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September 5, 2018

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CHIEF CORONER

Ms. Lisa Lapointe
Chief Coroner, British Columbia Coroners Service
Ministry of Public Safety and Solicitor General
5th floor, 910 Government Street
Victoria, BC V8V 1X4

Dear Chief Coroner Lapointe,

**Re: Coroner's Inquest into the death of:
MUTCH, Rhett Patrick Victor
BCCS Case File 2014-0380-0006**

Thank for your letter dated July 5, 2018 enclosing copies of the Verdict at the Inquest concerning the death of Rhett Patrick Victor Mutch. As requested, we have reviewed the Verdict, and in particular recommendations 8 and 11, which specifically relate to PRIMECorp.

Background

Before commenting on recommendations 8 and 11, it is important to first clarify that PRIMECorp is the organization responsible for managing PRIME-BC, which is the integrated information management system used by police agencies in British Columbia. PRIMECorp was established pursuant to section 68.1 of the *Police Act*, which requires that all police agencies implement and use a common information management system.

PRIMECorp is independent of police agencies and does not create records stored within PRIME-BC and does not exercise authority over the type of information or records police agencies create, access or use within PRIME-BC. Further, PRIMECorp has no legal authority to alter or modify the content of information within PRIME-BC. Indeed, section 68.1 of the *Police Act* supports the view that records within PRIME-BC are not to be construed as being within the custody or control of PRIMECorp. Courts and decision-makers have also supported this interpretation of the legislation.

Recommendations:

You have asked for PRIMECorp's response to recommendations numbers 8 and 11 of the Coroner's Inquest into the death of Mr. Rhett Patrick Victor Mutch, which occurred in Victoria, B.C. on November 1, 2014. Each of the relevant recommendations is addressed below.

TO Prime BC and the Integrated Mobile Crisis Response Team:

Recommendation #8, That an MOU be entered into by both agencies so a record of attendance at a residence, and/or complainant, by the Integrated Mobile Crisis Response team is noted and "flagged" in Prime.

As outlined, while PRIMECorp maintains the system on which police agency records are stored, it does not have any legal rights of control over nor does it seek to influence the content of such records. Decision-making

authority regarding the type of information a police agency stores and/or flags for another agency at all times vests in the police agency itself. As a result, PRIMECorp is not the appropriate party to enter into the type of Memorandum of Understanding contemplated in this recommendation. If information flagging were to occur regarding any agency records or interactions, including those involving the Integrated Mobile Crisis Response team (IMCRT), this would require agreement and implementation by each participating police agency.

We recommend that this recommendation be referred to the appropriate local police body, in this case the Victoria Police Department.

To: Prime BC and the Ministry of Health and the Ministry of Children and Families

Recommendation #11. To enter into an MOU to provide access to information between all three agencies.

As discussed above, the *Police Act* provides at section 68.1 for the use of one common information management system by police agencies, i.e., PRIME-BC. PRIMECorp is the organization responsible for the operation and maintenance of that system, but it does not have legal rights of control over the records, their content or sharing.

Accordingly, PRIMECorp has no authority to enter into the type of arrangement referenced in this recommendation. Decisions about the scope and extent of information sharing between police agencies is a matter that requires the participation and agreement of all participating police agencies. We recommend that this recommendation be referred to the BC Association of Chiefs of Police and/or BC Police Services Division, which are bodies better suited to facilitate a process involving all police agencies.

Sincerely,



Oliver Grüter-Andrew
Chief Executive Officer

604-215-5002

cc: Dave Jones, Interim Board Chair, PRIMECorp
Clayton Pecknold, Assistant Deputy Minister & Director of Police Services