at developing and including further policy regarding this directive to provide greater clarity and understanding. Individual board members should refrain from stating opinions or providing direction to the Chief Constable without the express support of their board.

## SECTION 3.0    Municipal Police Board Legislative Authority

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### 3.2    Legislated Mandate and Main Oversight Functions

The role of a municipal police board is to establish a municipal police department and to provide general direction to this department, in accordance with relevant legislation and in response to community needs. Municipal police boards are created independently from municipal councils and from the provincial government. This removes boards from partisan council politics and recognizes that both the municipality and the province have legitimate interests in municipal policing.

As stated in the introduction and to reaffirm, municipal police boards in British Columbia perform four main governance functions:

1. Employers of sworn and civilian staff;
2. Policy and direction setters;
3. Financial overseers; and
4. Discipline authorities for policy and service complaints with the Chair being responsible for discipline for Chief and Deputy

Important pieces of legislation and agreements of concern to board members include the following:

- *Police Act*;
- *Freedom of Information and Privacy Act*;
- *Employment Standards Act*;
- *Public Service Act*;
- Criminal Code of Canada, R.S.C., c.C-46;
- Key Municipal Bylaws; and
- Collective Agreements.

It is recommended that police board members familiarize themselves with the most important provisions of the above legislation and agreements.

It is also recommended that police board members familiarize themselves with the *Provincial Standards for Municipal Police Departments in British Columbia* (December 1995) and review the most recent audit of their police department's operations and administration, conducted under *Part 8, s. 40* of the *Police Act*.

## SECTION 3.0 Municipal Police Board Legislative Authority

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### 3.3 Board Accountability

Municipal police boards are accountable to the following groups:

To the community that they serve	<p>Board members should develop mechanisms to acquire information and input from the community. Feedback could be sought on such items as:</p> <ul style="list-style-type: none"><li>• What the policing issues are;</li><li>• How well the police are carrying out their duties; and</li><li>• What changes citizens feel are needed in response to changing circumstances.</li></ul> <p>Board meetings are open to the public except for “in-camera” items.</p>
To the police department	<p>Through Senior Management, board members should let officers and civilian staff know what is expected of them and what the community wants them to accomplish. They must also act as a buffer to ensure that the police are not subject to political interference.</p>
To the Ministry of Public Safety & Solicitor General	<p>Board members need to ensure that they exchange information with Ministry officials on a timely basis and that they fulfill all requirements for reporting and information-sharing established under the <i>Police Act</i>. This includes filing of rules and minutes of board meetings with the Director, which enables the board’s decisions to be enforced.</p>
To other oversight and coordination bodies	<p>Enables the board to work collaboratively and more effectively for their departments and communities.</p>

## **SECTION 3.0    Municipal Police Board Legislative Authority**

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### **3.4        Responsibilities of the Chair**

As the chair of a municipal police board is also the mayor of the municipality, there is an inherent conflict of interest, particularly with respect to the budget. The chair should take care to recognize that the two roles are distinct. He/she should be aware of which role he/she is undertaking and whose interests he/she is representing at any point in time. This is particularly important as the chair is in a leadership position on the police board and may only cast a deciding vote in the event of a tie. If the chair is unable to be present at a board meeting, the meeting may proceed as long as there is a quorum. It is the responsibility of the members present to decide who will chair the meeting.

The chair should recognize that he/she is part of the police board and must not take independent action without the consensus of board members. A primary responsibility of the chair is ensuring that the board is operating effectively. Effective boards operate as cohesive units, in which members are recognized and supported for their unique contributions.

Other key responsibilities of the chair may include creating a positive atmosphere at board meetings, which encourages members to work harmoniously, decisively and efficiently together. This may involve:

- Assigning the floor to one speaker at a time;
- Ensuring the discussion stays on the topic under consideration;
- Providing and/or summarizing facts and details as necessary;
- Stating clearly every motion before the vote is taken and overseeing voting procedures as stated in the board procedures;
- Remaining neutral during board discussions;
- Presiding at meetings of the board;
- Supervising arrangements for board meetings and the development of the agenda;
- Requesting that an alternate member assume the chair of a meeting or for a specified period of time in the chair's absence;
- Representing the department to external parties or supporting the chosen board representative;
- Ensuring that the vision and mission of the police department is inherent in all discussions;
- Ensuring that the board adheres to relevant legislation and its bylaws;
- Recognizing the contributions of board members; and
- Taking the leadership role in supporting the work of the Chief Constable, officers and civilian staff of the department.



## SECTION 3.0 Municipal Police Board Legislative Authority

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### 3.5 Individual Responsibilities of Board Members

Each municipal police board member has a fundamental responsibility to assist the board to make effective and informed decisions and to direct and support the work of the police department. To carry out these responsibilities, board members should do the following:

- Attend meetings regularly;
- Read background material and minutes;
- Be willing to serve on committees;
- Ask questions and contribute to the discussion;
- Keep comments relevant;
- Keep confidential information confidential;
- Request and be open to feedback from the community, police members and other members;
- Represent the interests of the whole police board and the department;
- Be willing to negotiate and compromise;
- Respond quickly and effectively to issues/problems;
- Anticipate issues/problems before they develop;
- Gather information and facts and be prepared to make decisions;
- Be willing to set aside personal agendas;
- Respond objectively to lobbying groups;
- Take an interest in the department and the community;
- Demonstrate discretion and common sense in all communications; and
- Take advantage of training opportunities.

A police board will not be effective unless each member has a clear sense of how to participate. This means that board members have enough knowledge, initiative and analytical ability to say what they know, to ask what they do not understand and to challenge when a decision does not seem right. It means that all board members have an obligation to seek out the facts and to insist on full and proper discussions related to issues of importance to the community that they serve.

A board member must be a full partner with the chair and must work with other members so that the board functions as a unit. This does not mean that consensus needs to be reached on every issue. It should mean that there has been a full debate and that all members are willing to publicly support majority decisions of the board, even if a member does not personally agree with the decision.

The success of police board members depends as much on their attitudes and approaches as it does on their specific knowledge and skills. Board members can assist their board by working to ensure that board meetings are effective and that decisions are made with sensitivity and good judgement through fair, practical and ethical means.<sup>1</sup>

A useful activity to increase board cohesion and effectiveness is the development of *written board rules of operation*. These rules should govern such issues as when and where regular meetings are held; how special meetings are called and governed; how minutes are recorded and approved, and how decisions are made by the board. The board need not adopt a formal system

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<sup>1</sup> Adapted from the *Alberta Association of Municipal Police Commissions Handbook*, November 1994.

## SECTION 3.0    Municipal Police Board Legislative Authority

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of conducting its business; however, a system should be established and it should be clarified in writing and revised accordingly.

It is important that individual board members foster strong relations with the police department and the community. This is a shared responsibility amongst all board members, not the individual responsibility of the chair.

By establishing and maintaining professional relations with members of the police department, board members can encourage a greater flow of information and make more informed decisions. Board members should note that they cannot give *operational direction* to any members of the police department; however, this does not prevent board members from acquiring information or speaking informally with police department members.<sup>2</sup>

To develop these relations, it is recommended that board members consider participating in some of the following activities, on the advice of the Chief Constable and the chair:

- Participate in police ride-alongs;
- Attend appropriate police education sessions;
- Tour the police department facilities;
- Invite key staff and community representatives to observe board meetings or to make presentations;
- Attend special police and community functions;
- Request copies of police department policies, procedures and community development plans; and
- Encourage informal discussion with members of the community or police department. It is imperative that the board take into consideration and respect the role of the Chief Constable when having these discussions.

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<sup>2</sup> Adapted from the “*Orientation for Board Members*” by the *Canadian Association of Police Boards*

## **SECTION 3.0    Municipal Police Board Legislative Authority**

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### **3.6      Board Member Liability**

Municipal police board members are protected under the *Police Act, Part 4, s.21(2)*, from being held personally liable for actions they take, or fail to take, in the performance of their duties as board members. The exceptions are if the board has been guilty of dishonesty, gross negligence or malicious or wilful misconduct.

If board members have specific questions or concerns about the interpretation of the *Act*, they should contact their municipal solicitor. Board members should also be familiar with the *Code of Professional Conduct Regulation*.

To review specific information and sections of the *Code of Professional Conduct Regulation*, please refer to Appendix B.

## **SECTION 3.0    Municipal Police Board Legislative Authority**

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### **3.7      Board Orientation and Training**

Police Services Division provides all new members of British Columbia police boards with orientation and training sessions to assist them in better understanding and performing their roles and responsibilities. Police Services Division encourages new board members to fully participate and accept all training/orientation that is available.

These sessions include a variety of speakers who are able to provide greater insight into different aspects of board governance, relationships between the board, Chief Constable and other individuals/groups, the *Police Act*, and the board's role in the police complaints process.

## **SECTION 3.0    Municipal Police Board Legislative Authority**

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### **3.8      Board Understanding - Policy vs. Operational**

A police force must have the trust and confidence of the communities it serves. Responsibility for the manner in which a force carries out its duties is shared between the police board, the Chief Constable and the Solicitor General.

The police board has a crucial role in developing and implementing the broad strategies, objectives and long- term plans of the police department that they represent.

It approves the overall budget and monitors sworn and civilian employees strengths. It also provides the finances for equipping and maintaining the Force. The police board is not responsible for police operations, this is a matter for the Chief Constable alone.

In providing finances to the Chief Constable to employ staff, the police board must satisfy itself that police resources are being deployed effectively.

#### ***Policy versus Operational***

Distinguishing an "operational" matter that falls outside the board's jurisdiction from general management and policy matters that fall within the board's jurisdiction lies at the heart of the relationship between the board and the department. Sections of the *Police Act* are intended to prevent direct board interference in the actual policing function but not to prevent the board from making decisions governing the structure and environment in which those policing functions occur.

The primary role of the board is to establish, after consultation with the Chief Constable, overall objectives and priorities for the provision of police services. The Chief Constable is responsible for administering the Police Service and overseeing its operation in accordance with the objectives, priorities and policies established by the board.

The Chief Constable reports to the board as a whole and is not accountable to any one or group of board members. The board has the authority to give orders and direction to the Chief Constable, but not to other members of the department. The board shall not direct the Chief with respect to specific operational decisions or with respect to day-to-day operations of the Service.

The Chief is authorized to make all operational decisions which are consistent with the governing law and board policy. The board, by revising its policies, may alter the scope of the Chief's responsibilities.

The Chief may wish to develop a process to inform the board of emerging sensitive issues that involve department staff.

## **SECTION 3.0    Municipal Police Board Legislative Authority**

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## **SECTION 4.0    Municipal Police Board Governance**

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### **4.1      Hiring, Evaluating and Supporting the Chief Constable**

One of the most important tasks a municipal police board undertakes is to hire, evaluate and support the Chief Constable. The Chief Constable is the Chief Executive Officer of the department, whose role is to oversee the hiring of personnel; staff discipline; financial administration; and monitor the quality and level of policing services provided to the community. Hiring for this position requires careful planning and a clear understanding of the needs of the department and the community.

In recruiting and selecting a Chief Constable, it is recommended that a board consider the following steps:

1. Assess the current strengths and weaknesses of the police department and determine what needs to be improved or changed. It is recommended that boards consider any departmental audits that have been performed recently and encourage input from key staff, as appropriate.
2. Determine the future policing needs within the community. Future growth, resource needs, demographic changes, crime statistics and current trends in policing need to be reviewed in order to determine what skills and abilities will be required in a future Chief Constable. Sometimes called an “environmental scan”, this analysis should be done in consultation with the municipal police association, academics, government agencies, and Police Services Division, Ministry of Public Safety and Solicitor General.
3. Identify and prioritize the knowledge, skills, abilities and attitudes required by the new Chief Constable in order to meet current and future needs. Develop a job description based on these attributes, preferably with the assistance of other professionals.
4. Police Services Division strongly recommends that competitions for Chief Constable be held externally and that the board involve other professionals in the recruitment and selection process.
5. An important criterion in the selection of a Chief Constable is management experience, possibly in an agency other than the agency that the officer is applying to work for. Board members should be sensitive to how this may be perceived by current staff and the community and thus be prepared to manage change.
6. Develop a budget and timeline for the process.
7. Determine who will be involved in the interviewing stage and decide what format the interview(s) will take. It is recommended that the board consider involving other Chief Constables and professionals in the interviewing process to evaluate specific technical aspects of the position.
8. Conduct the interviews in a convenient location, away from the police department.
9. Conduct thorough reference checks to ensure that the board is fully satisfied, all mandatory requirements have been met and that they have a firm understanding of the potential candidate’s character, physical abilities and other required attributes.
10. Make an offer and finalize contract details.

## **SECTION 4.0    Municipal Police Board Governance**

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Evaluating and supporting the professional development of the Chief Constable not only meets the board's statutory responsibilities contained in the *Police Act*, it also works to ensure that the Chief Constable is working to his or her highest potential. It is recommended that the board formally evaluate the Chief on an annual basis.

This evaluation should be one part of an ongoing dialogue regarding the board's expectations of the position, the goals and objectives of the position, and the Chief's performance. It is advisable that the expectations, goals and objectives be recorded in writing and that the board makes use of multiple sources of information in assessing the Chief's performance.

In areas where the performance of the Chief Constable could be improved, the board may wish to use the services of assessment and training professionals. It is recommended that the Chief Constable be consulted in the design of whatever tools or processes are used to assess his/her performance. It is also recommended that the assessment be coordinated with the development of the annual police department goals, objectives and budget.

In recruiting and selecting a Chief Constable, the following suggestions are offered to the board:

- Involve the outgoing Chief Constable and key staff members in process, as appropriate;
- Consider employing an interim Chief Constable to temporarily assume the position for the short-term;
- Involve all board members in as much of the process as feasible and still maintain control of the process; and
- Seek out the advice of professionals and others, as appropriate.



## **SECTION 4.0    Municipal Police Board Governance**

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### **4.2      Strategic Planning**

Police boards are responsible for working with the Chief Constable to develop strategy, which provides the direction and scope of the police organization over the long term. Ideally, that strategy will match the organization's resources to its changing environment, in particular to its markets, customers and communities in order to meet stakeholders expectations and concerns.

In developing strategic policy, the following steps may wish to be taken into consideration:

- Identification of the issues - reorganizing and creating a police agency with a community policing philosophy based on partnership and problem solving.
- Analysis and interpretation of the issues - what needs to be done creating a vision?
- Identifying barriers to implementation - what and who will impede progress internally and externally and what needs to be changed to support the strategy?
- Recognizing alternative choices - what are our values and what is our mission - which goals and objectives are to be pursued?
- Deciding the grounds for choosing which options are most appropriate - selecting relevant strategies to address the issues.
- Identifying performance measures and setting standards to ensure proper monitoring and delivery of the agreed strategies.
- Laying out a prepared document detailing the strategies necessary to implement and deliver the objectives and goals set.
- Implementation of the decisions and plan.
- Evaluation and monitoring of progress and delivery in accordance with the strategies agreed and to the standards specified.
- Re-define the issues in response to the feedback.
- Policy formulation and identification of the issue; analysis and interpretation.

## SECTION 4.0    Municipal Police Board Governance

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### 4.3      Governance and Policy Development

Police boards perform both *governance and oversight* functions. Governance refers to controlling and directing the making of policy, as well as directing and influencing decisions made by the organization. Oversight involves ensuring that legislated and mandated functions are carried out by the organization.

There are three basic principles of policy governance;

1. A governing body is not there to *help* the organization. It is there to *own* the organization on behalf of the community.
2. A governing body has authority while acting as a whole. Individual board members have no authority and the chair or designate has authority only when speaking on behalf of the board as a whole.
3. A governing body governs by policy (bylaw or resolution). These policies articulate values that act as boundaries within which the organization operates.

Effective governance involves setting policies that address *end* results and specifying what *cannot* be done in the course of trying to accomplish them. Consideration of policy results involves answering the following questions:

- What are the benefits/results this organization will produce?
- For whom will these results be produced?
- At what cost?

By specifying what *cannot* be done, the board is setting executive limitations and is staying out of the “means”, which is the domain of the Chief Constable. Thereby the board then avoids the type of pulling and tugging that characterizes so much effort of many community boards.<sup>3</sup>

The board needs to spend their limited time and energy on their most important policy functions. These functions include:

- Establishing the mission of the police department;
- Outlining policy results and values to which the board wants the department to adhere to;
- Developing the annual departmental priorities and goals and objectives in consultation with the Chief Constable;
- Establishing board practices; and
- Clarifying board/staff relationships.

The Chief Constable is accountable to the board for:

- Contributing to the development of annual goals and objectives;
- Ensuring that departmental procedures and overall management are designed in accordance with established board policy; and

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<sup>3</sup> Adapted from the “Police Governance: Orientations Manual” prepared for the Solicitor General of New Brunswick by NBCC-Miramichi from materials based on “Boards That Make A Difference” by John Carver.

## SECTION 4.0    Municipal Police Board Governance

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- Keeping the board informed of existing or impending board policy issues.

Day-to-day professional operational decisions are matters for the department itself. The authority of the individual constable to investigate crime, to arrest suspects and lay information before the justice of the peace comes from the common law, Criminal Code and other statutory authority and must not be interfered with by any political or administrative body.

The municipal police board is required under the *Police Act, Part 5, s.26(4)*, to determine the priorities, goals and objectives of the department each year, in consultation with the Chief Constable. The board and the Chief Constable need to set priorities in policing the community and decide upon goals and objectives that meet these priorities. Board members, with input from the Chief Constable and senior management of the department, should then develop a Strategic Plan for the coming year, designed to achieve the priorities, goals and objectives. At the end of each year, the Chief and senior management should report to the board on the progress made toward achieving the Strategic Plan.

The approaches that a board can use to focus on issues and formulate goals and objectives for the department are varied. For example, the use of management consultants, retreats with or without a trained facilitator and the assignment of research tasks to various members of the department have all been tried with success.

The board also has specific responsibilities under *Part 5, s.28(1)*, of the *Police Act* to make rules, consistent with the *Act* and regulations, regarding:

1. standards, guidelines and policies for the administration of the police department;
2. the prevention of neglect and abuse by its municipal constables; and
3. the efficient carrying out of duties and functions by the police department and its constables.

Board members should note that these rules are only enforceable *after* they are *filed* with the Director of Police Services according to *Part 5, s.28(2)* of the *Police Act*.

In addition to setting the annual goals and objectives for the police department, the board is also responsible for developing a vision for the department within the strategic plan. The length and timeframe covered by the Strategic Plan can be at the discretion of the board.

## **SECTION 4.0    Municipal Police Board Governance**

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### **4.4      Annual Report**

BC police boards are encouraged to develop board information for inclusion within the local Municipality's Annual Report. The Annual Report will not only educate the public but also provide valuable knowledge and information regarding police service initiatives and police board activities during the past 12 months.

The police board's Annual Report may include a performance review section that will look to include benchmarks for comparison. The details contained within the report could provide the public with some of the measures used to monitor and evaluate to ensure that the services being delivered are effective and highlight the areas that require attention.

## **SECTION 4.0    Municipal Police Board Governance**

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### **4.5      Collective Bargaining**

The municipal police board is the employer of both officers' and civilian personnel in the police department. As such, the board has the ultimate responsibility for the negotiation of the Collective Agreement with the association or bargaining unit that represents the employees. However, boards may wish to enter into an agreement with the municipality or the regional employer's labour relations association in order to negotiate the Collective Agreement. The board should approve its bargaining committee prior to the commencement of negotiations.

Several municipalities have entered into separate agreements with members of the police department of officer's rank or above. The Chief and Deputy Chief are never covered under a Collective Agreement. They serve at the pleasure of the board through a contractual obligation. Board members should obtain a copy of all departmental Collective Agreements and acquaint themselves with the general provisions of the documents. Boards should be represented on the bargaining committee.

Collective Agreements deal with salaries, benefits, hours of work, working conditions, holidays and vacations, special leave, reclassification procedures, grievance procedures and other conditions of employment. The bargaining process is covered under the *Labour Act* and is conducted in much the same manner as in other employee groups – with one notable exception. Matters of discipline of municipal police officers are not negotiated into the Collective Agreement but are covered under part 9 of the *Police Act* and the *Code of Professional Conduct Regulation*.

## SECTION 4.0 Municipal Police Board Governance

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### 4.6 Handling Public Complaints

Under *Part 9, s.47* of the *Police Act*, the Office of the Police Complaint Commissioner is established to function independently from government and is headed by the Police Complaint Commissioner. The Commissioner is a person unanimously recommended by a special committee of the Legislative Assembly for appointment by the Lieutenant Governor in Council. He or she is an officer of the Legislature, with broad authority to be exercised in an independent and impartial way.

The role of the Police Complaint Commissioner is to oversee the handling of complaints against municipal constables, Deputy Chief Constables, Chief Constables and municipal police departments (*Part 9, s.50(1)* of the *Police Act*). In carrying out his/her duties, the Commissioner has the power to direct that a complaint be:

- Reclassified or reinvestigated;
- Investigated by an outside police department; or
- Monitored by an independent civilian observer appointed by the Commissioner.

The Commissioner may also order that a public hearing take place before a Provincial Court Judge, if it is in the public's interest, and may request that the Solicitor General order a broader public inquiry under the *Inquiry Act*.

The process for handling complaints differs depending upon which of the following three categories to which the complaint applies (A complaint may also be compound).

1. Public trust complaint;
2. Internal discipline complaint; or
3. Service or policy complaint.

A **public trust complaint** may be made against a municipal constable, Deputy Chief Constable or Chief Constable alleging a breach of one of the disciplinary defaults in the *Code or Professional Conduct Regulation*. The Code ensures that police officers deliver fair, impartial and effective services to their community and are accountable to the public. Where breaches of the Code occur, an approach which seeks to correct and educate the officer will be taken, rather than one which seeks to blame or punish, unless remedial action is unworkable or would bring the discipline process into disrepute.

Where a public trust complaint is brought against a municipal constable, then the Chief Constable is the "discipline authority" directly involved in handling the complaint. Board members should be notified of serious or sensitive complaints and be kept informed as required of the situation, however they will not be directly involved in its resolution. Statistical information on lodged complaints should be made available to the board upon request.

If a public trust complaint is brought against a Deputy Chief Constable or Chief Constable, the chair of the board is the "discipline authority" directly involved in handling the complaint.

An **internal discipline complaint** may be made against a municipal constable, Deputy Chief Constable or Chief Constable that affects the relationship between the officer and his/her employer. This type of complaint relates to the acts, omissions or deportment of an officer that is not a public trust complaint or could be a public trust complaint that is not processed as one.

## SECTION 4.0 Municipal Police Board Governance

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Complaints of this type must be addressed using the principles of labour law. These principles distinguish *between culpable* behaviour (i.e., blameworthy conduct of an employee that is within his/her control) and *non-culpable* behaviour (i.e., conduct whereby the employee is unable, rather than unwilling, to meet the employer's standards).

Culpable behaviour is best addressed through a system of progressive discipline (as outlined in the *Code of Conduct Regulation*). Non-culpable behaviour should be addressed through management interventions, in which the employer may have a duty to accommodate the employee.

As with public trust complaints, where an internal discipline complaint is brought against a municipal constable, the Chief Constable is the “discipline authority” directly involved in handling the complaint. Where an internal discipline complaint is brought against a Deputy Chief Constable or Chief Constable, the Chair of the board is the “discipline authority” directly involved in handling the complaint.

**Service or policy complaints** may be made against a police department and may involve an allegation that one or more of the following are inappropriate or inadequate regarding the conduct of a municipal police department;

- Policies;
- Procedures;
- Standing orders;
- Supervision and management controls;
- Training programs and resources;
- Staffing;
- Resource allocation;
- Procedures or resources that permit it to respond to requests for assistance; or
- Any other internal operational or procedural matter.

In the case of a service or policy complaint, the board has authority to process it and is the discipline authority directly involved in handling the complaint (s.63). It is recommended that the board develop policy and procedures that process service and policy complaints.

More information regarding public complaint process can be found on the Office of the Police Complaints Commissioner website [www.opcc.bc.ca](http://www.opcc.bc.ca).

## SECTION 4.0 Municipal Police Board Governance

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### 4.7 Police Department Reporting

Information, material and advice to the board must be timely, complete and accurate. Accordingly, the Chief shall ensure that:

- All monitoring data required or requested by the board is submitted in a timely, accurate and understandable fashion and directly addresses the provisions of the board's policies being monitored.
- The board be provided with information as required by the *Police Act* and associated Regulations. This may include:
  - Annual Reports on activities of all sworn officers;
  - Annually, Bi-yearly or quarterly reports on the administration of complaints;
  - An Annual Report summarizing the activities of the department over the previous fiscal year; and
  - Information to be included in the board's Business Report, related to performance indicators, Information Technology, resource planning and police activities
- The Board be provided with operational reports as requested, such as:
  - Contracts exceeding a pre-determined amount;
  - All expenses incurred related to management of the facility and associated functions;
  - A list of tenders called and awarded; and
  - All expenses related to the conduct of legal matters
- The board is provided with as many staff and external points of view, issues and options as needed to assist in making well informed board choices. Reports to the board shall indicate what consultations took place and how the Chief Constables recommendation(s) reflects or does not reflect the input received
- Provide information regarding significant program changes related to services offered to the community
- Make the board aware of relevant trends, significant changes in policing policies, anticipated adverse media coverage, external or internal material changes, particularly changes in assumptions upon which any board policy was previously based upon.
- Boards may find it useful to develop guidelines for reports to the board to ensure that necessary information and implications are contained within the report.



## SECTION 5.0 Finance and Administration

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### 5.1 Budget and Financial Management

The municipal police board must submit a “provisional budget” to the municipal council prior to November 30<sup>th</sup> each year. This budget, prepared by the Chief Constable and senior staff, estimates what monies will be required for the coming year to provide policing in the municipality. The budget should be developed in relation to the priorities, goals and objectives established for the department by the board to ensure that there are sufficient funds to carry them out successfully.

It is also recommended that the budget be developed in accordance with an established, written board policy on financial management.

Generally a police budget is divided into two parts:

1. The *annual operations* budget

The function of the current budget is to identify operating costs, budget for expenditures, and revenue and financing transactions which are to be approved by the board.

This budget should be allocated and classified in a detailed manner. The classification determines the manner in which financial data is identified, aggregated and reported by the department’s accounting system, as well as satisfying reporting requirements. The categorization of financial transactions also facilitates business planning, budgeting, financial management, performance management and reporting and accountability.

Specific responsibilities of the Finance and Administration area in developing the classification of accounts are as follows:

- issue directives concerning how the classification of accounts is to be structured and coded, and ensure consistent application within the classification system;
- reviews all classification of accounts to ensure compliance with Board policy;
- assigns and defines client codes, asset, liability, equity, revenue and expense codes;
- evaluates requests for service lines or changes to service lines and assigns numbers when appropriate.

2. The *capital* budget

Capital budgets can include facilities and the acquisition of expensive purchases that are normally financed through reserves, development charges and/or long term loans paid back over a number of years. The capital budgeting and reporting process should be a collaborative process between different areas within the police department and be designed to keep the senior officers and board members apprised of the resources, expenditures, and management decisions.

The *Police Act, Part 5, s.27(4)* states that the municipal council must include the provisional police department budget in its municipal budget – unless it disagrees with specific budget items. In such a case, the Director of Police Services could arbitrate at the request of either party. Generally, the budgeting process is approached in a cooperative way, in which both the municipal council and the police board take into account political and financial realities and the needs of the community.

## **SECTION 5.0 Finance and Administration**

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Once the budget for the year has been approved, the board and Chief Constable should review spending based on an identified schedule (i.e. monthly, quarterly) to ensure that funding is being applied appropriately and that any unforeseen expenditures can be met.

Police boards may wish to look at establishing a budget control bylaw. This bylaw specifies the conditions under which a member of the police department, including the Chief Constable, may deviate from the approved budget without seeking the approval of the board. The bylaw may authorize the Chief Constable, or another officer, to transfer designated amounts between accounts to a maximum level. Beyond that level, board pre-approval would be required.

## **SECTION 5.0 Finance and Administration**

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### **5.2 Expenditure Control**

The police board as a public oversight entity is responsible for ensuring that some form of control and administrative interaction is in place to verify that the public is receiving full value for their money. Financial management may be developed and implemented through such areas as advance planning of policies, formulation of strategies, and allocation and utilization of resources. The most visible instrument of expenditure control for police boards is the annual budget formulation and planning.

Some of the essential steps towards effective police board budgeting and attaining expenditure control are:

- Policy formulation needs to be strengthened in order to recognise the financial implications of policies and to formulate a framework of priorities reflecting the objectives to be pursued by the board.
- The formulation of the annual budget should take into account issues such as, the department and the municipal government's financial condition within the economic environment, aspects of governance and department capabilities to implement policies, and questions of transparency and accountability.

Expenditure control does not consist of a one-size-fits-all approach and should be diversified to reflect the nature of each individual municipal department.

The police board has the power to grant authorization or delegation to the Chief Constable for approval of expenditures up to an amount defined. This authorization/delegation may cover any single purchase order from the general fund budget which may be necessary to conduct efficient operations of the department.

#### **Spending Authority**

Police boards are responsible for ensuring that members of the police department who have been authorised by the board, or who have power derived from legislation only approve the appropriate spending requirements. The police board should develop spending authority limits and an authorization matrix for the Chief Constable or his/her designate.

#### ***Rationale for Policy***

The Chief Constable is responsible to the board for ensuring that money spent by each section in the police department is spent in accordance with the appropriations. It is the responsibility of both the board and Chief Constable to ensure that department expenditure does not exceed the overall allocated budget, without the required approval or appropriate justification.

This can be achieved by developing policy, which states that only specified individuals have the authority to approve expenditure and limit the power of approval to amounts specified in their delegated authority.

#### ***Responsibilities and Accountabilities***

The primary responsibilities and accountabilities for spending authority ultimately lie with the board and Chief Constable. Other staff may then be authorized to spend designated money.

## **SECTION 5.0 Finance and Administration**

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Those individuals whom have been authorized to approve spending authority by the board and Chief Constable should:

- only approve expenditure in their area of responsibility;
- comply with any limitation prescribed in this and with any other board or Chief Constable's instruction;
- not approve expenditure of moneys above the limit set by the board and Chief Constable; and
- not approve a proposal that requires the spending of public monies in advance of satisfactory performance or delivery, unless the prepayment arrangement represents the best value for money to the municipality or department.

### **Purchasing**

It is also recommended that the board establish a purchasing bylaw, to set out the process by which goods and services are to be acquired. An effective purchasing bylaw ensures that the police department obtains the best possible price in an open bidding process, free from any hint of favouritism. Many police departments duplicate the purchase process of its funding municipality. *(Adapted from "Orientation for Police Board Members" by the Canadian Association of Police Boards)*

The board should also be aware that it is an ongoing responsibility to seek out innovative ways of improving the cost-effectiveness of policing services.

The following are some objectives for departments to review when procuring activity for goods, services and construction. These are based on the principles of fair and open public sector procurement: competition, demand aggregation, value for money, transparency and accountability.

- acquisitions are managed in consistency with department policy and expectations of trade agreements;
- the department receives the best value for money spent on contracts;
- vendors have fair access to information on procurement opportunities, processes and results;
- acquisition and disposal opportunities are competed, wherever practical;
- departments only engage in a competitive process with the full intent to award a contract at the end of that process;
- are accountable for the results of their procurement decisions and the appropriateness of the processes followed;
- department buying power is leveraged through common supply arrangements and demand aggregation, wherever practical;
- the cost of the procurement process, to both vendors and departments, is appropriate in relation to the value and complexity of each procurement; and

## **SECTION 5.0 Finance and Administration**

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- assets surplus to the needs of departments are disposed of in a coordinated way to maximize the dollar return to departments and to minimize the risk to the environment.

For purposes of awarding contracts, the board may wish to develop specific policy and guidelines to ensure that accountability and transparency to the public and department is evident. The policy and guidelines would provide for greater clarification for purchasing supplies and materials, and contracting for services by the department. The policy and guidelines could apply to such areas as, project contracts, the acquisition of supplies, equipment, and materials and the acquisition of services such as telecommunication services, data processing services, and professional services.

## **SECTION 5.0 Finance and Administration**

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### **5.3 Revenue Control**

Police boards have a duty to the public to ensure accountability for the control and recording of revenue received through the Police Department. It is recommended that boards look to develop applicable policies.

## **SECTION 5.0    Finance and Administration**

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### **5.4      Tangible Capital Assets**

Police boards may wish to develop financial management policies for the purpose of ensuring that departments have capital investments plans and that the budget available will cover the depreciation costs of capital investment decisions in the long term.

To achieve effective management and control over tangible capital assets and reduce any unnecessary or premature disposals, boards, the Chief Constable and the Senior Financial individual should look to develop asset control and disposal procedures in accordance with the department's financial policy.

Tangible capital assets represent a significant investment for municipal police departments. Financial information related to the operations of the police department and the use of their assets is not only important for boards but also for the general public's knowledge. This information is vital for stewardship, accountability, costing and developing asset management plans including, ongoing maintenance and replacement requirements.

## **SECTION 5.0 Finance and Administration**

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### **5.5 Financial Reporting and Documentation**

Police boards are responsible for ensuring that the department has a financial management system in place to adequately provide a picture of the financial condition and results of the operations of the organization. Some aspects within the department's policies could include criteria for documents and records, record retention requirements, and principles for accounting records related to the administration of financials.

In order to ensure that budget issues are identified, boards should use forecasts and projections to provide a full understanding of potential budgeting implications.



## **SECTION 6.0    Human Resource Management**

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### **6.1      Succession Planning**

It is important for boards to think about and define a leadership/succession planning process within their department to alleviate potential issues down the road. This process can help ensure that departments are capable of filling key organizational positions with qualified internal/external candidates, in advance of actual need, and to assist in managing diversity and workforce planning.

Succession planning can be implemented for many of the key positions within the department that exert critical influence on organizational activities, operationally and strategically. Failure to fill these positions within a short timeframe may result in the inability for the department to maintain a seamless transition.

Some of the key aspects/steps in succession planning for boards may be:

- Identify key positions;
- Establish criteria for each key position;
- Evaluate potential succession planning candidates;
- Promote/seek to develop diverse succession candidate pools where feasible;
- Monitor developmental progress of succession planning candidates;
- Review and revise candidate development plans as necessary to ensure that all developmental needs are addressed; and
- Ensure that at least two succession planning candidates exist for each identified position or that appropriate action will be initiated to identify acceptable candidates.

## **SECTION 6.0    Human Resource Management**

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### **6.2      Support Services for Employees**

Police boards may wish to develop policies related to the provision of support services that are available to employees. These services would assist employees in dealing with issues that could affect them in carrying out their duties effectively and efficiently. These employee support services should look to provide confidential and professional assistance for employees who are experiencing difficulties of a personal or work-related nature.

Support services could provide assistance for issues such as:

- difficulties in relationships with work colleagues;
- coping with organizational change;
- harassment;
- stress with work;
- career issues;
- alcohol and substance misuse;
- relationships and family issues;
- emotional stress;
- concerns about children;
- financial and legal problems;
- grief and bereavement;
- health, wellness and lifestyle issues;
- trauma and critical incidents; and
- coaching and mentoring for managers and supervisors.

The leadership of police boards in the development of support services and related policy would greatly assist in promoting a satisfying, safe and healthy work environment.

## **SECTION 6.0    Human Resource Management**

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### **6.3      Career Pathing, Development and Education**

Leadership development is particularly important within a law enforcement and career-based organization where staff exercise unique and independent powers. Police boards should be committed to investing in its existing and potential leaders by providing a range of experiential development, training, secondments to other organizations, and clear operational career pathing.

Boards may wish to develop policies and procedures that identify how to work with police officers and civilian staff in the evaluation and selection process of internal and external available positions and postings. Both of these areas are crucial in ensuring the development of staff and that the department has the right people in the right positions.

Boards should view the policy as robust, fair and an open method to developing staff in order to assist their personal development hence ultimately making them better police officers. In terms of promotion, the development policy can provide officers with the skills to enable them to become better managers.

The purpose of career pathing, development and education initiatives are to enhance the employee's skills and abilities and contribute to the future resource needs of the department. This may be achieved through special jobs, task assignments, training programs or courses that provide opportunities to assist members to further their career plans.

These opportunities should be made available to members in a fair, equitable and consistent basis to ensure that the programmes are accessible to all employees who are qualified and approved.

## **SECTION 6.0    Human Resource Management**

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### **6.4      Performance Planning and Review**

The Performance Planning and Review policy is designed to ensure that each staff member receives an annual performance assessment. The assessment must include a review of the progress made on the prior year's goals and the setting of new goals for the coming year. Informational sessions are held each year prior to the annual review process to help staff prepare for their performance review meeting and to assist with developing goals and objectives for the coming year.

Performance planning and review policy will help individual employees improve the performance of their duties and thereby enable police boards to enhance the quality of member's abilities, skills, training and development.

Achieving this aim involves linking the evaluation and development of individual performance with the goals and objectives of the department and recognizing the board's commitment to create an environment allowing for the development of the full potential of its members.

This, in turn, requires refining individuals' expectations of their accountabilities, goals, career planning and opportunities provided for their development through regular performance review and planning.

The Performance Plan is intended to be used for aligning individual and organizational goals and career development. It will specify work expectations and priorities for the coming year and any employee development activities that are appropriate to the achievement of the plan. It may incorporate a timetable and review dates where desirable.

Performance Planning is a dialogue between individuals in a supervisory or in charge position and an employee to:

- establish and agree upon performance expectations;
- clarify what the member will be evaluated on; and
- set the stage for ongoing feedback and coaching throughout the year.

## **SECTION 6.0    Human Resource Management**

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### **6.5      Staff Recognition**

All too often, a very special contribution goes, not unnoticed, but unrecognized. Successful organizations address their ongoing needs for employee retention, recognition, and increasing employee morale. Police boards should look to encourage the recognition of excellent performance and achievement through the use of a recognition process that is creative, flexible and meaningful.

When administered and communicated effectively, reward and recognition are an important part of fostering a healthy and effective working environment. Police boards may wish to develop and adopt specific guidelines for recognizing significant contributions to the department.



## SECTION 7.0 Ensuring Police Board Effectiveness

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### 7.1 Confidentiality

Board members should be aware that municipal police departments and police boards in British Columbia are subject to the *Freedom of Information and Protection of Privacy Act*. Board members should understand the key sections of this *Act* and should discuss its implications with regard to their established rules and procedures. Board members should avoid disclosing any verbal or written material that was meant to be confidential about the police department, its officers, staff members, or clients. Such a breach of confidentiality can harm the person who confided the information, the person referred to and/or the reputation of the police department as a whole. In some instances, it may result in legal charges.

Board members are required by *Part 10 s.70(1c)* of the *Police Act* and by the *Police Oath/Solemn Affirmation Regulation* to take an oath of confidentiality.

Under *Part 10, s.69(1)* of the *Police Act*, all meetings and hearings of a municipal police board are open to the public. The board may, under certain conditions, order a meeting or a part of a meeting to be closed to the public, or held “in camera”. These conditions are outlined in *Part 10 s.69(2)* of the *Police Act*.

It is recommended that each board develop a policy for “in camera” meetings and with regard to discussing board matters outside board meetings. This policy must be consistent with confidentiality provisions of the *Police Act*, as stated above.

## **SECTION 7.0    Ensuring Police Board Effectiveness**

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### **7.2      Conflict of Interest**

It is important for board members to avoid any conflict of interest or appearance of personal gain. Conflict of interest occurs when a board member participates in discussions or in decision making that benefits him/her personally or someone close to him/her. For example, a board member votes to purchase some new vehicles for the police department from a local dealer, who happens to be his/her brother-in-law.

If such a situation occurs, the board member should immediately inform the other members of the nature and extent of the conflict of interest and should take steps to withdraw from any discussions or voting on the subject. In general, board members should not bid on any contracts or undertake any paid work for the board or the police department.

The *Ombudsman Act* does not apply to police board conflicts of interest, under *Part 10, s.72* of the *Police Act*. Public concerns regarding police board conflicts of interest may be brought to the attention of the Director of Police Services, Ministry of Public Safety and Solicitor General.

It is recommended that the police board develop a policy on conflict of interest for board members.



## SECTION 7.0 Ensuring Police Board Effectiveness

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### 7.3 Guidelines for Conduct

The effective governance of British Columbia's municipal boards is contingent on board members fulfilling their roles and responsibilities with the highest standards of conduct. The following outlines the expectations of members of Boards:

<b><i>Duty of Integrity:</i></b>	To act in good faith and with honesty and due diligence.
<b><i>Duty of Loyalty:</i></b>	To give one's loyalty to the department when acting on behalf of the board.
<b><i>Duty of Care:</i></b>	To act in a prudent and diligent manner, keeping informed as to the policies, business and affairs of the department.
<b><i>Duty of Skill:</i></b>	To use one's level of knowledge and expertise effectively in dealing with the affairs of the department.

Each municipal police board should develop a board policy on the procedures it will follow in the event a complaint is registered against the chair or a member of the board.

The Guidelines for Conduct identified above have been developed by the Board Resourcing Office but individual police boards may wish to develop and adopt their own Guidelines for Conduct.

More information regarding the Guidelines for Conduct can be found on the Board Resourcing and Development Office website [www.fin.gov.bc.ca/oop/brdo/guidecond.htm](http://www.fin.gov.bc.ca/oop/brdo/guidecond.htm).

## **SECTION 7.0    Ensuring Police Board Effectiveness**

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### **7.4        Communications**

It is important for the municipal police board and the police department to have a communications policy. The policy should identify the appropriate channels for communicating with the media and community members, not only in the event of a critical incident, but also on an ongoing basis. The policy should cover such matters as who should be representing the board and department, the protocols for communication with the media and which stakeholders, if any, should be contacted about specific issues.

Usually the chair speaks on behalf of the board. However, there may be times that the chair finds it useful to designate one or more other board members to represent the board. In all communications, however, it is important that the chair and/or his/her designate(s) reflect decisions that are the consensus of the board and not their individual opinions.

## SECTION 7.0 Ensuring Police Board Effectiveness

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### 7.5 Board Evaluation

It is recommended that boards evaluate their performance both as individual members and as a whole. The evaluation will help to reinforce that board activities taking place are going well and draw attention to needed changes. Performance reviews of the board and its members should be based upon the board's planned actions and the subsequent results that have been achieved. It is recommended that performance reviews be conducted once a year.

The evaluation process should look at both the accomplishments and results of the goal and objectives and the process by which they were accomplished. *What* the board has accomplished should be stated in concrete, measurable terms. Evaluating *how* the goal was accomplished involves assessing the timelines and the resources used to accomplish the goal. It also involves assessing the information gathering techniques, problem-solving approaches and decision-making techniques used by the board in the process. Evaluations of the whole board can be done internally or can be conducted by an evaluator not connected to the organization.<sup>4</sup>

There are a number of self-evaluation tools and processes by which board members can effectively assess themselves. The recommendation would be to select one that is appropriate and acceptable for the respective board. The results of these assessments can be shared amongst members or can be kept confidential.

It is the responsibility of the chair to initiate whatever individual or group evaluation process will be used.

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<sup>4</sup> Adapted from "Board Building: Recruiting and Developing Effective Board Members for Not-For-Profit Organizations" by the Muttart Foundation and Alberta Community Development, 1995

## **SECTION 7.0    Ensuring Police Board Effectiveness**

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### **7.6      Board Committees/Resources**

Committees may be created for the purposes of assisting board's in better addressing issues or concerns. Board committees shall not interfere with the overall governance responsibility of the board or interfere with the delegation from the board to the Chief Constable. Accordingly:

- One of the main purposes for establishing board committees is to assist boards in delivering more effective and efficient services. These committees usually assist boards by preparing policy alternatives and implications for board deliberation. In keeping with the board's broader focus, committees will not have increased dealing with department staff;
- Committees will not speak out or act for the board except when formal permission or authority is granted for specific and time limited purposes, such as collective bargaining and budget development. Expectations and authority will be carefully stated in order not to conflict with the authority that is delegated to the Chief Constable;
- Board committees will not be granted authority over department staff;
- Where possible board committees that have assisted in the development and creation of policy should not be used to monitor organizational performance on the same subject;
- Board Committees should develop terms of reference and ensure that they meet and maintain their legislated responsibilities under the *Police Act*; and
- Boards should ensure that policy be developed to apply to committees formed by board action, regardless of whether they are called committees. This policy would not apply to committees formed under that authority of the Chief Constable.

## **SECTION 8.0    Municipal Police Board Relations**

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### **8.1      With the Community**

Police boards play a pivotal role in promoting relations between the department and the community, to prevent crime and violence, and to promote safety and trust. It is envisioned that through police boards, the department and communities working together to solve community problems, community members and law enforcement can build relationships and use resources more effectively.

Police boards should look to develop and make recommendations directed towards improving, promoting and encouraging open communication and cooperation between the police department and the residents of the community. This includes reviewing and recommending policies, practices and programs designed to make law enforcement sensitive, effective and responsive to the needs of the community.

Police board objectives regarding their role with the community may be:

- To act as an official liaison between the police and the community;
- To provide information with respect to policies, programs, and conditions at the department;
- To make relevant information known to the community and to encourage community interest and involvement in the department;
- To comment and make recommendations regarding the policies and conditions at the department on behalf of the community they represent;
- To review incidents, investigations, complaints and policy issues brought to the board by the Chief Constable or any member of the board and make recommendations to the Chief Constable about the matter; and
- To take such other actions as may be appropriate to accomplish the objectives of the board.

## **SECTION 8.0    Municipal Police Board Relations**

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### **8.2      With Municipal Council**

The municipal police board has a unique relationship with the municipal council. Unlike standing or special committees, which are appointed by council, the police board stands separate and distinct from council. The police board is charged with the responsibility of ensuring that the police provide effective and efficient services to the community. However, the board depends on municipal council to provide the police department with an adequate annual budget to carry out its responsibilities and mandate.

Municipal councils are elected for three-year terms as part of a political process that often involves campaigns amongst candidates who align themselves along partisan lines. In order to maintain a degree of independence and impartiality, municipal police boards are appointed by Order in Council (OIC), with the majority of board members being appointed by the province. Boards act as “buffers” between police departments and political entities to prevent interference.

One of the most important roles that the board has in relation to the council, is in the development and presentation of the annual police department budget. In practice this is generally done in a cooperative, collegial manner, with council and the board working together to ensure effective policing in their community. In the event that a dispute arises between the board and the council over an expenditure item or items, there is a provision in the *Police Act, Part 5, s.27(3)* for either party to apply to the Director of Police Services for a ruling.

## **SECTION 8.0    Municipal Police Board Relations**

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### **8.3      With Other Agencies**

#### BC Association of Police Boards (BCAPB)

The British Columbia Association of Police Boards (BCAPB) is an association of members from the 11 municipal police boards and First Nations police boards in the Province. The BCAPB parallels the CAPB in acting as a forum for the dissemination of information among member Boards, and in advocating for the concerns of its members on issues related to the governance of policing.

#### Canadian Association of Police Boards (CAPB)

The Canadian Association of Police Boards (CAPB) was formed in 1989. It acts as a national body in support of municipal police boards and advocates on issues of national concern. Its membership is composed of representatives from municipal and First Nations police boards/commissions from across Canada.

#### British Columbia Association of Chiefs of Police (BCACP)

The British Columbia Association of Chiefs of Police (BCACP) draws its membership from the Chief Constables of the eleven municipal departments, the senior officers of the RCMP division headquarters and superintendents and inspectors in charge of RCMP detachments throughout BC and the Yukon. The Association's main objectives are to:

- Encourage cooperation among its members;
- Promote high standards in policing in BC;
- Encourage efficient and effective practices; and
- Communicate problems and concerns to appropriate levels of government.

#### Canadian Association of Chiefs of Police (CACP)

The Canadian Association of Chiefs of Police (CACP) is a national organization, which draws its membership from Chief Constables and senior administrators of police services from across Canada. Its main focus is to:

- Act as a forum for its members to discuss current issues in policing;
- Review and comment on pending legislative changes affecting their roles and responsibilities; and
- Advocate for efficient and effective practices in the prevention and detection of crime and the apprehension of offenders.

#### RCMP Public Complaints Commission

The RCMP Public Complaints Commission is an agency independent of the RCMP, established by the federal government, to ensure that the public complaints against members of the RCMP are examined impartially.

#### Office of the Police Complaint Commissioner

The Office of the Police Complaint Commissioner is an independent agency established under the *Police Act* and is responsible for ensuring that complaints against municipal police are handled fairly and impartially

## **SECTION 8.0    Municipal Police Board Relations**

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### **8.4      With the Media**

Police boards should develop policy to assist in identifying their role and relationship with the media. The following may be included within board policy:

- The board will, as needed, appoint a spokesperson to deal with the media regarding police board issues;
- This spokesperson, once appointed, will be the only person to speak to the media on behalf of the police board, unless authorized by the board;
- This spokesperson may ask the board to appoint a temporary spokesperson to deal with a specific topic (e.g. a lawyer, in the case of a legal issue); and
- At any time, the board may revoke its previous appointment and appoint a new spokesperson.

The board may wish to develop media communication guidelines for the identified spokesperson, such as:

- The spokesperson will only speak to the media with respect to local policing policy;
- Comments on the "day to day" operation of the police force, and policing outside of the board member's respective municipality, will be directed to the department's Chief Constable;
- If the spokesperson does not know the position of the board on a media question, he/she will not answer the question until a position has been determined; and
- The spokesperson will try to be as forthright as possible with the media without breaking confidentiality. (If the board does not provide to the media the information, they may or will get it elsewhere and it could be incorrect).

Boards may also wish to develop specific media communication guidelines for board members, such as:

- At no time will any member of board give his/her personal opinion on police issues to the media, even if he/she states that it is a personal opinion. (Such a statement may be edited by the media and it may appear that it is board policy); and
- A board member, when asked a question by the media, will direct the media person to the board's spokesperson.



## SECTION 9.0 The Municipal Police Department

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### 9.1 Legislated Duties

Under the *Police Act, Part 4 s.15(1)*, a municipality with a population over 5 000 persons must provide:

- “(a) *policing and law enforcement in the municipality with a police force or police department of sufficient number*
  - (i) *to adequately enforce the municipal bylaws, the criminal law and the laws of British Columbia, and*
  - (ii) *to maintain law and order in the municipality, and*
- (b) *adequate accommodation, equipment and supplies for*
  - (i) *the operations of and use by the police force or police department required under paragraph (a), and*
  - (ii) *the detention of persons required to be held in custody.”*

In carrying out these responsibilities, municipalities with populations over 5 000 may elect to:

1. Contract with the Ministry of Public Safety and Solicitor General to provide police services in their jurisdiction through the RCMP;
2. Establish their own police department; or
3. Contract with another municipality that has an independent municipal police department to provide police services.

Eleven municipalities in BC with population over 5 000 have chosen to establish their own police departments. These are often referred to as “independent” municipal police departments. The cost of these services is covered by the local taxpayers.

The eleven municipal police departments are:

Abbotsford	Oak Bay	Central Saanich
Port Moody	Delta	Saanich
Nelson	Vancouver	New Westminster
Victoria	West Vancouver	

The legislated duties and functions of municipal police departments are set out in the *Police Act*, Part 5, s.26(2) as:

- Enforcing the criminal law, the laws of BC and municipal bylaws;
- Generally maintaining law and order in the municipality; and
- Preventing crime.

All of the above is to be done under the general direction of the municipal police board.

## SECTION 9.0 The Municipal Police Department

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### 9.2 Structure of the Department

There are 11 municipal police departments in British Columbia comprising approximately 2,015 municipal constables (sworn police officers of any rank). The size of the departments varies greatly. The largest, Vancouver has sworn officer strength of 1,096. The smallest, Nelson, has a sworn officer strength of 17. A list of departments and their authorized strength is as follows.

Central Saanich	21	Oak Bay	22
Delta	139	Port Moody	32
Abbotsford	158	Saanich	141
Nelson	17	Vancouver	1,096
New Westminster	106	Victoria	211
West Vancouver	77		

(As of December 31, 2003 Police and Crime Summary Statistics Report)

All departments have a rank structure. Beginning with the Chief Constable, the ranks are as follows:

- Chief Constable
- Deputy Chief
- Superintendent
- Inspector
- Staff Sergeant
- Sergeant
- Corporal
- Constable

Not all departments have all the above ranks. The ranks of “Inspector” and above may be referred to as “commissioned officer” ranks.

To carry out the department’s legislated mandate, the municipal police board appoints a Chief Constable, other constables and civilian staff it considers necessary under *Part 5, s.26(1)* of the *Police Act*.

## SECTION 9.0 The Municipal Police Department

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Type of Officer	Authority under which the Municipal Police Board may appoint	Role/Duties
Municipal Constables	<i>Part 4, s.15(1) of the Police Act</i>	To enforce municipal bylaws, the criminal law and the laws of the province, to maintain law and order in the municipality and to prevent crime
Special Municipal Constables, sometimes called “Reserve Constables”	<i>Part 7, s.35(1, 2 &amp; 4) of the Police Act</i>	To assist the municipal police department in the performance of its duties. Special municipal constables have the same powers, duties and immunities as municipal constables subject to any restrictions specified by the board in the terms of their appointment
Bylaw Enforcement Officer	<i>Part 7, s.36 (1 &amp; 3) of the Police Act</i>	To perform whatever functions and duties, and have the powers, privileges and responsibilities, concerning the enforcement of municipal bylaws set out in the appointment, under the direction of the Chief Constable or OIC

## **SECTION 9.0    The Municipal Police Department**

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### **9.3      Role and Function of the Chief Constable**

The Chief Constable operates under the direction of the municipal police board and is responsible for the general supervision and command of the municipal police department on a day-to-day basis. The Chief Constable also performs other functions and duties assigned to him/her under the regulations or under any Act (*Police Act, Part 7, s.34(1)*).

Although the tone and language of legislation and regulations are formal and directive, in reality the relationship between the municipal police board and the Chief Constable is much more collaborative. The relationship is similar to that of a board of directors of a company in relation to the Chief Executive Officer. The board's role is to set general policies, to establish a vision regarding how and what policing services are provided in the municipality and to be ultimately accountable to the community for the provision of police services. The Chief's role is to manage the department on a daily basis to ensure that the board's vision and direction are put into action and to bring high-level policy issues to the attention of the board.

## **SECTION 9.0    The Municipal Police Department**

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### **9.4      Training of Municipal Police Officers**

Training and re-training of police officers is the joint responsibility of the Police Services Division, Police Board and the Director of the Police Academy of the Justice Institute of British Columbia (JIBC). The Director of Police Services establishes minimum standards for training, under authority of Part 8, s.40(1) of the *Police Act*. Police boards must ensure that all officers reach the approved level of recruit training within the period specified by regulation. The JIBC Police Academy provides basic and advanced post-employment training for municipal police officers.

The basic recruit training program of the JIBC Police Academy is designed to ensure the maximum transfer of learning from the classroom to the field. The training schedule includes 24 weeks at the Academy, a 12-week field training practicum and an evaluation/exam after one year in the field.

Advanced courses, workshops and seminars are offered, as needed, by the JIBC Police Academy. The Academy also manages an assessment centre to assist police departments in identifying recruit candidates who exhibit the greatest potential for policing and police officers who exhibit the greatest potential for promotion. Further information about the Academy's services can be found in Appendix F.

Municipal police departments may provide their own short, specialized, in-house training. Departments may also call upon the services of the Canadian Police College, in Ottawa, to provide advanced training in administration, policing techniques and policing issues of national concern.

## SECTION 9.0 The Municipal Police Department

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### 9.5 Liability of Municipal Constables, Special Municipal Constables and Bylaw Enforcement Officers

According to *Part 4, s.20(1a)* of the *Police Act*, a municipality is jointly and severally liable for torts committed by any of its municipal constables, special municipal constables or bylaw enforcement officers when performing their duties *inside the municipality*.

All municipal constables and special municipal constables are considered to have jurisdiction throughout the province (*Part 7, s.38(1)* of the *Police Act*). According to *Part 2, s.11(1)* of the *Police Act*, the Solicitor General, on behalf of the province, is jointly and severally liable for torts (i.e., wrongful acts or damages) committed by municipal constables or special municipal constables when performing their duties *outside their municipality*. Even if the constable is not found liable for such a tort, the province may still reimburse the officer for costs incurred in defending himself or herself and may settle a claim against a constable for a tort allegedly committed by him or her in performing his/her duties.

The council of the municipality may choose, on its own initiative or on the recommendation of the municipal police board, to pay the costs incurred by the officer charged with an offence allegedly committed by him or her in performing his or her duties. This is permitted by virtue of *Part 4, s.22(1)* of the *Police Act*.

No action for damages lies against a municipal constable, special municipal constable or bylaw enforcement officer for anything said, done or omitted by him/her in performing his/her duties according to *Part 4, s.21(2)* of the *Police Act*. However, this does not apply if the constable is guilty of dishonest, gross negligence, malicious or wilful misconduct, libel or slander.

All municipal officers understand how to conduct themselves by virtue of swearing an *oath of allegiance and office* (which is required by *Part 10, s.70(1)* of the *Police Act*) and by adhering to the *Code of Professional Conduct Regulation*.

## **Section 10.0 Introduction to Municipal Policing**

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### **10.1 Historical Development**

The independent municipal police departments in British Columbia are patterned after a “common law” model that originated with Henry Fielding in the mid eighteenth century and was reformed by Sir Robert Peel in 1829.

In this model, police constables (or “blues”) are citizens who have been given special powers by their community to police it. As a citizen police force, municipal police forces operate under the “rule of law”. The “rule of law” is a concept that is the basis for British Constitution, which was the foundation for Canada’s constitutional development. It requires that the government be subject to the law, not the other way around. It requires that the law be even handed between government and citizens, so that agents of government, including the police, are not exempted from the ordinary laws of the state.

In this model, municipal police officers do not act as agents of the government, as may be the case in the United States or many European countries. Police officers who act outside the law are held accountable for their actions, through internal discipline measures, a citizens’ complaint process and/or through the law courts. In addition to enforcing the law, the officer’s primary duties include maintaining public order and preventing crime. To do so, the officer needs to secure the co-operation and approval of the public by demonstrating impartial service to the law, treating members of the public with respect and using force only when, and to the degree, necessary.

During the 1930’s and 1940’s policing in British Columbia was characterized by the “beat cop”, who patrolled assigned areas and who was familiar with the residents and the local policing issues.

In the 1950’s, the emphasis shifted towards “professional policing”, which was adopted in varying degrees in British Columbia. In this model, the emphasis shifted to the use of the most up-to-date technology, which permitted large geographic areas to be patrolled by a limited number of officers. Policing became more “law enforcement and incident-oriented” and police officers became more isolated from investigating the sources of crime and from the communities they served. At the same time, police officer recruiting practices, training and development received considerable attention and further professionalism was instilled.

## Section 10.0 Introduction to Municipal Policing

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### 10.2 Community Policing

The next major shift in policing that occurred in British Columbia as well as in other jurisdictions was the move toward a Community Policing model.

Several years ago the province endorsed the findings of the Honourable Justice Wallace's *Oppal Commission of Inquiry into Policing in British Columbia*. The Oppal Report had identified that British Columbians across the province would like a closer working relationship with their police forces to identify and solve local crime problems.

There are varying definitions of “community” and “community based policing”. Within its broadest meaning, community policing looks to increase the co-operation between the police and community members to discover and address the root causes of crime, decrease the number of reoccurring crimes and to allocate policing resources to meet community policing needs.

Community policing represents a full and accountable working partnership between the police and the public in the delivery of police services within a community. Practically speaking, community policing is a package of program strategies and organizational styles.

There are three major pillars of community policing:

**Community based policing** involves the community as a partner in the delivery of police programs and services operating within the traditional policing model structure. Many of the initiatives under this category are directed at creating better links with the community in order to recruit the public as additional eyes in the community. Examples of community based policing initiatives include CrimeStoppers and Block Watch.

The second component of community policing is “**problem-oriented policing**”. This perspective places the emphasis on proactive rather than reactive policing. The goal is to address basic problems that create repeated demands for police service.

**Policing in partnership with the community** is the final component of community policing. It emphasizes community participation in the identification of problems and the design and implementation of solutions. In short, the public is a partner in the process of developing safer communities.



## Section 10.0 Introduction to Municipal Policing

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### 10.3 Delegation of Authorities under the Constitution

The key to understanding the legal framework in which policing and law enforcement services are provided in British Columbia is to understand the *Constitution Act, 1867*. This Act outlines the distribution of powers and the jurisdictions of Parliament and the provincial legislatures.

Both Parliament and the provincial legislatures can enact statutes (often called “primary legislation”) on any issues under their authority. They can also enact “subordinate legislation” on any issues under their authority in which they delegate the power to enact legislation to an individual or group (such is the case with bylaws, ordinances, regulations, and orders-in-council).

**The federal government** – Under the *Constitution Act, 1867*, Parliament has the exclusive jurisdiction (or power) with regard to criminal law and procedures. The *Criminal Code* is the main federal statute that defines criminal offences, establishes the kind and degree of punishment that may be exacted, and establishes the procedures to be followed throughout the criminal justice process. Other criminal offences (e.g., narcotics offences) are contained in other, specific federal statutes.

**The provincial governments** – Under the *Constitution Act, 1867*, the provinces have exclusive jurisdiction over the creation of civil and criminal courts and in the administration of civil and criminal justice. This includes the responsibility for public policing. The provinces can also enact legislation in regulatory and quasi-criminal matters within their scope of authority. For example, provinces can pass legislation requiring certain types of businesses to be licensed.

**Municipal governments** – Under the *Constitution Act, 1982*, the powers of municipal governments are determined by provincial governments. Local governments traditionally provide services that are more effectively handled under local control, as opposed to provincial control. Local governments are responsible for making policies, ensuring these policies are carried out, and raising revenue. These tasks are carried out by locally elected municipal councils, which act as local legislatures. Municipal councils may pass bylaws and ordinances regarding any matters on which they have been delegated the authority by provinces.<sup>5</sup>

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<sup>5</sup> Adapted from the Canadian Encyclopaedia, Second Edition, by Hurtig Publishers

## Section 10.0 Introduction to Municipal Policing

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### 10.4 Police Discretion

Police in British Columbia derive their authority both from statute law and as “common law constables”. Discretion is the ability of an individual to use his/her judgement to make decisions among alternate courses of action. Police discretion generally involves issues of whether the police constable must always make an arrest when he/she has the authority to do so and, in provinces where police lay charges, whether the police constable must always charge suspects when he/she has reasonable grounds for doing so.

Police discretion is similar to the discretion that is afforded to and exercised by crown counsel. In British Columbia, the crown counsel, acting on behalf of the Attorney General, studies the evidence provided by police, decides if it is sufficient to support a prosecution and determines if it is in the public interest to prosecute.

Police discretion is the by-product of the common law development of police independence in England, Canada and elsewhere. Early English common law considered a police constable to be an independent office holder exercising original authority. Constables were considered beyond the direction or control of the political executive or local authority and were answerable to the law itself. Later court decisions confirmed that police had areas of discretion, with which the law itself would not interfere, including non-enforcement of the law. These common law decisions have generally been adopted in Canada.

Police discretion is important, as offences are rarely committed in plain sight of the police constable. He/she must usually reconstruct the situation by his/her own observances in combination with the testimony of witnesses. He/she must then determine if an offence has occurred and what action should be taken in the public interest. The range of police activities undertaken by municipal police constables makes it difficult for the individual officer to follow a routine method of dealing with a variety of volatile and fluid situations. Police constables have to apply the law through a process of interpretation and use of discretion.

There are some areas in which police do not have discretion, such as the requirement to act on an outstanding warrant of arrest. Police discretion can also be limited by changes to legislation and case law. Generally, police exercise discretion by making decisions *not* to enforce the law in matters involving less serious offences.

Contrary to popular belief, the government does not control the police. Similarly, neither does any mayor, police board or even police chief. These bodies have a role in determining priorities, determining the level of funding, making policies and issuing directives; however, nobody has the authority to direct or limit the independence and proper discretion that a peace officer has by law. Police policies can provide a framework to *guide* the appropriate use of police discretion in particular circumstances. Policy can not *eliminate* the use of police discretion.

The use of police discretion is influenced by public perceptions, the specific policing services demanded by the community and the potential for liability issues to arise in response to what the constable chooses to do or not to do.

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# **APPENDIX A**

## **B.C. POLICE ACT**

## **Copy of Police Act to be included**

## **APPENDIX B**

# **CODE OF PROFESSIONAL CONDUCT REGULATION**



### APPENDIX B

## CODE OF PROFESSIONAL CONDUCT REGULATION

### *Contents*

1. Definitions
2. Purpose
3. Statement of Core Values
4. Disciplinary Defaults
5. Discreditable Conduct
6. Neglect Of Duty
7. Deceit
8. Improper Disclosure Of Information
9. Corrupt Practice
10. Abuse Of Authority
11. Improper Use And Care Of Firearms
12. Damage To Police Property
13. Misuse Of Intoxicating Liquor Or Drugs
14. Conduct Constituting An Offence
15. Party To A Disciplinary Default
16. Improper Off-Duty Conduct
17. Mental Element Of Disciplinary Default
18. Exception
19. Disciplinary Or Corrective Measures

### Definitions

1 In this Code:

"**Act**" means the *Police Act*;

"**officer**" means a person appointed under the Act as a provincial constable, special provincial constable, designated constable, municipal constable, special municipal constable, auxiliary constable or enforcement officer and includes a person who is a member of the Royal Canadian Mounted Police;

"**police officer**" means municipal constable or special municipal constable;

"**supervisor**" means, in relation to a police officer, the chief constable of the municipal police department with which the police officer is employed or any other police officer designated by the chief constable to supervise police officers of the municipal police department.

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### **Purposes**

**2** The purposes of this Code are

- (a) to establish a code of conduct that is applicable to and acts as a general guide for police officers in the performance of their duties and functions respecting the preservation of peace, the prevention of crime and offences against the law and the administration of justice assigned to peace officers,
- (b) to establish guidelines for municipal police departments and discipline authorities concerning appropriate disciplinary or corrective measures in respect of police officers,
- (c) to assist municipal police departments in delivering fair, impartial and effective police services to the communities they serve, and
- (d) to maintain public confidence in the police by ensuring that police are accountable to the public in a way that is fair to police officers and to members of the public and does not unduly interfere with the ability of police officers to carry out their duties.

### **Statement of core values**

**3** This Code is to be interpreted as affirming that all police officers

- (a) accept the duty to act without favour or personal advantage,
- (b) are committed to treating all persons or classes of persons equally, regardless of race, colour, ancestry, place of origin, political belief, religion, marital status, family status, physical or mental disability, sex, sexual orientation, age or economic and social status, and
- (c) agree to uphold rights and freedoms guaranteed or protected by law.

### **Disciplinary defaults**

**4** (1) In this Code, "disciplinary default" means

- (a) discreditable conduct,
- (b) neglect of duty,
- (c) deceit,
- (d) improper disclosure of information,
- (e) corrupt practice,



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- (f) abuse of authority,
- (g) improper use and care of firearms,
- (h) damage to police property,
- (i) misuse of intoxicating liquor or drugs in a manner prejudicial to duty,
- (j) conduct constituting an offence,
- (k) being a party to a disciplinary default, or
- (l) improper off-duty conduct.

(2) It is a breach of this Code to commit, or to attempt to commit, a disciplinary default referred to in subsection (1).

### **Discreditable conduct**

**5** For the purposes of section 4 (1) (a), a police officer commits the disciplinary default of discreditable conduct if

- (a) the police officer, while on duty, acts in a disorderly manner or in a manner that is
  - (i) prejudicial to the maintenance of discipline in the municipal police department with which the police officer is employed, or
  - (ii) likely to discredit the reputation of the municipal police department with which the police officer is employed,
- (b) the police officer's conduct, while on duty, is oppressive or abusive to any person,
- (c) the police officer contravenes a provision of the Act, a regulation, rule or guideline made under the Act, or does not comply with a standing order of the municipal police department with which the police officer is employed,
- (d) the police officer withholds or suppresses a complaint or report against any other officer,
- (e) the police officer fails to report to an officer whose duty it is to receive the report, or to Crown counsel, any information or evidence, either for or against any prisoner or defendant, that is material to an alleged offence under an enactment of British Columbia or Canada, or

## Appendices

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(f) the police officer suppresses, tampers with or fails to disclose to an investigating officer, or to the discipline authority of a respondent, information that is material to a proceeding or potential proceeding under Part 9 of the Act.

### **Neglect of duty**

**6** For the purposes of section 4 (1) (b), a police officer commits the disciplinary default of neglect of duty if

(a) the police officer, without lawful excuse, fails to promptly and diligently

(i) obey a lawful order of a supervisor of the police officer, or

(ii) perform his or her duties as a police officer,

(b) the police officer fails to work in accordance with orders, or leaves an area, detail or other place of duty without due permission or sufficient cause or, having left a place of duty with due permission or sufficient cause, fails to return promptly, or

(c) the police officer is absent from or late for duty without reasonable excuse.

### **Deceit**

**7** For the purposes of section 4 (1) (c), a police officer commits the disciplinary default of deceit if

(a) the police officer makes or signs a false, misleading or inaccurate oral or written statement or entry in any official document or record, or

(b) the police officer, with intent to deceive, falsify or mislead,

(i) destroys, mutilates or conceals all or any part of an official document or record, or

(ii) alters, erases or adds to any entry in an official document or record.

### **Improper disclosure of information**

**8** For the purposes of section 4 (1) (d), a police officer commits the disciplinary default of improper disclosure of information if the police officer

(a) except as required in the performance of his or her duties, as authorized by his or her supervisor or as required by due process of law,

(i) discloses information that is acquired by the police officer in the course of being a police officer, or

## **Appendices**

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(ii) removes or copies a record of any municipal police department or a police force, or

(b) makes, signs or circulates a petition or statement, in respect of a matter concerning any municipal police department or a police force,

(i) knowing that all or any part of the petition or statement is false, or

(ii) having reckless disregard as to the truth of the petition or statement.

### **Corrupt practice**

**9** For the purposes of section 4 (1) (e), a police officer commits the disciplinary default of corrupt practice if

(a) the police officer fails to properly account for, or to make a prompt and true return of, any money or property received by the police officer in the course of duty,

(b) the police officer agrees to be under a pecuniary or other obligation to any person in a manner that might affect the proper performance of the duties of the police officer, or

(c) for personal gain or for purposes unrelated to the performance of his or her duties as a police officer, the police officer

(i) uses authority or position as a member of a municipal police department, or

(ii) uses any equipment or facilities of a municipal police department or a police force.

### **Abuse of authority**

**10** For the purposes of section 4 (1) (f), a police officer commits the disciplinary default of abuse of authority if the police officer

(a) without good and sufficient cause arrests, detains or searches a person,

(b) uses unnecessary force on a person,

(c) while on duty, is discourteous or uncivil or uses profane, abusive or insulting language to a person including, without limitation, language that tends to demean or show disrespect to a person on the basis of that person's race, colour, ancestry, place of origin, political belief, religion, marital status, family status, physical or mental disability, sex, sexual orientation, age or economic and social status, or

(d) harasses, intimidates or retaliates against a person who makes a report about the conduct of an officer or submits a complaint under Part 9 of the Act.

### **Improper use and care of firearms**

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**11** For the purposes of section 4 (1) (g), a police officer commits the disciplinary default of improper use and care of firearms if the police officer uses or cares for firearms in a manner that is contrary to the standards set out in the Police Firearm Regulation.

### **Damage to police property**

**12** For the purposes of section 4 (1) (h), a police officer commits the disciplinary default of damage to police property if the police officer

(a) loses, destroys or causes any damage to

(i) any police property, or

(ii) any property the care of which has been entrusted to the police officer in the course of the police officer's duties, or

(b) fails to report any loss or destruction of or any damage to any property referred to in paragraph (a), however caused.

### **Misuse of intoxicating liquor or drugs**

**13** For the purposes of section 4 (1) (i), a police officer commits the disciplinary default of misuse of intoxicating liquor or drugs in a manner prejudicial to duty if

(a) the police officer, on reporting for or while on duty, is unfit for duty as a result of drinking intoxicating liquor, using a drug for non-medical purposes or intentionally misusing a prescription drug, or

(b) the police officer, without proper authority, makes any use of, or receives from any other person, an intoxicating liquor or a non-medical drug while on duty.

### **Conduct constituting an offence**

**14** For the purposes of section 4 (1) (j), a police officer commits the disciplinary default of conduct constituting an offence if the police officer is found guilty of an offence under an enactment of Canada, or any province or territory in Canada, that renders the police officer unfit to perform his or her duties as a police officer or that is likely to discredit the reputation of the municipal police department with which the police officer is employed.

### **Party to a disciplinary default**

**15** For the purposes of section 4 (1) (k), a police officer commits the disciplinary default of being a party to a disciplinary default if the police officer aids, abets, counsels or is an accessory after the fact to a disciplinary default under this Code.

### **Improper off-duty conduct**

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**16** For the purposes of section 4 (1) (l), a police officer commits the disciplinary default of improper off-duty conduct if

- (a) the police officer, while off duty, asserts or purports to assert authority as a police officer and does an act that would constitute a disciplinary default if done while the police officer is on duty, or
- (b) the police officer, while off duty, acts in a manner that is likely to discredit the reputation of the municipal police department with which the police officer is employed.

### **Mental element of disciplinary default**

**17** Unless otherwise specified in this Code, a police officer commits a disciplinary default if the police officer intentionally or recklessly committed the act or omission constituting the disciplinary default.

### **Exception**

**18** A police officer does not commit a disciplinary default under section 5 (a) or (b) or 10 (c) if the police officer's action, omission or conduct, as the case may be, is necessary in the proper performance of authorized police work.

### **Disciplinary or corrective measures**

**19** (1) After finding that a disciplinary default has occurred, the discipline authority may impose one or more of the following disciplinary or corrective measures in relation to the police officer concerned:

- (a) dismissal;
- (b) reduction in rank;
- (c) transfer or reassignment;
- (d) suspension without pay for not more than 5 scheduled working days;
- (e) direction to work under close supervision;
- (f) direction to undertake special training or retraining;
- (g) direction to undertake professional counseling;
- (h) written reprimand;
- (i) verbal reprimand.

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(2) If the discipline authority considers that one or more disciplinary or corrective measures are necessary, an approach that seeks to correct and educate the police officer concerned takes precedence over one that seeks to blame and punish, unless the approach that should take precedence is unworkable or would bring the administration of police discipline into disrepute.

(3) If the discipline authority considers that one or more disciplinary or corrective measures are necessary, the discipline authority must choose the least onerous disciplinary or corrective measures in relation to the police officer concerned unless one or both of the following would be undermined:

(a) organizational effectiveness of the municipal police department with which the police officer is employed;

(b) public confidence in the administration of police discipline.

(4) Aggravating and mitigating circumstances must be considered in determining just and appropriate disciplinary or corrective measures for a breach of this Code by a police officer of a municipal police department, including, without limitation,

(a) the seriousness of the breach,

(b) the police officer's record of employment as a police officer, including, without limitation, his or her service record of discipline, if any, and any other current record concerning past discipline defaults,

(c) the impact of proposed disciplinary and corrective measures on the police officer and on the police officer's career and family,

(d) the likelihood of future breaches of this Code by the police officer,

(e) whether the police officer accepts responsibility for the breach and is willing to take steps to prevent a recurrence of the breach,

(f) the degree to which the municipal police department's policies, standing orders or internal procedures or the actions of the police officer's supervisor contributed to the breach,

(g) the range of disciplinary or corrective measures imposed in similar circumstances, if known, and

(h) other aggravating or mitigating factors.

(5) Nothing in this Code prevents a chief constable or a municipal police board from doing one or both of the following:

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(a) issuing an apology on behalf of the municipal police department concerned or, with the consent of the police officer concerned, on behalf of both the department and the police officer;

(b) considering, proposing or implementing policy changes designed to prevent recurrence of a breach of this Code.

***Note:** this regulation repeals B.C. Reg. 330/75, the Police (Discipline) Regulation, and B.C. Reg. 671/76, the Emergency Policing Regulation.*

[Provisions of the *Police Act*, R.S.B.C. 1996, c. 367, relevant to the enactment of this regulation: section 74 (2)]

## **APPENDIX C**

### **Acronyms and Short Forms Common to Policing**





### APPENDIX C

#### ACRONYMS:

<b>AG</b>	-	Attorney General
<b>Aux. Cst.</b>	-	Auxiliary/Reserve Constable
<b>BCAPB</b>	-	BC Association of Police Boards
<b>BCACP</b>	-	BC Association of Chiefs of Police
<b>CAPB</b>	-	Canadian Association of Police Boards
<b>CACP</b>	-	Canadian Association of Chiefs of Police
<b>CCC (or CC)</b>	-	Criminal Code of Canada
<b>CHRA</b>	-	Canadian Human Rights Act
<b>COPS</b>	-	Community Police Station
<b>CPC</b>	-	Canadian Police College
<b>CPIC</b>	-	Canadian Police Information Centre
<b>CRD</b>	-	Capital Regional District
<b>CSC</b>	-	Correctional Services Canada
<b>DAG</b>	-	Deputy Attorney General
<b>DM</b>	-	Deputy Minister
<b>EDC</b>	-	Executive Development Course
<b>ERT</b>	-	Emergency Response Team
<b>FAC</b>	-	Firearms Acquisition Certificate
<b>FPS</b>	-	Fingerprint Section (or number)
<b>GIS</b>	-	General Investigation Section
<b>GVLRA</b>	-	Greater Victoria Labour Relations Association
<b>GVRD</b>	-	Greater Vancouver Regional District
<b>INTERPOL</b>	-	International Criminal Police Organization
<b>IACP</b>	-	International Association of Chiefs of Police
<b>JIBC</b>	-	Justice Institute of BC
<b>JFO</b>	-	Joint Force Operation
<b>NCO</b>	-	Non Commissioned Officer
<b>OCABC</b>	-	Organized Crime Agency of BC
<b>OIC</b>	-	Order in Council
<b>Oi/C</b>	-	Officer in Charge
<b>PEP</b>	-	Provincial Emergency Program
<b>PIRS</b>	-	Police Information Retrieval System
<b>PMIS</b>	-	Police Management Information System
<b>POPAT</b>	-	Police Officer's Physical Abilities Test
<b>PSD</b>	-	Police Services Division
<b>P&amp;CSB</b>	-	Policing & Community Safety Branch
<b>SLO</b>	-	School Liaison Officer
<b>SPAC</b>	-	Senior Police Administration Course
<b>SG</b>	-	Solicitor General
<b>UCR</b>	-	Uniform Crime Reports
<b>YDC</b>	-	Youth Detention Centre
<b>YOA</b>	-	Young Offenders Act

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### Acronyms and Short Forms Common to Policing in BC (continued)

#### “RIDE ALONG”

-refers to an occasion where someone other than a sworn police officer in the department “rides along” with a patrol officer for all/part of his/her shift. This provides an excellent opportunity to learn something about policing in the municipality and all board members are encouraged to take advantage of “ride alongs” during their term of office.

#### Short Forms for Police Departments:

<b>APD</b>	Abbotsford Police Department
<b>CSPD</b>	Central Saanich Police Department
<b>DPD</b>	Delta Police Department
<b>KXPSD</b>	Kitasoo-Xaixais Public Safety Department
<b>NPD</b>	Nelson Police Department
<b>NWPD</b>	New Westminster Police Department
<b>OBPD</b>	Oak Bay Police Department
<b>PMPD</b>	Port Moody Police Department
<b>STP</b>	Stl’atl’imx Tribal Police
<b>VPD</b>	Vancouver or Victoria Police Department
<b>WVPD</b>	West Vancouver Police Department

## **Appendix D**

### **Police Academy (JIBC) Services and Training**



### The Assessment Centre

The task of hiring and promoting individuals has become increasingly important to employers. They can no longer afford the luxury of making mistakes with employees, whether by hiring unqualified or unsuitable individuals or by promoting someone who is not competent. Employers can no longer rely solely on individual, traditional methods of obtaining employee information, such as application forms and interviews.

The situation is particularly true of policing, where increasing complexities and the changing nature of society make the role of the police officer a difficult one. Under such circumstances, the methods and procedures used to assess and select police personnel require constant modification and refinement. In response to this need, municipal police departments, in conjunction with the Police Academy, have incorporated the assessment centre method into their hiring and promotional procedures.

The assessment centre method, interviews, psychological tests, supervisory judgement, and job-knowledge testing are all techniques of assessment. That is, these techniques identify an individual's strengths and weaknesses with regard to job behaviour and skills, and provide employers with information that enables them to make decisions concerning the hiring or promotional potential of an individual. In the assessment centre method, participants engage in a variety of job-related exercises designed to simulate realistic situations that an individual would face when working at a particular job. These exercises are designed to elicit behaviour relevant to the abilities, skills, and personal qualities that are critical to success in that job. Assessors who are familiar with the target position and who have been trained in the assessment centre method observe and evaluate the participants' behaviour.

The assessment centre method has been used as a selection and promotional tool for more than 30 years in a variety of settings such as the military, business and industry, government, and educational institutions. It is widely used in the selection of supervisory and management personnel and in organizational development. Because of the diversity of settings and uses, the method has been tested, modified, and validated in a number of occupations.

To qualify as an assessment centre, an organization must meet ten requirements, which constitute the essential elements of an assessment centre. The requirements have been endorsed by the 17th International Congress on the Assessment Centre Method, and include:

- Job Analysis
- Behavioural Classification
- Assessment Techniques
- Multiple Assessment Techniques
- Simulation Exercises
- Assessors
- Assessor Training
- Recording Behaviour
- Reports
- Data Integration

In the assessment centre process, individuals participate in a series of simulated job-related exercises designed to allow them to demonstrate how they would react in real, on-the-job situations. The Police Academy has developed and delivered Assessment Centres for all ranks of police officers. The Academy can design and deliver an assessment centre tailor-made to a specific organization's requirements. Assessor training is also available for qualified candidates.

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For more information or inquiries regarding the Assessment Centre process or training, please contact:

Sgt. Colin Renkema  
***Manager, Assessment Centre***  
***JIBC – Police Academy***  
***715 McBride Boulevard***  
***New Westminster, BC V3L 5T4***  
***Phone: 604-528-5775***  
***Fax: 604-528-5754***  
***E-mail: crenkema@jibc.bc.ca***

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### Getting Hired by a Municipal/Tribal Police Department

Upon being selected by a municipal/tribal police department to continue or start in their recruiting process, an applicant will be required to undergo testing, that includes a full medical examination, panel interviews, a polygraph test, and psychological testing. The applicant may also be required to undergo an evaluation at the Police Academy Assessment Centre. The Assessment Centre uses task-based simulations to assess an applicant's potential as a police constable.

The prerequisites are standard amongst police departments and require an applicant to possess a high degree of physical fitness, health and vision. Applicants must be at least 19 years of age, a Canadian citizen or landed immigrant, and possess a valid British Columbia driver's license, first aid and CPR certificate. They should also possess 1-2 years post secondary education or equivalent. Although these are the basic standards for initial consideration, selection of personnel is the prerogative of the Chief Constable of each police department. Consequently, the actual criteria for selection may vary depending on the needs of the particular department or the quality of the applicants for available positions.

As part of the general selection process for a municipal police department, an applicant must successfully pass a medical examination, fitness test (Peace Officers' Physical Abilities Test), and written examination that is intended to test memory capability, English language skills, logical reasoning, and mathematical ability. Additionally, an applicant will be interviewed (which may include a polygraph test) and may be required to attend at the Police Academy Assessment Centre. The Assessment Centre uses task-based simulations to assess an applicant's potential as a police constable. Finally, an applicant who is successful on all dimensions will be the subject of an exhaustive background investigation.

An applicant who is employed as a recruit constable by a municipal police department is required to attend the JIBC Police Academy for recruit training. During training, the recruit receives an entry level wage, determined by the collective agreement of the particular department.

If you have any further questions, please contact the recruiting section of the particular police department in which you are interested.

Following is a list of the 11 municipal and 1 tribal police departments in British Columbia.

Abbotsford Police Department  
2838 Justice Way  
Abbotsford, BC V2T 3P5  
Phone: 604-859-5225

Central Saanich Police Department  
1903 Mt. Newton X Road  
Saanichton, BC V8M 2A9  
Phone: 250-652-4441

Nelson Police Department  
606 Stanley Street  
Nelson, BC V1L 1N4  
Phone: 250-354-3919

New Westminster Police Service  
511 Royal Avenue  
New Westminster, BC V3L 1H9  
Phone: 604-525-5411

Oak Bay Police Department  
1703 Monterey Avenue  
Oak Bay, BC V8R 5V6  
Phone: 250-592-2424

Port Moody Police Department  
3051 St. Johns Street  
Port Moody, BC V3H 2C4  
Phone: 604-461-3456

Saanich Police Department  
760 Vernon Avenue  
Victoria, BC V8X 2W6  
Phone: 250-475-4321

West Vancouver Police Department  
1330 Marine Drive  
West Vancouver, BC V7T 1B5  
Phone: 604-925-7300



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Vancouver Police Department  
2120 Cambie Street  
Vancouver, BC V5Z 4N6  
Phone: 604-717-2706 (recruiting)

Delta Police Department  
4455 Clarence Taylor Crescent  
Delta, BC V4K 3E1  
Phone: 604-946-4411

Victoria Police Department  
850 Caledonia Street  
Victoria, BC V8T 5J8  
Phone: 250-995-7654

Stl'atl'imx Tribal Police Service  
22 Retasket Drive  
PO Box 488  
Lillooet, BC V0K 1V0  
Phone: 250-256-7784

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### Police Constable Recruit Training

Eligibility for enrolment at the Police Academy comes through employment with one of the municipal police departments. The curriculum is designed to ensure a balanced mix of skill training, academic education, and practical field experience relevant to policing in today's complex society. Whenever possible, the classroom lecture format is minimized in favour of the student-centred model, which includes seminars, group discussions, and carefully constructed scenarios that approximate modern policing activity.

#### Recruit Training (Block System)

Initially the candidate undergoes the selection process by the police department, as described earlier. After being hired by the police department, the candidate is sent to the Academy for training, as required under the *BC Police Act Training Rules*.

##### Block I

The first block of training (11 weeks) takes place at the Police Academy. It places heavy emphasis on police skills (such as driver training, firearms, arrest and control, investigation and patrol techniques), legal studies, physical fitness, foot drill (dress and deportment), and an introduction to the social sciences. The intent of Block I is to develop a relevant knowledge base for the Block II field training. When a recruit enters the Police Academy, a personal training record through the Provincial Constable's Registry is started. This record is continually upgraded throughout the constable's policing career. It is a record of the constable's training (recruit and advanced) that also assists in determining future training needs.

##### Block II

In Block II, the recruit constable returns to their home police department for a period of 13 to 17 weeks. During this field training component, the recruit works under the guidance and continuous assistance of an experienced, specially trained constable (known as a field trainer). The field trainer is responsible for ensuring that the recruit receives a wide exposure to general police work. As a result, the recruit has the opportunity to apply the knowledge gained in Block I within an operational setting.

##### Block III

In Block III (11 weeks), the recruit constable returns to the Police Academy, bringing experience from the "street scene." This block builds on the knowledge of Block I and the practical experience of Block II in preparing the recruit to function independently upon graduation. After successfully completing Block III, the recruit graduates as a "Qualified Municipal Constable" as designated by regulation, pursuant to the *Police Act*.

##### Block IV

The recruit returns to their home police department for Block IV, where they perform all general patrol duties under minimal supervision. After the recruit has completed 12 to 18 months in the field, a supervisor's evaluation report is submitted, recommending certification.

Upon successful completion of Block IV, all recruit training is finished. The graduating constable is designated as a "Certified Municipal Constable" by regulation, pursuant to the *Police Act*.

#### Exemption Process

Individual police departments may exempt candidates from Blocks I, II, or III if they have previous police experience. The Police Academy administers the exemption process on behalf of

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the departments. Individuals should consult with the recruiting office of the police department in which they are interested.

For more information or inquires regarding police constable recruit training, please contact:

***Insp. Mike Trump  
Director, Police Training Services  
JIBC – Police Academy  
715 McBride Boulevard  
New Westminster, BC V3L 5T4  
Phone: 604-528-5772  
Fax: 604-528-5754  
E-mail: mtrump@jibc.bc.ca***

## **Appendix E**

### **Law Enforcement Agencies**



### Law Enforcement Agencies

#### *Role of the Royal Canadian Mounted Police (RCMP)*

The RCMP resulted from the joining of the North West Mounted Police and the Dominion Police Force in 1919. From its beginnings in 1873, the North West Mounted Police was a federal force with immense powers – an armed, usually mounted, highly disciplined paramilitary force. The North West Mounted Police was responsible for enforcing the laws, collecting customs duties and patrolling the frontier. Members also acted as magistrates and justices of the peace and were, in the late 1800's, the only law and government west of Manitoba.

The Dominion Police Force was responsible for the protection of parliamentary buildings, departmental and navy yards, enforcing counterfeiting laws, and maintaining records of prisoners.

The British Columbia Provincial Police Force was established in 1866 with the amalgamation of the Vancouver Island Police Force and the Constabulary of the Mainland. The Provincial Police Force was largely responsible for policing rural areas until 1923, after which time it also policed many towns and municipalities. By 1950, the Provincial Police Force had developed an international reputation for excellence. However, the coalition government of the day was experiencing serious financial difficulties and a decision was made to disband the provincial Police Force and to contract with the RCMP to take on its responsibilities.

As the provincial police force, the RCMP polices the unincorporated areas of the province and municipalities with populations of fewer than 5 000. A municipality with more than 5 000 persons has the option of contracting with the RCMP or another municipal police force to provide policing or of establishing and maintaining its own municipal police force.

If a municipality chooses to contract with the RCMP, it signs a Municipal Police Unit Agreement with the Ministry of Public Safety and Solicitor General, who in turn contracts with the RCMP. Under this agreement, the cost of policing is shared between the municipality and the federal government.

There are 56 municipalities in British Columbia with populations over 5 000 that have chosen to be policed by RCMP municipal police detachments. These detachments are usually named for the municipal they serve.

Whether the RCMP acts as the provincial or a municipal force, it enforces the *Criminal Code*, provincial statutes, subordinate legislation, and municipal bylaws and ordinances. The RCMP also acts as the federal police force, enforcing federal statutes under the authority of the “Peace, Order and Good Government” clause contained in Section 91 of the *British North America Act*. The *Controlled Drugs and Substances Act*, the *Immigration Act* and the *Customs Act* are examples of federal legislation enforced by the RCMP.

The operations of the RCMP are governed by the *RCMP Act* and are subject to the contractual agreement between the federal and provincial governments.

The RCMP also provides valuable services to all Canadian police forces through operating and maintaining the Canadian Police Information Centre (CPIC) – a database of all persons who have been convicted of criminal offences or who are subject to outstanding warrants.

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Under the Auxiliary Constable Program and by authority of Part 2, s.8(1) of the *Police Act*, the Minister may temporarily appoint “auxiliary constables” to assist the provincial police force in the performance of its duties. Subject to any restrictions set out in their appointment and to the regulations of the Act, these constables have the powers, duties and immunities of a provincial constable.

### ***Role of First Nations Police Services***

At present, there are two main forms of First Nations police services operating in British Columbia. Firstly, there are aboriginal police officers of the RCMP who serve Aboriginal communities through federal/provincial cost sharing arrangements. In some cases, a community tripartite agreement (CTA) has been signed between the province, the federal government, and a First Nations community regarding these services. This is referred to as a First Nations Community Policing Service (RCMP-FNCPS). In other instances, there is no signed agreement and this is referred to as the Aboriginal Community Constable Program (RCMP-ACCP). There are currently approximately 120 First Nations communities, with or without CTAs, receiving this form of police service in British Columbia.

Secondly, there are First Nations self administered police services. These services are modeled on the *Police Act* provisions for independent municipal police services and boards and are jointly funded by the federal and provincial governments. There are currently two First Nations administered police services: Stl’atl’imx (Lillooet and Pemberton areas) and Kitasoo/Xaisais (at Klemtu and Swindle Island and related reserve areas).

There are other bands and tribal councils currently in discussions with the federal and provincial governments concerning the provision of First Nations police services. It is anticipated that, over time, additional First Nations police services will be established.

### ***Role of Designated Policing Units***

Designated policing units and designated boards are established by the Minister, under the authority of Part 2, s.4.1(2) of the *Police Act*, in response to applications made by entities for designated policing.

“Entities” are defined under the Act as municipalities, regional districts, government corporations or any other prescribed entity. “Designated policing” is defined under the Act as policing or law enforcement otherwise provided by the provincial police force or a municipal police department.

If prescribed by the Minister, under s.1.1 of the *Police Act*, designated policing units constitute police forces alongside the provincial police force and municipal police departments.

Upon establishing a designated policing unit, the Minister may also appoint members to the board and must appoint one of the members as chair under Part 2, s.4.1(9) of the *Police Act*.

The designated board, upon approval of the Minister, has the authority to appoint designated constables (Part 2, s.4.1(11) of the *Police Act*). These constables have the powers, immunities and duties of a provincial constable, subject to any restrictions set out in their appointment and to the regulations.

The Minister also has significant authority (Part 2, s.4.2(2) of the *Police Act*) with respect to designated policing units and their boards to make regulations, including but not limited to:

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- The geographic area in which the units and its constables must operate;
- The practices, procedures and quorum of boards; and
- The boards' powers, duties and functions.

The Minister may also set standards for training and retraining of designated constables under the *Police Act*, Part 2, s.10.1.

An entity is jointly and severally liable for any tort (i.e., wrongful acts or damages) committed by any of its designated constables if the tort is committed in the performance of the officer's duties (Part 4, s.20(1) of the *Police Act*). The respective board members, however, are not liable in such a situation (Part 4, s.20(2) of the *Police Act*).

### ***Role of Designated Law Enforcement Units***

As with designated policing units, the Minister can establish a designated law enforcement unit and a designated board to provide designated law enforcement on behalf of any entity that has applied (Part 4, s.18.1(2) of the *Police Act*).

"Designated law enforcement" is defined under the Act as supplemental law enforcement provided to enforce all or any part of one or more enactments of BC or Canada. The Minister may define which BC or Canadian enactment, or part thereof, that the designated law enforcement unit will enforce (Part 4, s.18.2(a) of the *Police Act*).

After consulting with the entity, the Minister may appoint those persons the Minister considers suitable as designated board members and the Minister must appoint one of the members as Chair under Part 4, s.18.1(9) of the *Police Act*.

The designated board, upon approval of the Minister, has the authority to appoint enforcement officers (Part 4, s.18.1(11) of the *Police Act*). Enforcement officers are appointed subject to any restrictions set out in the terms of their appointment and by the regulations. Enforcement officers are not police, as defined in Part 1, s.1.1 of the *Police Act*.

The Minister retains the authority (under Part 4, s.18.2 of the *Police Act*) to make regulations regarding a designated law enforcement unit and its board, including but not limited to the following.

- geographic area in which the units and its enforcement officers must operate;
- practices, procedures and quorum of boards;
- boards' powers, duties and functions;
- powers, duties and functions of chief officers, deputy chief officers and enforcement officers;
- standards for training and retraining of enforcement officers; and
- accommodation, equipment and supplies of the designated law enforcement units.

An entity is jointly and severally liable for any tort (i.e., wrongful acts or damages) committed by any of its enforcement officers if the tort is committed in the performance of the officer's duties (Part 4, s.20(1) of the *Police Act*). The respective board members, however, are not liable in such a situation (Part 4, s.20(2) of the *Police Act*).



## Appendix F

### Today's Policing - Selected Articles

Link to

<http://www.jibc.bc.ca/Libraryfiles/archive/PDFDownloads/Bibliographies/Police%20Boards.pdf>



