

Appendix G – Policing

Submission from the Director of Police Services Ministry of Public Safety and Solicitor General Government of British Columbia

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Introduction

The Minister of Public Safety and Solicitor General is responsible to ensure adequate and effective levels of policing in British Columbia. As the primary link between police agencies and the provincial government, the Policing and Security Branch is accountable for superintending policing and law enforcement functions in the province and, among other duties, supports provincial initiatives aimed at reducing violence against women and girls, as well as working to ensure that community values are reflected in policing practices. This submission has been prepared to draw together information about policing in British Columbia that may be of interest and assistance to the National Inquiry into Missing and Murdered Indigenous Women and Girls (hereinafter the Inquiry) as it carries out its important mandate.

The focus of this submission is on policies, programs and initiatives that are within the purview of the Policing and Security Branch, Ministry of Public Safety and Solicitor General, Province of British Columbia. It is not the intent of this submission to cover information in detail appropriately provided to the Inquiry by other government organizations or police agencies.

National Inquiry Mandate

The Inquiry's mandate is to examine and report on:

- Systemic causes of all forms of violence — including sexual violence — against Indigenous women and girls in Canada, including underlying social, economic, cultural, institutional and historical causes contributing to the ongoing violence and particular vulnerabilities of Indigenous women and girls in Canada, and
- Institutional policies and practices implemented in response to violence experienced by Indigenous women and girls in Canada, including the identification and examination of practices that have been effective in reducing violence and increasing safety.

The Inquiry is directed to make recommendations concerning:

- Concrete and effective action that can be taken to remove systemic causes of violence and to increase the safety of Indigenous women and girls in Canada, and
- Ways to honour and commemorate the missing and murdered Indigenous women and girls in Canada.

Structure of Submission

An analysis of the Inquiry's Interim Report, Paths of Inquiry and Research Plan documents identified six preliminary findings and recommendations pertinent to the material provided here¹. Those findings/recommendations are organized around three key themes identified by the Policing and Security Branch:

Strengthened police accountability mechanisms

- Transparent and accountable policing (including comprehensive and independent police oversight).

¹ The National Inquiry into Missing and Murdered Indigenous Women and Girls (2017) *Interim Report: Our Women and Girls are Sacred*. Page 80.

Standardized and coordinated investigative practices

- Timely, proactive and thorough investigations into Indigenous women's, girls' and LGBTQ2S people's deaths and disappearances.
- Comprehensive and ethical information-sharing concerning violence against Indigenous women, girls and LGBTQ2S people.

Policing that is responsive to vulnerable women and girls and to community needs

- Protecting Indigenous women, girls and LGBTQ2S people involved in survival sex work or who are being trafficked for the purposes of sexual exploitation.
- Strengthening relationships between police services and Indigenous communities.
- More representative police forces with better resourced Indigenous liaison officers and units in local police forces.

The submission is presented in two parts, with two appendices.

Part 1 – Context: Policing in British Columbia contains a brief discussion of British Columbia's existing police structure and funding arrangements, the roles of the Minister and the Director of Police Services, as well as an overview of other governance and oversight mechanisms. Some of the key systemic reforms to policing in the province, such as the introduction of a common records management system and the integration of specialized policing functions, are also included here to illustrate the evolution of policing in the province.

Part 2 – BC Initiatives and Reforms Relevant to the Inquiry's Mandate begins with an overview of the high-level findings from British Columbia's Missing Women Commission of Inquiry, followed by a discussion of various initiatives and reforms salient to the focus of the National Inquiry into Missing and Murdered Indigenous Women and Girls. This discussion is organized under the three themes set out above.

The two Appendices include:

- Appendix A – References; and
- Appendix B - Table of Acronyms.

Part 1. Context: Policing In British Columbia

Policing in Canada is a shared responsibility between the federal, provincial/territorial and municipal governments. Under the *Constitution Act, 1867*, the federal government has the exclusive authority to enact legislation regarding criminal law and procedure. In addition, the federal government is responsible for providing a federal police service to enforce federal statutes and to protect national security. The *Constitution Act, 1867*, delegates responsibility for the administration of justice, which includes policing, to provincial governments. Each province has legislation that sets out the terms by which police are governed. In British Columbia that legislation is the *Police Act* [RSBC 1996].

Notably, policing in British Columbia is provided mainly by the Royal Canadian Mounted Police (RCMP), which in addition to providing federal policing, is also contracted as the province's Provincial Police

Service (with functions similar to those of the *Ontario Provincial Police* or the *Sûreté du Québec*), as well as contracted to provide municipal police services to many cities in all regions of the province. More than one-third of all RCMP officers in Canada are employed in British Columbia by the RCMP (known as “E” Division), making it the largest Division by far. In addition to the RCMP, 11 municipal police departments and one First Nations Administered Police Service (St’atl’imx Tribal Police Service) also provide police services. Several agencies, such as the South Coast British Columbia Transit Authority Police Service, provide supplemental policing. There are also a number of integrated police units and structures, and enhanced First Nations policing services and programs, operating throughout the province.

1.1 Structure Of Policing In British Columbia

1.1.1 The Provincial Police Service

Under the *Police Act*, the provincial government must provide policing and law enforcement to rural and unincorporated areas and municipalities under 5,000 population. Effective April 1, 2012, British Columbia signed a new 20-year *Provincial Police Service Agreement* (PPSA) with the Government of Canada to contract the RCMP as British Columbia’s Provincial Police Service. Under the terms of the PPSA, the provincial government pays 70% of the cost-base described in the Agreement and the federal government pays the remaining 30%.

The RCMP Provincial Service can be broken into two main categories: detachment policing and provincial police infrastructure.

Detachment policing provides local police services to municipalities under 5,000 population and unincorporated areas throughout the province by means of uniformed patrols, response-to-call duties, investigative services, community-based policing, traffic enforcement and administrative support to provincial detachments.

Under the umbrella of the provincial police infrastructure, the Provincial Police Service provides services to the entire province, including RCMP-policed municipalities and municipalities with their own police departments. The provincial police infrastructure includes capital-intensive services such as marine and air capabilities. The provincial police infrastructure also has the capacity and expertise to, among other things:

- Resolve high risk incidents,
- Target organized crime, gang violence, and serial crimes,
- Respond to existing and emerging crime trends, and
- Provide security and policing services for large scale, community events and emergencies.

1.1.2 Municipal Policing

Under the *Police Act*, a municipality in British Columbia is responsible for providing, and bearing the necessary expenses of, its police services when its population exceeds 5,000 persons. These municipalities may form their own municipal police department, contract with an existing municipal police department or contract with the provincial government for RCMP municipal police services.

In 2017, there were 77 municipalities in British Columbia responsible for providing police services within their municipal boundaries. Twelve municipalities were policed by municipal police departments and 65 were policed by the RCMP.

Municipal Police Departments

Twelve municipalities in British Columbia are policed by 11 municipal police departments, as established under section 23 of the *Police Act*. These municipalities are: Vancouver, Victoria, Esquimalt, Saanich, Central Saanich, Oak Bay, Delta, Abbotsford, New Westminster, West Vancouver, Nelson and Port Moody. These municipalities are responsible for 100% of their policing costs.

Municipal police departments are governed by a police board, whose role is to provide general direction to the department, in accordance with relevant legislation and in response to community needs. The powers and responsibilities of police boards are set out in the *Police Act*. Examples of their core functions include:

- Employing sworn and civilian staff of the police department,
- Determining, in consultation with the Chief Constable, the priorities, goals and objectives of the police department,
- Preparing the annual budget for the police department, for submission to council,
- Establishing policies, and
- Responding to service and policy complaints.²

Each police board consists of civilians and is chaired by the municipality's mayor. One board member is appointed by the municipal council and up to seven people are appointed by the provincial government.

RCMP Municipal Services

In 2017, there were 65 municipalities in British Columbia that contracted with the provincial government for RCMP municipal police services.

In addition to the 2012 PPSA, the provincial and federal governments signed the *Municipal Police Service Agreement* (MPSA), a master agreement that enables the provincial government to subcontract the RCMP Provincial Service to municipalities and describes the terms and conditions for the provision of RCMP municipal police services. To contract RCMP municipal services, each municipality must sign a *Municipal Police Unit Agreement* (MPUA) with the provincial government. The terms of the MPSA and the MPUA require that municipalities between 5,000 and 14,999 population pay 70% of the cost-base outlined in these Agreements; municipalities 15,000 population and over pay 90% of the cost-base. The remaining 30% and 10%, respectively, are paid by the federal government. It is important to note that RCMP-policed municipalities are responsible for 100% of the cost for certain items such as accommodations (detachment building/space) and support staff.

Municipalities that receive municipal policing from the RCMP (under the MPUAs) do not have municipal police boards; however, there are other mechanisms for civilian governance. Under sections 31-33 of the *Police Act*, local police committees may be formed to promote positive police-community

² In addition, the chair of the board serves as the discipline authority for discipline matters related to the Chief Constable and Deputy Chief Constable.

relationships and to identify issues concerning the adequacy of policing. The PPSA, the MPSA and the individual MPUAs are the primary governance mechanisms on which RCMP policing is based. In addition, the national Contract Management Committee and the BC-specific Local Government Contract Management Committee provide formal structures for contract oversight and consultation. Lastly, the on-going and active engagement between provincial Ministry staff and the RCMP provides direct and practical contract oversight and management for RCMP police services in BC.

1.1.3 Policing in First Nations Communities

In British Columbia there are approximately 200 First Nations with 1,600 reserves, and four Treaty First Nations. First Nations communities that are located in rural areas or within municipal boundaries with populations less than 5,000 receive their core policing from the RCMP Provincial Police Force. If a First Nations community is located within a municipality of 5,000 or more residents, the municipality is responsible for providing policing and law enforcement to the reserve. This is in accordance with section 3 of the *Police Act* which makes a municipality with a population of 5,000 or more responsible for policing within its boundary³. Treaty First Nations receive core policing from the Provincial Police Force unless they enter into a service agreement with a municipality to receive policing from the municipal police department.

First Nations Policing Program (FNPP)

The FNPP is a national program that was established in 1991 to provide First Nation communities the opportunity to participate with the federal and provincial governments in the development of dedicated RCMP service to their communities. Through the FNPP, the federal government and British Columbia provide funding to support policing services that are professional, dedicated and responsive to the First Nation communities they serve. The FNPP is designed to give First Nation communities greater input over the delivery of policing services within their communities, and to help deliver enhanced services to communities that are over and above core policing. This is delivered by police officers who devote 100% of their on-duty time to the needs of the First Nation communities, with the majority of their time spent within the communities to ensure a consistent, visible community presence. The program is delivered through three types of agreements:

- ***First Nations Community Policing Services (FNCPS)***

On April 1, 2014 a framework agreement was signed between the federal government and the provincial government which enables Community Tripartite Agreements, which is then fulfilled by the FNCPS within RCMP E-Division. As of December 2017, the FNCPS had an authorized strength of 108.5 RCMP member positions assigned to provide dedicated police services to 132 First Nation communities in British Columbia through 55 Community Tripartite Agreements (CTAs). The FNCPS oversees all CTAs between the provincial government, the federal government and the participating Band Council. The provincial share of funding the FNCPS is 48% and the federal share is 52%.

- ***Quadpartite Agreement***

³ Note there are some exceptions to this rule where some reserves that are located within a municipal boundary receive policing from the Provincial Police Force.

On April 1, 2014, a new policing agreement was signed between the federal government, the provincial government, the Corporation of Delta and the Tsawwassen First Nation to enable the Delta Police Department to deliver enhanced policing to the Tsawwassen First Nation. The funding of this agreement is shared by the provincial and federal governments, 48% and 52% respectively. There is currently one member providing enhanced policing under this Agreement.

- **First Nations Self-Administered Policing**

There is one First Nation Self-Administered Police Service (FNSAPS) in British Columbia: the Stl'atl'imx Tribal Police Service. This police service is governed by a police board whose members are selected from each of the ten communities it serves. Police officers recruited by the police board are either experienced officers or graduates of the Justice Institute of British Columbia (JIBC) Police Academy. All officers are appointed under the *Police Act*. In 2018, the Stl'atl'imx Tribal Police had an authorized strength of 10 police officer positions.

Integrated First Nations Police Units

In 2007, a policing agreement was signed by the provincial government, the West Vancouver Police Board and the Squamish and Tsleil-Waututh First Nations to create the Integrated First Nations Policing Unit. This Unit is comprised of four RCMP and two West Vancouver Police Department members. This policing arrangement provides enhanced, dedicated services to reserve lands located in North Vancouver, West Vancouver and the Squamish Valley.

1.2 Role of The Provincial Government

British Columbia's *Police Act* sets out the specific policing obligations for which the provincial government is responsible. Section 2 of the *Police Act* requires that the Minister ensure that an adequate and effective level of policing and law enforcement is maintained throughout British Columbia. Section 39 of the *Act* states that the Minister must designate a person employed in the ministry as the Director of Police Services responsible for superintending policing and law enforcement functions in British Columbia. The Director's authorities are set out in the *Act*, and in particular in Part 8. Currently the Director is the Assistant Deputy Minister, Policing and Security Branch, Ministry of Public Safety and Solicitor General. The *Act* allows the Director of Police Services to employ persons necessary to carry out the business of the Director's office. It is important to note that individual investigations and enforcement decisions occur at arm's length from government and neither the Minister nor the Director of Police Services has the authority to interfere with or direct police on such matters.

1.2.1 Powers and Responsibilities of the Minister

The *Police Act* sets out the circumstances under which the provincial government must provide policing and law enforcement services, and those under which municipalities must be responsible for their services. Even though a municipality may be responsible for its police services, the *Act* gives the power to the Minister to provide or reorganize the policing and law enforcement of a municipality, if the Minister considers it necessary or desirable. If a municipality is not fulfilling its obligation to provide adequate policing, the Minister may take steps to ensure that adequate policing occurs.

As British Columbia's Provincial Police Service, the RCMP delivers services according to the strategic direction of the provincial government. Under the authority of the PPSA, the Minister sets the objectives, priorities and goals of the Provincial Police Service in line with provincial policing priorities.

These are based on local needs, the evolving nature of crime and the specific requirements of policing in British Columbia.

The Commanding Officer of RCMP “E” Division must ensure that the deployment of personnel and equipment reflects the provincial government priorities. For example, current priorities of the government include the expectations that the RCMP will advance programs and police response to domestic and sexual assaults, particularly with respect to vulnerable persons; respond to ‘guns and gangs’ activity and those violent acts impacting the safety of our communities; and focus on opioid-related initiatives and investigations that target and disrupt the supply chain of these drugs. Every year, the Commanding Officer must submit a report to the Minister describing the progress towards implementing and achieving the priorities, goals and objectives.

1.2.2 Powers and Responsibilities of the Director of Police Services

As noted, the Director is responsible for superintending policing and law enforcement functions in British Columbia. The *Police Act* outlines these responsibilities and specifies ways in which these responsibilities must be carried out. For example, if the Director considers that a municipality is not fulfilling its responsibility to provide adequate policing then the Director must direct the municipality to correct the failure to comply with the *Police Act*.

Another role and responsibility of the Director is to support the Minister in meeting his or her obligations and to act in an advisory role. The Director is to consult with and provide information and advice to the Minister, chief civilian director, chief constables, chief officers, boards and committees, on matters related to policing and law enforcement. The *Act* specifies that the Director must, on the request of the Minister, study, investigate and prepare reports on matters concerning policing, law enforcement and crime prevention. The Director may also do so on the Director’s own initiative or on request of a council or board.

The Director of Police Services, through the Policing and Security Branch, is responsible for ensuring adequate and effective levels of policing and superintending law enforcement by:

- Superintending policing in the province,
- Monitoring the finances and operations of the provincial and municipal RCMP,
- Administering First Nations policing agreements and programs,
- Administering road safety programs,
- Providing training and support to municipal, First Nations and other police boards,
- Establishing provincial policing standards for police services delivery,
- Inspecting and reporting on the quality of police services,
- Developing and coordinating police policy and legislation,
- Facilitating innovative, proactive, evidence-based policing through service delivery and technological innovation,
- Managing non-police law enforcement appointments and activities (i.e., special constables, auxiliary members), and
- Reporting on provincial crime and police data.

Part 8 of the *Police Act* provides authority for the Director to set binding standards for policing in British Columbia. The scope of this authority is determined by government, by listing in section 40 the topics for which the Director may establish standards. Currently, these include:

- Use of Force,
- Training,
- Cooperation between the Independent Investigations Office (IIO) and police,
- Data collection and analysis,
- Cooperation and coordination amongst police forces in relation to investigations involving missing persons, complex and/or serious crimes,
- Principles, practices and strategies to be used in investigations involving missing persons, complex and/or serious crimes,
- The promotion of unbiased policing, and
- Community consultation regarding the priorities, goals and objectives for policing and law enforcement.

Standards created to date are posted online on the Ministry's website⁴.

The standards, formally referred to as *BC Provincial Policing Standards (BCPPS)*, provide high-level principles and criteria to ensure that police services across the province adopt similar approaches in key areas. They are intended to harmonize particular high level best practices for policing in the province.

Article 6 of the PPSA provides that the RCMP's standards remain under the control of Canada; however, the Parties are also committed under Article 6 to the harmonization of standards with those that apply to other police services in the province, unless to do so would be unlawful, impede the delivery of effective or efficient policing or negatively affect public or officer safety.

The RCMP in British Columbia are cooperating and are engaged with the development and implementation of provincial policing standards.

1.3 Civilian Oversight

Independent Investigations Office (IIO)

In operation since September 2012, the IIO is a civilian investigative agency that conducts investigations into police-related incidents that result in death or serious harm, to determine whether or not an officer may have committed an offence. Its mandate and authorities are set out in the B.C. Police Act. The IIO is headed by a chief civilian director who must never have served as a member of a police force. The IIO's scope includes all on- or off-duty police officers in British Columbia, whether they are a municipal officer, a member of the RCMP, a Tribal Police member, or a Transit Police officer. In addition, the IIO investigates on-duty incidents involving auxiliary members and Special Provincial Constables.

⁴ Available at: <https://www2.gov.bc.ca/gov/content/justice/criminal-justice/policing-in-bc/policing-standards>

Office of the Police Complaint Commissioner (OPCC)

Under the *Police Act*, the OPCC is responsible for overseeing the handling of complaints against officers employed by municipal police departments and designated policing units, and service and policy complaints involving these agencies.

Members of the public may file complaints directly with the OPCC or directly with a police agency. A complaint may be resolved by informal means, mediation or through investigation. The police conduct the investigations into public complaints, while the police complaint commissioner oversees those investigations. After the completion of an investigation, disciplinary or corrective measures may be imposed, which can range from the member receiving advice to dismissal. The police complaint commissioner may review the result of the proceeding and, if the result is deemed incorrect, may order a review on the record or a public hearing.

As the police complaint commissioner is an independent officer of the Legislature, the OPCC operates independently of police and government. The OPCC reports directly to the British Columbia Legislative Assembly.

Civilian Review and Complaints Commission (CRCC)

The CRCC is an independent agency created by Parliament to provide civilian oversight of RCMP members' conduct while on duty. The CRCC reports to the federal Minister of Public Safety. The CRCC has enhanced investigative powers and increased access to RCMP information with the aim of increasing the transparency of investigations, reducing the potential for bias and promoting public accountability of criminal investigations. Members or former members of the RCMP are not eligible to be appointed as members of the Commission.

1.4 Recent Policing Reforms In British Columbia

Policing has undergone significant changes in British Columbia since the 1990s, beginning with a provincial inquiry into policing which concluded in 1994. Many of these changes relate directly to themes identified in the Inquiry's Interim Report, namely police accountability and oversight, standardized and coordinated investigative practices, and ensuring that policing that is responsive to vulnerable women and girls and to community needs. These are discussed throughout Part 2 of this submission. Other reforms, such as PRIME-BC and the integration of specialized policing teams/units, have had a more general effect on policing in British Columbia; these are highlighted below.

Although these systemic reforms are not as directly related to the Inquiry's mandate, it should be noted that the resulting improvements also support effective police responses to missing and murdered investigations. By coordinating information systems and centralizing highly specialized policing functions, these systemic changes: enhance consistency in investigative practices; support the development of subject matter expertise and advanced skills, cross-jurisdictional cooperation and communication; and improve the likelihood of early identification of predatory serial offenders.

PRIME-BC

In the early 2000s, the provincial government and British Columbia's police agencies partnered to develop a shared police records management and computer-aided dispatch system connecting all municipal police and RCMP detachments.

The system, known as PRIME-BC (Police Records Information Management Environment for British Columbia) is the only multi-jurisdictional police records management and computer-aided dispatch system covering an entire province in Canada. Its three interlinking components (Computer Assisted Dispatch, Records Management System and Mobile Work Stations) create a virtual, real-time connection from police communications centres to mobile units and patrol vehicles. Together, they provide police with instant information on crimes, allowing them to operate in a structured information environment that creates efficiencies and improves analytics.

PRIME-BC is used by 13 municipal and designated police agencies and 135 RCMP detachments in British Columbia. More than 9,500 police personnel interact with PRIME-BC.

Integration

In collaboration with the policing community, the Policing and Security Branch promoted the creation of a seamless, integrated and professional police service by supporting the integration and consolidation of services, where appropriate, and providing leadership in the centralization of services that are highly technical, capital intensive and specialized. There are a number of integrated police teams currently operating in the province.⁵

The benefits of targeted policing, integration and consolidation of police services include: reducing duplication and overlap of police services throughout the province, particularly with respect to specialized services; ensuring a more focused, timely and coordinated response to major incidents; allowing agencies to better capitalize on economies of scale; facilitating the use of shared equipment and common technologies; streamlining and reducing overlap of administrative functions; and ensuring maximum flexibility to investigate crimes that occur across the region.

For example, as an integrated team, the Integrated Homicide Investigations Team (IHIT) can benefit investigations into missing and murdered Indigenous women by pooling expertise, increasing capacity and improving the quality of homicide investigations. IHIT has been successful in identifying linked cases and the early detection of serial offences. IHIT also creates opportunities for information sharing between provincial Major Crime (District Senior Investigating Officers), the Vancouver Police

⁵ There are three broad categories of integrated teams:

Federal Integrated Teams include members from municipal, provincial and/or federal agencies (Canadian and U.S.), which are funded primarily by the federal government. Federal integrated teams/programs are included under Federal Serious and Organized Crime (FSOC). FSOC is comprised of multi-disciplinary groups and teams dealing with National Security, Transnational Organized Crime, Money Laundering and Border Security.

Provincial Integrated Teams may include members from municipal, provincial and/or federal agencies but are funded primarily by the provincial government. The provincial teams include Combined Forces Special Enforcement Unit – British Columbia (CFSEU-BC), Hate Crime Task Force, Integrated Sexual Predator Observation Team (ISPO), Integrated Witness Protection Services and the Unsolved Homicide Unit.

Regional Integrated Teams may include members from municipal, provincial, and/or federal police agencies. These teams are formed to address concerns or provide services to specific regions of the province. For example, the Lower Mainland District (LMD) Police Dog Service provides service to all RCMP municipal and provincial policing jurisdictions in the RCMP Lower Mainland District, as well as Abbotsford, Delta, New Westminster, and Port Moody Police Departments. The costs of these teams are shared between the participating jurisdictions according to pre-determined funding formulae.

Department and the Vancouver Island Integrated Major Crime Unit, as well as supporting province-wide best practices and leveraging of resources and expertise.

Amendments to the *Police Act* in 2015 strengthened the ability of the Province to organize policing, and served to reinforce the Province's commitment to the integration of specialized police services in British Columbia.

Police Training

The Policing and Security Branch provides an annual grant to the JIBC Police Academy to assist in funding the delivery of training to municipal police departments. In 2007, police training in British Columbia was reviewed and resources were dedicated to restructuring and standardizing police training. Specifically, the training development process was strengthened with evidence-based methodologies and requires a measurable performance in the field.

Since 2009, the Policing and Security Branch has overseen the development of a number of systematically built training programs for all police in the province. These courses were created in close consultation with police and non-police experts and include courses such as the domestic violence training courses discussed below in Part 2, as well as training related to the use of force.

Part 2. B.C. Initiatives and Reforms Relevant to The Inquiry's Mandate

Police play a vital role in responding to reports of violent incidents and ensuring the safety and security of vulnerable persons through measures to reduce violent crime and increase reporting to police. International obligations require police and governments to exercise due diligence through actions seeking to prevent, investigate and punish acts of violence against women and girls.

Tragically, police practices in British Columbia have also been influenced by large scale, major case investigations into the murders and disappearances of vulnerable women and girls, particularly the investigation of Robert Pickton and the investigation of a string of disappearances along a series of highways in Northern British Columbia (i.e., the Highway of Tears).

The Robert Pickton Investigation

In the 1990s, women began to go missing from Vancouver's Downtown Eastside at a rate that stood out from historical patterns. Many of the women were working in the survival sex trade and/or suffering from addictions. In the Spring of 2001, the Vancouver Police Department (VPD) and the RCMP initiated a joint task-force (known as Project EVENHANDED) to investigate the disappearances. Ultimately, Project EVENHANDED investigated 68 cases of missing women, 36 of whom were identified as Indigenous women.

In February 2002, Robert William Pickton became a suspect in the disappearances of the women when a search was conducted on his property. The Pickton investigation would develop into the largest serial killer investigation in Canadian history and would continue until his conviction in 2007.

Following the conclusion of the legal proceedings against Pickton, the Province of British Columbia established the Missing Women Commission of Inquiry (MWCI) in 2010 (discussed in detail below). Wally T. Oppal, Q.C., was named commissioner of the independent commission with a mandate to

review the investigations of missing and murdered women, particularly those who went missing from the DTES. The police investigations included in the scope of the MWCI were those conducted between January 1997 and February 2002. As such, when the final report was released in 2012, more than ten years had passed since the conduct of the investigations being examined. During this decade, there were important changes to policing in British Columbia.

The Highway of Tears Investigation

From 1989 to 2006 nine young women went missing or were found murdered along the 724 kilometre length of Highway 16, now commonly referred to as the Highway of Tears. All but one of these victims were Indigenous women. In the Fall of 2005, the RCMP “E” Division Criminal Operations initiated Project E-PANA and created a Task Force to review and investigate the unsolved murders.

In 2006, the Task Force took ownership of nine investigations. In 2007, and according to the RCMP, the number of cases doubled from nine to eighteen. Project E-PANA consists of 13 homicide investigations and five missing persons investigations. The investigations are ongoing.

2.1 Forsaken - The Report of The MWCI

As noted, following the conclusion of the legal proceedings against Pickton, the Province of British Columbia established the MWCI in 2010. The commission considered evidence from 93 days of public hearings, written submissions, public policy forums and input from community engagement forums throughout the province. On December 17, 2012, Commissioner Oppal released the findings and recommendations from the inquiry in his report, *Forsaken, The Report of the Missing Women Commission of Inquiry* (hereinafter the MWCI Report). The MWCI Report contained 63 recommendations; a large number were related to policing matters.

Critical examination of the police investigations into the missing and murdered women was a major component of Oppal’s mandate. The MWCI Report identified seven critical police failures in the missing and murdered women investigations:

- Poor initial report taking and follow up,
- Faculty risk analysis and risk assessment,
- Inadequate proactive strategy to prevent further harm to women in the DTES,
- Failure to consider and properly pursue all investigative strategies,
- Failure to follow major case management practices and policies,
- Failure to address cross-jurisdictional issues and ineffective co-ordination between police forces and agencies, and
- Failure of internal review and external accountability mechanisms.

Oppal attributed these failures to a series of underlying causes, including bias against the missing women, inadequate leadership, failure to modernize policing in British Columbia, the fragmentation of policing in the Lower Mainland, inadequate resources to policing in general and to the missing women investigations in particular, and the structure and culture of policing.

Many of Oppal’s recommendations were aimed at enhancing police investigations of missing persons, complex crimes such as suspected multiple homicides and multi-jurisdictional investigations. Other areas of policing reform were also identified, such as measures to promote equality in the delivery of

policing services, increase responsiveness to the needs of vulnerable persons and enhance governance of policing. Among others, the policing-related recommendations involved developing standards, training, operational protocols and guidelines and strategies, as well as undertaking legislative reforms and implementing other regional or provincial services such as a regional Real Time Crime Centre – British Columbia (RTIC-BC).

It is important to emphasize that prior to the release of Oppal’s recommendations, significant changes to investigative practices had been implemented or were underway in British Columbia, in particular increased support for the use of major case management. For example, a process for accrediting Team Commanders was implemented and ‘Evidence and Reports III’ (major case management software) was in use by major crime units throughout RCMP “E” Division. Following the release of the MWCI Report, the province undertook a variety of projects to address the recommendations. Work is substantively complete or well underway on all of the major themes of the MWCI Report: compensation, improvements to policing, safety for vulnerable women, and supports for missing women.

What follows is an overview of the Policing and Security Branch’s initiatives related to missing and murdered Indigenous women and girls. Many of these initiatives are in direct response to MWCI Report recommendations, while others were already underway.

2.2 Strengthened Police Accountability Mechanisms

As noted, a key finding identified in the Inquiry’s Interim Report was the need for more responsive, transparent and accountable policing (including comprehensive and independent police oversight). The issue of how best to achieve effective police accountability is one that has been examined and discussed extensively by British Columbians – in particular, over the past 25 years – resulting in an evolution of accountability mechanisms in the province.

Within the context of this submission, the term ‘accountability mechanisms’ is the umbrella term for those organizations, authorities or regulatory frameworks that hold the police to account to citizens or government in some way. Specific to this discussion, accountability mechanisms include the development of civilian oversight functions (such as the British Columbia OPCC, the British Columbia IIO, and the RCMP CRCC), as well as amendments to the *Police Act* that have impacted the ways in which the government manages its relationship with the police.

2.2.1 Closing the Gap – 1994 Oppal Commission of Inquiry into Policing in British Columbia

During the 1980s and early 1990s a number of high-profile police-involved serious incidents led to the appointment of Justice Wally Oppal, Q.C., to conduct a Commission of Inquiry into Policing in British Columbia. Justice Oppal was asked to address what changes should be made to policing in order to reflect the changes that had occurred in society and the challenges faced by police at that time. Justice Oppal’s broad terms of reference touched on a range of issues related to policing and public safety. Integral to his review was a public consultation process.

The final report, *Closing the Gap: Policing and the Community*, was released in September 1994 (hereinafter the 1994 Oppal Report). It detailed the challenges facing police agencies and made recommendations on how the provincial government should structure and manage policing. Justice Oppal found that although citizens were generally satisfied with police performance, they were also

feeling increasingly isolated from their law enforcement agencies. Citizens in every part of the province wanted a closer working relationship with the police to solve community problems relating to crime and safety. In particular, the public wanted police to be involved in identifying and solving local crime problems through on-going cooperation and partnerships with the communities they served. Following the release of the 1994 Oppal Report, the provincial government formally endorsed the values and principles of a community-based policing model.

While the 1994 Oppal Report advocated the need for community policing to improve public safety and increase police accountability, Justice Oppal also recognized the need to strengthen accountability through governance and oversight mechanisms. In response to his recommendations, the provincial government made comprehensive amendments to the *Police Act*.

Amendments in 1998 to the *Police Act* dissolved the British Columbia Police Commission (BCPC) and established the OPCC, which was vested with the BCPC's police complaints function. These amendments resulted in a police complaint model that gave police the responsibilities for investigating complaints, and imposing discipline for misconduct, while providing for independent civilian authority to oversee the discharge of those responsibilities. The OPCC continues to oversee the investigation of complaints against officers employed by municipal and designated police agencies (non-RCMP). The OPCC does not include a civilian-led investigation component. However, the Police Complaint Commissioner has the authority to appoint an independent observer to an investigation.

The 1998 amendments to the *Police Act* also established the statutory role of the Director of Police Services and assigned broad powers to the Director. The Director was given overall responsibility to superintend policing and law enforcement functions. With the exception of public complaints, the Director became responsible for all former functions of the BCPC, including audits, policing standards, research and statistics.

2.2.2 The Wood Review

The concept of civilian oversight of police conduct continued to evolve and its practice scrutinized. In the five years that followed the establishment of the OPCC, a number of concerns were raised about the efficacy of the legislation from key stakeholders. Also during those years, a number of high-profile police incidents occurred that drew questions from the public about the process for handling complaints against the police. In 2003, the Pivot Legal Society formally submitted 50 complaints to the OPCC on the behalf of several marginalized residents in Vancouver's Downtown Eastside.

In 2005, the Province appointed Justice Josiah Wood, Q.C., to lead a review of the police complaint process as set out in Part 9 of the *Police Act*. As part of the review, Justice Wood also examined the integrity of the system and the confidence of stakeholders in the conduct of the police complaints investigations by municipal police departments.

An audit of 294 complaint files was undertaken as part of the review. Justice Wood found that while the majority of complaints against the police were properly investigated and appropriately handled, one in five complaints were not handled or concluded as well as they could be. Justice Wood was concerned that some of the more serious complaints tended to be the ones that had deficiencies, either in the investigation or the disposition.

In his 2007 report, *Report on the Review of the Police Complaint Process in British Columbia*, Justice Wood made more than 90 recommendations designed to address identified problems as well as to streamline and improve the legislative framework. In response to these recommendations, the police complaints process was modified through changes made to the *Police Act* in 2009. The changes strengthen the oversight powers of the OPCC. The intent of the changes also focused on accessibility for the public to file complaints against municipal police regarding officer conduct, for investigators to process these complaints more thoroughly and for the OPCC to contemporaneously oversee the entire process to ensure a higher degree of public confidence in the results.

2.2.3 The Davies Commission of Inquiry into the death of Mr. Frank Paul

On December 5, 1998, Mr. Frank Paul was removed from the Vancouver Police Department jail by a police officer and left in an alleyway where his body was found the next morning. Mr. Paul, a Mi'kmaq from New Brunswick, had died from hypothermia due to exposure and alcohol intoxication. Mr. Paul had been refused admittance to the sobering cell at the jail and instead placed in the alleyway. Subsequent to Mr. Paul's death, the Vancouver Police Department was criticized not only for its actions on December 5, 1998, but also for the follow-up investigation of the death conducted by the Vancouver Police Department. In light of the criticism and the increased focus on police accountability, the Province appointed former Supreme Court Justice William H. Davies, Q.C., to undertake a detailed review of Frank Paul's death.

The Davies Commission of Inquiry examined a number of issues, including the issue of police officers investigating fellow police officers. The Davies 2009 Interim Report, *Alone and Cold: Inquiry into the death of Frank Paul*, concluded that the Vancouver Police Department investigation was flawed by reason of inadequate policies and conflicts of interest inherent in police officers investigating fellow police officers for possible criminal conduct. Justice Davies recommended that British Columbia establish a civilian-based investigative agency, to be named the Independent Investigations Office (IIO), with powers entrenched in legislation. This recommendation was not immediately adopted until similar recommendations were made in the Braidwood Commissions of Inquiry (discussed below).

2.2.4 The Death of Mr. Robert Dziekanski and the Resulting Braidwood Commissions of Inquiry

Police accountability and the extent of civilian oversight with respect to police conduct continued to receive focus in British Columbia. On October 14, 2007, Robert Dziekanski died after the use of a Conducted Energy Weapon (CEW or Taser) by police at the Vancouver International Airport. A video of the tragedy received extensive national and international media attention resulting in calls for a moratorium on the use of CEWs.

In February 2008, the Province of British Columbia appointed Justice Thomas Braidwood, Q.C. to conduct two separate public inquiries: 1) a study commission to inquire into and report on the use of CEWs in British Columbia; and 2) a hearing and study commission to require into and report on the death of Robert Dziekanski. Recommendations from both of these inquiries were fundamental to the establishment of strengthened government and civilian oversight of policing in British Columbia that are in place today.

Phase One Braidwood Commission Report Legacy - British Columbia Provincial Policing Standards

Released in 2009, Justice Braidwood's first report, *Restoring Public Confidence: Restricting the Use of Conducted Energy Weapons*, concluded that the use of CEWs should be significantly restricted and was critical of the provincial government for not using its legislative authority to set binding provincial policing standards on issues that were of public policy concern. At the time of Mr. Dziekanski's death, police were expected to follow a set of policing standards for municipal police developed in the 1990s by the then BCPC. The BCPC standards were not applicable to the RCMP and were not legally binding on any police agency in the province. The BCPC standards embodied the "professional model of policing" that was prevalent at that time, emphasizing the independence of police, hierarchical rank structure and centralized command.

The Braidwood recommendations served as a catalyst for 2010 and 2012 amendments to the *Police Act* that gave the Director of Police Services, with the approval of the Minister, the authority to set legally binding provincial standards for police in the province (BCPPS). Around the same time, new RCMP policing agreements were signed between the provincial and federal governments that, among many items, enshrined key principles that supported higher levels of accountability. The RCMP in British Columbia is working with the Province to harmonize standards.

The BCPPS are forward-looking because the issues addressed, most notably use-of-force and investigative practices, are topics often perceived to be mainly within the purview of police. As the BCPPS are directed at the officers in charge of police agencies, police boards or municipalities, the level of analysis is raised from the scrutiny of individual officers or events, to broader systemic issues. The BCPPS are developed by government, in consultation with police and non-police stakeholders and subject-matter experts, with the key imperative that police independence must be balanced with accountability to the public and to civilian authority.

The consultation and development processes established to address the Braidwood recommendations needed to be sensitive to police operational independence, the expectations from non-police stakeholder groups, as well as intricate legal limitations and requirements. A consultation process was created that brought together a wide range of participants to act in an advisory capacity during the BCPPS development process. Chaired by the Director of Police Services, the Advisory Committee on Provincial Policing Standards (ACOPPS) is the cornerstone of ongoing standards development, and includes membership from the police, the IIO, OPCC, Union of BC Indian Chiefs, BC Civil Liberties Association, Union of BC Municipalities, Justice Institute of British Columbia and the RCMP Provincial Regional Training Centre.

Phase Two Braidwood Commission Report Legacy – Independent Investigations Office

Justice Braidwood's focus in the second part of the inquiry was on the circumstances surrounding Mr. Dziekanski's death. Justice Braidwood concluded in his 2010 report, *Why? The Robert Dziekanski Tragedy*, that the investigation of Mr. Dziekanski's death was an example of the police investigating themselves. He concluded that this model of investigation allows for the perception of conflict of interest, which in turn may lead to public distrust and an undermining of public confidence in the police. Justice Braidwood found that although progress had been made since the 1994 Oppal Report and the creation of the OPCC, these changes still allowed for the police to retain responsibility for investigating complaints.

Former Supreme Court Justice William H. Davies, Q.C. had undertaken a detailed review of the issue of police investigating themselves, during the Inquiry into the death of Frank Paul. Justice Braidwood agreed with Justice Davies' recommendation to establish a civilian-based investigative body, and also made recommendations to enhance the Davies model of reform. Amendments to the *Police Act* were made and the IIO was created and became operational in September 2012. As Justice Braidwood envisioned, the IIO is headed by a chief civilian director who must never have served as a member of a police force, and its powers are entrenched in legislation.⁶

Currently, the IIO conducts investigations regarding police-related incidents that result in death or serious harm. Its scope includes all on- or off-duty police officers in British Columbia, whether that officer is a municipal officer, a member of the RCMP, a Tribal Police member or a Transit Police officer. In addition, the IIO investigates on-duty incidents involving auxiliary members and Special Provincial Constables.

2.2.4 Enhanced RCMP Accountability

RCMP Contract Management and the Role of the Provincial Government

As noted, the provincial government signed the 2012 Provincial Police Services Agreement (PPSA) on March 21, 2012. The new contract is one of the important steps in creating more transparency and accountability in policing and marks a higher standard of accountability to the government and British Columbia's communities than existed previously. The agreement provides for new management and oversight ability that allows the Policing and Security Branch to take a more direct role in determining how police services are delivered in British Columbia.

The new PPSA enshrines key principles which support a higher level of accountability, including:

- A new relationship in which the provincial government has enhanced oversight and governance over both National RCMP Programs and their local Police Service,
- Agreement on mechanisms to improve reporting, planning, reviewing and evaluating the finances and operations of the RCMP to ensure that the Provincial Police Service is more accountable and transparent to the governments that pay the bills, and
- New cost containment mechanisms that will enable the provincial government and municipalities to better control costs and challenge the effectiveness of program delivery.

An addition to the 2012 Agreement is the provincial government's ability to have in-depth reviews conducted on issues relating to the Provincial Police Force and RCMP national programs. This is an important mechanism for ensuring services and programs are efficient and effective. These provisions strengthen accountability for financial management and facilitate informed decision-making.

⁶ The *Police Act* requires police agencies to contact the IIO when an incident that may fall within the IIO's mandate occurs and further requires police to secure the scene of the incident until an IIO investigator arrives. The IIO will then decide whether a case is within the jurisdiction of the IIO and, if so, the IIO will investigate and determine whether an officer may have committed an offence. If the chief civilian director of the IIO believes that an offence may have taken place, he or she will make a report to Crown Counsel, who determine whether or not to lay any charges. If the chief civilian director determines that an offence did not occur, he or she will release a public report that will provide information on the investigation and the IIO's findings. The IIO operates under the Ministry of Attorney General.

The provincial government can also be involved in the appointment and replacement of Detachment Commanders for all RCMP detachments in British Columbia as well as determining the number and location of detachments in the province. Under the new municipal Agreement(s), the Mayor will be consulted on new detachment commanders and may request that the local communities also be consulted in the selection process.

Civilian Review and Complaints Commission

At the same time as contract renewal, the RCMP created a new Civilian Review and Complaints Commission (CRCC) to replace its previous complaints model. The CRCC is an independent agency created by Parliament to provide civilian oversight of RCMP members' conduct while on duty. The CRCC reports to the federal Minister of Public Safety. The CRCC has enhanced investigative powers and increased access to RCMP information with the aim of increasing the transparency of investigations, reducing the potential for bias and promoting public accountability of criminal investigations. Members or former members of the RCMP are not eligible to be appointed as members of the Commission.

In 2013, the federal government bill, *Enhancing Royal Canadian Mounted Police Accountability Act*, received royal assent. The bill mandates that where the actions of a member of the RCMP lead to the death of a person or to serious injury, an organization other than the RCMP must investigate. In British Columbia, the IIO conducts these investigations.

2.3 Standardized and Coordinated Investigative Practices

A number of actions and reforms have taken place in British Columbia that are relevant to the work of the National Inquiry into MMIWG. Some of this work was initiated prior to the release of the final report and recommendations from the MWCI in 2012, while others followed.

Beginning in 2003, the Province began to make additional investments in the missing and murdered women investigations and continues to do so to this day. Dedicated funding for Project EVENHANDED reached a high of approximately \$22 million in 2003/04. When funding was no longer required for Project EVENHANDED, \$12.5 million was added to the RCMP Provincial Police Force base budget to continue work on missing and murdered women, including those who went missing on the Highway of Tears (Project E-PANA). This supplemental funding was transitioned to the core budget to service the many varied investigative needs of the RCMP Provincial Force Major Crime Section when responding to the prevention and investigation of missing and murdered women and girls.

In the same time period, the Policing and Security Branch supported the RCMP Provincial Force in the restructure of its Major Crimes Section. Modern police tactics and techniques for identifying victims and offenders, and Major Case Management techniques, were incorporated, as well as a higher level of accountability for these investigations through the implementation of the RCMP Benchmark Offences and Reporting policy. District Senior Investigating Officers (DSIOs), who are accredited Team Commanders, oversee all benchmark offences with their district. DSIOs work in collaboration with one another and with RCMP "E" Division headquarters. This improves connectivity and "real time" oversight and access to expertise, which in turn ensures optimal deployment of resources. Homicides and missing person cases where foul play is suspected are considered benchmark offences. The impact of these changes has been significant.

Similarly, the Policing and Security Branch helped to fund the British Columbia Police Missing Persons Centre (BCPMPC). The BCPMPC was established in 2004 at the recommendation of the British Columbia Association of Chiefs of Police (BCACP), which had identified a need for more oversight and standardization of missing person investigations. The BCPMPC is an integrated unit within the RCMP Major Crimes Section; it includes both RCMP and municipal police department members. The BCPMPC supports programs that may assist in locating missing persons, conducts historical reviews and provides training and guidance in missing person investigations. Policing and Security Branch continues to provide funding for the BCPMPC through the RCMP Provincial Police Service budget.

The BCPMPC assists the B.C. Coroner's Service with the identification of human remains and liaises with police agencies throughout Canada to collect information on related missing person investigations. In 2012, the BCPMPC added the provincial prostitution unit (currently named the Counter-Exploitation Unit) and Indigenous Policing Officer positions. Recently the BCPMPC has been designated as an automated Centre for Missing Persons and Unidentified Human remains (CMPUR), which is an extension of the of the National Centre for Missing Persons and Unidentified Remains (NCMPUR). The BCPMPC now uses automated reporting and analytical tools through the national Missing Children/Persons and Unidentified Remains (MC/PUR) database and access to the NCMPUR's national database, assisting significantly in the detection and follow up of potential links between cases.

Other reforms related to standardized and coordinated investigative responses were initiated by the Province as a direct result of the findings and recommendations of the MWCI Report, released in 2012. In particular, these include: the development of BCPPS⁷ with respect to Missing Person Investigations, Major Case Management and Inter-agency Cooperation and Coordination; new legislative tools to assist police in locating missing persons and review inactive major case investigations; and the establishment of the RTIC-BC.

As previously discussed in Part 1 of this submission, the authority to set BCPPS is a responsibility of the Director of Police Services under Part 8 of the *Police Act*. The scope of the authority is set out in the list of topic areas for standards development in section 40 of the *Act*. Following the release of the MWCI Report, four topics were added to section 40 through amendments to the *Police Act*, providing authority for the Director to create standards in the following areas:

- Cooperation and coordination amongst police forces in relation to investigations involving missing persons, complex and/or serious crimes,
- Principles, practices and strategies to be used in investigations involving missing persons, complex and/or serious crimes,
- The promotion of unbiased policing, and
- Community consultation regarding the priorities, goals and objectives for policing and law enforcement.

⁷ Copies of all BCPPS are available here: <https://www2.gov.bc.ca/gov/content/justice/criminal-justice/policing-in-bc/policing-standards>

2.3.1 Provincial Policing Standards for Missing Person Investigations

The purpose of the BCPPS for Missing Person Investigations (hereinafter the MPI Standards) is to establish the overall approach to be taken in missing person investigations in British Columbia. The intent is to ensure that all missing person investigations are prioritized and undertaken at a high standard appropriate to identified risks.

The MPI Standards were developed in direct response to recommendations in the MWCI Report. While many police forces had already started to implement changes consistent with these recommendations, the establishment of the MPI Standards ensures a consistent investigative approach is maintained throughout the province and safeguards the important lessons of the Pickton investigation and other missing and murdered women investigations.

A rigorous methodology was followed for developing the MPI Standards. ACOPPS was relied on for advice and critique of the standards as they were being developed. Extensive stakeholder consultation was undertaken in this process. In addition to the groups represented on ACOPPS, the Policing and Security Branch staff also consulted directly with police agencies, the BCMPC, the British Columbia Coroner's office, other government ministries and agencies and various service providers and community groups through dialogue sessions in the DTES and in Prince George.

The MPI Standards were completed in 2015 and came into effect in September of 2016. These Standards cover a range of topics, from intake through to the conclusion of a missing person investigation, as well as prevention and follow up.

The MPI Standards are founded on a number of Guiding Principles, which are formulated as part of the standards-development process. Many of the Guiding Principles reflect some of the key issues identified in the Inquiry's Interim Report, specifically more immediate, proactive and thorough investigations, as well as more comprehensive and ethical information-sharing. The Guiding Principles are:

- There should be no barriers to reporting a missing person and investigations should begin without delay.
- Investigations into persons reported missing should initially be approached as high risk until a risk assessment is completed.
- Aboriginal women and girls are at an increased risk of harm.
- If foul play is suspected, the case must be assigned to a serious or major crime section.
- The safety and wellbeing of the missing person should be the primary concern driving investigative tasks and decisions.
- Police officers need discretion to address the unique needs of each case, with accountability for decisions through supervisory review.
- Cooperation between police forces is crucial to missing person investigations.
- A proactive approach should be taken towards missing person investigations.
- Going missing is not in and of itself a crime.

The MPI Standards require a risk assessment template and a determination of risk by an investigating officer, in consultation with a supervisor. The determination of risk includes several factors listed in the MPI Standards, including for example, whether a person is part of an identifiable group that is

statistically at an increased risk of harm (i.e., Aboriginal women and girls); had been involved in a violent or threatening incident prior to going missing (e.g., domestic or relationship violence); was involved in activities that may put them at increased risk of harm; or whether the behaviour was out of character, to name a few. Risk assessment is an ongoing process throughout an investigation.

The MPI Standards require that families and those who have made a missing person report be kept appropriately informed of the progress of an investigation, and treated with compassion and respect. The Standards require that family members and people who have made a missing person report should know who to contact if they have questions about or have information relevant to the investigation, and should be informed of key developments in the investigation in an appropriate manner. In keeping with the underlying purpose of more comprehensive information sharing, the Standards require that:

- Specific pieces of information, such as support services that may be available and the file number for the investigation, are provided to the family or the person who made the missing person report,
- A family liaison is appointed to each investigation and provides updates on the status of the investigation to the family or individual who made the missing person report,
- Wherever possible, the family is consulted about information to be released to the public about the missing person and notified in advance of media or public statements about the investigation, and
- In long term cases, or sooner where appropriate, a plan for ongoing communication is established in consultation with the family or person who made the report.

The MPI Standards also require that police work in partnership with local organizations to support investigations when an Indigenous person is reported missing. The MPI Standards require police to have access to a means for obtaining advice or assistance during these investigations, which may include:

- An Aboriginal liaison officer; or
- An officer from a federal First Nations Policing Program Community Tripartite Agreement or Quadpartite Agreement; or
- Local Aboriginal leaders or organizations, through written protocol or agreement.

Working in collaboration with the Canadian Police Knowledge Network the provincial government funded the development of an online *Missing Person Investigation in British Columbia* orientation course as part of the development of the BCPPS. The course promotes the awareness of the MPI Standards and investigative tools available under the *Missing Persons Act* (discussed in more detail below).

The provincial government website includes information about the process for police investigations of missing persons in British Columbia, including information about what happens and what to expect when reporting a person missing, what can be done to help an investigation and related resources. The website emphasizes that there is no waiting period to report and that anyone can make a report.

2.3.2 Provincial Policing Standards for Major Case Management

The purpose of the BCPPS for Major Case Management (hereinafter the MCM Standards) is to help ensure that police response to a serious incident is appropriate to the needs of an investigation while maintaining substantive services to the community.

The MCM Standards were developed in response to MWCI Report recommendations that the Province should mandate the use of Major Case Management principles, and establish standards for the investigation of all major crimes. Related recommendations were that the standards address multi-jurisdictional and multi-agency investigations and that a protocol or framework to support the timely and seamless implementation of multi-agency teams be developed.

The MCM Standards were developed in consultation with stakeholders and approved by the Minister in January 2017. The MCM Standards will begin to take effect in January 2019. The MCM Standards identify the minimum elements of the principles of major case management to be applied by all police forces in British Columbia to enhance consistency in investigations and to facilitate cooperation and coordination on multi-jurisdictional investigations. The MCM Standards also provide a mechanism through which compliance with the principles of major case management can be assessed.

Similar to the MPI Standards, the MCM Standards are founded on a number of Guiding Principles that are responsive to some of the key issues identified in the Inquiry's Interim Report. The MCM Standards' Guiding Principles are:

- Certain cases stand out from others in terms of the seriousness of the offence, the scope or complexity of the investigation, or the resources required to successfully carry out the investigation.
- Investigative teams with clear roles and responsibilities, decision making authorities, and effective communication, are critical components of major case management.
- The power of any system is enhanced when used consistently within and across policing jurisdictions.
- Accountability mechanisms are critical for major case management.
- Critical analysis is a hallmark of effective major case management.
- Major case management involves a range of crime solving strategies to keep the investigation moving forward and avoid critical errors.
- Multi-jurisdictional investigations require timely, effective and unhindered cooperation and coordination between police forces; information sharing is essential.
- Although the Standards identify certain types of investigations where major case management must be applied, there are many other circumstances where it may assist in structuring the investigation.

To ensure effective information-sharing between police agencies, the MPI and MCM Standards include a number of provision aimed at encouraging the full use of existing information sharing and analytical tools available to police (e.g., CPIC, PRIME, Violent Crime Linkage Analysis System [ViCLAS], Automated Criminal Intelligence Information System).

While the Guiding Principles focus on information-sharing between police agencies, the MCM Standards acknowledge that major cases may involve significant interest by victims, their families, the media, and

the public in general. The MCM Standards require that the impact of investigative strategies and decisions on public trust and safety is evaluated. In particular, the privacy interests of the victim or family must be considered when sharing information about an investigation with the media. Responsibility for media and victim/family liaison must be clear. In addition, the MCM Standards require the Team Commander leading the investigation to ensure that the obligations of police under the *Canadian Victims Bill of Rights* and the *British Columbia Victims of Crime Act* are upheld throughout a major case investigation. Responsibility for victim liaison must be assigned to a designated person, victims must be provided with information to help deal with media interest in an investigation and wherever possible, information must be provided to victims or their family by the designated liaison and in advance of the information being released to the general public.

2.3.3 Process of External Audits for Inactive Major Case Investigations

The importance of supervisory oversight is a key component of the MPI and MCM Standards to ensure that investigations are proactive and thorough. The MPI Standards include supervisory review processes, file review and monitoring, the assignment of a designated Missing Person coordinator for the policing jurisdiction, as well as referral to a major crime unit when foul play is suspected. In addition to these BCPPS, amendments to the *Police Act* in 2014 added a new power for the Director of Police Services to appoint another police force to conduct an external audit of an inactive major case investigation (Part 8.1). Part 8.1 will be brought into force when the MCM Standards begin to take effect in January 2019, as compliance with these BCPPS will factor in the Director's decision to order an external audit.

2.3.4 Provincial Policing Standards for Inter-Agency Cooperation and Coordination

The purpose of the BCPPS for Inter-Agency Cooperation and Coordination is to support information sharing, consistency in practices and collaboration between municipal, provincial and designated police forces in British Columbia with respect to complex investigations involving serious crimes.

The Standards for Inter-Agency Cooperation and Coordination fulfill a commitment by the Province to address the need for consistency and accountability with respect to targeting methods for police intelligence operations and ensure that all police agencies are focusing on the individuals and groups who pose the most significant and immediate threat to public safety. These Standards also bring British Columbia in line with other Canadian provinces where compliance with ViCLAS reporting requirements is mandatory.

The underlying principles of the Standards are that:

- Public interest is best served when police agencies communicate and work together to identify and pursue common objectives. Criminal behaviour increasingly crosses jurisdictional boundaries. Effective information sharing and collaboration between police agencies can increase the ability of police to identify offenders and solve crimes, promoting public safety and the efficient use of resources.
- The power of systems and tools is enhanced when used consistently within and across policing jurisdictions. A number of information systems and tools have been developed to support interagency information sharing, cooperation and coordination.

2.3.5 Missing Persons Act and Regulation

The *Missing Persons Act*, brought into force on June 9, 2015, provides police with tools to help find missing people more quickly, and focuses on cases where a missing person has not been in touch with people who are normally involved in their lives. The *Act* was developed in direct response to recommendations in the MWCI Report.

The *Missing Persons Act* sets out circumstances where the police may apply for a court order to access information in respect of a missing person, such as telephone, credit card and employment records to help their investigation. In cases involving a minor, vulnerable person or person at risk, police may also apply for a court order to access the records of a third party last seen with or believed to be in the company of the missing person, or to enter a place or premise where they believe the missing person may be located. This creates additional tools to help locate vulnerable or at-risk persons whose safety and welfare are of concern because of their age, physical or mental capabilities, or the circumstances surrounding their absence.

When there is an emergency such as a risk of serious harm to a missing person or a concern that records could be destroyed, the *Missing Persons Act* authorizes police officers to make an Emergency Demand for Records without going through the court. To ensure the integrity of the information-sharing, section 18 of the *Act* requires that a report on the use of Emergency Demands for Records must be submitted to the Province on an annual basis and must be made public.

2.3.6 RTIC-BC

The RTIC-BC was implemented in January 2015. The RTIC-BC's mission is to enhance public safety through the delivery of real-time operational support to frontline police officers and investigators by providing actionable intelligence. The goal of the RTIC-BC is to accelerate serious criminal investigations and investigations of persons reported missing, and locate suspects at the earliest opportunity. The focus is on offences where there is a concern for public or police safety, as well as those that cross jurisdictional lines. The RTIC-BC provides real-time services to all police agencies in Metro Vancouver, including RCMP and municipal police, and intelligence connectivity (e.g., awareness bulletins) to all police agencies province-wide.

The RTIC-BC also supports the BCPMPC, for example, by distributing missing person bulletins throughout the province.

2.4 Policing That Is Responsive to Vulnerable Women and Girls and to Community Needs

The provincial government has a role in ensuring that people are protected and community values are reflected in policing practices. A number of initiatives are in place or underway in British Columbia (some of which were initiated in response to the findings or recommendations from different review processes), which help to promote policing that is responsive to the needs of vulnerable women and girls and to community needs, specifically:

- Supporting police responsiveness to needs of victims of crimes,
- Promoting unbiased policing,
- Supporting responsive police policies,
- Strengthening police training,

- Supporting crime-reduction initiatives,
- Strengthening police governance, and
- First Nations policing renewal.

2.4.1 Supporting Police Responsiveness to the Needs of Victims of Crimes

Police play a vital role in keeping the peace, enforcing the law and responding to reports of violent incidents. Police also play a role in ensuring the safety and security of vulnerable persons through measures to reduce violent crime, increase reporting to police and support victims.

The Ministry of Public Safety and Solicitor General is also responsible for administering provincial initiatives aimed at reducing violence and supporting victims, many of which involve police agencies as participants or partners.

In British Columbia, police-based and community-based services to victims are available and are supported by government funding. This includes 91 police-based victim services programs across British Columbia. Police in British Columbia also have access to support and coordinated approaches for programs or partnerships to better serve victims of crime. These are generally supported or administered by the Community Safety and Crime Prevention Branch (Ministry of Public Safety and Solicitor General), which has the primary responsibility for victims' services, programs and initiatives.

Community Safety and Crime Prevention Branch also assumes a critical role in facilitating the development of provincial policies and programs to address violence against women. It is outside the scope of this submission to discuss the work of the Community Safety and Crime Prevention Branch in detail. However, it is important to highlight the following examples which have had significant implications for policing in British Columbia:

Violence Against Women in Relationships (VAWIR) policy

The primary purpose of the British Columbia's VAWIR policy is to ensure an effective, integrated and co-ordinated justice and child welfare response to domestic violence. The goal is to support and protect those individuals at risk and facilitate offender management and accountability. The VAWIR policy sets out the protocols, roles and responsibilities of service providers across the justice and child welfare systems that respond to domestic violence. It also reflects the operational policies of the various agencies involved, including the police.

VAWIR includes a referral policy for victims of power-based crimes⁸, which is intended to ensure that victims of power-based crimes are referred as soon as possible to the appropriate victim service program to receive assistance. "Power-based crimes" refer to violence in relationships (e.g., adult, youth, or child), sexual assault, criminal harassment, child abuse or family violence.

British Columbia Family Information Liaison Unit (BC FILU)

BC FILU is a provincial frontline victim service unit that provides frontline support to families of missing and murdered Indigenous women and girls. The BC FILU began operations in July 2017,

⁸ The policy is available online at: <https://www2.gov.bc.ca/assets/gov/law-crime-and-justice/criminal-justice/victims-of-crime/vs-info-for-professionals/info-resources/power-based-crimes-referral-policy.pdf>

offering a “one stop information” service to assist with meeting the information and referral needs of families throughout the province.

Third Party Reporting

In British Columbia, victims of sex crimes who are 19 or older may report their assault to police through a community-based victim service program. Victim service workers in community-based victim service programs can file third party reports on behalf of a victim, ensuring that police receive a report about the crime, while respecting the wishes of the victim to remain anonymous.

2.4.2 Promoting Unbiased Policing

An important finding of the MWCI Report was that for the period under examination, the missing women had effectively been under-prioritized and under-investigated as a result of systemic bias, and that the systemic bias that operated in the missing women investigations was a manifestation of the broader patterns of systemic discrimination within society. The MWCI concluded that systemic bias – in the form of negative stereotyping – existed within the exercise of individual discretion and collective decision-making by police during the missing women investigations. Furthermore, Commissioner Oppal highlighted that women selling sexual services, particularly women involved in the survival sex trade, were marginalized persons who were more likely to experience higher incidence of violence and less likely to report that violence to police.

The MWCI Report was also critical of police for being estranged from the lived realities of urban Indigenous women and for failing to employ an Indigenous-specific investigation strategy, given the disproportionate number of missing Indigenous women. The MWCI recognized that police did not consciously decide to under-investigate the missing women or to deny protection to women in the DTES. Bias in any service delivery can be unconscious or implicit.

The MWCI Report noted that discriminatory policing erodes individual and community inclination to trust and cooperate with law enforcement, which in turn, impedes effective and safe policing. To address these and other issues, the MWCI Report made several equality-promoting recommendations, including that:

- The provincial government set a provincial standard establishing that police officers have a general and binding duty to promote equality and to refrain from discriminatory policing, and
- The Director of Police Services undertake equality audits of police forces in British Columbia with a focus on police duty to protect marginalized and Indigenous women from violence. These audits should be carried out by an external agency and with meaningful community involvement.

In addition, the MWCI made other equality-related recommendations. Following careful analysis of the recommendations and related issues, literature and policies from other jurisdictions, the Policing and Security Branch developed a multi-pronged approach or framework for moving forward on the promotion of unbiased policing in British Columbia. The framework includes engagement, the development of standards (BCPPS), policy and training and ongoing monitoring. The BCPPS will form the basis for monitoring. While the MWCI Report recommendations are the main impetus for this work,

other processes such as the National Inquiry, the *Truth and Reconciliation Commission's Call to Action* and government policy and strategic commitments provide additional context for this project. Completed milestones in this project are discussed below.

Stakeholder Consultation

Engaging with stakeholders was a central theme of the MWCI recommendations and is important to ensure that the resulting standards are meaningful, effective and reflect a broad spectrum of input. Early stakeholder consultation on this project included discussions with police stakeholders and meetings with senior representatives of 17 community-based organizations focused on human rights, anti-violence and other justice issues.

The focus of these discussions was to seek input on key matters to consider in the BCPPS and to inform processes for further public and stakeholder engagement. This information assisted Policing and Security Branch staff to develop themes and concepts proposed for BCPPS and Guiding Principles that were subsequently used in broader stakeholder engagement.

Public and Stakeholder Engagement

Between March 12 and April 16, 2018, the Policing and Security Branch and the Government Communications and Public Engagement Branch conducted a public and stakeholder engagement initiative on behalf of the Province of British Columbia. The purpose of the engagement was to hear the views of British Columbians on a range of issues related to the promotion of unbiased policing in the province.

Respondents were asked to express their views on six proposed themes for the BCPPS to promote unbiased policing:

1. Ensure that police agencies include a statement about the duty to promote equality and refrain from discrimination in their policies or other documents.
2. Provide guidance on measures to be taken during police investigations to accommodate the needs of vulnerable victims, witnesses or suspects (e.g., investigation procedures relating to LGBTQ2S+, or the handling of items of cultural or religious significance).
3. Engage with the community regarding the priorities for policing, including Indigenous persons, marginalized or vulnerable community members, and minority groups.
4. Support officers, through training, to better understand and respond to the diverse needs of their communities. In particular, the MWCI emphasized training related to Indigenous peoples and others who may be marginalized or vulnerable to violence.
5. Require police agencies to monitor their effectiveness in ensuring equality in service delivery (e.g., through performance evaluations and/or audits).
6. Ensure that police agencies strive to be responsive to, and reflect the diversity in their community (e.g., ability to access services in other languages, targeted recruitment activities).

Overall, there was broad, consistent support amongst respondents with the concepts and themes proposed for the BCPPS and principles, with three-quarters of respondents strongly agreeing or agreeing with the direction presented for these six themes. A seventh theme⁹, not related to the MWCI Report recommendations, concerning the issue of ‘street checks’, garnered more divided views from respondents.

A public report, *What We Heard: Promoting Unbiased Policing*¹⁰, was released in June 2018. At the time of preparing this submission, the BCPPS for unbiased policing are being drafted. ACOPPS will review and provide advice on drafts and further targeted consultation will continue as appropriate. Once completed, the standards will be submitted to the Minister for approval.

2.4.3 British Columbia Association of Chiefs of Police (BCACP) Initiatives

In 2013, following the release of the MWCI Report, the BCACP struck an advisory committee to provide strategic advice on policing-related MWCI recommendations and a working group to research, review and analyse the current status of the police-related recommendations. The Policing and Security Branch provided support for the work of the advisory committee (the committee) and working group.

Policy Review

The committee examined police departments’ policies, procedures and operational responses as they pertained to the police-related MWCI recommendations; identified commonalities, gaps and areas that required further analysis and development; and identified a series of action items to address gaps. For example, the committee found that most police agencies did not have policies that specifically addressed the protection of vulnerable women, including marginalized Indigenous women. Some police agencies were found to have policies related to vulnerable persons or vulnerable groups; however, initiatives and directives to identify and protect vulnerable women from violence were limited. The review recommended that each police agency ensure that current training and operational initiatives address violence against women and vulnerable women as defined by the MWCI Report and assess compliance and results.

BCACP Best Practice Guide on Police Warnings

To ensure information on risks to the public are available to those most vulnerable to the threat, the BCACP examined the issue of public warnings. Public safety warnings issued by the police are a proactive step to protect the public by communicating information on specific risks and safety precautions. The committee developed a best practice guide for all police agencies in British Columbia. The guide was endorsed by the BCACP membership in June 2017 and distributed to all police agencies in the province.

⁹ In addition to the six proposed themes, respondents were asked to comment on whether and how ‘street checks’ should be incorporated in the standards.

¹⁰ Available at: <https://engage.gov.bc.ca/unbiasedpolicing/>

BCACP Sex Work Enforcement Guidelines

The committee developed *Sex Work Enforcement Guidelines and Principles* for police in the province. The Policing and Security Branch supported this work by coordinating the consultation process. The guidelines and principles emphasize considerations for the safety of persons selling sexual services when police develop enforcement priorities, policies or procedures, and the importance of ongoing dialogue and relationship-building with sex workers and community service providers to this end. The *BCACP Sex Work Enforcement Guidelines and Principles* were endorsed in November 2017 as a basis for the development of local policies.

Best Practices from SisterWatch

Since 2010, members of the VPD and members of the DTES community meet every six weeks to build trust and discuss action to increase the safety of women living and working in the community, through a program known as SisterWatch.

The MWCI Report recommended that SisterWatch be evaluated to provide a basis for further refinements and with a view to establishing best practices for meaningful police-community partnerships; and that these best practices be shared with other police forces to encourage them to develop and maintain ongoing, collaborative community forums.

The Community Safety and Crime Prevention Branch provided a one-time grant of \$50,000 to VPD for an evaluation of the SisterWatch committee in March 2014. The evaluation, which was issued by VPD in June 2015, included key findings and lessons learned. The BCACP shared the evaluation with the RCMP and municipal police forces across the province.

2.4.4 Cultural Diversity and Policing Forum

In January 2016, the Policing and Security Branch, in partnership with the Provincial Committee on Cultural Diversity in Policing¹¹, hosted the Cultural Diversity and Policing Forum in order to strengthen relationships and identify emerging priorities. The forum included speakers and facilitated discussions on the themes of police-community and youth relations, unconscious bias, recruiting, and domestic violence. The conference brought together different leaders and partners from different sectors and promoted dialogue. Law enforcement personnel, provincial and federal justice partners, subject matter experts, influential community members, ethno-cultural community leaders and First Nations leadership and organizations were among the invitees.

2.4.5 Police Training

The Policing and Security Branch has been working on strengthening police training in the province for a number of years. Several training initiatives exist in British Columbia to support better police responses to violence in relationships and to vulnerable persons reporting violence, and the delivery of police services to British Columbia's diverse communities. This work was informed by various processes over the years, including the MWCI. For example, Commissioner Oppal made several recommendations with respect to training for justice system personnel working with marginalized women and British Columbia's Indigenous communities. The MWCI Report recommended mandatory, ongoing experiential

¹¹ The Provincial Committee on Cultural Diversity in Policing (PCCDP) is chaired by the Director of Police Services and provides a forum for ongoing engagement with diverse communities in relation to policing.

and interactive police training concerning vulnerable community members, as well as training that focuses on the special needs of vulnerable individuals, including recognition of a higher standard of care owed by the police to these individuals. A related MWCI Report recommendation was that police forces integrate into training, performance standards, and performance measurement the ability of police officers to develop and maintain community relationships, particularly with vulnerable members of the community who are often at risk of being treated unequally in the delivery of public services.

The Policing and Security Branch continues to address these recommendations. The following training initiatives are of particularly relevance to the work of the National Inquiry:

Bias Awareness: British Columbia Fair and Impartial Policing (BC FIP) Training

With the support of the Policing and Security Branch, a customized version of Fair and Impartial Policing © training was developed for the British Columbia context (BC FIP). The customized material was developed through a working group process involving a British Columbia-based equity and diversity consultant and an Indigenous resiliency consultant, as well as front-line police officers and supervisors. The BC FIP course is designed to increase officer knowledge of the science of human bias, enhance self-awareness that biases exist in all persons, explore the impact of biased policing, introduce skills for officers to work toward fair, impartial and effective policing and minimise bias-based decisions or actions. The course includes facilitated presentations, reading material, videos, interactive activities and dialogue in-class and with peers.

In 2017, the BC FIP course was successfully piloted and subsequently launched using a train-the-trainer delivery model. The Policing and Security Branch requires that police agencies track officer attendance and will monitor attendance as part of a suite of provincial measures for the promotion of unbiased policing and improving relationships with communities.

Domestic Violence Training

In response to a series of tragedies related to domestic violence and to support VAWIR and consistent police practices, the Policing and Security Branch identified the need for standardized domestic violence risk assessment and training for all police officers in the province. Three courses were developed over a number of years, with each course becoming increasingly specialized. The overall purpose of the training is to ensure evidence-based, risk-focused investigations and to promote safety planning and standardized reporting to Crown Counsel. Risk factors include dynamics such as the isolation and marginalization of the victim, whether the woman is of Indigenous descent, whether the woman is an immigrant or refugee, among others. The courses are:

- **DVI - Evidence-based, Risk-focused Domestic Violence Investigations:** This is a general introduction to domestic violence investigations with a focus on risk assessment processes and provincial policies (i.e., VAWIR policy). DVI training is mandatory for all police in British Columbia and is an ongoing part of police recruit training and the RCMP cadet field coaching program in the province.
- **DVII – Assessing Risk and Safety Planning in Domestic Violence Investigations:** This course provides a more in-depth look at domestic violence risk assessment processes with a focus on victim safety planning. DVII is accompanied by a job aid (wallet card) and implementation of a

PRIME template. The PRIME template is designed to help standardize the process of identifying and documenting DV risk factors across all police agencies.

- **DVIII – BSAFER training:** This course provides advanced domestic violence risk assessment training, and is designed for specialized investigators and supervisors.

Supporting Cultural Safety and Competency

In 2011, a training package developed collaboratively by Policing and Security Branch, the Justice Institute of British Columbia (JIBC) and other stakeholders was distributed to police in British Columbia. Entitled *The Spirit Has No Colour*, the training package included a film for police officers and information to support the delivery of community-based workshop discussions specific to the local policing context.

The Policing and Security Branch is examining ways to ensure that further training opportunities are available to support police officers' understanding of the history and current status of Indigenous peoples in British Columbia, and promote Indigenous cultural competency in policing. The Branch participated in the development of 'justice-specific modules' of the British Columbia Provincial Health Services Authority's Indigenous Cultural Safety (ICS) training. The ICS training was originally created to increase cultural competency within Health Authorities in British Columbia. The justice-specific modules target Indigenous cultural competency learning needs for staff working in various areas of the justice system. In 2017, the course was piloted with police recruits at the JIBC Police Academy. The ICS training is a facilitated on-line anti-racism and decolonization training course designed to increase knowledge, enhance self-awareness, and strengthen the knowledge and awareness of those who work both directly and indirectly with Indigenous people. ICS provides participants with an opportunity to examine complex issues such as colonization, bias, stereotyping and discrimination in an Indigenous context. The training is designed to address critical gaps in foundational knowledge (e.g., history, self-awareness and skills) and link this knowledge to an understanding of the way in which the legacy of persistent and harmful colonial narratives (e.g., colour blindness, multiculturalism, assimilation, 'discovery', etc.) impact the current reality of Indigenous people.

Options are being considered for to support greater culturally safe and cultural competency in the delivery of police services to Indigenous peoples in British Columbia.

JIBC Police Academy Curricula

The JIBC Police Academy implemented a new curriculum for recruit training in September 2016, building on the results of an internal review. The Police Academy has highlighted that the themes of cultural competency and bias-free policing concepts have been integrated throughout the amended curriculum. This includes training police officers with respect to developing and maintaining community relationships, particularly with vulnerable members of the community. Policing and Security Branch has committed to funding an independent third-party evaluation of the new curriculum, expected to be completed by the end of 2018.

2.4.6 Crime Reduction Initiatives

Many of the issues that negatively impact community wellbeing and safety, such as chronic social issues, public health concerns and crime require collaborative multi-agency responses that recognize the police as only part of the response or solution. In 2017, British Columbia's Office of Crime Reduction and Gang

Outreach (OCR-GO) was established with the mandate to work with police agencies, local governments and communities to support evidence-based and integrated, policing-related crime reduction and anti-gang initiatives to improve the safety of communities.

The OCR-GO is a unique partnership between the RCMP, the Combined Special Forces Enforcement Unit of British Columbia and the Ministry of Public Safety and Solicitor General. 'Crime reduction' is defined as actions taken to contain or reduce existing and emerging crime issues in communities across the province. The OCR-GO emphasizes the value of utilizing statistical analysis and research evidence to target offenders, guide decision-making and evaluate the effectiveness of crime reduction and anti-gang activities.

Promoting the use of best practices in crime reduction is a key goal of the OCR-GO. A key strategic initiative is the development and use of 'situation tables'¹². This approach is based on an understanding and recognition that no single organization has a broad enough mandate to address the factors that are creating risk in the lives of at-risk individuals, families and communities. In vulnerable persons, the risk factors that tend to cluster and increase police interactions include, but are not limited to, poverty, substance abuse, homelessness and mental health issues. While these issues are not criminal, they can, in certain circumstances, lead to an increased risk of harm, victimization and criminal behaviour.

A Situation Table is a meeting of frontline human and social services professionals who work together to identify people, groups and places that are at an acutely elevated risk of harm and build multi-agency interventions that reduce the probability of harm and/or victimization. The objective of the Situation Table is to reduce risk for people who have multiple risk factors that cross several sectors of the human or social service system in their jurisdiction. The emphasis on collaboration allows for a re-framing of issues to support community safety, and creates opportunities for increased access to data and information¹³.

Situation Tables are useful in areas where there is not already a high amount of collaboration between agencies, allowing partner agencies to intervene in a situation before a crisis involving the police or emergency services occurs. This approach also allows the community to address community problems before they escalate. There are currently two active Situation Tables in British Columbia – the Surrey Mobilization and Resilience Table (SMART) and the Mission Active Support Table (MAST), and a number of others are being developed (e.g., Penticton, Coquitlam, Prince George).

Recently, the OCR-GO hosted a stakeholder meeting in the Cariboo-Chilcotin Region (includes Williams Lake and surrounding rural and Indigenous communities), to begin the process of developing a Situation

¹² The first situation table in Canada (the Prince Albert HUB) was created in 2011 and was inspired by UK (Scotland) Violent Crime Reduction Strategy, which began in 2008.

¹³ For example, the health sector has information on the determinants of health (e.g., poverty, addictions, sub-standard housing); school boards possess data about students and their families (e.g., school completion rates); municipal social services have data on marginalization. Bringing information together from different silos creates a stronger basis for an evidence-based approach and a more comprehensive understanding of the risk factors in a community.

Table for the area, and to share the results of recently completed research into existing collaborations in the region. Work continues on this and similar projects.

2.4.7 Supporting First Nations Policing in BC

The structure of First Nations Policing in British Columbia is described in Part 1. This section provides additional information on the goals of the First Nations Policing Program (FNPP), strategies to support alignment to community interests and renewal activities.

First Nations Policing Program (FNPP)

As noted in Part 1, the FNPP was established in 1991 to provide First Nation communities the opportunity to participate with the federal and provincial governments in the development of dedicated RCMP service to their communities. The FNPP and Community Tripartite Agreements (CTA) between First Nations, the Province and Canada help to deliver an enhanced service to First Nation communities that is over and above core policing. This is delivered by the RCMP members under the program devoting 100% of their on-duty time to the needs of their assigned communities, with the majority of their time spent within the communities to ensure a consistent, visible community presence.

The community-centred service delivered by the RCMP under the program focuses on community-identified policing priorities in ways that are responsive and sensitive to community-specific cultural values and practices and reflective of the cultural realities and needs of Indigenous communities.

The program is based on the premise that the community is most competent at identifying the policing needs of their community and gives the community, through representation of an advisory body Community Consultative Group (CCG), an increased role in establishing policing priorities for the RCMP to address over and above regular policing/operational needs.

Under their CTAs, First Nation communities are responsible for forming CCGs, to be comprised of members from the community. The CCGs act as the voice of the community, bridge the gap between community and police and identify how RCMP members can participate in or be involved in the community. Letters of Expectation are created in collaboration with the RCMP and provide a space to formalize, in writing, the community's expectations for their FNPP member and what their policing priorities should be. These letters should be updated yearly to ensure policing remains responsive to community needs.

Renewal

Over the past two years, Public Safety Canada (PSC) has been in the process of renewing the FNPP and has conducted broad surveys, a study, site visits and consultations with a Federal-Provincial-Territorial Working Group and three cross-Canada First Nations engagement sessions to support the review of the FNPP. New language within the agreements is being proposed based on information gathered from communities across the country.

From January 17 to 19, 2017, the Ministry of Public Safety and Solicitor General and PSC hosted a gathering with First Nations in Kelowna to focus on effective community safety practices under the FNPP. Approximately 130 First Nations representatives and 30 RCMP members attended. Feedback

from participants was overwhelming positive, with 97% of survey respondents indicating an increase in their knowledge of the FNPP.

The Policing and Security Branch is working with PSC to develop a joint work plan to enable the signing of a new bilateral framework agreement between Canada and British Columbia and new CTAs with the existing agreement holders. A multi-pronged approach to engaging with First Nation communities has been proposed to help to ensure meaningful engagement in the renewal process. The approach involves: email correspondence; teleconferences; a regional meeting and an opportunity for one-on-one session during the regional meeting. Emphasis is being placed on community consultative groups and letters of expectations and their importance to policing that is responsive to community needs. As part of the renewal process, First Nation communities who have agreements across Canada will have the opportunity to submit business cases for additional resources. The Policing and Security Branch will be assisting First Nation communities in the province submit their business cases in order to try and secure some of the positions available.

Moving forward, the Policing and Security Branch will continue work closely with First Nation communities to ensure that the newly signed agreements are implemented effectively and the First Nation communities are supported in the creation and implementation of the CCG and Letters of Expectations and/or stand-alone police services.

In short, the Policing and Security Branch supports First Nations policing that is responsive to communities through:

- Providing First Nation communities with a comprehensive Community Consultative Tool kit that provides information on the creation and operation of a CCG,
- Providing opportunities for First Nation community engagement at regional events to undertake training and issue awareness for CCG members,
- Acting as a liaison between the RCMP and the community when necessary,
- Sharing best practices between First Nation communities,
- Advocating on First Nation communities' behalf to Canada as part of the renewal process,
- Ensuring adequate police board training and support to Stl'at'imx Tribal Police Service by providing consultant resources to work with the police board, and
- Provided additional funding for training for Stl'at'imx Tribal Police Service and its police board through the JIBC.

2.4.8 Police Board Training

The provincial government has a role in helping to ensure that community needs and values are reflected in policing practices. In the case of municipal police departments and designated policing agencies, police boards also have a critically important role. For example, a municipal police board provides general direction to its police department, including establishing priorities in consultation with the Chief Constable.

The Policing and Security Branch identified a need to improve the training available to police board members, to strengthen police board ability to effectively govern through greater understanding of police board roles and responsibilities under the *Police Act*.

Working with the Institute of Corporate Directors and the Rotman Executive Programs, and funded by the Policing and Security Branch through a grant to the JIBC Police Academy, a five-day pilot training program was developed. The training program was piloted in late 2017 and early 2018.

3. Summary

The Inquiry's mandate is of critical importance to the safety of Indigenous women and girls throughout the country. This submission has been prepared in a spirit of cooperation with that mandate, in an effort to assist the Inquiry by providing information about policing in British Columbia that may be of interest and relevance. Sadly, the tragedy of missing and murdered Indigenous women and girls has touched British Columbia deeply and has been the impetus for a number of reforms in this province. The focus of this submission is on the work within the purview of the Policing and Security Branch, Ministry of Public Safety and Solicitor General, Province of British Columbia. It is not the intent of this submission to cover information appropriately provided to the Inquiry by other areas within government, other organizations or police agencies.

Part 1 of the submission provides an overview of the structure of policing in British Columbia and the roles of the Minister responsible for policing and the Director of Police Services, providing context for the discussion of policing policies, programs and initiatives relevant to missing and murdered Indigenous women and girls that follows in Part 2. Part 2 is informed by themes, key findings and recommendations identified in the Inquiry's Interim Report, and is summarized below.

Strengthened police accountability mechanisms

Police oversight has evolved significantly in British Columbia over the past several years. Many of the catalysts for change emerged following high-profile police-involved serious incidents that led to public inquiries, or requests for review, ordered by the Province of British Columbia. These include:

- 1994 *Commission of Inquiry into Policing in British Columbia: Closing the Gap - Policing and Community*, conducted by Wally Oppal, Q.C., which led to the establishment of the Office of the Police Complaints Commissioner (OPCC).
- 2007 *Report on the Review of the Police Complaint Process in British Columbia*, conducted by Josiah Wood, Q.C., which led to the strengthening the oversight powers of the OPCC, improving public accessibility to file complaints and enabling the OPCC to contemporaneously oversee the entire process to ensure a higher degree of public confidence in the results.
- 2009 *Restoring Public Confidence: Restricting the Use of Conducted Energy Weapons*, conducted by Thomas Braidwood, Q.C., which laid the foundation for amendments to the *Police Act* in 2010 and 2012 that gave the Director of Police Services, with the approval of the Minister, the authority to set legally binding provincial standards for police in the province (*British Columbia Provincial Policing Standards*).
- 2009 *Alone and Cold*, report by William Davies, Q.C., and 2010 *Why? The Robert Dziekanski Tragedy*, report by Thomas Braidwood, Q.C., which led to the development of the Independent Investigation Office.

In addition, the 2012 renewal of the RCMP contract between the provinces and the federal government enshrined key principles concerning enhanced RCMP accountability to the province.

Standardized and coordinated investigative practices

In response to recommendations from the MWCI, provincial policing standards (BCPPS) have been created governing Missing Person Investigations, Major Case Management and Inter-agency Cooperation and Coordination. Taken together, the intent of these BCPPS is to establish an overall approach to be taken in serious incidents to ensure a consistent investigative approach is maintained throughout the province and to ensure that those investigations are prioritized and undertaken at a high standard appropriate to identified risks. These BCPPS also contain requirements that ensure appropriate communication between police and those reporting a missing person, as well as requirements to ensure effective communication between police agencies.

The *Missing Persons Act*, brought into force on June 9, 2015, provides police with tools to help find missing people more quickly. The Real Time Intelligence Centre was implemented in January 2015. Its goal is to accelerate serious criminal investigations and investigations of persons reported missing, and locate suspects at the earliest opportunity through information-sharing.

Policing that is responsive to vulnerable women and girls and to community needs

In the MWCI Report, Commissioner Oppal found that for the period under examination, the missing women had effectively been under-prioritized and under-investigated as a result of systemic bias, and that the systemic bias that operated in the missing women investigations was a manifestation of the broader patterns of systemic discrimination within society. Oppal made recommendations to the Province to establish the duty of police to promote equality and refrain from discriminatory in provincial policing standards and to undertake equality audits of police forces.

Work to address these recommendations is underway. The Policing and Security Branch is drafting BCPPS on the promotion of unbiased policing, building on the results of a broad public and stakeholder engagement process and literature reviews. The BCPPS will form the basis for equality audits where required.

Following the release of the MWCI Report, the BCACP undertook a number of initiatives to protect vulnerable persons, including:

- Evaluating the SisterWatch committee to provide key findings and lessons learned to all police agencies in the province,
- Developing the *BCACP Best Practice Guide on Police Warnings* for all police agencies in British Columbia to ensure that information on risks to the public is available to those most vulnerable to the threat, and

- Developing the *BCACP Sex Work Enforcement Guidelines and Principles* for police in British Columbia that emphasize considerations for the safety of persons selling sexual services when police develop enforcement priorities, policies or procedures, and the importance of ongoing dialogue and relationship-building with sex workers and community service providers to this end.

The Policing and Security Branch is also engaged in a number of initiatives to support policing that is responsive to community needs, including strengthening police training; crime reduction initiatives; First Nations policing; and training for Police Board members.

The Policing and Security Branch has been working on strengthening police training in the province for a number of years and responding to MWCI Report recommendations concerning training for justice system personnel working with marginalized women and Indigenous communities. This work is ongoing, and milestones to-date include:

- The development of a British Columbia-specific Fair and Impartial Policing Training course, which is currently being rolled-out across the province to all police agencies,
- Standardized domestic violence risk assessment and training for all police officers in the province,
- Support for a renewed JIBC Police Academy core curriculum to facilitate the integration of cultural competency and bias-free policing core values throughout training curricula, and
- Examining options to better support cultural safety and cultural competency in the delivery of policing services, including piloting a justice-specific module of the San'yas Indigenous Cultural Safety Training;

Supporting crime reduction initiatives is an important priority in British Columbia. The British Columbia OCR-GO is mandated to work with police agencies, local governments and communities to support evidence-based and integrated, policing-related crime reduction and anti-gang initiatives to improve the safety of communities. Promoting the use of best practices in crime reduction is a goal of the OCR-GO. A key strategic initiative is the development and use of 'situation tables'. This approach is based on an understanding and recognition that no single organization has a broad enough mandate to address the factors that are creating risk in the lives of at-risk individuals, families and communities. Recently, the OCR-GO hosted a stakeholder meeting in the Cariboo-Chilcotin Region (includes Williams Lake and surrounding rural and Indigenous communities) to begin the process of developing a Situation Table for the area and to share the results of recently-completed research into existing collaborations in the region. Work continues on this and similar projects.

Supporting responsive policing in First Nations communities is another important priority. Through the First Nations Policing Program (FNPP), the federal government and British Columbia provide funding to support dedicated policing in participating First Nations communities. The FNPP gives First Nations communities greater input over the delivery of policing services within their communities. Over the past two years, Public Safety Canada (PSC) has been in the process of renewing the FNPP. In 2017, the British Columbia Ministry of Public Safety and Solicitor General and Public Safety Canada hosted a gathering in Kelowna with 130 First Nations and 30

RCMP members to support dialogue and focus on effective community safety practices under the FNPP.

The Policing and Security Branch has worked to strengthen the effectiveness of police board governance by funding the development of new training for police board members. The training program was successfully piloted in late 2017 and early 2018. The training seeks to improve police board members' understanding of their roles and responsibilities under the *Police Act*.

These initiatives demonstrate Policing and Security Branch's commitment to working with our policing partners and stakeholders to ensure adequate and effective policing for all British Columbians and in particular, vulnerable women and girls. We acknowledge that there is still more to be done, and that our work must continue.

The Policing and Security Branch looks forward to receiving the Inquiry's final report. Informed by the insights of families, survivors, and experts, the Inquiry's findings and recommendations will provide valuable direction to guide our ongoing and future work.

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Table of Acronyms

ACOPPS - Advisory Committee on *Provincial Policing Standards*

BCACP - British Columbia Association of Chiefs of Police

BC FILU - British Columbia Family Information Liaison Unit

BC FIP - British Columbia Fair and Impartial Policing

BCMPC - British Columbia Missing Persons Centre

BC OCR-GO - British Columbia Office of Crime Reduction and Gang Outreach

BCPC - British Columbia Police Commission

BCPPS - *British Columbia Provincial Policing Standards*

CCG - Community Consultative Group

CFSEU-BC - Combined Forces Special Enforcement Unit – British Columbia

CMPUR - Centre for Missing Persons and Unidentified Human remains

CRCC - Civilian Review and Complaints Commission

CSCP - Community Safety and Crime Prevention Branch

CTAs - Community Tripartite Agreements

DTES - Downtown Eastside of Vancouver

DVI - Domestic Violence Course I: Evidence-based, Risk-focused Domestic Violence Investigations:

DVII - Domestic Violence Course II: Assessing Risk and Safety Planning in Domestic Violence Investigations

DVIII - Domestic Violence Course III: BSAFER training

FNCP - First Nations Community Policing Services

FNPP - First Nations Policing Program

FNSAPS - First Nations Self-Administered Policing

ICS - San'yas Indigenous Cultural Safety Training

MCM Standards - *British Columbia Provincial Policing Standards* for Major Case Management

MC/PUR database - Missing Children/Persons and Unidentified Remains database

MPI Standards - *British Columbia Provincial Policing Standards* for Missing Person Investigations

MPSA - Municipal Police Service Agreement

MPUA - Municipal Police Unit Agreement

PPSA - Provincial Police Service Agreement

MWCI Report - *Forsaken, The Report of the Missing Women Commission of Inquiry*

National Inquiry into MMIWG - National Inquiry into Missing and Murdered Indigenous Women and Girls

NCMPUR - National Centre for Missing Persons and Unidentified Remains

OCTIP - Office to Combat Human Trafficking

OPCC - Office of the Police Complaint Commissioner

PCCDP - Provincial Committee on Cultural Diversity in Policing

PRIME-BC - Police Records Information Management Environment for British Columbia

PSC - Public Safety Canada

RCMP - Royal Canadian Mounted Police

RTIC-BC - Real Time Crime Centre-British Columbia

VAWIR - Violence Against Women in Relationships policy

ViCLAS - Violent Crime Linkage Analysis System

VPD - Vancouver Police Department