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Ministry of Public Safety  
and Solicitor General

# Municipal Police Board Governance in British Columbia

**Prepared by:**

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**Police Academy  
Justice Institute of British Columbia**

**March, 2003**



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# Preface

Most leadership actually comes from ordinary people who have it in them to rise to the responsibility (B. O'Connell, 1985, p. 25).

In the eleven British Columbia municipalities that have their own police force,<sup>1</sup> it is likely that few citizens know that a board governs their local police. While municipal police boards work in relative obscurity, it has been my experience that they consist of committed community members who are passionate about the service they perform. In representing the community, their role as a governing body, shapes and defines the focus of the municipal police force. Police board members have a direct impact on community safety, crime prevention, and the apprehension of offenders.

It has been my privilege to become acquainted with this group of individuals who contribute so much to our communities through their work as municipal police board members. Through the duration of this project, I interviewed in excess of fifty individuals; reviewed a myriad of articles, texts and meeting documents; attended numerous police board meetings, held multiple focus groups, and scheduled two large meetings to review the draft report. Many professionals graciously donated their time to meet with me, answer my questions, and share their views and experiences.

Those who read the draft report will note many changes in this final text.<sup>2</sup> Some are grammatical, others involve several lines of text, and a few involve changing key recommendations. All changes are based on hours of discussion and meetings with various stakeholders arising from the draft report. I am especially indebted to those who took the time to read the report and make detailed, constructive comments. The feedback on the draft report was reasoned, grounded in data and practice, and often supported by passionate arguments.

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<sup>1</sup> Note that as of December 31, 2002, the Esquimalt Police Department was amalgamated with the Victoria Police Department, leaving eleven municipal police departments in the province of B.C.

<sup>2</sup> A one hundred-sixty page draft version of the report was released for discussion in mid-December, 2002.

I would like to thank everyone who willingly gave time and counsel to help develop this research project (a full list of the people interviewed can be found in Appendix B). It has been my experience that this helpful spirit is true of the community members who volunteer their time to sit on British Columbia municipal police boards.

I gratefully acknowledge the funding assistance from the Province of British Columbia that made this research project possible. In addition, I would like to thank Kevin Begg of the Police Services Division, Ministry of Public Safety and Solicitor General, Province of British Columbia, who demonstrated leadership in initiating this project; and Bob Cole, also of the Police Services Division, who managed the project and proved to be my trusted guide in the world of governance. Bob opened the doors, answered endless questions, and was always available for wise counsel. Special thanks also goes to Darrell Kean, who conducted the literature review, helped edit the first rough draft, and endured numerous e-mails informing him that I had found yet another article to review. Finally, thank-you to Carol Wager, Police Academy, Justice Institute of British Columbia, who kept vigil over the myriad details involved in this ten month odyssey. Without her assistance, chaos would have been the order of the day.

While so many people have contributed to this report, any errors, omissions or mistakes within belong solely to me.

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March 31, 2003

# Introduction to the Report

In July of 2002, the Police Services Division of the British Columbia Ministry of Public Safety and Solicitor General contracted the Police Academy at the Justice Institute of British Columbia to conduct research on municipal police boards. This research falls within the mandate of Police Services Division because the province has constitutional authority, and this authority leads to responsibility for ensuring that British Columbia is policed effectively.

The intent of this research is to establish a framework to increase the governance capacity of police boards in the province. To some extent, the mere act of focused discussion among police board members within the research context accomplished this goal. Through formal and informal interviews and meetings, it was observed that many board members began to focus on their role, their specific responsibilities, and how best to lead through effective governance.

This report supports one of the stated objectives of the Police Services Division portion of the Ministry of Public Safety and Solicitor General 2002/2003 – 2004/2005 Service Plan, which is to “strengthen public confidence in policing and law enforcement” through two strategies. The first strategy is to “improve appointment and training processes for police board members,” and the second, to “provide information and support to police boards” (2002, p.7).

While some research was done on municipal police boards as a part of the 1994 Oppal report on policing in British Columbia, no independent study of police boards and their governance role has been conducted since responsibility for municipal police boards was assumed by the Police Services Division in 1997. The goal of this report is to begin to fill this void.



This research report was not intended to include a review of local police committees that exist under section 31 of the *Police Act* to advise RCMP Detachments; tribal police agencies, which are created by section 4.1 of the *Police Act*; or the Organized Crime Agency of British Columbia, which also has a governance board. This report, however, does briefly touch on local police committees simply to illustrate differences between their role and that of municipal police boards.

Initially, the goal of this research project was to focus on the development of a tool and process for evaluating the effectiveness of municipal police board governance. A further objective was to achieve a snapshot of the state of police board governance in British Columbia. However, during the conduct of this research project, it became apparent that the time was not yet right for a formal assessment of municipal police boards. There were many reasons for this decision, not the least of which is that a valid assessment cannot be done in the absence of established and articulated performance standards and position descriptions. In other words, there are no set criteria by which a board might currently be assessed in British Columbia.

As a consequence of these circumstances, it was decided that instead of a formal assessment of municipal police boards, the research would focus on two parallel streams:

1. The current state of municipal police board governance and the issues that impact effective governance.
2. How to enhance the effectiveness of municipal police boards through a comprehensive development program designed to build and augment the capacity of boards to govern.

An assessment of board effectiveness will follow this research in due time. The principle goal of this report is to encourage boards to reflect and carefully consider how they govern municipal police departments in British Columbia. Additionally, the intent of this report is to enhance the transparency of police board governance, and to identify a plan and implementation strategy for board development.

According to Ingram all boards have ten basic responsibilities:

1. Determine the organization's mission and purpose.
2. Select the Chief Executive.
3. Provide proper financial oversight.
4. Ensure adequate resources.
5. Ensure legal and ethical integrity and maintain accountability.
6. Ensure effective organizational planning.
7. Recruit and orient new board members and assess board performance.
8. Enhance the organization's public standing.
9. Determine, monitor, and strengthen the organization's programs and services.
10. Support the Chief Executive and assess his or her performance (2003, page v).

While these ten points are generally accepted as the responsibilities of any board, in British Columbia, the *Police Act* sets out specific governance functions of a municipal police board. Section 23 of the *Act* defines the role of the board:

- They are the employer of all sworn and civilian police department staff.
- They set policy, priorities, goals and objectives for the police department.
- They prepare and oversee the departmental budget.
- They have authority for police policy and service complaints.

The municipal police board is the employer of the police and represents the community at large: "Thus in a system of responsible government, the police are ultimately accountable to civilian authority" (Oppal, 1994, p. B-3).

Section 26 (2) of the *Police Act* states:

*The duties and functions of a municipal police department are, under the direction of the municipal police board, to:*

- a) enforce, in the municipality, municipal bylaws, the criminal law and the law of British Columbia,*
- b) generally maintain law and order in the municipality, and*
- c) prevent crime.*

Essentially, under section 23 of the *Police Act*, a municipal police board creates policy and sets direction that enables the department to meet its obligations under section 26 (2) of the same *Act*.

Specifically, municipal police board policy functions include:

- Establishing policies for the effective management of the police service.
- Outlining results, policies and values for the service to adhere to.
- Developing the annual department priorities, goals and objectives in consultation with the Chief Constable.
- Preparing and approving of capital and operating budgets prior to submission to municipal council.
- Clarifying board/staff relationships including the appointment of the Chief Constable, the selection and hiring processes for sworn members and civilian employees.
- Evaluating annually the performance of the Chief Constable.
- Making rules, guidelines and policies for the administration of the police service, and the efficient discharge of duties by municipal constables.

While the municipal police board sets the direction of the department, the Chief Constable is responsible for daily policing and other departmental matters. As such, within the bounds of board policy, the Chief Constable has overall operational command of the police department.

A municipal police board performs both a governance function and an oversight function. Governance involves controlling and directing the development of policy as the vehicle for directing and influencing the decisions of the organization. Oversight involves ensuring that the legislated functions of the police department are carried out by the organization, and conducting disciplinary action in matters involving the Chief Constable and the Deputy Chief Constable.

Municipal police boards appear to fail to function effectively when there is a lack of understanding of what governance is, and how it differs from management. Mel Gill, who has written extensively on boards and governance, provides a good definition:

Good governance...is about Vision (planning for the future), Destination (setting goals and providing a general 'road map'), Resources (securing the resources necessary to achieve the goals or reach the destination), Monitoring (periodically ensuring that the organizational vehicle is well-maintained and progressing, within legal limits, toward its destination) and Accountability (ensuring efficient use of resources; reporting progress and detours to stakeholders). (Gill, 2001, p. 7-8).

While rules, structure and development are vital, at the end of the day, "The most involved, diligent, value-adding boards may or may not follow every recommendation in the good-governance handbook. What distinguishes exemplary boards is that they are robust, effective social systems" (Sonnenfeld, 2002, p. 108). One of the characteristics of an exemplary board is that it fundamentally understands its governance role, and does not confuse governance with management. According to Carver, examples of what boards should be involved in include:

- Setting the board's work plan and agenda for the year and for each meeting.
- Determining board training and development needs.
- Attending to discipline in board attendance, following bylaws and other self-imposed rules.
- Becoming expert in governance.
- Meeting with and gather wisdom from the ownership.

- Establishing limits of the CEO’s authority to budget, administer finances and compensation, establish programs, and otherwise manage the organization.
- Establishing results, recipients, and acceptable costs of those results that justify the organization’s existence.
- Examining monitoring data and determine whether the CEO has used a reasonable interpretation of board-stated criteria (1996, p. 12).

Governance “refers to the decision-making processes in the administration of an organization” (Disability Sports, 2002) and is the “process by which stakeholders articulate their interests, their input is absorbed, decisions are taken and decision-makers are held accountable” (Institute on Governance, 2002). Governance is about leadership, not management of operational details.

Governing bodies bring an extra voice and value to the agencies they oversee. They perform a vital role in our communities through the added value they bring to their institutions. F. Biro, author of *Workshop for New Board Members*, police board member, and governance educator, supports the notion of boards as the governing body for police:

There are no substitutes for wisdom...without wisdom everything limps along or breaks. Judgment, awareness, and moral courage; paragons of these combined virtues, even when they exist, aren’t necessarily in the right place at the right times. Most societies have learned from experience to pool individuals with the right object of contrived wisdom: Elders, councils, boards, cabinets, juries, appeal tribunals, parliaments. That’s a wise tradition itself, considering how stupid, vicious and even insane rulers can be when they consult only their own conceptions of wisdom (2002, quoting Jacobs, 1992).

This report is an attempt to conduct a comprehensive review of municipal police boards in British Columbia. It begins with a review of the academic literature relating to governance of police and how governance might be assessed for effectiveness. It examines the roles

and responsibilities of boards and how they fulfill their mandate. This report also investigates a number of issues that currently impact board performance, and then focuses on the assessment of board effectiveness in detail. This work concludes with a review of the methodology used in creating this report, and then provides municipal police boards with a tool that they can easily use to conduct a self-assessment.



# A Review of the Literature

## Introduction

Governing Police Actions has been a contentious issue even before Sir Robert Peel introduced police Bobbies to metropolitan London, England in 1829. Social reformers preceding Peel wrestled with the notion of restricting the powers of a police force while at the same time acknowledging the need for police independence from government intervention.

During the 1750's, London magistrates Henry Fielding and his brother John believed that the potential for police misconduct could be thwarted if officers were paid a fair wage and provided with adequate training (Guth, 1987). English nobility and the gentry were wary. They feared the introduction of a militaristic force, almost an occupational force, similar to what they believed operated in France with the *gendarmerie*. Fieldings' pleas for the broader implementation of policing met stiff opposition from both inside and outside Parliament.

In 1792 Patrick Colquhoun saw a desperate need to initiate a police force. London's population had exploded; crime had dramatically increased; social and racial tensions spilled into the streets; and poverty and race riots were constant reminders of inequities. In short, social decay had gripped London.



In 1797 Colquhoun wrote a *Treatise on the Police of the Metropolis* where he argued:

Police is an improved state of Society...Next to the blessings which a Nation derives from an excellent Constitution and System of general Laws, are those advantages which result from a **well-regulated and energetic plan of Police**, conducted and enforced with purity, activity, vigilance and discretion [emphasis added] (1797)

Colquhoun argued that Commissioners who would report directly to the British Home Secretary should oversee police. While the proposal was widely received by the media and parliament, the City of London rejected the idea, still fearful that police powers would be used against the populace. It took another 30 years of continued social decay in London before Peel was instructed to develop the London Metropolitan Police Force. A central principle arising from the Peelian reform was that police must be under governmental control.

This notion of government oversight was inconsistent with previous attempts at social control in English communities where oversight was the responsibility of local community members. At the same time, the British were involved in sending an armed cavalry to Ireland (Royal Irish Constabulary) which saw its oversight coming from within, in much the same way a military body would police itself. Nonetheless, governance in policing became something with which various communities would struggle.

Elsewhere, the notion of controlling the power of the police was discussed by Alexis de Tocqueville. He argued that it is equally important to control the power of government as well as the masses:

I am therefore of the opinion that some one social power must always be made to predominate over the others; but I think that liberty is endangered when this process is checked by no obstacles which may retard its course, and force it to moderate its own vehemence (1899, p. 264).

Stenning reports that Canada's first police board probably originated with the passing of the *Municipal Institutions of Upper Canada Act* (1858, c.99) (1981, p. 7).

Section 290 states:

*The Council of every City and Town may respectively pass by-laws...  
7. for establishing, regulating and maintaining a police, but subject to the other provisions of this Act.*

However, section 374 of the *Act* indicated that the need to establish police boards only applied to cities, and other municipalities could simply establish a board of commissioners.

*374. In every City there is hereby constituted a Board of Commissioners of Police, and such a Board shall consist of the Mayor, Recorder and Police Magistrate, or if there is no Recorder or Police Magistrate, or if the offices of Recorder and Police magistrate are filled by the same person, the Council of the City shall appoint a person resident therein to be a member of the Board.*

Stenning points out that in part, this degree of flexibility accounts for the range of governance structures currently in place in Canada.

Koenig summarizes the variance in police governance in Canada in the following statement:

...diversity includes either the presence or absence of independent police boards, and where present whether they are composed of a majority of elected or non-elected members and whether the majority of the board is locally or provincially appointed (1994, p. 25).

Koenig further adds that the diversity of governance structures may mean that there is no "best practice" or single solution to implementing effective police governance.

Clearly, the notion of police governance is contentious. The early concerns of British nobility; de Tocqueville's warning that society needs to be guaranteed from the excesses of government as well as citizenry; and observations about the reality of police independence (see later discussion), means that chief constables, elected officials, police board members and the general public will be confused about the degree of governance necessary in policing, and who is responsible for providing that governance.

The following literature review cannot resolve the dilemmas described above. The intention of the literature review is simply to report on the existing structure of police governance, in particular police boards, and to review existing methods for assessing the effectiveness of board operations.

Nonetheless, it is important to acknowledge these dilemmas because they represent entrenched philosophical positions from which compromise may be difficult. For example, do police board members have the authority to *direct* or simply *advise* chief constables about appropriate enforcement priorities in a given community? Until there is a definitive answer about who is responsible for police governance and the degree to which police are independent of governmental influence, heated debates will continue.

## History of Police Boards in British Columbia

Stenning provides readers with a colourful and exhaustive description of the development of police boards in Canada. His research, too detailed to recount, provides readers with both the legal and social underpinnings of the system currently in place in British Columbia.

...the concept of a police board has had a history in British Columbia, which is marked by controversy, variety and innovation. If any prize were to be awarded for imagination and ingenuity in devising different models for composition and status of municipal boards, the legislators of British Columbia would seem to be well placed to win it (1981,p. I.47).

<b>Time</b>	<b>Police Board, Statute</b>	<b>Purpose</b>
1881	Municipalities Act	Provincial legislation establishes a superintendent of police for the province and stipulating that all municipal police will be under this appointee's direction.
1886	Vancouver City Incorporation Act	Establishment of a police board for Vancouver consisting of a mayor, a police magistrate and a city clerk.  The police board is given "sole charge and control of the police department of the city, the persons therein employed, and generally all matters connected therewith." <sup>3</sup>
1888	New Westminster Incorporation Act	"The Council shall from amongst their number appoint a Board of Commissioners of Police for the City" — no limit was given. <sup>4</sup>
1890	Vancouver Police Board	Repealed the <i>Act</i> of 1886 and copied New Westminster's model where the board was an arm of Council.

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<sup>3</sup> The *Vancouver City Incorporation Act, 1886* c.32, s. 171 – 184A.

<sup>4</sup> *New Westminster Incorporation Act, 1888*, c.42, s. 165-175.

<b>Time</b>	<b>Police Board, Statute</b>	<b>Purpose</b>
1893	Municipalities Act Amendment Act	Provincial statute requires all municipalities to establish a police board comprised of a mayor, the local county or district judge and police magistrate. The only municipalities exempt were Vancouver and New Westminster.  Note: This <i>Act</i> effectively conceded provincial power over governance of the police from the Superintendent of Police to the municipalities.
1896	Municipal Clauses Act <i>replaces the</i> Municipal Act	Only cities were required to have police boards. Boards were comprised of a mayor, police magistrate and a person selected by the Lieutenant Governor in Council. All municipalities were required to report to the Superintendent of Police. Again, Vancouver and New Westminster were exempt.
1899	Municipal Clauses Act Amendment Act	Representation on police boards changed. Two persons would be appointed by the Lieutenant Governor in Council, one of who would be a member of Council. This amendment removed the requirement for judicial representation, increased elected municipal representation on the board and re-emphasized the provincial government's desire to control policing.  A further amendment in 1890 stated that a mayor shall be <i>ex officio</i> Chairman of the Board Vancouver and New Westminster was still exempted. <sup>5</sup>
1917	Municipal Act Amendment Act	All municipalities were required to have a board comprised of a mayor (or reeve) who was <i>ex officio</i> Chairman of the Board, two other persons "who were to be directly elected to their positions on the board by the citizens of the municipality in the same way as the mayor and aldermen were elected to municipal council" (Stenning, p. I.42).
1957	Municipal Act	Provincial legislation that abolished "direct election boards" and required that boards be comprised of a mayor (or Reeve) who was <i>ex officio</i> chairman, one person appointed by the Lieutenant-Governor in Council, and another by municipal council. The interesting part of these changes was the absence of comment restricting whom council could appoint (i.e. the person could be an elected official).
1974	<i>Police Act</i>	Replaced all preceding legislation on police boards and required all municipal police departments (12) to be governed by a panel of five consisting of a mayor ( <i>ex officio</i> chairman), one person appointed by municipal

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<sup>5</sup> *Municipal Clauses Act Amendment Act, 1900 c.23, s. 30*

council, and three persons appointed by the Lieutenant-Governor in Council. “None of the four members of such a board may be an alderman on the municipal council, but all must be eligible for election as such” (Stenning 1981, p. I.46).

The enactment of this legislation guaranteed the ongoing influence of provincial government authority over police boards.

1996

*Police Act*

Required all municipal police departments (12) to be governed by a panel of up to seven members consisting of a mayor, one person appointed by the municipal council, and up to five other persons appointed by the Lieutenant Governor in Council.

The enactment of this legislation strengthened the ongoing influence of provincial authority over police boards.



## Current Duties and Responsibilities of the Board

The *Police Act* identifies the following responsibilities of a municipal police board [RSBC 1996] c. 367. The actionable items have been bolded and italicized.

### Board to establish municipal police department

**26** (1) A municipal police board must establish a municipal police department and ***appoint a chief constable*** and other constables and employees the municipal police board considers necessary to provide policing and law enforcement in the municipality.

(2) The duties and functions of a municipal police department are, under the direction of the municipal police board, to

(a) ***enforce***, in the municipality, municipal bylaws, ***the criminal law and the laws of British Columbia***,

(b) generally ***maintain law and order*** in the municipality, and

(c) ***prevent crime***.

(3) Subject to a collective agreement as defined in the *Labour Relations Code*, the chief constable and every constable and employee of a municipal police department must be

(a) employees of the municipal police board,

(b) provided with the accommodation, equipment and supplies the municipal police board considers necessary for his or her duties and functions, and

(c) paid the remuneration the municipal police board determines.

(4) ***In consultation*** with the chief constable, the municipal police board ***must determine the priorities, goals and objectives of the municipal police department***.

(5) The chief constable must report to the municipal police board each year on the implementation of programs and strategies to achieve the priorities, goals and objectives.

### Estimates and expenditures

**27** (1) On or before November 30 in each year, a municipal police board ***must prepare and submit to the council for its approval a provisional budget*** for the following year to provide policing and law enforcement in the municipality.

(2) Any changes to the provisional budget under subsection (1) must be submitted to council on or before March 1 of the year to which the provisional budget relates.

(3) If a council does not approve an item in the budget, the director, on application by the council or the municipal police board, must

(a) ***determine whether the item or amount should be included in the budget***, and



- (b) report the director's findings to the municipal police board, the council and the minister.
- (4) Subject to subsection (3), a council must include in its budget the costs in the provisional budget prepared by the municipal police board.
- (5) On certification by the municipal police board members that an expenditure is within the budget prepared by the municipal police board, the council must pay the amount of the expenditure.
- (6) Unless the council otherwise approves, a municipal police board must not make an expenditure, or enter an agreement to make an expenditure, that is not specified in the board's budget and approved by the council.

## **Rules**

**28** (1) A municipal police board *must make rules consistent with this Act and the regulations* respecting the following:

- (a) *the standards, guidelines and policies for the administration of the municipal police department;*
- (b) *the prevention of neglect and abuse by its municipal constables;*
- (c) *the efficient discharge of duties and functions by the municipal police department and the municipal constables.*

(2) A rule under subsection (1) is enforceable against any person only after it is filed with the director.

## **Studies by municipal police board**

**29** (1) A municipal police board *may study, investigate and prepare a report on matters concerning policing, law enforcement and crime prevention in its municipality.*

(2) A municipal police board must submit its report of a study under subsection (1),

- (a) on request, to the director,
- (b) if the report suggests a breach of discipline by any of its municipal constables, special municipal constables or bylaw enforcement officers, to the chief constable, and
- (c) if the report suggests criminal liability of any of its municipal constables, special municipal constables or bylaw enforcement officers, to the minister.

(The *Police Act* [RSBC 1996] c. 367)

# The Relationship Between Police Boards and Chiefs of Police in Canada

Police boards are primarily responsible for overseeing police services, providing budget estimates and establishing policing priorities for the community. Hayes, author of *The Relationship Between Police Boards and Chiefs of Police in Canada*, offers insight into the relationship between police boards and police chiefs:

What becomes clear is that the relationship between police boards and chief of police is ambiguous and this lack of clarification is an issue that can result in tensions between the parties leading to irreconcilable differences... What is often forgotten by police boards is the legal principle of police independence, which arises from both the common law and case law through court decisions (Hayes 2001, p. 151).

Hayes continues to argue that police boards receive their authority from statute but their authority does not include *prescribing the nature* of a police officer's duties. Furthermore, police are seen as "Agents of the Crown, even though they are hired, paid and sometimes dismissed by the police board" (Hayes 2001, p. 152).

Within academia there is some dispute about the relative importance of police independence. Grant explains the issue:

Difficulties can arise in seeking to balance independence (which is essential to avoid undue political interference) with democratic aspects of accountability and control (which place limits on unrestrained independence of the police). These limits are important because, while some duties are easily defined, ... others involve the exercise of a great deal of discretion on the part of a police officer...

These issues lead to interesting differences of opinion about the nature of the relationship between constables and the Chief of Police and between Council or Police Board and the Chief of Police (1992, pp. 112-113).

Stenning had previously highlighted Grant's argument on police independence when he discussed police accountability and the fact that police are not in a master servant relationship with civic governments. Stenning argues that:

...although police forces are established and maintained, and can be disbanded, by civic authorities, the police are nevertheless not servants and or employees of those civic authorities in the same way other civic employees are. Specifically, in the performance of the common law and statutory duties to preserve peace, prevent crime, apprehend offenders and enforce the law, they are considered to be answerable not to their civic masters but to the law itself and the court (1981, p. III.17).

On the other hand, Stenning acknowledges that the constitutional authority to administer justice and enforce the law rests with the Province and that police are, therefore, responsible to Provincial authorities. Both Stenning and Grant acknowledge that police are not in a master-servant relationship with civic government in the same manner as other civic employees. However, clearly police departments are not completely independent.

Hayes' contention that police are "Agents of the Crown" can be challenged to some degree. For some, "Agent of the Crown" implies police are "Agents of the State." Guth has argued extensively that police are "Agents of the Community," and have always been seen so under common law (1985). The typical municipal police officer's oath of office has individuals "solemnly swearing [they will] well and truly serve our sovereign lady the Queen..." (Guth, 1987). The fact that the Queen is the people's representative and not the State's further emphasizes the fact that police are accountable to the people and the law.

The symbiotic relationship between police boards and chief constables is highlighted in an Ontario Police Commission report into the Waterloo Regional Police Service:

Boards of Commissioners of Police, by the very nature of their composition, must rely heavily upon their Chief of Police for the expertise required to operate the police force. They must spell out general policy through regulations and direction, but in the administration of the Force, they must rely upon the Chief of Police, otherwise the board is assuming the prerogative of the Chief, and is, in effect, becoming the Office of The Chief, for which the board has neither time nor the expertise" (Ontario Police Commission Report, 1978).

It is clear from the above discussion that police boards should not be making *operational* decisions for the police department. Hayes' argument about the relative independence of the police from interference from the board is not substantially different from what the literature says about the relationship between *any* board and its organization. Boards are responsible for planning, not operations.

In 1994, Mr. Justice Wallace Oppal released his report on the state of policing in British Columbia. The Municipal Chiefs made a number of submissions to the inquiry suggesting that mayors of municipalities that have police boards were in a conflict of interest position because they sat as political leader of the municipality while at the same time the chair of the police board. The possibility existed that a mayor may make decisions for the municipal services that negatively impacted the overall effectiveness of policing. Oppal reviewed these submissions and recommended that mayors sit only as *ex officio* chairpersons and not be entitled to vote. Furthermore, Oppal stated:

The Inquiry believes that board members should be as apolitical as possible, and as a political representative, a mayor would be an inappropriate chair. Thus the mayor should be present only for consultation (1994: B66).

To date, the provincial government has not made these changes to the *Police Act*, preferring instead to allow mayors to cast a deciding vote in case of a tie.



## Board Effectiveness

Failures of governance from boards are more about the *process* with which the work is done than about the people sitting on the board (Carver, 1992, p. 5). For example, processes include things like: the tasks assigned board members, the structured relationships between board members and sub-committees, the interaction between the CEO and the board, and attempts at monitoring board performance. In fact, many boards have been operating at such a dysfunctional level for so long that mediocrity is expected. Some board members sink into a state of apathy and prefer to follow rather than lead. When boards choose to “follow,” members resort to focusing on the trivial and the operational rather than the future, setting a course, and governing. “Following” does not adequately address accountability.

The public is demanding accountability of the police ... The public has conferred upon the police powers which are not conferred upon ordinary citizens ... In any democratic society based on the rule of law and responsible government, it is fundamental that police independence be balanced with accountability (Oppal 1994, p. xxv).

As a governing body, police boards need to be careful about the accountability strategies they use.

Chan (1999) states that ‘accountability’ has two meanings:

- Control over the police.
- A giving of accounts.

*Control over the police*, or the subordinate/obedient model (according to Marshall) attempts to control the activities of the police through policies, procedures and compliance (1978). *Giving accounts*, or the explanatory/cooperative model, has decision-makers provide reasons or explanations for their decisions. This model also appears to be prospective whereas the control model appears to be retrospective. While the differences appear subtle, the first model tends to be punitive and the second appears to be based on

*story telling*. Critics comment that a significant barrier to full accountability is resistance from the police subculture.

Australia and Britain have looked at new accountability structures. The new method:

...embraces a theory that public institutions have failed the tests for effectiveness and efficiency, and to correct this deficiency, they need to not only adopt managerial techniques and administrative structures of private for-profit corporations, but also be subject to competition under market or quasi-market conditions (Chan 1999, p. 254).

Some of the strategies to be employed include:

- Cost control.
- Financial transparency.
- Autonomization of organizational sub-units.
- Decentralizing management authority.
- Creating market and quasi-market mechanisms separating purchasing, and providing functions and their linkage via contracts.
- Enhancing accountability to customers for the quality of service via the creation of performance indicators (Power, 1997, p. 43).

Power indicates that the “new accountability” programs have had several unintended consequences (1997). When specialized units have been established to deal with accountability, sometimes *decoupling* occurs where accountability is not something that everyone in the organization is concerned with. Instead, it is left to the specialized unit. The Mollen Inquiry into the New York City police department found that these specialized units soon became more concerned with image control than uncovering corruption (Mollen Report, 1994).

The second consequence of “new accountability” programs was *colonization*, where the accountability process dominated organizations at the expense of accomplishing their primary mandate. An example of this could be the amount of paperwork that police officers must do in order to justify their actions. The time it takes to do this paper work may detract from their actual mandate of preventing crime in the community.





## Lessons from the Private and Public Sectors

Determining methods to enhance the overall effectiveness of police boards is difficult because there has not been much research into their internal workings. Despite this dearth of information, lessons can certainly be learned from the experiences of non-profit and for-profit boards.

There are essential differences between the boards that need to be acknowledged. Non-profit boards do not hold equity, distribute earnings or generally have strict accounting functions to the level of a corporate board. Most non-profit boards focus on social needs, and are laden with values and disputes about value systems. Staff is often highly skilled and knowledgeable about the services they are to provide. Funding comes through a combination of philanthropy and various government sponsorships, many of which require some degree of differing accountability measures. In many cases, non-profit boards are much larger than for-profit boards (Carver, 1980). The major difference between non-profit and for-profit boards is the *nonmarket* status of the board.

Profit makes little fundamental difference in managerial and governing functions. It need not reduce or enhance excellence, nor cause decision making to be substantially different. ...It is the non-market status that matters (Carver 1980, p. 3).

By inference, government boards and commissions can benefit from the analysis of non-profit and profit boards.

Carver highlights a common problem with non-profit boards in that they too often become confused about their mandate. They often focus too much on the *means* by which the organization should conduct its activities, and focus too little on the *ends*. This confusion plagues boards and obscures their ability to ask the all-important question: "What is the business we are in?" Another related problem concerns constituencies. Values are subjective and as such become relative to various constituencies. The question that police boards needs to explore, keeping in mind that individual members do not represent unique

constituencies but the community as a whole, is: “Who are our constituencies and how do we measure the degree to which we have met the expectations of these constituencies?”

The concept of “effectiveness” is a social construction. Therefore, each constituency may have different views about board effectiveness. A useful analogy is the discussion about three baseball umpires discussing their role in the game: one umpire says he calls balls and strikes “as they are;” another umpire “calls them as he sees them;” and the third states emphatically, “They ain’t nothing ’til I call them!” (Herman and Renz, 2000, pp. 150-151).

The multiple-constituency model of governance requires that boards be in contact with each constituency and that they incorporate the constituencies’ needs into their organization’s overall future plans. Boards that cloister themselves and receive limited input from their constituencies will always be open to criticism for ineffectiveness regardless of their initiatives, particularly when they are responsible for the governance of a public service. In the context of municipal policing, it is most often the responsibility of the police agency, not the board, to be in contact with all the various aspects of the community. Herman and Renz suggest that the effectiveness of non-profit organizations is related to the effectiveness of the board; however, what is not clear is whether the connection is causal or correlative. Herman and Renz conclude that many boards do not fully meet their governance and management responsibilities (2000) [see also Brudney and Murray (1998), Holland and Jackson (1998), and Jackson and Holland (1998)].

Herman and Renz advance six theses on the effectiveness of public benefit nonprofit organizations:

1. Nonprofit effectiveness is always a matter of comparison.
2. Nonprofit effectiveness is multidimensional and not reducible to a single measure.
3. The board of directors makes a difference in nonprofit board effectiveness but is not clear how or why.
4. More effective nonprofit organizations are more likely to use correct management practices.

5. Nonprofit effectiveness is a social construction.
6. Program outcome indicators as a measure of nonprofit effectiveness are limited and can be dangerous (1999).

Using *institutional theory* in their analysis, Herman and Renz argue:

...organizational effectiveness is not an objective reality; rather, effectiveness is a social construction, an achievement of organizational agents and other stakeholders in convincing each other that an organization is pursuing the right objectives in the right way. This way of describing the institutional theory perspective might suggest to some that effectiveness does not exist and, thus, is not important.... Rather than being an independent, abstract notion, effectiveness is socially created by the actions and interactions of stakeholders. The idea of effectiveness is important, and stakeholders care about effectiveness. Effectiveness is real and real in its consequences in the same way that race is a (socially constructed) reality with real consequence (1999, p. 4).

The implication of the first thesis is that a declaration that a board is effective prompts the following questions: “Compared to what? How are other boards doing? Do these other boards have similar mandates?”

The second thesis suggests that a balanced scorecard approach may be beneficial in understanding the effectiveness of boards. Herman and Renz suggest that four perspectives should be considered:

1. Consumer’s perspective.
2. Internal process perspective.
3. Financial perspective.
4. Innovation and learning perspective (1999)<sup>6</sup>.

Paton and Foot make similar recommendations regarding the measurement of board effectiveness including measuring:

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<sup>6</sup> While Herman and Renz do not explain this perspective, other authors suggest that boards should encourage *organizational learning* (Holland *et al.*: 1989)

- The achievements of each activity or program.
- Long term programs.
- Financial and management soundness.
- Renewal and decline<sup>7</sup>.
- The effectiveness of organizational development initiatives (1997).

Herman and Renz's third thesis mirrors the conclusions of Canadian research into the relationship between CEO's assessment of board performance and board involvement (Bradshaw *et al*, 1992). Specifically, Bradshaw *et al* examined Canadian nonprofit boards and found that CEO's assessed the overall performance of boards as positive when these boards were involved in strategic planning, used good meeting management techniques and experienced low conflict within the board.

Interestingly, Herman and Renz's fourth thesis showed a weak link between "correct management practices" and board effectiveness. However, there was strong evidence between board involvement in strategic planning and the assessed effectiveness of the board.

Herman and Renz's fifth thesis (effectiveness is a social construction) was discussed earlier. Their final thesis (the effectiveness of using program outcome measures) urges caution when applying logic modeling to measuring effectiveness in non-profit organizations.

Logic models establish long and short-term objectives as well as describe specific outcomes and indicators for each objective. Herman and Renz's caution is based partly on

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<sup>7</sup> Measuring renewal and decline examines organizational *entropy*. Organizational entropy is an analogy borrowed from the reality in biology that living organisms need energy in order to survive. Organizations do not exist independently of human capital, and therefore require a constant infusion of human energy for the organization to survive. The energy from human capital is not limited to staffing levels but includes motivating people to be creative, innovative and productive.

the fact that non-profit organizations are “more than the sum of their parts,” meaning that often more than one program exists; therefore, the organization may offer potentially convergent objectives. Measuring the attainment of outcomes in a single program may miss the fact that overall the organization has been effective. Similarly, the data collection methods used to determine goal attainment in a program might not be an appropriate measurement of the program’s success. For example, many logic models tend to use simple and expedient forms of measuring goal attainment such as: people served, meetings held, attendance at meetings, number of initiatives implemented annually, number of consumer complaints, etc... While these measures may be useful, they may not be relevant to the outcomes of the program.

Judicious selection of performance indicators requires managing the tension between what people instinctively like to measure (i.e. things over which the organization has control, can claim credit for, and can easily use to demonstrate results) and measuring things that matter from the perspective of the organization’s purpose in society. If a performance measurement system is to be regarded by the organization’s staff, management, clients and political masters as being both meaningful and operational, it will have to contain a range of indicators combining short-term organizational imperatives and long-term societal considerations (Schacter, 1999, p. 5).

Finally, demands for the assessment of outcomes may cause the organization to focus on those activities that have unintended consequences. Herman and Renz provide an example of job training programs during the 1960’s and 1970’s, where agencies selected applicants who least needed the program — a concept referred to as “creaming” (1999) This practice resulted in the agency declaring that its program was effective in meeting its objectives.

The Institute on Governance did a study of twenty Canadian non-profit boards to determine what was occurring in high-performing boards. The following excerpt identifies exemplary practices:

1. Strong board and staff leadership.
2. A positive working relationship between the executive director and the board characterized by:
  - Mutual respect;
  - Intellectual flexibility;
  - Willingness to ask and answer tough questions;
  - Clear understanding and respect for the boundaries between staff and board roles; and/or
  - A constructive process for dealing with areas of overlap.
3. Clarity in the respective roles, relationships and expectations of the Board, individual board members and the CEO. Note: Clarity of roles and the expectations and motivations that board members bring to them appeared to be at least as important to good governance and organizational effectiveness as the particular governance model employed.
4. A high level of key stakeholder agreement on organizational values, mission and objectives.
5. Respect for organizational norms and board decisions; playing by the rules and as a team.
6. Good board development practices (orientation, training, team-building, sound board member recruitment practices, good meeting management).
7. Regular assessment of the effectiveness of these practices, the performance of the board, its individual members and the CEO.
8. Consensus or near-consensus decision-making rather than majority rule.
9. A high level of trust and teamwork & a low level of (interpersonal/role) conflict.
10. Constructive confrontation/resolution of conflicts within the board, between the board and CEO and conflicts of interest on the part of board members.

11. A good balance between organizational stability and adaptation to a constantly changing environment.
12. Effective management of meetings and board work (a board work plan, agendas circulated sufficiently in advance of meetings, board members well prepared, effective chairing, respect for rules of order, fact-based consensus or 'near consensus' decision-making) (Gill, 2001, 26).





## Why are Boards Ineffective?

A review of private industry literature identifies a consistent array of reasons why non-profit and for-profit boards are ineffective. Demb and Neubauer (1992, pp. 4 - 7) identify three core structural problems that are found in most under performing boards. The first is that while the board may have the legal responsibility for the performance of the agency, it is the agency's management that has the infrastructure, knowledge, time and the willingness to bear this responsibility.

In some cases, the board relies heavily on senior managers (or the CEO) for the corporate history, and knowledge of internal operations including the organizational and cultural dynamics. This places the board members at a distinct disadvantage, especially if there has been an historical trend for keeping board members "in the dark."

The second structural issue is that while board members need to be objective, independent and detached from the company in order to make decisions, there may still be a desire to identify with the company or for what it stands for.

Demb and Neubauer's third structural problem is trying to find a balance between a board that consists of a group of cozy people versus one where board members are argumentative, strong-willed and not team-focused.

In a 10-year review of nonprofit boards, Chait., *et al.* conclude that "effective governance by a board of trustees is a relatively rare and unnatural act" (1996, pp. 1 - 2). Common complaints include:

"There's no red meat on the table." The issues before the board and its committees are little more than a mishmash of miscellany; trivial matters disconnected from one another and from corporate strategy.

"Board meetings are boring." Events are tightly scripted, outcomes are largely predetermined, and opportunities to substantially influence significant decisions are severely limited.

“We have plenty of information, but we have no idea what it all means” Board packets bulge with raw, uninterpreted data, and trustees suffer from deluge, not dearth, of information.

“The parts on this board sum to less than the whole.” The trustees’ individual talents are not harnessed to a collective effort. The board functions more like foursomes on the same golf course than like players on the same team. Each committee or clique engages in a self-contained event on a common terrain, largely oblivious to the activities of others (1996, pp. 1 - 2).

Chait., *et al.* (1996, pp. 3- 6) further identify four primary obstacles to change. The first obstacle is caused by passion, or at times, a lack of passion. Board members need to be objective analysts while at the same time impassioned advocates for the company. The challenge is knowing when to behave appropriately. The management executive team might want the board to come out publicly on a particular issue and support management’s decisions. On the other hand, board members may feel that they need to be stone-faced, in fear that they will lose their objectivity (perceived or real).

A second obstacle relates to an earlier problem identified by Demb and Neubauer. Specifically, the issue is about part-time amateurs and full-time professionals. Board members often do not know enough about the business for which they are accountable while at the same time; they are bombarded with new terminology, operational procedures and corporate culture. There are typically two paths bewildered board members can choose. The first choice is simply to defer to the professionals. Ironically, Chait., *et al.* have found that a common complaint of management is that boards spend too much time deferring and not enough time asking the tough questions. The other option is to impose on the company a model that is inappropriate. An example of this would be the imposition of a “business” model on the running of a non-profit company. While attention to a bottom line may be appropriate for some non-profit boards, it is not the only measure of success of the company.

A third obstacle is about success. Typically board members are highly successful people in their own right. They are often bright, determined, focused and accustomed to assuming leadership roles. They often do not feel comfortable assuming a subordinate position or even a position as a team player. Board members may choose to caucus outside scheduled

meetings to lobby members for support on specific issues rather than risk open discussions at meetings.

The fourth obstacle of Chait., *et al.* concerns consequences. Historically, there are few direct consequences for board misgovernance. Board members rarely have a public face, allowing the CEO to assume the limelight. Board members who have been chosen because of their successes in other fields are often given the benefit of the doubt when the board under performs. As a result, board members can often avoid personal embarrassment, humiliation and any financial penalties. Of course, the corporate events of 2002 (e.g. Enron) changed this. Board members are now starting to be held accountable in public.

These obstacles appear to be primarily structural in nature, and circumventing them will require changes to the manner in which boards operate and interact with executive management.

Thain and Leighton (1992, p. 9) highlight other structural and process problems with board ineffectiveness:

- Inadequate board management.

This problem rests mostly with the chair of the board where the board is left to operate without clearly defined roles and responsibilities, standards of effectiveness, performance measures and reinforcement strategies. Chairs of ineffective boards often do not break the “old board” syndrome. (*ibid*)

- Failure to develop and upgrade the board.

Chairs need to ensure that old problems are not perpetuated with new boards. Satisfaction with the *status quo* can lead to complacency, and in some cases people who hold independent thoughts or dissenting opinions are severely sanctioned. (*ibid*)

- Unwillingness to encourage full contribution.  
Some chairs do not actively encourage or support open discussions and dissenting opinions. The result is the board becomes *less than the sum of its parts*. (*ibid*)

Thain and Leighton (1992, p. 8 – 9) highlight many of the surface problems inherent with boards including:

- Unproductive meetings.
- Process without substance. Administrative duties take up too much time thus preventing in depth discussions about substantive issues.
- Poor agendas.
- Too many meetings or too few.
- The reporting and repeating of material that has already been distributed. This often happens because many board members do not read material in advance; or, do not come to meetings prepared to intelligently discuss the material.
- Inadequate board management. This occurs when roles are not clearly defined, when there are no standards of performance, and when there is ineffective participation or very little constructive feedback.
- Too much disorganized and undigested material. This is usually the result of last minute details about matters unrelated to the board agenda.
- Failure to upgrade or develop the board.
- Too much time re-hashing previously agreed positions.
- Unwillingness to encourage full contribution of the board.
- Meetings that are too long or too short.
- Closing off debate prematurely and preventing in-depth discussions of dissenting opinions.

Other reasons for overall board ineffectiveness include (Dressler, 1995, p. H2):

- A reluctance to learn.
- Embarrassment about what members don't know.
- Not knowing what they don't know<sup>8</sup>.
- Participants are unprepared.
- Key people are late or absent.
- Conversations about core issues veer off track.
- Decisions at meetings are not followed up.

In addition to simply reversing the conditions in the above examples, Thain and Leighton (1992, p. 12) offer several suggestions to improve board effectiveness. They suggest that:

- Effective boards are relentlessly demanding.  
Raising the creative tension in the board stretches the capacity of individuals to “think outside the box.” Boards need to think years down the road to enable better preparation for the organization as well as forestall impending disasters.
- The chair must be a leader.  
Some of the hallmarks of a great leader are the qualities of being a visionary, of being practical, and of actively developing personnel. Chairs who fail to lead in this manner, or who lead with an obvious agenda that is driven by issues unrelated to the board, create paralysis in the board.

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<sup>8</sup> Chait *et al* quote a Harvard University President on the cost of education: “If you think education is expensive, try ignorance.” This advice can easily be applied to the need for an educated board.

- Chairs need to get tougher with their CEO.<sup>9</sup>

Chairs should negotiate performance clauses into the CEO's contract. These clauses should be realistic and agreed to by board members. Job compensation and tenure should be tied to performance indicators.

It is clear in the literature that CEO's and Chairs should not be the same person. There is an inherent conflict of interest when one person holds both positions. The CEO has responsibility for the general management of the organization, and the Chair is responsible for managing the board, which acts as trustee for the organization. While it is theoretically clear that these two positions should be independent from one another, there is symbiotic relationship.

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<sup>9</sup> Chief constables would be considered the equivalent of a CEO.

## Competencies for Effective Boards

Building competencies for effective boards requires using multiple dimensions to complete the task. There is not a single measure for board effectiveness, and because of the complexity of the relationship between the board, the organization and the constituencies, effectiveness must be examined from differing perspectives. Chait, *et al* (1996), suggest there are six primary competencies:

- Contextual Dimension

The board understands and takes into account the culture and norms of the organization it governs. The board:

- Adapts to the distinctive characteristics and culture of the institution's environment.
- Relies on the institution's mission, values, and tradition as a guide for decisions.
- Acts so as to exemplify and reinforce the organization's values.

- Educational Dimension

The board takes the necessary steps to ensure that trustees<sup>10</sup> are knowledgeable about the institution, the profession, and the board's roles, responsibilities, and performance. The board:

- Consciously creates opportunities for trustee education and development.
- Regularly seeks information and feedback on its own performance.
- Pauses periodically for self-reflection, to diagnose its strengths and limitations, and to examine its mistakes.

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<sup>10</sup> The use of the words "trustees" and "institution" can be replaced with "board member" and "organization."



- Interpersonal Dimension

The board nurtures the development of trustees as a working group, attends to board's collective welfare, and fosters a sense of cohesiveness.

The board:

- Creates a sense of inclusiveness among trustees.
- Develops groups [sic] goals and recognizes group achievements.
- Identifies and cultivates leadership within the board.

- Analytical Dimension

The board recognizes the complexities and subtleties of issues and accepts ambiguity and uncertainty as healthy preconditions for critical discussion. The board:

- Approaches matters from a broad institutional outlook.
- Dissects and examines all aspects of multifaceted issues. Raises doubts, explores tradeoffs, and encourages the expression of differences of opinion.

- Political Dimension

The board accepts as a primary responsibility the need to develop and maintain healthy relationships among major constituencies. The board:

- Respects the integrity of the governance process and the legitimate roles and responsibilities of other stakeholders.
- Consults often and communicates directly with key constituencies.
- Attempts to minimize conflict and win/lose situations.

- Strategic Dimension

The board helps the institution envision a direction and shape a strategy.

The board:

- Cultivates and concentrates on processes that sharpen institutional priorities.
- Organizes itself and conducts its business in light of the institution's strategic priorities.
- Anticipates potential problems, and acts before issues become crises.
- Anticipates potential problems, and acts before matters become urgent (Chait, *et al.*, 1996, p. 8).

Measuring board effectiveness against these dimensions requires a comprehensive evaluative design. Holland *et al* experimented with designing self-evaluation forms using the above dimensions. Unfortunately, the self-evaluation forms could not make distinctions between respondents. Possible reasons for this homogeneity may be found in the cautionary conclusions of Ashford on the overall value of self-appraisals in organizational contexts. Ashford suggests that the lack of consistent standards of performance, problems with interpreting feedback cues and the desire to protect ego and self-esteem may contribute to inaccuracies with self-evaluations. The work of Jackson and Holland (1998) and Gill (2002) challenge the notion that self-assessment tools lack utility. More on this is found later in this report.



## Conclusion to the Literature

The role of police boards in Canada has seen many changes. Aside from the work of Stenning very little attention has been given to the operation and effectiveness of police boards. As a result, a majority of this literature has relied on private and public (non-police) boards.

This literature review outlined many of the successes and downfalls associated with managing a board. Perhaps the greatest challenge for police boards is to define what “effectiveness” means to them, the Chief Constable, and the constituencies in the community. “Effectiveness” needs to be understood from the concrete perspective of how well are we doing in achieving our objectives, as well as the softer perspective of how well the board is meeting the needs of the constituencies? It is important to note that defining constituencies becomes increasingly complicated when communities are large and diverse in nature.

Significant in its absence in the literature is a body of knowledge regarding the leadership role that boards perform within their role as governing bodies. Effective boards do not just happen. Effective boards are created and constantly re-tooled and upgraded by leaders who clearly understand the mandate of the board, its role in governance, and its need to continually reflect on how well it is doing.



# Municipal Police Board Governance in British Columbia

A board's contribution is meant to be strategic, the joint product of talented people brought together to apply their knowledge and experience to the major challenges facing the institution (Taylor, Chait & Holland, 1996, p. 36).

In general, the role of boards is to provide leadership, advice and independent decision making to the organization (Audit Office of New South Wales, 1998). As a body, municipal police boards in British Columbia fulfill a legislated governance role, act in a limited oversight capacity, serve as the voice of the community employer of the police, and provide a value-added service to municipal policing in that the board brings a fresh perspective to the discussion.

Local governance of policing through appointed municipal police boards is critical, not only to the effectiveness of a police organization, but also to public trust and confidence in the police. In his report on policing in the province of British Columbia, Mr. Justice Oppal said: "It must be clearly understood that policing in a democratic society is much too important to be left solely to the police" (1994, p. xxiv). To this end, "...openness and accountability to the public are two critical areas of concern for police boards" (1994, p. B-80).

In the context of municipal police boards, the Police Services Division of the Ministry of Public Safety and Solicitor General, Province of British Columbia, provides the following all encompassing description of what governance is:

The police board must perform both a governance function and an oversight function. Governance is controlling and directing the development of policy as the vehicle for directing and influencing decisions made by the organization. Oversight involves ensuring that the legislated functions for the police department are carried out by the organization (2002, p. 35).

Tim Plumptre, the Managing Director of the Institute on Governance, an Ottawa based not-for-profit group, says that

Stripped to its essentials, governance is a process – the process whereby an organization establishes its basic direction, makes strategic decisions, determines whom to involve in decision-making, and renders account to stakeholders and others. Governance embraces several complex ideas, including stewardship, leadership, representation and accountability (2003, p. 7).

That said, there are many challenges in current municipal police boards aside from a lack of clarity and shared understanding of what governance is and is not.

Community access to and awareness of boards and their role is limited. Some boards have allowed the Chief Constable or Chair to dominate the meetings. In some observed instances, the police steered the board when the board should have been steering the police. Transparency is being eroded as more discussion moves to in-camera sessions. Many board meeting agendas and discussions focus more on operational issues than on governance. At times, board members attempt to step outside their governance role and give operational direction. Meetings are taken up not with discussions relating to policy or long-term planning, but with specialty unit presentations and briefings related to ongoing investigations. These issues, and the quality and substance of questions posed by some board members, highlight the urgent need for board and individual board member development.

According to a report by the Audit Office of New South Wales on board governance, “A board adds value to the decision-making process when its role, responsibilities and accountability are clear” (1998, p. 6). For some British Columbia municipal police boards, there is a lack of clarity and shared understanding in regards to the function of governance, board roles, responsibilities and who is accountable to whom.

While there is some confusion amongst some municipal police boards as to their role, according to Leighton and Thain a new style of professional governance emphasizes the following precepts:

- Manage the business and affairs of the corporation.
- Function as a trustee and consultant.
- Take the job seriously and do it well.
- Do what is right.
- Support those who are worthy.
- Use the board routines and infrastructure.
- Get the information you need.
- Build good relationships in the board and its organization network.
- Work on getting the culture right.
- If necessary, rock the boat (1997, pp. 100-105).

Based the information gained for this research in confidential interviews and observations of board meetings, Carver's adage: "Governance as we have known it is a hodgepodge of personality-driven variations on tradition-blessed practices," appears to hold true for some municipal police boards in this province (1999, p. 70). In a few observed instances, key personalities rather than a governance process drive the work of the board.

While there are challenges at the individual board level, the municipal police board model itself is sound. In the *Policing in British Columbia Commission of Inquiry Report*, Mr. Justice Oppal quoted a board member saying: "The present board system is the correct one. It reflects the necessary connection and the equally necessary separation from local government—but has the benefit of third party (attorney general) appointment" (1994, p. B-55).

In the context of governance, the challenge for municipal police boards is how to enhance their effectiveness. Like most volunteer boards: "The pathway to better governance is cluttered with the usual barriers: insufficient time, resources, and expertise, and too many



immediate pressures” (Plumptre, 2002, p. 1). What Plumptre has missed is that it is the responsibility of anyone volunteering to serve on any board to learn in advance of their appointment just how time consuming their involvement will be. Additionally, it is the responsibility of the individual to commit to doing the work of the board, including ongoing professional development.

Like many boards that are staffed with members who do not work within the agency industry, police boards face the further challenge of not fully understanding the role of the police agency they govern. According to Moore, “...to most citizens, the purpose of the police department is axiomatic: to protect life and property from criminal attacks, and to enforce the criminal law” (1990, p. 76). Moore argues that the goals of policing are uncertain when one considers:

- Which crimes are to be acted upon, and which laws enforced?
- Is the priority to be a law enforcement body or fulfill a peacekeeping role?
- Is crime control, or crime prevention the goal?
- Should a police department focus on reducing victimization, or reducing fear?
- Is the agency a crime control body or an emergency service that also is summoned to respond to non-law enforcement emergencies (1990, p. 76)?

Police boards and departments, according to many board members, often do not take the time to debate these larger philosophical issues and the complexity of the police role in modern society. Rather, some boards seem unable or unwilling to separate governance from management. In his report on policing, Mr. Justice Oppal acknowledges: “There is no consensus either among police or police board members about where ‘policy’ ends and ‘operations’ begin” (1994, p. B-75). Eight years later, this was still the observed case in some police boards.

Perhaps the most urgent issue that needs to be addressed in board and board member development is this difference between governance and operational management, and that the role of the board is to focus on governance. While at times it may be more interesting,

and certainly more exciting, to focus on operational issues and ongoing investigations, it is frustrating to police and good governance.

At the same time, in public meetings, it is not the role of the board to simply focus on past and current successes while ignoring frustrations, current challenges and complaints. According to Biro, “Bad police boards confuse governance with management, and confuse governance with cheerleading” (2002, p. 8). Boards need to be seen to be openly dealing with both the negatives and the positives. Transparency is essential to keeping public trust.

The pivotal points for board change and movement to more of a governance model appear to be board member selection, orientation, and development of boards and members. If the people selected have a firm knowledge of what governance is, their role within the model, and the required competencies to fulfill their role, then a governing board should theoretically work. However, it was evident in the observations made of some boards that due to a lack of a shared understanding amongst boards and chief constables of what governance is, and through the dominance of some key personalities, a few boards are not as effective as they could be.

Orlikoff & Totten speak of the issue of board competency, focus, and overpowering challenging personalities when they write: “Effective boards govern based on a culture of performance and accountability. They govern based on principles, not on personalities. These principles are consistently applied to all situations and processes to yield predictable patterns of governance structure and function, and positive outcomes” (1998, p. 7).

In applying the work of Osborne and Gaebler (1992) to the New York Police Department, a number of former New York leaders (Bratton, 1998; Giuliani & Kurson, 2002; Kerik, 2001) speak of imposing accountability through the use of objective, measurable indicators of success. Through these basic concepts, and by holding managers accountable for results, overall crime in the city fell by fifty-seven percent between 1994 and 2001 (Giuliani & Kurson, 2002). Through constant analysis of key indicators and a focus on results, crime was reduced and community safety enhanced in the largest city in the United States.

Municipal police boards in this province would do well to learn from Bratton, Kerik, Giuliani & Kurson, Osborne and Gaebler, and build not only performance indicators into their annual strategic plans, but also accountability for results.

However, a focus on future possibilities can only take place after current reality is changed through a process of board and board member development. The interviews of board members and chief constables, and observations of boards in action made during the research for this report, support a number of myths that Carver says still live on in some boards:

- Governance is simply an extension of management.
- The board exists to help manage.
- What board members say as individual matters.
- The CEO is responsible for board performance.
- The board's primary relationship is with the CEO.
- The board instructs other staff than the CEO (1999, pp. 72-73).

Sonnenfeld suggests that for boards "...to be strong, high functioning work groups whose members trust and challenge one another and engage directly with senior managers on critical issues," consideration must be given to the governance structure of a board, how the board is staffed, and what development takes place (2002, p. 106).

To be strong, effective governing bodies, municipal police boards in British Columbia require strong support from the Police Services Division, an ongoing commitment to competency based selection of new board members, ready access to new board member orientation programs, and ongoing professional development opportunities. These support systems, coupled with an ongoing dialogue and focus on best practices in governance, will overcome the issues and challenges faced by police boards today.

# Issues and Opportunities for Police Boards

The qualities of an effective municipal police board are the sum of the individual board members. An effective board will invariably consist of a diverse group of individuals who represent a broad cross-section of the community served. Individual members will each bring specific skills to the table that, when blended, form a cohesive, progressive, informed board with common goals. Consistent actions, sensitive to the needs of the community and the police will ensure trust and respect for this board (Shrive, 2003).

According to Gill, there are a number of quite specific keys to the success of a governing board. These are:

- Strong board and staff relationship.
- A positive working relationship between the board and CEO.
- Role clarity.
- Strong agreement of key stakeholders on organizational values, mission and objectives.
- Respect for organizational norms, board policies and decisions.
- Good board development practices and teamwork.
- Regular, objective assessment of board, CEO and organizational performance.
- High levels of trust and low levels of conflict.
- Constructive resolution of conflicts and “conflicts of interest”.
- A good balance between organizational stability, flexibility, innovation and enterprise.
- Consensus or ‘near-consensus’ decision-making.
- Effective management of meetings and board work (2001, p. 4).

In the conduct of this research it was observed that with varying degrees of success, most municipal police boards possess or model some of the keys to board success espoused by Gill. While it was observed that some boards were not functioning at an optimum level, there was most often a solid basis from which to build.

These observations came to light through a review of the literature, in individual interviews with board members and chief constables, focus groups of board members, by observing boards in action, and in reviewing board agendas. It is hoped that through the identification of these various issues, opportunities are created to address them in a positive and constructive manner.

Through over forty interviews of mayors, appointed police board members and chief constables, a wide variety of concerns were identified and themes emerged.<sup>11</sup> Some were constant across all boards, while others were more significant for some than others. These themes include a thirst for development opportunities, confusion over where governance ends (board role) and management begins (Chief Constable role), and how to provide leadership to an organization that none of the board members have any experience working within. This report delves into and addresses the issues raised by boards, the agencies they govern, and other contributors who have governance experience in both public and private sector boards.

In the conduct of this research<sup>12</sup>, significant amounts of paper were accumulated, documents and literature reviewed, meetings attended, interviews and focus groups conducted, and observations made. It was decided to distill all this information and organize it into specific issue related topics that most significantly impact municipal police boards for the purposes of this report. Based on this, the issues that appear to most affect British Columbia municipal police boards include, in no particular order of importance:

- Police Services Division support of boards.
- Selection of board members.
- Development of boards and members.
- Board meetings and agendas.
- Mayor as Chair of the board.

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<sup>11</sup> The initial draft report (2002) was based on over forty interviews. The final report is based on a further series of interviews, meetings, forums, correspondence and feedback.

<sup>12</sup> Refer to Appendix B for a full discussion of the research methodology employed for this report.

- Relationships between Board and Chief Constable.
- Board role in developing policy.
- Board role in planning.
- Board role in developing budgets.
- Board role in discipline.
- Succession planning..
- Board member identification

The following pages address each of these points, some as individual sections, while others are amalgamated for the sake of clarity and brevity.



## Police Services Division Support of Boards

Prior to 1997, the provincial agency in British Columbia charged with providing support to municipal police boards was the Police Commission. In addition to their other responsibilities, the Commission had sufficient staff and budget resources to coordinate the selection of new board members, provide orientation and ongoing training for boards and members, and generally to provide ongoing support to police boards. In fact, a portion of the Commission budget was dedicated to development for boards.

A significant number of those who have served on municipal police boards commented on the void left by the closing of the British Columbia Police Commission. In the past, Commission staff filled a vital role in supporting boards and board members to meet their mandated responsibilities. While all who commented praised the work done by the current provincial government program manager responsible for liaising with police boards, each expressed frustration with the fact that this lone person has a myriad of other duties and responsibilities in addition to providing support to police boards.

Since the elimination of the Police Commission in 1996, the Police Services Division of the Ministry of Public Safety and Solicitor General has assumed responsibility for police boards. It is this Division that has operational responsibility for the enforcement and application of the *Police Act*. As such, the Division is responsible for protecting the integrity of the municipal police board process, including the selection, appointment and support of board members.

Whereas the Police Commission has several staff that could be proactive in meeting the needs of boards, currently there is but one staff member within Police Services charged with supporting boards. This lack of dedicated support means that not all issues, concerns and needs of police board members can be addressed in a timely or in-depth manner.

To the detriment of board effectiveness, Police Services Division does not currently have the capacity to meet the current or future development needs of boards and board



members. At the same time, the Division has expressed their intent to follow the provincial commitment to assessing boards for their effectiveness, and to create a development program to enhance board effectiveness. This cannot be done successfully for police boards without dedicated staff and financial resources.

**It is recommended that:**

- 1. The Police Services Division dedicate staff and financial resources to municipal police board development to a level where identified staff resources are responsible solely for overseeing the selection of new board members, the provision of support, and the development of municipal police boards.**
- 2. The Police Services Division continue to work closely with Board Resourcing and Development to select new municipal police board members.**
- 3. The Police Services Division establish an annual plan for how they will provide effective support to municipal police boards.**

## Selection of Board Members

Systems thinking is a discipline for seeing wholes. It is a framework for seeing interrelationships rather than things, for seeing patterns of change rather than static "snapshots" (Senge, 1990, page 68).

As set out in the *Police Act*, there are three distinct groups of people who sit on a municipal board in British Columbia: the elected Mayor of the municipality, who currently sits as the *ex officio* Chair of the board; one person appointed by the municipality, who is not an elected official; and up to five persons appointed by the province.

Recently, steps have been taken by the Police Services Division to enhance police board effectiveness through an improved and more transparent process for selecting board members who are appointed by the province. These steps relate to the Police Services Division portion of the Ministry of Public Safety and Solicitor General 2002/2003 – 2004/2005 Service Plan, which states that one of the plan strategies is to “improve appointment and training processes for police board members” (2002, p. 7).

On their web site, the Police Services Division provides an overview of the role and function of municipal police boards in the province and gives some information on how board members are selected. According to the web site:

Appointments are governed by the overriding principle of selection based on merit. This is an objective assessment of the fit between the skills and qualifications of the prospective candidate and the needs of the board. Prospective board members must meet the following qualifications:

- Residence in the municipality served by the board.
- Willingness to submit to a criminal record review and personal interview.
- Knowledge about, and interest in, the community.
- Ability to understand the complexities of policing.
- Commitment to protecting fairness, avoiding conflict of interest and maintaining neutrality and objectivity.

- Willingness, ability and availability to meet time-commitments related to board duties.
- Ability to work with a variety of situations, groups and people.
- Ability to deal with difficult and complex interpersonal situations.
- Willingness to contribute to consensual solutions (Police Services, 2002).

In the above list, five points describe qualifications (residence, willingness, commitment), one focuses on knowledge, and three relate to abilities. The selection of the best person for the position would be enhanced if “merit” were tied more to specific competencies that in turn relate to effectiveness within the context of a municipal police board. Such competencies, or skills, could include systems thinking, leadership, and communications (sending and receiving).

According to Sonnenfeld one of the qualities of a strong board member is the ability to ask tough questions (2002). Certainly, a municipal police board is not the place for a reticent personality. This adds two more competencies to the list of the ideal board member: the willingness and ability to ask appropriate, probing questions, and the willingness and ability to take action on both questions and answers. This includes taking action when board members believe that the answers to their questions are insufficient or misleading. Interestingly, the current Commissioner of the Royal Canadian Mounted Police, who is not governed by a board, supports this when he said: “Asking informed questions, listening to the community and the police department, making informed decisions are the best measures of effectiveness” of a governing board (Zaccardelli, 2002).

At present, when a police board is in need of new members to be appointed by the province, the process begins when advertisements requesting applications are placed in local community papers. After a vetting process during which input is sought from the municipality concerned, the Board Resourcing and Development Office, Police Services Division officials and the board involved, the provincial Cabinet makes board appointments through an Order In Council. The most heavily weighted factor in making a selection appears to be input received from Police Services. What is not clearly articulated

in the process is the system of checks and balances to ensure that at the end of the day, the most appropriate and effective person is appointed to a municipal police board.

Oppal advocated for a formalized board member application and selection process, recommending that the *Police Act* be amended to provide that:

- a) All police board vacancies be advertised and that applications be solicited for such vacancies.
- b) Applicants be short-listed by a committee of council.
- c) Short-listed applicants be interviewed in public by council about their qualifications and their views on policing.
- d) All candidates be formally notified of the outcome of the selection process.
- e) Unsuccessful candidates for the police board be given written reasons upon request why they were not recommended for appointment (1994, p. B-61)

While the process Oppal recommends is transparent, it fails to take into account the role of the Province through the auspices of Police Services Division, and the role of the Board Resourcing and Development Office.<sup>13</sup>

It is suggested that boards alter the current process by following Oppal and proactively and strategically identifying a pool of good potential board members in their community. This should be an ongoing process rather than a reliance on newspaper advertisements. Board Resourcing and Development should also be consulted at the start of the process, rather than later on.

In identifying a pool of potential candidates, it is important that boards carefully consider the needs of the board in relation to candidate qualifications. While it is important that board members reflect and represent the community they serve, it is equally important to

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<sup>13</sup> Board Resourcing and Development was created several years after the 1994 Oppal report.

remember the words of Mr. Justice Oppal who wrote: “Community group involvement is important, but it should not be a *sine qua non*” (1994, p. B-62).

Full details on the provincial appointment process, managed by the Board Resourcing and Development Office, can be found online at [www.fin.gov.bc.ca/abc/](http://www.fin.gov.bc.ca/abc/) It is this transparency of a merit-based appointment process, that when adhered to, builds community trust and confidence in the board governance process. In interviews, a few board members suggested that an open and merit based appointment process is not always followed. Most, however, agreed that when people are appointed, the criteria by which they were chosen should be made public.

Police board members appointed by the individual municipal governments do not follow a standardized process. Rather, it is up to each municipality to create their own selection process for the sole person appointed by council to the municipal police board.

When first appointed, all members usually serve for one-year before reappointment for up to two years. A second renewal for a three-year term may follow. Six years is the maximum term for board members. Interested persons can apply to serve a second time on boards after a period of absence, but not always on the same board.

What is not discussed in the *Police Act*, or specifically in Police Services Division published materials, are details on how a decision is made on reappointment of provincially appointed municipal police board members. It is unclear how a decision is reached, on what criteria, and who is consulted. It is suggested that performance of individual members should be assessed based on identified and articulated objective criteria, and that Police Services Division consult with the board prior to making a recommendation to reappoint members.

What the provincial government also does not articulated is how many board members might be replaced at any one time. While there may be circumstances where a board is not performing as it should and a majority of members need to be replaced, it should not be a

normal practice to replace the bulk of a board all at once. The continuity of board members provides a rich corporate history of events, practices and agency culture. This cannot be replaced over night. When asked, board members report a steep learning curve when newly appointed, and most agree that it is only after their first year on the board that they begin to function effectively. If a significant portion of a board is replaced at the same time, the police may lose confidence in the boards ability to govern effectively as the new board takes time to learn about the agency.

In selecting persons to serve on a police board, most often an intentional effort is made to have specific professions represented on the board: a lawyer, somebody with a financial management or accounting background, and somebody with a background in either labour relations or human resource management.

While most persons interviewed during this project spoke about a variety of characteristics that a board member should possess, O'Connell says that if he were restricted to naming just one personal quality that a board member should possess, he "would single out the ability to start and end every analysis and evaluation with the standard of what is right. As simple as that may seem, it is too rarely in evidence" (1985, p. 25).

Police boards deal with systems, complex issues that impact community safety and police budgets, and diverse community issues and needs. While it is beneficial to have board members who have professional backgrounds in law, financial management<sup>14</sup>, communications, and human resource management, it is suggested that the selection process place greater emphasis on finding interested persons who have "the propensity to think in terms of systems and context" rather than the parts of the police organization (Carver, 1997, p. 203). In the selection of new board members, an emphasis on knowledge, skills and competencies, as opposed to the profession of the potential appointee, may preclude the tendency of some board members to focus on the day-to-day management of

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<sup>14</sup> Due to the statutory role of municipal boards in the police department budget, it is suggested that boards have at least one member with a professional designation in accounting or financial systems. In larger agencies, this is essential.

the police organization. To this end, it is appropriate that current and former police officers not be appointed as members of municipal police board.

While at first blush, it would seem appropriate that former police officers would bring a valuable perspective to a board, their knowledge of policing may be stale and dated, have a restricted bias, be primarily operational, or not relevant within the context of governance.

What is apparently missing from the current Police Services Division process for selecting board members is an articulated set of skills that a person should possess prior to appointment to a police board. Once a skill set is identified, the next challenge is in identifying the level of competency the person has in each particular skill dimension.

The Police Academy Assessment Centre lists specific dimensions (abilities, skills and qualities) that are assessed for competency level when screening a police officer for potential promotion to the rank of Chief Constable (2000, p. 26-27). These include:

- Environmental awareness.
- Flexibility.
- Interpersonal sensitivity.
- Judgment / decision making.
- Leadership.
- Oral communication skills.
- Oral presentation skills.
- Planning and organizing.
- Problem confrontation.
- Professionalism.
- Technical and professional knowledge.
- Written communication.

While designed for police leaders, most would appear quite transferable to the position of police board member. These dimensions are fully described in Appendix G.

When interviewed, board members suggest that skills police board members should also possess include:

- Leadership.
- Problem solving.
- Interpersonal communication skills (this includes sending and receiving).
- Conflict resolution.
- Systems thinking.

It is the role of the board to provide leadership, and to identify goals and the factors that may create problems in attaining those goals. Exceptional communication skills are required to communicate those goals and appreciate the information presented to the board. The ability to function within ambiguity and resolve conflicts, both internal and external, are vital to board effectiveness. Board members who think in terms of systems are better able to appreciate the context within which police organizations function and the diverse yet interconnected forces that impact on the work of the agency.

When interviewed, board members further suggested that potential board members possess such concrete skills as the ability to project a professional demeanor, keep confidential information within the board, and possess a solid ethical standard and strong work ethic.

**It is recommended that:**

- 1. The Province of British Columbia appoint all municipal police board members within a fair and transparent process that identifies the best possible candidate.**
- 2. The Office of Board Resourcing and Development continue in their role as an integral part of the municipal board member selection and appointment process.**



- 3. The Police Services Division revise the selection process for board members such that a fair and objective set of competencies, relevant to the position, be developed for use in selecting new board appointments.**
- 4. The Police Services Division create a formal process for the reappointment or removal of board members that is based on objective criteria, and that this process be done in consultation with the affected municipal police board.**
- 5. The Police Services Division develop policy specifically prohibiting current and former police officers from being appointed to a municipal police board.**
- 6. Municipal governments individually adopt a board member selection process that is similar, in form and manner, to that of the provincial government. This process should be transparent, and selection of appointed board members should be based on objective criteria that relate to competencies.**

## Development of Boards and Members

Orientation begins during the recruitment process. This includes orientation to the cause, to the organization, and to the individual's job. Each person needs special attention, and the effectiveness of these efforts will often determine whether or not the individual in fact succeeds (O'Connell, 1985, p. 37).

Of all the issues that arose in meeting with members of municipal police boards and public and private sector boards, the development of board members elicited perhaps the most passion. Board members know they need it, most want it, and many actively seek opportunities to receive it. While board members spoke a great deal about the need for formal development, most also recognize that a significant aspect of board development is informal, and that one aspect of this becoming acquainted with their colleagues.

Historically in British Columbia, municipal police boards and members “do not receive the necessary direction and training” they require in order to act as an effective governing body (Oppal, 1994, p. vi). To some degree, this is changing as a result of the Police Services Division portion of the Ministry of Public Safety and Solicitor General 2002/2003 – 2004/2005 Service Plan. One of the plan strategies is to “improve appointment and training processes for police board members” (2002, p. 7). Aside from development opportunities sponsored by Police Services, there are conferences and workshops available on governance, and some boards bring in consultants to deliver training. A challenge with outside consultants and generalist conferences and workshops is that they do not always address the unique context of municipal police board governance.

Currently, Police Services Division offers a one-day orientation session specifically for new police board members, twice annually. A variety of speakers address the board governance function, the relationship between the board and the Chief Constable, the *Police Act*, and the board's role in police complaints. Those in attendance are provided copies of the *Police Act* and a copy of “*British Columbia Municipal Police Boards: Reference Manual on Responsibilities Under the Police Act*,” a fifty-six-page resource compiled by Police Services.

Additionally, the Police Services Division does provide brief presentations for newly elected municipal councils on request. Also attended by the police board, these information sessions serve to educate both council and board as to their respective roles and responsibilities in the governance of the local municipal police service.

However, aside from opportunities to attend the annual meetings of either the British Columbia Association of Police Boards or the Canadian Association of Police Boards, there are no opportunities designed for police board development as a specific group outside of the new board member orientation sessions. A few boards do undertake varying types of annual workshops, speakers or brief functions. Most enhance board member knowledge of policing through regular presentations at board meetings by operational police specialty units, or by riding along on patrol shifts. Still, development opportunities within the sphere of governance, planning, budgeting, the police complaints processes, and leadership, are largely non-existent.

Board member development currently begins with the process of selecting new members for board appointments. The present system relies on a transparent process of publicly advertising for applicants. The process for member selection, posted on the Internet web sites of both the Police Services Division and that of Board Resourcing and Development, provides a pre-appointment learning opportunity for future board members. Learning continues within the application process as applicants are given information related to the position, duties, responsibilities and time commitments of municipal police board members.

Unfortunately, few police boards undertake any development activities beyond the initial orientation provided by the Police Services Division. When interviewed, a few boards reported that they had sought some development opportunities, mainly in the area of governance.

Victoria is one example of a police board that has taken a unique approach to the development of its members. There, Chief Constable Battershill has initiated an impromptu

lending library of books and articles<sup>15</sup>. The readings are an attempt to broaden and inform discussion relating not only to policing, but also to leadership, systems theory, and societal issues that impact on community safety, crime prevention and social order. In an effort to encourage debate and air differing views, articles are shared that both support and criticize the police. To ensure that everyone can take part in an informed dialogue on the issues, the resources are made available to all members of the Victoria Police Board, as well as senior police staff. In the conduct of this research project, board members and officers in Victoria stated that they found the readings to be of great benefit to their professional development and ability to view policing in a larger context. This education can only enrich the ability of boards to discuss, debate, examine issues of governance, and to ask informed questions.

While Police Services, police boards and chief constables have a role to play in the development of boards and board members, so too does the BC Association of Police Boards. The BC Association of Police Boards is currently creating a members only portion of their web site<sup>16</sup> where ideas can be exchanged, questions asked, and best practices shared. Additionally, the Association is looking at creating opportunities for experienced members to mentor and coach new police board members. These efforts will supplement the development that takes place at the annual Association conference, held each February.

In conducting the research for this report, board members were asked what they would like to see in terms of future development. The major topics are (in no particular order of merit):

- Role, responsibilities, and boundaries of municipal police boards and members.
- Labour relations.
- *Police Act*, including the roles and responsibilities of municipal police boards, and the role of boards in the police complaints and discipline process.
- Visioning/long-term strategic planning

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<sup>15</sup> The reading list compiled by C.C. Battershill can be found in Appendix D.

<sup>16</sup> See [www.bcapb.com](http://www.bcapb.com) The Canadian Association of Police Boards also has a “members only” section on their web site, found at [www.capb.ca](http://www.capb.ca)

- Effective meetings.
- Police development.
- Financial literacy (budget planning, trend recognition, board responsibilities).
- Tools and strategies for assessing the Chief Constable.
- Tools and strategies for assessing the police agency.
- Succession planning.
- Role of the police in modern society.

Tragically, a few board members expressed reluctance to take part in any development activities outside of the regularly scheduled board meetings. Their reasoning is that as volunteer members of a board, they donate their time only to board meetings. All board members must be committed to ongoing learning, and learning that takes place outside of scheduled board meetings. The same holds true for all professionals, including chief constables and senior police managers.

Based on the above list, and discussions with the Police Services Division, the Justice Institute of BC Police Academy has been asked to initiate a development program for municipal police board members. This program, in consultation and cooperation with boards, the provincial Association, and the Police Services Division, will be offered in four complementary parts:

1. Annual orientation session for new board members.
2. Formal board member development programs.
3. Informal evening dialogues on issues of interest to board members.
4. Creation of a dedicated library collection for police boards, housed at the Justice Institute of BC Library.

Such a multi-faceted approach to development will provide diverse avenues and opportunities for boards and members to identify their own needs and to access the learning that best meets these needs.

Critical to the success of any development program for boards and board members is the involvement of individual board members in the selection of focus and content (Cran, 1998). However, developmental opportunities for boards and members need “to be a continuing and repetitive process incorporated into ongoing board functions” and not just reliant on external delivery or facilitation (Gill, 2001, p. 22). Still, there is a continuing need for a neutral third party, professional educational institution to be involved in the learning of boards.

Through the leadership of the Police Services Division, formal board member development programs could be offered two to three times per year, alternating between the Capital Regional District and the Lower Mainland, with board members having a voice in topic selection, along with the BC Association of Police Boards. While expertise for certain topics may be found within current police boards, it is anticipated that some subjects will be delivered by external persons who have unique expertise.

While there is always a desire to take part in development opportunities that are custom designed to the industry of interest, budgets do not always allow for creation of unique learning programs. To this end, it is of value to note that the BC Central Credit Union currently offers a governance development program called the *Credit Union Director Achievement Program*. Some modules lead to a mandatory accreditation program for new credit union board members, while others are electives.

BC Central Credit Union currently markets their development modules to outside agencies. Of particular interest to municipal police boards would be three-hour modules on:

- Board roles and responsibilities.
- Leadership in organizations.
- Strategic planning.
- Board development and evaluation.
- Making meetings work.

Police boards would do well to access the development modules offered by BC Central Credit Union.

Another phase of police board development that could be offered is through a series of informal evening dialogues on issues of interest to board members. Ideally, these would be offered two to three times per year in both the Lower Mainland and Capital Regional District. Before these facilitation sessions, board members should be sent a pre-selected article or text to read in advance. This would allow all people in attendance to start the session with a common language and knowledge of a given topic, and permit a focused discussion. Differing from the more formal development events, these sessions would serve as forums for exploring larger issues that impact community safety and governance. Board members would have an opportunity to establish a police board learning community where best practices are shared, ideas exchanged, debates held, and cross-municipality relationships forged.

Development is not only managed by Police Services, but is also a self-directed activity. Starting in early 2003, board members can access a dedicated resource collection through the Justice Institute of BC Library<sup>17</sup>. The books and articles in this collection focus on issues and topics of special interest to municipal police boards. The collection is listed on the library section of the Justice Institute of BC web site, and also on the BC Association of Police Boards web site. Members living outside of the Lower Mainland are able to have books and articles mailed to them at Justice Institute of BC's expense.

Such a unique library collection dedicated to the needs and issues of municipal police boards will help members gain a greater understanding of policing, the role it plays in modern Canadian society, and the systems and context that exists within. This knowledge

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<sup>17</sup>This resource collection, dedicated to use by municipal police board members, was first made available at the Justice Institute of BC Library in February, 2003. For details, go to [www.jibc.bc.ca](http://www.jibc.bc.ca) and click on "Library", and then click on "Bibliographies" and locate the link to "Police Boards."

will help build capacity within boards such that discussions can take place at a higher, more informed level. In turn, effectiveness of board governance and work will be enhanced.

Police board members are further encouraged to attend the annual British Columbia Association of Police Boards conference held each February, and the Canadian Association of Police Boards annual conference, held each August. While attendance at conferences is a good thing, value can be added to the experience if boards develop a plan, in advance, to identify specific goals for members attending a conference, and how they will report back what they have learned.

Self-directed development that board members can undertake includes arranging tours of the various specialty units within their police agency, the local or regional 911 dispatch center, riding along with a patrol shift, informational presentations by community groups, and educational sessions with external consultants.

When interviewed, very few police boards reported using an annual retreat as a development strategy. Those that did, most often went to a location outside of the municipality for two days. One day was given over to a meeting of just the board, while the second day involved the Chief Constable and portions of the senior management team. Board members, both public and private sector, who took part in such retreats reported tremendous benefit not only in the learning and planning that took place, but also in the enhancement of relationships.

One key to the success of such retreats, as reported by participants, was the location of the event. Retreats held out of town had a far greater level of participation and work produced, while those held in town were poorly attended, with members taking time out to attend to personal and professional matters.



A further development opportunity for board chairs that needs to be explored is for the Police Services Division and the BC Association of Police Boards to work together to arrange a seminar for mayors at the annual Union of BC Municipalities conference. Such an event would provide a venue for mayors to come together to learn from each other's experiences and share best practices that are unique to their role on municipal police boards.

**It is recommended that:**

- 1. The Office of Board Resourcing and Development continue to play a strong role in the selection of new municipal police board members, the delivery of support to and ongoing professional development of, municipal police boards and individual board members.**
  
- 2. The Police Services Division commit dedicated staff and budget resources to a level such that the Division can better fulfill its responsibility under the *Police Act* relating to the identification of potential new municipal police board members, the provision of ongoing development and support to boards, and individual board members.**
  
- 3. The Police Services Division continue to provide a one-day orientation session for new municipal police board members on an as-needed basis, and this be done in consultation and cooperation with the BC Association of Police Boards.**

- 4. The Police Services Division commit staff and budget resources to providing an annual information session to newly elected municipal councils. This session should be delivered on request, and with the local municipal police board in attendance, for the purpose of enlightening council members on the respective roles and responsibilities of council and the police board in the governance of the local police service. This should be done in consultation and cooperation with the BC Association of Police Boards.**
- 5. The Police Services Division fund the creation of a dedicated library collection for municipal police board members.**
- 6. Municipal police boards allocate funds in their annual budget to board and member development.**
- 7. Municipal police boards encourage all board members and chief constables to attend the annual BC Association of Police Boards conference.**
- 8. Municipal police boards individually send a delegation to the annual Canadian Association of Police Boards conference, and have those members attend with a plan for how best to learn from the event and enlighten the rest of the board upon their return.**
- 9. Municipal police boards individually identify in-house opportunities for development, including presentations by police department units, community groups and consultants.**
- 10. Municipal police boards look to Board Resourcing and Development as a resource on best practices in governance.**

- 11. Municipal police board members take individual responsibility for developing their knowledge and understanding of their police agency through taking part in regular 'ride-along' shifts with patrol members , and the 911 call and dispatch center. They should also seek out relevant books and articles that relate to policing and community safety.**
  
- 12. The BC Association of Police Boards continues its efforts to develop an online learning community where members can share information and learn from each other.**

## Board Meetings and Agendas

Team members develop mutual respect; because they respect one another, they develop trust; because they trust one another, they share difficult information; because they all have the same, reasonably complete information, they can challenge one another's conclusions coherently; because a spirited give-and-take becomes the norm, they learn to adjust their own interpretations in response to intelligent questions (Sonnenfeld, 2002, p. 108).

In his article, *What Makes Great Boards Great*, Sonnenfeld talks about the importance of relationships and communications within a governing board. The work of boards is accomplished through talking. Carver says that, "Boards talk. Debating, clarifying, and enunciating values are talking tasks" (1997, p. 173). Most of this discussion takes place within the context of scheduled meetings, in the confines of an agenda. Most often, this is the only work of the board that is visible to the community — the public meetings.

Many of those interviewed for this report spoke at length about what is discussed at board meetings and how these discussions take place. Few reported that discussions ever reach a level that involves tough, challenging or probing questions, let alone a deeper exploration of the topic at hand. One person described this as "kindergarten behaviour," in that new board members quickly identify the behavioural norm within meetings and adapt their own behaviour to meet this norm. The belief is that new members are often uncomfortable with "rocking the boat" for fear of not being reappointed to the board.

In observing the public portion of municipal police board meetings, most boards stayed on topic and on time, some boards lapsed into side conversations over top of other conversations, while one observed board regularly strayed from the agenda and with story telling. Some observed discussions were productive, while others seemed to take place for no other purpose than to justify having a meeting.

Poor planning or meeting conduct can cause unproductive meetings as much as a lack of productive discussion. Leighton and Thain identify causes of poor meetings:

- Poor agendas. Too much time is allocated to routine, unimportant items and too little to important items.
- Much reporting and repetition of material that has been sent out in advance and has been carefully studied by all conscientious directors.
- Too much disorganized and undigested information.
- Focusing on issues when they have developed so far that positions have jelled, decisions have been made and it is too late to benefit from penetrating, helpful questioning and counsel.
- Meetings that turn into management discussions of operating problems.
- Meeting that are too long or too short.
- Closing off discussion and debate prematurely and cutting off dissenting analysis.
- Process without substance: carrying on with set administrative routines that preclude productive dialogue on more important problems; ritual that avoids substantive issues (1997, p. 154).

In commenting on police board meeting agendas, one board member said that there “is little red meat” on the regular agenda, and that a great deal of time is spent “approving the obvious.”<sup>18</sup> Several board members observed that their public meetings are carefully scripted and that the real discussion takes place in-camera. Other members commented that their agendas are full of operational reports that “are self-congratulatory. They focus on past and current successes, and not on future plans.” This last point was observed to be the case in the public portions of many municipal police board meetings.

The inherent danger of a board focusing only on the positives is the potential to lose objectivity and the support of the community. Boards need to engage in a regular, critical

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<sup>18</sup> Note that all interviews conducted during the research for this report are confidential. Thus, sources of some quotes are not cited.

examination of themselves, their police department, and the agency staff and services provided. During the conduct of this research report, many boards were heard to remark that theirs is an “exceptional” agency, or a “leader” in policing. Yet, when asked, none could articulate on which objective criteria or measurement this belief was based.

Clearly, there is frustration amongst appointed board members with what is discussed by the board. From the perspective of an observer, there can also be frustration over what is not discussed. In many municipal police board discussions, little reference is made to how agenda items and issues relate to the department’s strategic plan. In one observed board meeting, in reviewing the crime statistics of the year to date, it was reported that there were substantial increases in armed robberies and auto theft. Yet, the sole question raised by the board related to the number of seat belt tickets issued. Nobody asked how the increase in crime impacted staff levels, staff budgets, the morale of police members, community safety, or the police department strategic plan.

Some board members expressed frustration that when they do try and raise issues over agenda content, they are not supported by the Chair, whom members sometimes perceive as wanting to maintain the status quo. At other times, some boards report encountering passive resistance from the Chief Constable who does not want some items discussed.

This lack of support and cooperation amongst boards is a great concern. Board members perceive that they run the very real risk of not being reappointed to the board if they speak up. Some fear punishment in the form of marginalization. If more board members raised their voices in a constructive, collective manner, they could force change.

While talking about board meetings and agendas, a significant number of board members expressed concern over the tendency to shift more and more discussion to in-camera sessions. This seeming lack of transparency does little to build public confidence in the governance process. In fact, section 69 of the *Police Act* states that board meetings are to be open to the public and specifies that only certain items can be moved to an in-camera discussion.

Under section 69 (2) of the *Police Act*, items for discussion that can be moved to an in-camera meeting are: matters concerning public security, matters concerning a person's financial or personal affairs, if the person's interest in the matter outweighs the public's interest, matters concerning labour contract discussions, labour management relations, layoffs, personnel matters, and information that someone has requested to give in private to the board.

Section 69 (3) of the *Police Act* states:

*On making an order under subsection (2), the board ... must promptly submit to the minister a copy of the minutes of the meeting or hearing and a statement of the reasons for holding a portion of the meeting or hearing in private.*

Unfortunately, not all boards appear to following the legislation in terms of what they move to in-camera meetings, nor in submitting post-meeting reports and copies of the in-camera meeting minutes to the Police Services Division, as required by statute.

In addition to concerns over the trend to moving more discussions to the in-camera portion of the meeting, several board members expressed their frustration with the quantity and general quality of operational reports and statistics that are brought to their attention by police staff and managers. Some reports are overly lengthy and are not accompanied by an executive summary. Others provide information and statistics that are of operational value, but of little value at a broader governance level. Board members say they want and need facts and figures that inform their larger issue discussions. They are seeking information that relates to trends and how these trends impact on the departmental strategic plan and overall operating system.

Board members report that in stark contrast to the number of governance related agenda topics, most agendas are loaded with operational issues, information reports, and copies of "thank-you" letters sent by the community. A part of the research for this project included a review of meeting agendas for the past six months of for the majority of police boards in this province. Most are heavily laden with operational reports that are for information only,

while items relating to policy, strategic planning, or require discussion or decision, are in the minority.

Carver echoes this concern over meetings when he says that “Items of trivial scope or importance receive disproportionate attention compared with matters of greater scope of importance” when examining board meeting agendas (1997, p. 9). While it is interesting to see the diversity of what board members discuss, in an effort to focus discussion, board members might undertake a simple exercise and ask themselves what it is they would not discuss. This might help develop future policy on what items are brought to the agenda, and why, and which are not.

One method of reducing board time spent on operational matters is to send pre-reading packages that contain concise, informed executive summaries of larger reports. This allows board members to focus on the broader issues, not the minutia. At the same time, staff members who prepare these reports are given an opportunity, should they require it, to develop their analytical writing skills. Such summaries would highlight important issues, points to consider, options and differing perspectives.

In some boards, the Chief Constable drafts the agenda. In others, it is a cooperative effort between the Chair and the Chief Constable. At the start of the board meeting, most Chairs do ask if there are any additions to the agenda. When asked, however, few board members had a clear idea of what they would not include on their agenda.



According Chait, *et al* effective boards structure their meetings to focus on strategic priorities (1993). A part of a development program for boards and board members would help discriminate between strategic priorities and operational issues. In preparing a board meeting agenda, Carver suggests that: “Boards can resolve the question ‘What will we allow ourselves to talk about?’” by asking three questions:

1. In what category does the issue fall? Is it governance or management?
2. Who does the issue belong to? The board, or the CEO?
3. What has the board already said in this category of issue, and how is this current issue related (1997, p. 174)?

While some items are placed on an agenda for information only, others may be there for rubber-stamping, under the title of “Consent Items.” Such items include correspondence, notices of upcoming events, or reports received from outside agencies. Rubber-stamping “enjoys de facto popularity while enduring rhetorical derision” (Carver, 1997, p. 176). However, Carver suggests that while some agenda items that are routinely rubber-stamped deserve discussion, others “should be rubber-stamped because the right to make the decision in question ought to the CEO’s” (1997, p. 177). Such examples include the hiring of staff and other activities that the CEO is authorized to perform.

The role of governance demands that board make decisions. All boards, in both the public and private sector, can make errors in their decision-making. The challenge lies in making informed decisions. In making decisions, boards need to ask themselves not what they “would approve, but what they would disapprove. If a board does not know what it would disapprove, its approval is a process without direction and, at worst, a sham” (Carver, 1997, p. 78). This extends from hiring a chief constable, to deciding what to place on a meeting agenda.

Most municipal police board agendas, for the public portion of the meeting, contain ten or so items on one page. The public meeting lasts between forty-five and ninety minutes. The extreme is one municipal police board that regularly meets for three hours to cover a three-

page agenda, which in turn lists thirty-five or more items for each public meeting. One has to question how productive such a meeting can be.

The challenge is for boards to adopt an agenda that does not obscure the differences in role between governance and management, while respecting the right and responsibility of the Chief Constable to make decisions.

In examining the prior meeting agendas provided by municipal police boards as a part of this project, there is no consistency over form or how items are clustered, let alone titled. While municipal police boards in BC do not need to have one consistent format for their meeting agendas, they may find it helpful to cluster related items, and clearly identify which items are for information, discussion or decision. Similarly, items should be identified if they relate to policy, budget, the police department strategic plan, or the strategic plan of the board.

Based on a review of current municipal police board meeting agendas, the following agenda format might be adopted or modified to meet the governance style of boards:

<b>1) Approval of agenda</b> Motion for adoption of agenda with additions, deletions, changes	Decision
<b>2) Approval of previous meeting minutes</b> Motion for adoption of previous meeting minutes	Decision
<b>3) Business arising from previous meeting</b> • •	Discussion / Decision / Policy
<b>4) Community presentations</b>	Information
<b>5) Questions from the community</b>	Discussion
<b>6) Department presentations</b>	Information
<b>7) Police board committee reports (monthly, quarterly, annual)</b> • •	Discussion / Decision / Policy
<b>8) Department reports</b> • Chief constables report • Budget • Operations • Human resources • Internal complaints • Strategic plan	Information / Discussion
<b>9) Correspondence &amp; information</b> • Attachments	Information (consent agenda items)
<b>10) New business</b> • • •	Discussion / Decision / Information / Policy
<b>11) Old business</b> • • •	Discussion / Decision / Information / Policy
<b>12) Adjournment of regular meeting</b>	Decision

Item 4, community presentations, should be limited in duration and presented to the board in advance so that the board and the department can develop a meaningful response. Boards should discuss whether or not they should in fact receive community presentations, or whether it is the role of the department to interact directly with the community. Similarly, item 6, departmental presentations, should be limited in duration and serve an identified purpose.

An option for the column on the right is to consider language suggested by Biro when he says that the Chief Constable presents information to the board in one of three categories:

1. Decision information — that which the board needs in order make decisions within their authority as a governing body.
2. Monitoring information — that which allows the board to gauge if previous directions and policies are being followed, and may fall within the oversight role of the board.
3. Incidental information — that which falls under neither of the two previous categories, and is often used to educate or inform the board, or relay data on the current operational environment the department operates within (2002, p. 12).

While an important role of the police board is to support the Chief Constable, this does not mean that boards should not at times challenge the senior management of the department, or each other.

Constructive, timely dissent can be the most important duty of directors. What is the point of a board that exists only to support management? Such a board is not only redundant, it is dangerous, because it gives a veneer of credibility to management decisions that may or may not be justified. It is fundamental to corporate governance that management proposes and the board judges and disposes. In this system, without effective director dissent, management runs unchecked, resulting at best in less-than-optimal performance and frequently in disaster (Leighton & Thain, 1997, p. 228).

While the authors are talking about corporate boards of directors, their views hold true for municipal police boards. As CEO, the Chief Constable should be prepared for challenging questions, and at times, dissent from the board.

One key to an effective governing body is in building a climate of mutual trust that in turn is built on open communication (Zaccardelli, 2002). One way in which to accomplish this is for the board to meet alone on a regular basis, without the Chief Constable or senior management team. Some, not all, municipal police boards do this. It is an important step towards allowing the board to come together as a group that communicates well within

itself. Such meetings allow for board members to share their thoughts, ideas and concerns in a closed environment. In the corporate world, it is the current best practice that boards meet on occasion without the CEO. This is an opportunity for board members to bounce ideas and perceptions off of each other.

While the issue of choice of location for police board meetings is touched on elsewhere in this report, it deserves to be mentioned twice. Community faith in and support of public institutions comes partially from transparency and accessibility. Police board meetings held in police department rooms or behind locked doors do not engender transparency or wider public access. There are groups in all communities who do not feel comfortable going to a police station, let alone having to sign in, get a visitors badge, and then pass through locked doors in order to attend what is supposed to be a public meeting. This does not mean that all police board meetings have to be held in public venues. However, boards should make every effort to frequently and regularly hold meetings outside of the police building.

To enhance public access, the West Vancouver Police Board has permanently moved their meetings into the local chamber of commerce meeting room. This building is located beside the police building and still allows for board members to feel physically connected to the police they govern.

As interesting as the location of police board meetings is, those people who actually attend to observe are equally interesting. All boards report minimal public attendance at board meetings unless something particularly contentious is to be discussed, or a special-interest group is attending to make a presentation.

A group that does regularly attend board meetings is the local police union. In some municipalities, the union president or designate is actually invited to sit at the meeting table with the board and the police senior management team. While this may help foster open communication, inform discussions, and help develop relationships, the lack of an articulated role that the union is to fill at the table should cause some concern. Prior to

allowing the police union to sit at the table, a board should first ask itself how this would enhance the function of the board, its discussions, and what purpose it would serve.

Most boards report that they meet either formally or informally on at least an annual basis with their police union. Issues are discussed and attempts made by each group to seek clarification. While a few chief constables seem uncomfortable with what might be discussed in their absence, most chief constables support these meetings and an open dialogue between the union and their employer. Boards who do engage in this practice are encouraged to examine whether these meetings undermine the role of management.

A significant issue that police unions raise in regards to police board meetings is that they are not always informed in advance of issues to be discussed in-camera that they believe directly effect their members. While the union recognizes the confidential nature of in-camera discussions, they would like the opportunity to speak to some issues to provide their perspective.

Like many board members, police union officials have also expressed their concern over the increasing tendency to move more discussions behind closed doors with in-camera meetings.

Another board meeting participant that deserves of mention is the Executive Assistant to the board. This position is usually a staff member and either the Executive Assistant to the Mayor or the Chief Constable. When one considers the governance role of the board, and that the board is the employer of the Chief Constable, there is potential for miscommunication or interference with the role of the Executive Assistant if he or she is the support person to the Chief Constable.

An interesting observation was made while monitoring police board meetings for this report, and this is the professional attire chosen by the Chief Constable and others in senior management when attending police board meetings. In a few departments, the Chief Constable and staff purposely wear suits and ties to board meetings. In others, police staff

members wear their duty uniform, sometimes with sidearm, to meetings of the board. When one considers the predominant age of police board members and considers that by and large this is a generation that was brought up to trust (and in some cases, fear) and respect the police, one has to ask how much of a barrier to free discussion and questioning is presented by the presence of uniformed and armed persons in the room. This is a point that all boards are encouraged to carefully consider.

One of the roles of a police board is to represent the community. To that end, both the Port Moody and Delta police boards have a reoccurring agenda item that provides time for community members to ask questions of the board. While those few community members who do attend the public portions of police board meetings most often do not have questions to pose to the board, it is a practice that all boards are encouraged to adopt.

**It is recommended that:**

- 1. Municipal police boards adopt an agenda format that focuses discussion on issues of substance and that other matters be presented in the form of reports, which are supplied in pre-meeting reading package.**
- 2. Municipal police boards take steps to minimize discussion and time spent on matters that are for information only and focus discussion on issues that directly pertain to governance of the police department.**
- 3. Municipal police boards fill the position of Executive Assistant to the board with somebody other than the Executive Assistant to the Chief Constable.**
- 4. Municipal police board meetings be held regularly in public locations, where the public has free and unfettered access.**
- 5. Municipal police boards actively discuss and review their policy on which matters are moved to the in-camera portion of the board meeting.**

- 6. Municipal police boards promptly submit monthly reports to the Police Services Division that detail why an item was moved to in-camera discussion, along with detailed minutes of the in-camera discussion, as required by the *Police Act*.**
  
- 7. The Police Services Division allocate dedicated staff and resources such that reports of municipal police board in-camera meetings are reviewed in a timely manner.**





## Mayor as Chair of the Police Board

The question as to whether or not the Mayor should sit as the Chair of the municipal board was perhaps the most hotly debated point in the conduct of this research report. Mayors, board members and chief constables all had strong opinions on this issue.

Many board members expressed the belief that the Mayor, as Chair of the police board, was inherently in a conflict of interest when chairing both municipal council and the police board; therefore, he or she should not be Chair of the police board. Most mayors did not agree, and believed that their dual role as mayor and Chair were complementary. Some chief constables thought that the Mayor should not be the Chair, while other chiefs did. All agreed that the role of the Chair is difficult and presents many challenges. At the same time, the majority of boards and commissions in this province do not have elected persons automatically appointed as the Chair, and yet they still continue to function well.

When interviewed, many board members stated that the Mayor, as Chair, is in a “conflict” situation. It was suggested that conflict most often arises when the police board’s annual budget is being prepared, and when it is presented to council. While some boards take steps to mitigate this by having somebody other than the Chair present the budget, others do not. Nonetheless, most board members agreed that a mayor is uniquely qualified and positioned to act as the Chair of the police board for the following reasons: a mayor has a distinctive, in-depth knowledge of the city and its operating systems, including municipal budgeting, priorities and planning, and perhaps more so than any other board member, a vast and diverse range of contacts in the community.

In his report on policing, Mr. Justice Oppal discusses at length the role of the Mayor as Chair of the police board, and indeed he does focus on the issue of conflict, specifically in regards to police department budgets. He states: “The Inquiry feels that that a mayor seeking to provide the best overall quality of life for the community at an affordable cost is not a conflict of interest, and need not sacrifice police effectiveness for political expediency” (1994, p. B-65).

However, while the perception of conflict of interest in most cases may not become reality when carefully examined, there are other factors that weigh negatively against a mayor being the Chair of a police board. As a part of their duties, several municipal mayors have commitments to a number of wide ranging committees and regional boards that consume a great deal of their time. Thus, they do not always have the time to adequately prepare for police board meetings. In fact, some board members report that their Chair rarely has the time to fully digest the meeting pre-reading packages. In some police boards, the Mayor routinely changes the scheduled police board meeting date in order to accommodate their other meetings and obligations, which they believe take precedence.

Municipal police board members report that the average amount of time they spend either in meetings or reading in preparation for meetings ranges from twelve to twenty-eight hours each month, and in boards of larger police agencies the time is greater still. It was suggested that mayors of medium to large size municipalities have so many demands on their time that they simply cannot prepare for meetings as well as the appointed board members.

Indeed, during discussions on the draft version of this report, it is important to note that strong arguments were advanced that the single largest impediment to good governance was the Mayor as Chair. It is not that any one mayor lacks the skill or will to do their best. Rather, by virtue of their position, some mayors appear to view the police department as “just another department” of the city that they oversee, an attitude that undermines the work of the board. Such views, while not always the norm, cannot help but have a negative impact on the concept of good governance.

In response to the draft version of this report, which supported having the Mayor as Chair of the local municipal police board, the Port Moody Police Board collectively passed a motion at their February 26, 2003 meeting which states: “...the Port Moody Police Board disagree with the recommendation that the police identify the Mayor as Chair of Police Boards” (Trasolini, G. personal communication, March 4, 2003). As a group, this board

believes that governance is best served by having somebody other than the municipal Mayor sit as Chair.

Oppal mentions the belief put forth by some that the Mayor “has tremendous influence, which, when coupled with the mayor’s position as chair of the board, may lead to an effective control over the board” (1994, p. B-65). During the conduct of the research for this report, the extremes of this control by mayor-as-chair was observed, both positively and negatively.

What many involved in municipal police board governance have suggested as an alternative to the Mayor as the Chair of the municipal police board is that the board select from within its ranks a chair and a vice chair. Oppal supports this by saying: “The Mayor’s role should be to provide advice, information and general guidance. The Mayor should not be entitled to vote” and is an inappropriate chair (1994, p. B-66). The *Police Act* should be amended so that while the Mayor is an *ex officio* member of the board, they have no voting authority.

There are others who suggest that removal of the Mayor as Chair leaves a board, constituted primarily by provincial appointees, as responsible for the delivery of a municipal service. This is currently the *de facto* case anyway, and has not posed a problem to date. The local community still has direct input to the board through the election of the Mayor, and their daily community contact with all members of the board, who come from within the community.

By removing the Mayor as Chair, the positions of Chair and Vice Chair could then be filled based on identified criteria from within the board that relates to knowledge and competencies, not seniority, from within the board. These leadership positions could be for one-year terms, with provisions for renewal if a majority of the board agrees.

Whereas some police boards currently make provisions for members to assume the role of Acting Chair in the absence of the Mayor under the present board system, others seem

reluctant to do so. All boards are encouraged to create a standing Vice Chair position that would act as Chair in the absence of the Mayor. In situations where the Chair has a conflicting obligation, the board could then stick to its regularly scheduled meeting and proceed with business. Under the current *Police Act*, there is no legislative reason why the Mayor cannot be absent from some board meetings. An apparent willingness by some Mayors to arbitrarily change meeting dates lends further credence to the notion that the Mayor should not be the Chair.

Although some would suggest that removing the Mayor as Chair would require the new Chair to have early access to professional development, along with the Vice Chair, soon after their appointment, this is as true for non-mayors as it is for newly elected mayors. In fact, some mayors reported being quite unprepared for taking on the role of the Chair of the municipal police board after winning their first civic election.

When interviewed, several mayors commented on an overall steep learning curve they encountered upon taking office, which included learning the role of Chair of the police board. Some said that they had little understanding of the role of boards and governance, how a police department functions, and the roles and responsibilities of boards and chief constables as set out in the *Police Act*. Several spoke about their level of discomfort on chairing their first few police board meetings. Like some board members, some mayors reported initially unfamiliarity with rules of order in formal meetings. One suggestion for ensuring a smooth transition from one chair to another might be a requirement that a person serve at least one term as a vice chair before assuming the role of a chair. Thus, a vice chair position would have two immediate benefits: board members in such positions would be afforded opportunities to develop new skills, and such a position would provide for the continuity of leadership in situations where the Chair is not present.

In a discussion related to having an elected mayor sit on the police board, some respondents suggested substituting some appointed board members with elected municipal officials. While a few board members did suggest that board function might be enhanced through the appointment of one or two elected persons to the board, the majority of those

interviewed disagreed. Those who disagreed stated that elected officials on the board, above and beyond having the Mayor sit on the board, may unduly politicize the board and its discussions. There is the added concern that by adding more elected officials to a board, undue influence could be exerted by virtue of the elected position.

**It is recommended that:**

- 1. The *Police Act* be amended such that the Chair of the municipal police board be elected from within the board.**
- 2. The *Police Act* be amended such that the Mayor be an ex officio, non-voting member of the municipal police board.**
- 3. The Police Services Division schedule an orientation session for new municipal police board members to take place within weeks of each municipal election where new mayors take office and assume the duties of a member of a municipal police board.**
- 4. Mayors take advantage of orientation sessions for new municipal police board members in order to receive information relevant to their new role as member of the municipal police board.**



## Relationships Between Board and Chief Constable

According to Hayes, “The relationship between police boards and chiefs of police is ambiguous, and this lack of clarification is an issue that can result in tensions between the parties leading to irreconcilable differences” (2001, p. 151). In support of this, it was observed that several boards and chief constables do not have a fundamental understanding of their individual roles and what “governance” is. In several instances, chief constables and senior police managers appear to operate under the belief that the board performs an advisory role only. And in one instance, board members were under the impression that the Chief Constable was a member of the municipal police board.

A number of board members and chief constables commented on the quality and form of the relationship between the board, the Chair of the Board, the Chief Constable and the police agency. Most report a respectful, professional relationship in which there is a level of trust and shared understanding of each other’s role. Yet at times, there is inevitable tension between the board and the Chief Constable as boundary issues come to the fore.

In some instances, this tension appears due to the lack of a shared understanding of roles and responsibilities, especially when the people involved struggle with the difference between governance and management. In a few instances, chief constables are quite uncomfortable with having a strong board that fulfills its mandate as set out in the *Police Act*. In one municipality, seemingly unclear about whom he is lawfully responsible to report to, the Chief Constable has been meeting in-camera each month with the municipal council to discuss policing issues and take direction. He does this with the knowledge of the Mayor, but unbeknownst to the rest of the board.

This lack of clarification of roles extends to the expectations that both boards and staff have of each other. Section 34 (1) of the *Police Act* states: “The Chief Constable of a municipal police force has, under the direction of the municipal police board, general supervision and command over the municipal police department.” Not all board members seem to appreciate this. In fact, several chief constables have reported that there are



instances where they must pause to remind boards and board members of what is in their respective realms of authority. A few chief constables reported that individual board members have attempted to give direction to the Chief, while forgetting that only the board as a group can do this, and even then it is not always appropriate. At times, the Chief Constable must also remind the elected municipal council that they have no statute authority to direct either the Chief Constable or the police force.

It is not always board members who attempt to give inappropriate direction. In observing police board meetings, it was noted that a few chief constables appear to dominate the board and direct the focus and energy of the board. Some board members reported the belief that their Chief Constable is reluctant to allow the board to develop to its full potential. In one instance, the Chief Constable has taken it upon himself to arrange for board development. One is hard pressed to think of another profession where the employee directs or leads the employer. To allow this role reversal to continue is not only bad governance, it prevents the development of an effective working relationship that is built on respect and trust.

Carver & Carver write: “Trust problems virtually always stem from a board not being clear about what it wants and doesn’t want” (1997, p. 39). Through dialogue, boards and chief constables must be clear with each other as to their individual expectations in terms of communications, process and working relationships. Through policy, boards must explicitly set expectations of their CEO, define their relationships and create decision-making boundaries.

One way to prevent confusion over roles and authorities is for board members, including the Chair, and the Chief Constable, to attend the bi-annual new board member orientation session together. This way, everyone hears the same message at the same time. Ideally, all who attend the orientation session would meet informally afterwards to discuss what they had heard and how the content of the session relates to their board. All people involved need to have a sound working knowledge of their statutory, governance and working relationship.

In addition to role clarity, boards must also be clear as to what information they regularly require from the Chief Constable, when they need it, and the form and manner in which it is to be communicated. At the same time, the Chief Constable needs to reserve the right not to report information that relates to ongoing investigations and is outside the board's immediate need to know.

According to Biro, the Chief Constable presents information to the board in one of three categories:

1. Decision information—that which the board needs in order make decisions within their authority as a governing body.
2. Monitoring information—that which allows the board to gauge if previous directions and policies are being followed, and may fall within the oversight role of the board.
3. Incidental information—that which falls under neither of the two previous categories, and is often used to educate or inform the board, or relay data on the current operational environment that the department operates within (2002, p. 12).

It is suggested that when boards establish their meeting agendas, the monthly report from the Chief Constable should clearly identify in which of these three categories information falls. This will serve to prevent confusion on what boards need to debate, act on, challenge, or merely accept. Still, some information presented by the Chief Constable is outside the realm of the working knowledge of most police board members.

As police board members in British Columbia do not have a policing or law enforcement background, they can face challenges when information is presented that they do not fully comprehend. Most boards naturally rely on their employee, the Chief Constable, who has the experience and expertise, for guidance. For some board members, this reliance prevents them from being able to meaningfully challenging information or positions presented by the Chief Constable or members of the senior management team. When this happens,

board members may not be able to challenge conventional wisdom, present new ideas or strategies, or move a police force forward.

While some board members may not always have a firm grasp on how the police department operates, or the relevance of some of the information presented to them, a few members report having suspicions over the accuracy of the information that they receive. In these cases, information presented to the board through the Chief Constable or senior management team is suspect. Some board members expressed concern that by the time they receive information, it has been filtered through the lenses of the department. More than one board member commented on their belief that the police senior management team keeps secrets from the board. Other board members expressed the belief that their Chief Constable will not bring contentious or sensitive issues to the board for discussion, or when contentious or negative information is brought forward, it is watered down.

If information is filtered prior to presentation to the board, it is to the detriment of a good working relationship between the board, the Chief Constable, and the police department. In cases where board members suspect the accuracy or authenticity of information, it is the responsibility of the board to challenge, examine and verify the information.

According to Gill, one of the keys to success for a governing board is to have a strong working relationship between the CEO and the board. This includes the “willingness to ask and answer tough questions” (2001, p. 26). This questioning does not have to suggest that there is a lack of respect, trust or absence of professional competency. Rather, questioning sparks debate, which in turn leads to shared understanding and learning for everyone involved. Questioning is yet one more avenue for boards to develop their knowledge, skills and competencies. Chief constables need to understand that this questioning is one of the board’s roles. Unfortunately, when interviewed, a small number of chief constables did not appear to appreciate that it is the role and responsibility of the board to ask tough questions.

Boards and chief constables need to challenge each other and pose questions that may not always be comfortable. They need to be willing to talk openly about negatives that may arise, no matter how embarrassing. This includes instances where a board is suspicious of the information presented to them, and incidents where the board believes that the Chief Constable has acted without authority.

One police board reported an incident where they were invited to attend an annual police mess dinner. At the event, two police officers were honored with awards from the police board. Unfortunately, these police board awards were given without the permission or prior knowledge of the board. One board member felt that this exemplified the Chief Constable's lack of appreciation for, and understanding of, the role of the police board.

Just as board members need to learn how to work with their Chief Constable and police department, so too must the Chief Constable learn to work with the board.

**It is recommended that:**

- 1. Newly selected chief constables attend the first available orientation session for new municipal police board members in order to learn more about their role in the governance process.**
- 2. Chief constables attend orientation sessions for new municipal police board members each time there is a new member appointed to their board. This will demonstrate mutual respect for, and understanding of, the respective roles of the board member and the Chief Constable.**
- 3. Chief constables and senior police managers seek out opportunities to expand their understanding and knowledge of the governance role of municipal police boards.**



## Board Remuneration

While it is the norm in the corporate environment to pay board members for their work, currently only one BC municipal police board compensates board members for time spent in board meetings and doing committee work. Several members of municipal police boards who do not receive any remuneration expressed a sense of bitterness, noting the sums paid to those who do receive remuneration. While the sums involved are not large, the principle of perceived fairness is.

Although the academic literature is largely silent on this issue, several members of both corporate and public-sector boards stated their belief that even a small stipend helps sharpen the attention of board members. Generally, people who are paid for their efforts feel a greater sense of appreciation in addition to an enhanced attachment to the organization. However, money alone does not guarantee effective board members. Municipal police board members deserve and earn official recognition for the value they bring to their community police. This recognition takes place most often at annual police functions such as a ball, seasonal celebration, or mess dinner.

It has been suggested that in lieu of remuneration, reimbursement of expenses such as childcare might make board membership more accessible to some people in the community. Though most municipal police board members are not paid for their time, all boards in BC do allocate monies for covering the expenses of board members who attend outside development events such as the annual BC Association of Police Boards, or the Canadian Association of Police Boards conferences. Currently in British Columbia, the provincial government is reviewing the issue of remuneration for all boards and commissions.

In response to the draft version of this report, which supported development of a policy and budget for board member remuneration, many board members emphasized that while they appreciated the opportunity to air the issue, they disagreed with remuneration. In discussing the draft report, the Port Moody Police Board collectively passed a motion at

their February 26, 2003 meeting that stated that the Port Moody Police Board does not support the recommendation that board members be remunerated (Trasolini, G. personal communication, March 4, 2003).

**It is recommended that:**

- 1. Municipal police boards and departments, in consultation with the Police Services Division, engage in a discussion relating to board member remuneration and its appropriateness, and that the final decision on board member remuneration be left to individual boards.**
- 2. Municipal police boards and police departments actively seek out opportunities and venues in which the work and the contribution of the board might be better publicly recognized and acknowledged.**

## Relationships Between Board and Community

In essence, the municipal police board is the link between the community and the police. This concept suggests communication, visibility and partnership. Yet there are many obstacles to such an open relationship. Often, the public does not fully understand the role of the police or the board, and the board and police do not fully understand the different needs and concerns of the multiple constituencies found within any one community. A further challenge is the visibility of the board within the community. Unfortunately, most board members and chief constables reported the belief that the work of the police board is mostly invisible to the community at large. This is even the case within some of their home police agencies.

While a very few police agencies, such as Vancouver Police, have posted either individual or group photographs of their board in prominent locations within the police building, most departments have taken few steps to raise the visibility of their board within the ranks of their organization. A first step towards being able to communicate within an organization is becoming known. A prominent display of board member photographs, visible to the community and the police members, is a step in the right direction.

Visibility of the board extends to how the community observes the work of the board in action. This relates not only the time of day when municipal police board meetings are held, but also where they are held. Citizens who enter a modern police station are met with bullet resistant glass walls and locked doors. In fact, some police board meetings are held behind locked doors in police buildings, and the public must sign in and obtain a visitors badge in order to observe what is supposed to be a public meeting. By making visitor badges mandatory, the message, “you don’t belong here” is subtly conveyed.

For some community members, including some new Canadians, the very act of entering a police building is unnerving. To sign-in and go behind locked doors may pose too much of a psychological barrier for some. In one department, members of the public are not only required to sign-in, receive a colour-coded visitor badge, and be physically escorted to



what is billed as a public meeting, they are also required to sign an attendance list once they enter the meeting room. Such steps send subtle messages that in fact this is not a public meeting.

In talking about policing in New South Wales, Australia, Palmer delves into the relationship between police and community when he writes:

Using the model of citizen-as-consumer as the basis of state-citizen relations avoids addressing the limits of public information and knowledge. It also limits the possibilities for citizens to be actively engaged in the process of change instead of being left to react to single product development and service delivery. In a large way, the Police Board exacerbates the paucity of open debate about the values in policing, focusing on notions of 'efficiency and effectiveness' in service delivery rather than recognizing the differences in individuals and groups in their access to benefits or resources (Lacey, 1994), including their ability to shape the forms and practices of the police (1997, p. 676).

Almost every police board allots time at each meeting for presentations from police specialty units, yet it is the rare agenda that documents a presentation made by the community. Ideally, police boards should not only hear and learn from the police whom they govern, but also the community they represent. While few boards currently do, they could send invitations inviting community groups to make presentations. Such groups could include:

- The school board.
- The Chamber of Commerce.
- The Retail Merchants Association.
- Mental health.
- Parks and recreation.
- Agencies serving senior citizens.
- Social service agencies.
- Various ethnic and cultural groups.

Community presentations should be limited in duration, and the board should be made aware of the content in advance in order to develop a meaningful response. Boards should discuss whether or not they should in fact receive specific community presentations, and whether it is the role of the department to interact directly with that community group.

If the board is to represent the community to the police and the police to the community, these voices need to be heard on an annual basis. In such a case, information is shared, relationships are built, issues are aired, and cooperative solutions to shared problems are developed.

One approach to building a dialogue between the community and the police agency, which is based on qualitative and quantitative data, is to survey the community. A survey can identify community concerns and match them to organizational goals and plans. The Abbotsford Police did this in late 2001, and posted the results on their web site.<sup>19</sup> Their survey investigated both community concerns around safety, and user satisfaction with services delivered by the police. In 1987, the Madison, Wisconsin, Police Department began mailing a survey to every fiftieth person it encountered, regardless if they were a victim, witness or suspect (Osborne & Gaebler, 1992). The distribution was later changed to every thirty-fifth person, and the survey asked respondents to rate the officer(s) they dealt with in seven different domains: “concern; helpfulness; knowledge; quality of service; professional conduct; how well they solved the problem; and whether they put the person at ease” (1992, p. 173). The survey concludes with the question “How can we improve the quality of our service in the future?” (1992, p. 173). The Madison Police report a forty percent response rate to the surveys, which are distributed with a self-addressed, stamped envelope. In an extension of this approach to “customer” feedback, the Madison Police Department web site currently has a link on their home page for “Feedback: Compliments & Complaints.”<sup>20</sup>

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<sup>19</sup> See [www.abbotsfordpolice.org](http://www.abbotsfordpolice.org) and click on “Resident Survey.”

<sup>20</sup> See [www.ci.madison.wi.us/police/poldept.html](http://www.ci.madison.wi.us/police/poldept.html)

In order to reach out to a unique segment of the community, the Delta Police Board invites local MLAs and MPs to attend board meetings every six months. This provides an avenue for the board to report to and hear from the provincial and federal government.

To represent the community, a police board must be visible. If it is relatively unknown within a community, how can it learn the issues of each neighbourhood? A few boards publish the details of their upcoming meetings on a city hall or public library bulletin board, while a few use street side reader boards. Some do nothing to alert the community of upcoming meetings.

Community relationship with a police board can be enhanced through purposefully developing a visible profile. This can be done with regular ads in community papers publicizing the role of the board, a link from the city web site, bulletins posted in community buildings, or regular mailings to community and business groups. One of the most wide reaching methods that boards and departments can use to communicate outside their agency is the Internet.

Currently, all eleven municipal police departments have a dedicated web site. When visiting them, it is interesting to note that the vast majority has a “welcoming” statement from the Chief Constable in which he<sup>21</sup> speaks on behalf of the dedicated men and women of their agency. Yet, several of these statements fail to mention or acknowledge the police board and its governance role. Some police department Internet sites have a hot-link directly to their police board, while other sites fail to specifically dedicate web site space to the board. At the time of the first draft of this report,<sup>22</sup> one municipal police department failed to mention their police board anywhere on their web site.

Many police department web sites list the names of board members, and only a few provide information on police board meeting dates and locations. Fewer still provide information on how community members can contact the board. Two department web sites

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<sup>21</sup> Currently, all municipal Chiefs of Police in British Columbia are men.

<sup>22</sup> The draft version of this report was distributed for discussion December 16, 2002.

provide copies of board meeting agendas, and three supply the minutes from past public meetings. Unfortunately, one web site currently contains outdated information on who the current board members are.

Canada is one of the most “wired” countries on earth. For many people, their first source of information is the Internet. To keep a web page current, with details on board meetings, agendas and past meeting minutes, is not an onerous task. In addition to posting the minutes from public board meetings online, communication with the community would be enhanced if the minutes were also filed in the public library, as the Vancouver Police Board currently does.

Boards interested in seeing how others use the Internet to publicize the role of a police board would do well to visit the police department web sites for Central Saanich, Vancouver and West Vancouver. Each of these sites provides a slightly different and very informative manner of informing the community of the work of the board.

In making the municipal police board both visible and accessible to the larger community, it is important to note that the community is to contact the board, through the office of the Chair, not individual board members. It is the Chair that speaks for the board, and acts as the primary conduit for receiving and disseminating information.

To further enhance the visibility of the police board, one board member suggested that boards publish an annual report. This is not the annual report that some police departments publish and post on their web site. Instead, this would be a report of major initiatives, policies and issues that the board dealt with over the past year. It would include a list of all the groups and organizations that made presentations to the board, board plans for the coming year, how the board will measure their success, and any recommendations made to the various levels of government. Most importantly, this report would demonstrate how the board leads through governance. Such a report could be mailed to all groups who made board presentations that year, other community groups, and all branches of the community public library. Ideally, it should also be posted on the board section of the police

department web site. One example of such an annual report can be found at the Calgary Police Commission web site, <http://www.gov.calgary.ab.ca/cpc/>

A police board annual report would not only serve to highlight the accomplishments of the board, it would also serve to build board cohesion and unity of purpose as members look back on the past year and celebrate the work that they have done together. In anticipation of the writing of an annual report, perhaps boards would then be motivated to look beyond the minutia of police management to the larger, strategic issues that impact their community and police agency.

Communication with the community means not only being visible, but also careful consideration of the messages being sent and how messages are received. This extends to what is discussed in public. While it is certainly the role of the board to support the Chief Constable and the department at large, the board must remember that as a governing body it also represents the community. Transparency of board activity will most certainly help foster the police/community relationship. One aspect of transparency is open conversation about the negatives.

When observed, boards take time at a majority of meetings to hear about commendations and community letters of praise directed to individual police officers. At many meetings, these officers are publicly named. Yet conversely, most boards do not publicly talk about complaints made against the department or its members. While the content of complaints and the names of the police members involved should not be discussed in a public meeting, if the board regularly releasing details on the number and type of complaints made, transparency and public interest is served. Vancouver is one such police board that has adopted such a practice.

**It is recommended that:**

- 1. The public portion of municipal police board meetings be advertised within the community and be held in public areas, in public buildings, at times when the majority of the community can attend.**
- 2. Municipal police boards, in order to raise their profile in the community and to establish a dialogue with various community segments, actively invite various community bodies and representative groups to make annual presentations to the board.**
- 3. Municipal police departments profile the existence and work of their boards on their web sites. This includes the role of the board, names of board members, how community members might contact the board, when and where the board meets, and the minutes of past public board meetings.**
- 4. Municipal police boards discuss, in public and within the confines of privacy legislation, both positive and negative agenda items.**



## Board Role in Developing Policy

Policy is the vehicle through which a board gives substance to the governance framework. Policy creates the context and influences the behaviour of the entire organization. It is the vehicle through which the board expresses itself on matters critical to the effective planning and operation of the police department. A well-developed and organized commitment to policy development is critical to the success of the organization. (Police Services Division, 2002, p. 51).

While there are a number of governance models used by boards, perhaps the best known is that espoused by Carver. While some advocate that the board should be involved in several levels of decision-making (Pasternack & Viscio, 1998), the Carver model of governance “separates the ends (the organization’s intended outcomes) from the means (the resources and activities required to achieve the ends)” (Penwarden, 1998, p. 1).

Carver advocates the creation of policies that identify goals, and policies that empower CEOs to achieve these goals within identified limitations of their authority. So long as the CEO stays within their authorized role, they are free to act and make decisions. Plumptre argues that the Carver model is overly prescriptive and is not a perfect fit for all organizations; he maintains that it places too many constraints on both the board and the CEO (2002, 2003). Others suggest that the Carver model is not a good fit for a board created by statute, which is the case with a municipal police board. In the case of a BC municipal police board, statute provides that the most significant roles of the board are to set the agency’s strategic plan, hire the Chief Constable, and monitor the actions of the police agency.

Keys to the success of boards are policies that clearly define “roles, responsibilities and management limitations” (Penwarden, 1998, p. 1). Policy development is an integral part of the process boards rely on, and these policies should reflect best practices. Municipal police boards set policies that are future oriented in setting long-term strategic plans; they set policies relating to how budgets are developed, and create policies delineating their role in governance from the operating authority of the Chief Constable. Still, most police department policies relate to operational and management functions. In such cases, the



question should be asked: Should the police board be responsible for creating such policies? Or, is it the role of the police board to instead clarify what issues should come to them, and which should remain in the sphere of management control?

Biro, a police board member in Ontario and governance educator, follows the Carver model of having boards develop policies that establish ends and means—in other words, goals and how the organization will attain these goals. Biro writes:

The major tool used by boards for governance is policies. Explicit policies set goals and objectives, clarify roles, and create a framework for the board and the entire organization. Policies in an effective governance model fall into four categories:

1. Long term planning. The setting of goals and objectives are proactive. A consideration of where the board wants the organization to be at some point in the future.
2. Executive limitations. Management principles that limit the choice of staff means.
3. Board-staff relationship. The manner in which authority is passed to the executive machinery and assessment of the use of that power.
4. Board process. How the board will govern; the manner in which it represents its constituents, governs itself, and the process through which it provides strategic leadership to the organization.

Categories two through four are defined by the creation of explicit, clear policy, and the existence of external regulatory agencies. Effective policy and controls in these areas frees boards to concentrate the establishment of long-range objectives and planning (2002, pp. 8 - 10).

To help guide the work of the board and identify in which areas it needs to develop policy, boards need their own “board manual.” This living document evolves over time and identifies the terms of reference of the board, the Chief Constable and board committees. In addition to being a source of reference documents and board bylaws, the manual sets out processes for review of the strategic plan, performance of the Chief Constable and the board. A sample table of contents for a board manual can be found in Appendix E.

The Police Services Division suggests that all municipal police boards incorporate a number of board bylaws into their board policy manual (2002, p. 38). These include:

1. Meetings of the municipal police board.
2. Role of the board chair.
3. Role of board members.
4. Conflict of interest.
5. Code of conduct.
6. Confidentiality.
7. Purchasing.
8. Reimbursement of expenses incurred by board members.
9. Board member liability.
10. Financial planning and financial control.
11. Path of office.

In addition to bylaws, the Police Services Division has drafted a list of areas in which they recommend boards develop policy (2002, p. 52). These include:

1. Mission statement.
2. Values and principles.
3. Governing style.
4. Strategic planning process.
5. Collective bargaining.
6. Role and function of the Chief Constable.
7. Hiring and supporting the Chief Constable.
8. Process for evaluation of the Chief Constable.
9. Process for evaluation of the board.
10. Fund-raising.
11. Emergency executive succession (in instances where the Chief Constable is suddenly unable to act).

Of these, fund raising is an issue that more and more boards find challenging. Boards and departments are continually approached by the private sector interested in donating goods in return for public recognition. Some departments have chosen to accept donated vehicles. These vehicles are painted to look like marked police patrol vehicles, except that the donor's name is prominently displayed on the vehicle. Thoughtful and deliberate discussion needs to precede the development of policy relating to fund raising and any potential or perceived conflict of interest.

Governing style is a topic that requires consideration and policy development for some boards. Carver & Carver give an example of a policy on governing style that is positive, future oriented, and inclusive of differing points of view:

The board will govern with an emphasis on (1) outward vision rather than internal preoccupation, (2) encouragement of diversity in viewpoints, (3) strategic leadership more than administrative detail, (4) clear distinction of board and executive roles, (5) collective rather than individual decisions, (6) future rather than past or present, and (7) proactivity rather than reactivity (1997, p. 198).

When interviewed, few board members reported that their board had discussed their style of governance.

To facilitate the development of board policies and bylaws, it is suggested that police boards create ad hoc committees. Additional committees are recommended for labour relations and budgeting. Yet, few current police boards have such committees, and of those that do, none have articulated terms of reference for committees. The Police Services Division, in consultation with the BC Association of Police Boards, should also consider their role in assisting boards to develop appropriate policies and bylaws.

In order to oversee board activities and assist with the development of policies, bylaws and committees, boards need to establish a governance committee. To assist in meeting their governance role, boards should also create a finance and a human resources committee. Coupled with these, boards would be well served by actively seeking opportunities where they might learn how to develop policies that most effectively address their own unique issues and context. However, boards are poorly served by simply copying existing policies and bylaws from other boards. Individuals experienced in governance report significant benefit to their board by taking the time to develop their own policies and bylaws that best meet their own unique needs. In these cases, boards adopt relevant policies and bylaws, and also develop a better understanding of the governance process and how it relates to their particular agency.

In developing policies, it is important that boards do not find themselves mimicking the role of management.

**It is recommended that:**

- 1. The Police Services Division work in partnership with municipal police boards, the BC Association of Police Boards, and the Board Resourcing and Development Office to develop knowledge and a competency based development program that will provide boards with the requisite tools to develop policies and bylaws appropriate to their individual context.**
- 2. The BC Association of Police Boards, in concert with the Police Services Division, assume the role of a clearing house where by boards can exchange best practices, copies of policies, bylaws, and more importantly, the processes involved in their development.**
- 3. Municipal police boards have a standing governance committee that is responsible for the development of agency specific policies and bylaws.**



## Board Role in Planning

In section 26 (4) of the *Police Act*, a key responsibility of boards, in consultation with the Chief Constable, is to “determine the priorities, goals and objectives of the municipal police department.” Yet, when asked, several board members stated that they had little operational involvement in the setting of goals, objectives or strategic plans for the department. A few boards report instances where their first knowledge of a strategic plan or planning process occurred when a police department’s senior management team presented a completed strategic plan to the board and requested approval. When asked, all board members expressed a desire to be involved in the planning process.

Depending on the police force, there are different reasons why boards are or are not involved in planning. In some boards, members are not fully aware that this is one of their key roles in statute as a governing body. In others, the department has chosen not to involve the board until later in the process. Whatever the reason, municipal police boards have a statutory obligation to meet and must be involved in the planning process as a full board. In fact, section 26 (4) of the *Police Act* sets out the board’s planning role “in consultation with the Chief Constable.” It does not say that the Chief Constable will act in consultation with the police board.

As a governing body, the role of the board is to lead, monitor actions and results, and then report back to the community they represent. As such, the board’s role in strategic planning is to be intimately involved at the front end of the process when the broad-brush strokes of objectives and planning are laid out (a process lead by the Chief Constable). Later, the board reviews, tests and approves the plan. Later still, the board’s role is to monitor how the plan is implemented. Related to this is the board’s role in ensuring that the annual budget is consistent with the strategic plan (Watson, 2002).

At its core, board responsibility for planning is about leadership. It is the role of the board to lead the police department. According to the British Columbia Board Resourcing and Development Office the broad areas of responsibility are:

1. To ensure the current and future viability and direction of the organization by setting the strategic plan.
2. To ensure that the right people are in the right positions, especially in the hiring of the Chief Constable.
3. To oversee and monitor (Watson, 2002).

Yet when observed, few boards seem to demonstrate this activity. Rather, many appear content to spend copious amounts of time hearing operational reports and summaries of past and current successes. According to Covey, “management is efficiency in climbing the ladder of success; leadership determines whether the ladder is leaning against the right wall” (1989, p. 101). It is the police board that frames the context that the agency is operating within. It is the police board that “determines the priorities, goals and objectives (s. 26 [4] *Police Act*). It was observed that too many boards spend too much time discussing how best to efficiently climb Covey’s mythical ladder, and too little time asking the larger, tougher questions. As leaders, it is the role of the board to provide direction by “identifying the organization’s adaptive challenges and framing key questions and issues” (Heifetz & Laurie, 2001, p. 135).

To assist boards in acting in a leadership capacity, the Police Services Division should work with the BC Association of Police Boards to establish a framework that would require boards to submit a strategic plan to the government on a regular basis.<sup>23</sup> As part of a process of transparency, plans would be public documents and available to the community.

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<sup>23</sup> Such strategic plans do not need to be developed each year. In planning, some boards and departments prefer two, three or even five-year plans. The choice of plan term is best left to each individual board.

Such plans would clearly set out the objectives for both the board and the police department for the coming year(s). Strategies to be employed, along with objective measures of success, would be included. At the end of each fiscal year, a supplementary report would be filed articulating how the plan measured up in reality. If the board and the department are not successful in some aspects of their plan, explanation would be given as to why and what specific strategies are to be employed to address the issue(s).

This process of planning and accountability ties in to board assessment and effectiveness. While at first all boards may not embrace such planning and accountability, it does lay the groundwork for boards to meet their leadership responsibilities.

For this planning process to work, the Police Services Division would have to devote more staff resources to the support of municipal police boards. In addition, the *Police Act* may have to be modified to give the Director of Police Services the authority to demand and receive such reports.

**It is recommended that:**

- 1. The Police Services Division work in partnership with municipal police boards and the BC Association of Police Boards to create a development program within which boards are provided the tools, skills and framework necessary to assist them in developing strategic plans for their individual municipal police.**
- 2. The BC Association of Police Boards, in concert with Police Services Division, assume the role of a clearing house whereby boards can exchange best practices, copies of department and board strategic plans, and the processes involved in their development.**
- 3. Municipal police boards post their strategic plan on their police agency web site.**





## Board Role in Developing Budgets

On or before November 30 of each year, a municipal police board must prepare and submit to the council for its approval a provisional budget for the following year to provide policing and law enforcement in the municipality (section 27 (1) *Police Act*).

The act of “preparing” a budget pursuant to the above section of the *Police Act* varies between police boards. Some boards have a budget sub-committee that works with the police to create a budget. In a few, the police do all the work and present a finished budget to the board for approval. As is the case in planning, the level of board participation in, and knowledge of, the budgeting process varies greatly between municipal police boards. Nonetheless, when one considers that in most municipalities the budget for policing consumes up to one third of the overall municipal budget, one begins to appreciate the importance of the role of the municipal police board in the budgeting process.

In some boards, the Mayor, as Chair of the board, presents the completed budget to council for discussion and approval. In a few cases, in an attempt to remove the Mayor from an apparent conflict, a board member or the entire board together will present the budget to council. In Victoria the police board meets quarterly with the municipal council to informally discuss community safety issues (Battershill, 2002). The assumption is that when the board takes their annual budget request forward, council is already familiar with the issues and those involved, and thus has far fewer reservations about approving the budget request. All municipal police boards are encouraged to actively consider adopting this practice.

This varying level of participation appears due to a number of reasons. In some boards, members lack time or the requisite level of financial skill to meaningfully take part in the budget process. In a few cases, the board and/or senior police management team appear unfamiliar with the board authority over the budget.

In interviews, members of boards who have little or no active role in preparing the budget expressed frustration. These members have a desire to fulfill their statutory governance role, but are prevented from doing so in various ways by the board Chair or the Chief Constable. In some instances the Chair seems either unaware of the board role in budgets, or unwilling to direct the Chief Constable to involve the board.

This same frustration spills over into monitoring the budget. While most boards regularly place budget review and discussion on their meeting agenda, others remark that it is difficult to get current, meaningful data from the department. These board members report a variety of reasons for being unable to get meaningful budget data. In some cases, the data must come from the municipal government, which lacks the staff resources needed to produce data in a timely manner. In other cases, the municipal budget staff is unwilling or unable to produce the data requested by the board. In a few cases, board members report the unwillingness of senior police management to divulge timely data.

Transparency of budget discussion also varies across boards. Most discuss the budget in public meetings while appropriately moving sensitive budget matters to an in-camera discussion. A few boards do not discuss any aspect of the budget in public. As a public board governing an essential public service, there must be transparency. At the very least, a quarterly review of the budget must take place in public, as must general discussion of future year budget planning. Budget decisions have a direct impact on community safety, justice, civil liberties and the delivery of policing services. These discussions need to take place in public.

While budgets have similarities across industries and government sectors, what appears to be lacking from police board budget discussions is informed dialogue on value for dollar, and how to provide the best possible community service within what is largely a proscribed dollar amount. This may be a new form of budget discussion in Canadian policing, but not so in Australia and the United Kingdom.

The United Kingdom Home Office has published a number of reports that encapsulate the service value for cost discussion taking place across United Kingdom police forces. Most notable among these is the 1999 report, *Applying Economic Evaluation to Policing Activity*, by Stockdale, et al. Preceding this was a 1998 report entitled: *What Price Policing? A Study of Efficiency and Value for Money in the Police Service*, written by Her Majesty's Inspectorate of Policing.

The goal of such discussions is to ensure police forces are using their finite resources efficiently and effectively. According to Stockdale, it is essential for “forces to show that they are assessing the costs of their activities and they are relating these costs to outputs, and, whenever possible, to measurable frontline outcomes” (1999, p. iii). Such discussion is especially timely as the disparity grows between community demands for police service and the shrinking ability of the local police to provide service (Begg, 2002). However, the subject of linking activities and costs to measurable outputs, and assessing/assigning accountability for outputs, is a matter outside the scope of this paper. Still, it is a subject that is important and one that boards are strongly encouraged to explore in more detail.

**It is recommended that:**

- 1. The BC Association of Police Boards, in association with the Police Services Division, assume the role of a clearing house where by boards can exchange best practices, copies of budgets, and the processes involved in their development.**
- 2. Municipal police boards have a budget committee that works in partnership with the police department finance staff.**
- 3. Municipal police boards have an ongoing discussion examining how budgets are related to specific community outcomes and the delivery of policing services.**

- 4. Municipal police boards ensure that discussion of the police agency budget takes place in public on a regular basis.**

## Board Role in Processing Complaints

In interviews and through the observation of municipal police board meetings, it became apparent that there is a need for ongoing learning on the part of municipal police boards and chief constables in regards to the role and the authority of boards in receiving and processing police complaints. In some cases, boards have abdicated their responsibilities to chief constables with regards to all complaints made against police. This may be due to the board's lack of knowledge or skill, a lack of resolve to take on potentially contentious issues, or a chief constable who assumes the role of the board in the complaints process. Whatever the reason, boards must take responsibility for their role under section (9) of the *Police Act*, which deals with municipal police complaint procedures.

In an effort to enhance their education, some municipal police boards have accepted ongoing offers by senior staff of the Office of the Police Complaints Commission (OPCC) to come and speak to the board. It is suggested that all municipal police boards do this on a regular annual basis. Boards can learn a great deal about both law and process from the OPCC as to police complaints. This is also an opportunity to learn how other boards have successfully handled police complaints, and to learn from the mistakes of others. In fact, s. 50 (2) (g) of the *Police Act* states that one of the responsibilities of the Police Complaint Commissioner is to “inform, advise and assist...boards...respecting the complaint process and the handling of complaints.”

One strategy to further build board member competency within the complaint process is for the OPCC to develop a series of case study based seminars that highlight specific issues, concerns and strategies for resolution of complaints.<sup>24</sup> This would provide municipal police board members with opportunities to develop practical knowledge and skills.

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<sup>24</sup> While such case studies could be based on real events, they would generally be hypothetical.

As the largest municipal police department in the province, Vancouver also receives the most complaints. As a result, the Vancouver Police Board has established comprehensive policies and processes to meet their obligations with regards to complaints, especially service and policy complaints. Interested boards should contact the Vancouver Police Board to learn more about these policies and processes.

Upon receipt of a complaint made against a police officer or a department, section 52.1 (1) of the *Police Act* requires that the receiving authority (the police force) must:

- (a) *characterize the complaint as one or more of the following:*
  - (i) *a public trust complaint;*
  - (ii) *an internal discipline complaint;*
  - (iii) *a service or police complaint.*

The Police Complaint Commissioner must review this characterization and either accept it, overrule the decision, or request further information. If the complaint is deemed by the Police Complaint Commissioner to be a service or policy complaint, the commissioner must notify the board that has authority over the municipal police agency involved. The Commissioner may at this time include any recommendation that they consider advisable.

Section 63.1 of the *Police Act* clearly sets out what the board “must promptly do” when receiving complaints. This is the point at which boards need education and direction from the OPCC in order that they might properly meet their statutory obligations regarding service or policy complaints. Section 46 of the *Police Act* defines service or policy complaints as:

- a complaint to the effect that one or more of the following are inadequate or inappropriate for or in relation to the conduct of a municipal police department:*
  - a) its policies;*
  - b) its procedures;*
  - c) its standing orders;*
  - d) its supervision and management controls;*
  - e) its training programs and resources;*
  - f) its staffing;*
  - g) its resource allocation;*

- h) *its procedures or resources that are available to permit it to respond to requests for assistance;*
- i) *any other internal operational or procedural matter.*

While each municipal police department has officers assigned to the investigation and handling of internal complaints, it is suggested that boards are better served by looking to the OPCC for education, guidance and information.

**It is recommended that:**

- 1. The Office of the Police Complaints Commission continue to offer and further develop their services to educate and inform municipal police boards with respect to the police complaints process, and the role of the board within this process.**
- 2. Municipal police boards arrange for presentations, as required, by the Office of the Police Complaints Commission in order that they may be clear on the police complaints process, and the role of the police board within the process.**
- 3. Municipal police board member manuals contain a current copy of the *Police Act*.**
- 4. Municipal police board manuals contain information relating to the roles and responsibilities of boards in processing complaints, including specific practices.**





## Succession Planning

The role of boards in succession planning not only relates to the Chief Constable but also to the board itself. Police boards and police departments need to work together to identify emerging and future trends, issues and challenges, and then identify the key knowledge and competencies that leaders will require to meet these trends, issues and challenges. This will help them identify future police board and department leaders. When interviewed, few boards report taking the time to discuss or plan for the eventual departure of the Chief Constable, or board members, until a few months prior to the event. If a board member or a chief constable should for some reason depart suddenly, boards may find themselves scrambling to fill a void.

In terms of selecting a new CEO, some municipal police boards report that senior officers in their department operate on the firm belief that the Chief Constable will identify his/her likely successor and then advocate on their behalf in front of the board. In a few cases, the Chief Constable will deliberately develop a small pool of potential successors and then leave it up to the board to make the choice. Perhaps the most important decision a board will make is the selection of the next Chief Constable. It is this person who will be responsible for operationalizing the vision and plans of the board.

Section 26 (1) of the *Police Act* gives the board the authority to “appoint a chief constable.” This authority includes the monitoring, evaluation and compensation of the individual.

The challenge lies not only in articulating the desired knowledge, skills and competencies of a Chief Constable, but also in accurately determining which applicant meets the criteria. While boards can look for texts that address the selection of a chief constable (e.g. ICMA, 1999; Koenig, 1994b), most boards turn to external consultants for assistance.

While boards should discuss and engage in succession planning within their human resources committee, as regards to the position of Chief Constable, it is suggested that

boards also give consideration to planning for new board members. This includes the identification of knowledge, skills and competencies they would like to see in new board appointments so as to address specific needs that would complement the current board. While the provincial government is responsible for appointing the majority of police board members, boards can still make recommendations on for what and whom they seek. This includes the identification of specific persons who could be selected for appointment.

**It is recommended that:**

- 1. Municipal police boards allocate ongoing committee time to succession planning for both the position of Chief Constable and board members. This planning is to include the identification of desired knowledge, skills and competencies.**

## **Board Member Identification**

While board members are not sworn peace officers, they are an integral part of the police agency. As such, they should be provided with some sort of official identification. Most police boards are provided with either business cards, name tags (to be worn at meetings or official functions), photo-identification cards, or in the case of one board, police pocket-style badges.

In interviews, a number of board members raised the issue of identification and strongly stated that there needs to be uniformity in what members are provided. All agreed that board members should have some form of identification card, nametag or business card. Such identification would assist board members in presenting a professional image when attending outside meetings, or when meeting with a member of their agency who is not known to them.

With regards to the practice of issuing board members a police pocket-style badge, it must be remembered that board members are not sworn peace officers. Normally, in British Columbia, a badge is earned after a strenuous application process and lengthy period of training. It is a source of pride to those who carry them. Some police officers may feel that providing badges to police board members belittles their own badge.

While the author of this report is unaware of any complaints arising from instances where a board member used their badge inappropriately, the potential does exist.

### **It is recommended that:**

- 1. Municipal police board members are issued business cards, nametags and photo identification only, by their respective police agency.**



# Assessment of Board Effectiveness

Evaluation doesn't have to be complicated. It can be as basic as deciding what you want to achieve by the end of the year and then figuring out later if you got there. At its simplest, evaluation starts with an attainable goal to be accomplished at a realistic date, with a prior commitment to stop what you're doing on that date and look back to see if your goal was actually reached. The sad reason so many organizations don't follow this simple procedure is that they don't even start out with a plan; therefore they don't have a specific goal or deadline to check back on (O'Connell, 1985, p. 148).

While assessing board effectiveness can take many forms, essentially the questions are the same regardless of the nature of work governed by the board:

- Has the board represented the community/constituents it serves?
- How well has the board related to the larger community?
- Is there clarity of purpose within the board, and is this visible in how it governs?
- Is there a clearly articulated strategic plan for the board and the police agency?
- Has the board fulfilled its role in establishing an annual budget for the agency?
- Are policies enacted that appropriately govern the agency?
- Has the board maintained its political neutrality?
- Were conflicts of interest dealt with in an orderly fashion?
- Do all board members attend all meetings?
- Are all board members fully prepared for meetings so that they can fully take part in all discussions and make meaningful contributions?
- Is there a process of accountability for board decisions and actions?

It is the responsibility of the board to ensure good performance of both the organization it governs and itself. Plumptre writes that an effective board:

...will usually invest a fair amount of time discussing the questions, what does good performance meant for us? How do we measure how well we are doing? Then they will rely on multiple sources of intelligence, both formal and informal, to keep on top of this aspect of their responsibilities (2003, p. 9).

According to Sonnenfeld, boards must engage in a self-assessment, and a failure to do so is self-destructive. Without feedback based on authentic assessment, there is no learning: “No matter how good a board is, it’s bound to get better if it’s reviewed intelligently” (Sonnenfeld, 2002, p.114). Ideally, assessment critically examines not only how the governance functions of a board take place (process), but also the general performance of the board (product). This can include communications, relationships, agenda development, meeting behaviour, and planning and budgeting. Gill, who created two tools for assessing boards, argues that: “Assessment of board performance and organizational effectiveness is essential to demonstrating accountability and generating public trust” (2002, p. 1).

Assessment of board governance effectiveness, including individual member effectiveness, is becoming the norm in the corporate world. A recent survey of Fortune 1000 companies found that fifteen percent appraised the performance of individual board members (Conger & Lawlor, 2002). While performance assessment may not yet be the norm in all boards, it does enhance performance (Conger & Lawlor, 2002; Gill, 2001) and this in turn leads to enhanced performance by the agency governed.

Assessment has many purposes. These include providing the board with an objective measure of how it is doing, offering an opportunity to step back and examine whether current practices are meeting the needs of the board and the organization, highlighting areas of strength and areas where development is required, or it can serve to identify underachieving directors who are in need of assistance. According to Ingram, a candid process of self-assessment “should include a look at how the board’s composition, process of identifying and recruiting prospective board members, committee structure, meetings, relationships with key constituencies, and overall performance can be strengthened” (2002, p. 14).

In determining the effectiveness of British Columbia municipal police boards, a good starting point is an examination of the *Police Act* for the specific role and responsibilities of the board. These include strategic planning, budgeting, acting as the employer, and addressing policy and service complaints.

However, in examining the effectiveness of a municipal police board, the challenge is in determining what is meant by the term “effectiveness.” In the context of a municipal police board, effectiveness is a social construct that will have very different meanings depending on who within a community is asked. This task is far easier in a corporate board where effectiveness is most often measured by the proverbial “bottom line.”

O’Connell says, “An effective evaluation will depend on the degree to which measurable standards are at hand, which begins with knowing what constitutes acceptable performance and better” (1985, p. 149). In the context of BC municipal police boards where there is currently an absence of pre-existing, objective performance criteria for both boards and members, let alone articulated position descriptions, meaningful assessment of competencies and performance standards for board members and for police board performance is currently difficult to achieve.

When asked, not one of the British Columbia municipal police boards answered that they had undertaken any assessment of their own effectiveness as a governing body. None could list any substantive criteria by which they might be assessed. None had conducted an assessment of individual board members. In fact, aside from monitoring attendance at board meetings, few boards could articulate any criteria by which they might be assessed.

As for assessing the performance of the police agency, the Central Saanich and Abbotsford police boards are among the few who regularly survey the community in an effort to ascertain community satisfaction with the service provided by the police. Still, very few police boards regularly review the organization’s performance against strategic objectives. This is not always the case in other countries. In a companion report to their 1998 *On Board* report, the Audit Office of New South Wales found in their *Performance Audit Report* that fully 65% of two hundred-ten surveyed boards regularly reviewed their organization’s performance against articulated objectives.



To address the issue of assessing effectiveness, based on observations of BC municipal police boards, it is strongly suggested that municipal police boards undertake a six-step, cyclical process:

1. Establish objectives by which board success might be measured.
2. As a board, adopt the objectives.
3. Undertake actions to meet the objectives.
4. Perform an assessment of the board after working towards these objectives (consider assessing individual board members after two years).
5. Examine and discuss the results to the assessment.
6. Revisit the original objectives and revise them accordingly for the coming year.

According to Thain & Leighton, “Developing standards and measuring performance are of little use if they are not followed up by action” (1992, p. 28). Board effectiveness is enhanced by the creation and execution of a plan, checks to see if the plan is working, and then adjustments made as needed. In doing so, boards need to look at both qualitative and quantitative data. This means that boards need to identify results that can be measured, in addition to results that rely on perceptions, reports and community satisfaction.

In addition to regular self-assessment, a periodic board evaluation conducted every few years by an outside person or agency is strongly suggested (O’Connell, 1985). There are benefits to having an outside facilitator conduct an assessment. According to Ingram, a “third-party facilitator can bring experience, objectivity, credibility, and perspective—along with some innocence—to the process” (2002, p. 14).

However, the issue of assessing for performance or effectiveness makes many board members uncomfortable. A few object to the idea of assessing individuals. Some believe that this would turn some board members away from volunteering their services. In contrast, others suggest that a stated climate of self-assessment would attract board members who believe in excellence.

An approach to assessing effectiveness that boards could adopt after undertaking a period of development involves five phases:

1. The identification of board goals with criteria by which they might be measured.
2. The identification of set performance standards for both the board and individual members.
3. The completion of a board self-evaluation after one year.
4. The completion of a self-evaluation of members after eighteen months.
5. The completion of an external, facilitated evaluation of the board after twenty-four months.

The goal is to enhance the performance of individual board members, and to improve the skills, knowledge and behaviour of the board such that overall governance improves.

While a number of tools exist through which boards can conduct a self-assessment, or have an outside person facilitate the process, there are relatively few such tools that have been validated through academic research. Three tools that are supported by academic research and are easy to use are:

- *Governance Effectiveness 'Quick Check'* (2000), created by Mel Gill and available through the his corporate web site at [www.synergyassociates.ca](http://www.synergyassociates.ca)
- *Governance Self-Assessment Checklist* (2002), also created by Mel Gill, and available through his corporate web site at [www.synergyassociates.ca](http://www.synergyassociates.ca)
- *Measuring Board Effectiveness: A Tool for Strengthening Your Board* (2000) by Holland and Blackmon, published by the National Center for Nonprofit Boards.

The *Governance Effectiveness 'Quick Check'* can be found in Appendix C, and is reproduced with the permission of the author. It is “a short questionnaire which, when completed and analyzed, gives board members and CEOs a quick impression of the effectiveness of their board. It contains fifteen items that correlate with successful governance” (Gill, 2000, p. 1).

The *Governance Self-Assessment Checklist* is a more sophisticated instrument that board members, as a group, can complete and then submit to Gill for interpretation and feedback. It generally takes twenty-five to thirty-five minutes to complete the instrument. According to its creator, this checklist “was not intended to provide a definitive statement of a board’s performance, but to identify areas of strength, and areas that might require attention or improvement” (2002, p. 1).

The *Governance Self-Assessment Checklist* starts with the aforementioned *Governance Effectiveness ‘Quick Check,’*<sup>25</sup> and is comprised of twelve subscales organized around key dimensions of good governance practices. The first subscale (the *Governance Effectiveness ‘Quick Check’*) allows users to take a “snapshot” of their governance effectiveness using some of the most important indicators of good governance. Board structure and board culture are “stand alone” subscales. Board responsibilities are a consolidation of six subscales. Board processes is a consolidation of three subscales. All these are organized as follows:

- A. Governance Effectiveness ‘Quick Check’
- B. Board Structure
- C. Board and Organizational Culture
- D. Board Responsibilities
  - D1. Mission and Planning
  - D2. Financial Stewardship
  - D3. Human Resources Stewardship
  - D4. Performance Monitoring and Accountability
  - D5. Community Representation and Advocacy
  - D6. Risk Management

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<sup>25</sup> Police boards interested in learning more about both the *Governance Effectiveness ‘Quick Check’* and the *Governance Self-Assessment Checklist* are encouraged to contact Mel Gill via his corporate web site at [www.synergyassociates.ca](http://www.synergyassociates.ca), or by e-mail at [mel.gill@synergyassociates.ca](mailto:mel.gill@synergyassociates.ca)

## E. Board Processes

- E1. Board Development
- E2. Board Management
- E3. Decision-Making

The *Measuring Board Effectiveness* tool created by Holland & Blackmon (2002), is based on six key competencies that they say are characteristics of effective boards:

1. Contextual
2. Educational
3. Interpersonal
4. Analytical
5. Political
6. Strategic

The instructional booklet and tool are easy to understand and use. The authors provide detail on how to score and interpret the results, and how to incorporate the results in a board development plan. Police board members can access both the *Measuring Board Effectiveness* instructional booklet and tool through the dedicated police board collection at the Justice Institute of BC Library.<sup>26</sup> Municipal police board members can view copies of both the *Measuring Board Effectiveness: A Tool for Strengthening Your Board* manual and assessment instrument through the Justice Institute of BC library collection dedicated to police boards.<sup>27</sup>

Ideally, any process that examines the effectiveness of a governing board would be based in part on how the board meets its statutory obligations within the *Police Act*. That is, how does the board go about setting objectives and ensuring that those objectives are achieved?

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<sup>26</sup> The dedicated municipal police board collection at the Justice Institute of BC Library is now available at [www.jibc.bc.ca](http://www.jibc.bc.ca)

<sup>27</sup> Board members can also contact the National Center for Nonprofit Boards to order copies of the guide book and assessment instrument by visiting the National Center web site at [www.boardsource.org](http://www.boardsource.org)

This suggests an assessment method that examines both the process and product of board work.

**It is recommended that:**

- 1. The Police Services Division work with the office of Board Resourcing and Development and municipal police boards to develop a model and system, tied to specific criteria, through which board effectiveness might be assessed.**
- 2. Municipal police boards engage in a process of assessment that solicits feedback from the broader community, the police force which they govern, and from within the board itself. It should be tied to the strategic plans of the board and the police force.**

# Local Police Committees

Local police committees, created under Part 6 of the *Police Act*, exist within communities served by the provincial police force (as defined by Part 3, section 14 of the *Police Act*), the Royal Canadian Mounted Police.

Unlike municipal police boards who direct their local police, local police committees have no statutory authority to direct the Royal Canadian Mounted Police (RCMP), to set policy, budgets, or a long-term local strategic plan. Their role is advisory in nature, in that local police committees can make recommendations only. The RCMP is free to accept the suggestions of the committee, or not.

Under section 33 of the *Police Act*, local police committees perform three roles:

1. *Promote a good relationship among the residents of the community involved, the provincial police force, and any other policing or law enforcement unit that may operate in the area*
2. *Bring to the attention of the minister, the provincial police and any other policing or law enforcement unit that may operate in the area, any matters concerning the adequacy of policing in the area in which the committee has jurisdiction, and to make recommendations on those matters to the minister, the provincial police and any other policing or law enforcement unit that may operate in the area*
3. *Perform other duties that the minister may specify.*

The reason for this disparity between municipal police boards and local police committees is that while the provincial police force is funded by a tripartite agreement, they are in fact federal employees, and governed by federal legislation. The provincial Police Act does not govern them.

While local police committees have no authority to direct the provincial police force serving their community, these committees do have a voice, a mandate to represent their communities, and many have established excellent working relationships with local RCMP Detachments and their staff. These efforts are to be commended and encouraged.

There are additional differences between municipal police boards and local police committees, including how members are selected and appointed. The Lieutenant Governor establishes or appoints council committees and their members after consultation with the community in question. While police board members can serve up to six years, police committee members are restricted to a maximum five-year term.

Unlike a municipal police board where the Mayor is the Chair, section 32 (1) of the *Police Act* states that the “Lieutenant Governor in Council may designate one member of a committee as the Chair.” In practice, this is most often the local Mayor.

There is another difference between the two groups that is worth noting. They resolve tie votes differently. Under section 32 (4), in relation to local police committees, “in the case of a tie vote, the Chair has a second or casting vote.” Regarding municipal police boards, section 25 (3) of the *Police Act* says: “in the case of a tie vote at a meeting of a municipal board, the chair may cast the deciding vote.” The reasons for this difference between the two groups are unclear at this time.

This said, the only difference in the service provided by municipal and provincial police is the colour of the uniform worn, and the markings on the patrol car. The sense of dedication, professionalism, training and competencies of both are of a standard that few countries can match.

# The Future of BC Municipal Police Boards

Fundamentally, the current model of municipal police governance in the province of British Columbia is sound. As it stands, the model provides for governance of municipal policing while ensuring the independence of local policing and police boards from political influence. This is not to say that any one municipal police board is perfect, or that there are not problems in some boards. Challenges do exist. Boards struggle with the difference between governance and management, and some face knowledge and competency challenges. Other police boards have leadership issues to contend with, while a few focus their time on minutia at the expense of the larger picture. With many, there is a lack of focused attention and assessment that hinders development.

That said, municipal police boards in British Columbia are staffed with dedicated, well-intentioned volunteers who donate countless hours to their community. These board members are diligent in working to enhance both community safety and the quality of police service provided. These volunteers largely go unnoticed and unappreciated by their communities.

In talking to municipal police board members, it became clear that what they want, and recognize that they need, is opportunities to come together to talk, share best practices, and to learn and grow together. When interviewed, many board members expressed a desire to enhance the effectiveness of their board as a governing body. For the most part, they recognize the challenges they currently face. What they currently lack is access to ongoing opportunities where they can develop knowledge, skills and competencies with which to address their local challenges. Unfortunately, a few chief constables feel threatened by this move on behalf of boards and members to gain skills with which to govern more effectively.

In some respects, the act of interviewing so many people involved in municipal police governance in British Columbia during the conduct of this research project has focused attention on how police are governed, and how the governance process at the individual



board level might be enhanced. In this respect, dialogue and self-examination has begun the development process.

This project has highlighted a few key strategies that will lead to more effective governance by municipal police boards:

- Removal of the Mayor as automatic Chair of the board.
- A selection process that is based on identified competencies unique to municipal police board members.
- A selection process that is transparent and identifies potential board members based on merit.
- An orientation process for new board members and chief constables.
- Ongoing support to boards and board members by the Police Services Division.
- A board focus on objectives, planning and the larger picture.
- A board process that is guided by policy.
- A board belief in self-assessment.

Being an effective board member is not intuitive. It requires skill, knowledge, confidence and ongoing professional development. Boards and individual board members must commit to seeking ongoing development opportunities. These might take the form of selected readings, police board development seminars, new member orientation sessions, conferences, board retreats, or consultants/trainers who are brought in by boards.

Governance, especially within the context of municipal policing, is dynamic and constantly evolving. Boards cannot afford to cease to look outside themselves for learning opportunities, including those offered by Police Services Division and the Board Resourcing and Development Office.

Municipal police boards must also take the initiative as a governing body. It is their role to ask questions, to examine, to probe, to challenge, to focus on the larger long-term picture, and to learn and develop both as a group and as individuals. When boards ask tough questions, it is not to “catch out” management, but rather to add value and perspective. It is

the responsibility of the board to probe what is behind statements, and not simply take information at face value. In focusing on the larger, long-term goals and issues, boards must think outside the box. They must not become complacent, nor should they allow the senior management of their police service to become complacent.

After this report, the next step is for municipal police boards to undertake a process of self-assessment. To grow, boards first need to identify their strengths and weaknesses. This will help in the development of learning programs that meet the unique needs of each board.

Provincially, as the Police Services Division moves to release its five-year plan on how policing services will be delivered in British Columbia, municipal police boards will need to come together with the provincial and local government to discuss how the emerging model of integrated police services will be governed. This will be especially challenging as municipal police forces begin to work more closely and share services with the provincial police force, as is happening across BC. No doubt, a new governance model will emerge in jurisdictions where services are shared, or where amalgamation takes place.

Coupled with the Police Services Division in their legislated role and the role played by the BC Association of Police Boards, this report provides a unique opportunity for everyone involved in the governance of municipal policing to work together to build, as one person termed it, “a board community” of learning and development. Board members clearly want greater access to orientation sessions for newly appointed members, focused readings on issues affecting boards and police, opportunities to partner with experienced board members who can act as mentors, and increased professional development opportunities and venues where they can informally share common issues, concerns and best practices. It is hoped that this report will serve as a catalyst that will allow municipal police board governance to develop to meet the emerging and future challenges that our communities will face.



# Appendix A - Recommendations

## Police Services Division Support of Boards

**It is recommended that:**

- 1. The Police Services Division dedicate staff and financial resources to municipal police board development to a level where identified staff resources are responsible solely for overseeing the selection of new municipal board members, the provision of support, and the development of municipal police boards.**
- 2. The Police Services Division continue to work closely with Board Resources and Development to select new municipal police board members.**
- 3. The Police Services Division establish an annual plan for how they will provide effective support to municipal police boards.**

## Selection of Board Members

**It is recommended that:**

- 1. The Province of British Columbia appoint all municipal police board members within a fair and transparent process that identifies the best possible candidate.**
- 2. The Office of Board Resourcing and Development continue in their role as an integral part of the board member selection and appointment process.**

- 3. The Police Services Division revise the selection process for municipal board members such that a fair and objective set of competencies, relevant to the position, be developed for use in the selecting new municipal board appointments.**
- 4. The Police Services Division create a formal process for the reappointment or removal of municipal board members that is based on objective criteria, and that this process be done in consultation with the affected municipal police board.**
- 5. The Police Services Division develop policy specifically prohibiting current and former police officers from being appointed to a municipal police board.**
- 6. Municipal governments individually adopt a municipal board member selection process that is similar, in form and manner, to that of the provincial government. This process should be transparent, and that selection of appointed municipal board members should be based on objective criteria that relate to competencies.**

## **Development of Boards and Members**

**It is recommended that:**

- 1. The Office of Board Resourcing and Development continue to play a strong role in the selection of new municipal police board members, the delivery of support to and ongoing professional development of, municipal police boards and individual board members.**
- 2. The Police Services Division commit dedicated staff and budget resources to a level such that the Division can better fulfill its responsibility under the *Police***

*Act relating to the identification of potential new municipal police board members, the provision of ongoing development and support to boards, and individual board members.*

- 3. The Police Services Division continue to provide a one-day orientation session for new municipal police board members on an as-needed basis, and this should be done in consultation and cooperation with the BC Association of Police Boards.**
- 4. The Police Services Division commit staff and budget resources to providing an annual information session to newly elected municipal councils. This session should be delivered on request, and with the local municipal police board in attendance, for the purpose of enlightening council members on the respective roles and responsibilities of council and the police board in the governance of local police service. This should be done in consultation and cooperation with the BC Association of Police Boards.**
- 5. The Police Services Division fund the creation of a dedicated library collection for municipal police board members.**
- 6. Municipal police boards allocate funds in their annual budget to board and member development.**
- 7. Municipal police boards encourage all board members and chief constables to attend the annual BC Association of Police Boards conference.**
- 8. Municipal police boards individually send a delegation to the annual Canadian Association of Police Boards conference, and have those members attend with a plan for how best to learn from the event and enlighten the rest of the board upon their return.**

- 9. Municipal police boards individually identify in-house opportunities for development, including presentations by police department units, community groups and consultants.**
- 10. Municipal police boards look to Board Resourcing and Development as a resource on best practices in governance.**
- 11. Municipal police board members take individual responsibility for developing their knowledge and understanding of their police agency through taking part in regular "ride-along" shifts with patrol members, and the 911 call and dispatch center. They should also seek relevant books and articles that relate to policing and community safety.**
- 12. The BC Association of Police Boards continues its efforts to develop an online learning community where members can share information and learn from each other.**

## **Board Meetings and Agendas**

**It is recommended that:**

- 1. Municipal police boards adopt an agenda format that focuses discussion on issues of substance and that other matters be presented in the form of reports, which are supplied in pre-meeting reading package.**
- 2. Municipal police boards take steps to minimize discussion and time spent on matters that are for information only and focus discussion on issues that directly pertain to governance of the police department.**

3. **Municipal police boards fill the position of Executive Assistant to the board with somebody other than the Executive Assistant to the Chief Constable.**
4. **Municipal police board meetings be held regularly in public locations, where the public has free and unfettered access.**
5. **Municipal police boards actively discuss and review their policy on which matters are moved to the in-camera portion of the board meeting.**
6. **Municipal police boards promptly submit monthly reports to the Police Services Division that detail why an item was moved to in-camera discussion, along with detailed minutes of the in-camera discussion, as required by the *Police Act*.**
7. **The Police Services Division allocate dedicated staff and resources such that reports of municipal police board in-camera meetings are reviewed in a timely manner.**

## **Mayor as Chair of Police Board**

**It is recommended that:**

1. **The *Police Act* be amended such that the Chair of the municipal police board be elected from within the board.**
2. **The *Police Act* be amended such that the Mayor be an ex officio, non-voting member of the municipal police board.**
3. **The Police Services Division schedule an orientation session for new municipal police board members to take place within weeks of each municipal election**



**where new mayors take office and assume the duties of a member of a municipal police board.**

- 4. Mayors take advantage of orientation sessions for new municipal police board members in order to receive information relevant to their new role as member of the municipal police board.**

## **Relationships Between the Board and Chief Constable**

**It is recommended that:**

- 1. Newly selected chief constables attend the first available orientation session for new municipal police board members in order to learn more about their role in the governance process.**
- 2. Chief constables attend orientation sessions for new municipal police board members each time there is a new member appointed to their board. This will demonstrate mutual respect for, and understanding of, the respective roles of the municipal board member and the Chief Constable.**
- 3. Chief constables and senior police managers seek out opportunities to expand their understanding and knowledge of the governance role of municipal police boards.**

## **Board Remuneration**

**It is recommended that:**

- 1. Municipal police boards and departments, in consultation with the Police Services Division, engage in a discussion relating to board member remuneration and its appropriateness, and that the final decision on municipal board member remuneration be left to individual boards.**
- 2. Municipal police boards and police departments actively seek out opportunities and venues in which the work and the contribution of the board might be better publicly recognized and acknowledged.**

## Relationships Between Board and Community

**It is recommended that:**

- 1. The public portion of municipal police board meetings be advertised within the community and be held in public areas, in public buildings, at times when the majority of the community can attend.**
- 2. Municipal police boards, in order to raise their profile in the community and to establish a dialogue with various community segments, actively invite various community bodies and representative groups to make annual presentations to the board.**
- 3. Municipal police departments profile the existence and work of their boards on their web sites. This includes the role of the board, names of board members, how community members might contact the board, when and where the board meets, and the minutes of past public board meetings.**
- 4. Municipal police boards discuss, in public and within the confines of privacy legislation, both positive and negative agenda items.**

## Board Role in Developing Policy

**It is recommended that:**

- 1. The Police Services Division work in partnership with municipal police boards, the BC Association of Police Boards, and the Board Resourcing and Development Office, to develop knowledge and a competency based development program that will provide boards with the requisite tools to develop policies and bylaws appropriate to their individual context.**

- 2. The BC Association of Police Boards, in concert with the Police Services Division, assume the role of a clearing house whereby boards can exchange best practices, copies of policies, bylaws, and more importantly, the processes involved in their development.**
  
- 3. Municipal police boards have a standing governance committee that is responsible for the development of agency specific policies and bylaws.**

## **Board Role in Planning**

**It is recommended that:**

- 1. The Police Services Division work in partnership with municipal police boards and the BC Association of Police Boards to create a development program with in which boards are provided the tools, skills and framework necessary to assist them in developing strategic plans for their individual municipal police.**
  
- 2. The BC Association of Police Boards, in concert with Police Services Division, assume the role of a clearing house whereby boards can exchange best practices, copies of department and board strategic plans, and the processes involved in their development.**
  
- 3. Municipal police boards post their strategic plan on their police agency web site.**

## **Board Role in Developing Budgets**

**It is recommended that:**

- 1. The BC Association of Police Boards, in association with the Police Services Division, assume the role of a clearing house whereby boards can exchange best practices, copies of budgets, and the processes involved in their development.**
- 2. Municipal police boards have a budget committee that works in partnership with the police department finance staff.**
- 3. Municipal police boards have an ongoing discussion examining how budgets are related to specific community outcomes and the delivery of policing services.**
- 4. Municipal police boards ensure that discussion of the police agency budget takes place in public on a regular basis.**

## **Board Role in Processing Complaints**

**It is recommended that:**

- 1. The Office of the Police Complaints Commission continue to offer and further develop their services to educate and inform municipal police boards with respect to the police complaints process, and the role of the board within this process.**
- 2. Municipal police boards arrange for presentations, as required, by the Office of the Police Complaints Commission in order that they may be clear on the police complaints process, and the role of the police board within the process.**

- 3. Municipal police board manuals contain a current copy of the *Police Act*.**
- 4. Municipal police board manuals contain information relating to the roles and responsibilities of boards in processing complaints, including specific practices.**

## **Succession Planning**

**It is recommended that:**

- 1. Municipal police boards allocate ongoing committee time to succession planning for both the position of chief constable and board members. This planning is to include the identification of desired knowledge, skills and competencies.**

## **Board Member Identification**

**It is recommended that:**

- 1. Municipal police board members are issued business cards, nametags and photo identification only, by their respective police agency.**

## Assessment of Board Effectiveness

**It is recommended that:**

- 1. The Police Services Division work with the office of Board Resourcing and Development and municipal police boards to develop a model and system, tied to specific criteria, through which board effectiveness might be assessed.**
- 2. Municipal police boards engage in a process of assessment that solicits feedback from the broader community, the police force which they govern, and from within the board itself. It should be tied to the strategic plans of the board and the police force.**

## Appendix B – Research Methodology

In order to gather as much focused and relevant information as possible for this project, and from a wide variety of perspectives, the Police Academy employed the following research methods:

- A comprehensive literature review was conducted that examined governance in general, methods of assessing governance effectiveness, and police governance specifically. Information was gathered from public and academic literature, government texts, professional associations, and web sites. In all information was gathered from sources across Canada, the United States, Great Britain, New Zealand, and Australia.
- Interviews were conducted with most of the twelve municipal police board chairs and chief constables, a wide variety of individual board members, persons with public and private sector board governance experience.<sup>28</sup> In all, forty-two interviews were conducted between early August and early December, 2002.
- Police board meetings were attended in a number of municipalities for the purposes of observing both process and content.
- Each of the twelve police boards were asked to provide copies of six of their most recent board meeting agendas. Those that were supplied were examined for focus and reviewed for comparison purposes.
- Two focus groups were held with police board members in order to facilitate group discussion on what constitutes effective governance within a municipal police board.

To begin this project, police board chairs and chief constables of all the British Columbia municipal police agencies were notified of this research in a letter from Kevin Begg, Director of the Police Services Division, on July 25, 2002. In addition to framing the

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<sup>28</sup> Note that as of December 31, 2002, the Esquimalt Police Department was amalgamated with the Victoria Police Department, leaving eleven municipal police departments in the province of BC.



research project, the letter requested board chairs and chief constables to contact the lead researcher at the Police Academy to arrange a date to be interviewed for the project.

In order to gain a wider perspective on how governance is implemented, and its effectiveness, the lead researcher also sought interviews with professionals who have public and private sector governance experience outside of the police board community.

Between August 6 and December 11, 2002, the following persons were interviewed for this research project:

- Paul Battershill, Chief Constable, Victoria Police
- Sue Bauman, Vancouver Police Board
- Kevin Begg, Director, Police Services Division, Province of British Columbia
- Terry Blythe, Chief Constable, Vancouver Police<sup>29</sup>
- Christopher Causton, Chair, Oak Bay Police Board
- Jim Cessford, Chief Constable, Delta Police
- Maurice Chazottes, Saanich Police Board
- Grant Churchill, Chief Constable, West Vancouver Police
- Bob Cole, Program Manager, Police Services Division, Province of British Columbia
- Derek Egan, Chief Constable, Saanich Police
- Jamie Graham, Chief Constable, Vancouver Police
- Karen Hearn, New Westminster Police Board
- Wayne Hunter, Chair, Central Saanich Police Board
- Gerry Kilcup, former member, Delta Police Board
- Victoria Kuhl, Saanich Police Board
- Peter Legge, Chair, Vancouver Board of Trade
- Frank Leonard, Chair, Saanich Police Board

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<sup>29</sup> Note that in early fall, 2002, Terry Blythe retired as Chief Constable of the Vancouver Police, and Jamie Graham assumed the position of Chief Constable.

- Alan Lowe, Chair, Victoria Police Board
- Peter Lustig, board member, Canadian Forest Products
- Jack McGee, President, Justice Institute of British Columbia
- Ian McKenzie, Chief Constable, Abbotsford Police
- Maureen Meikle, Victoria Police Board
- Ross Montgomery, New Westminster Police Board
- Sarah Morgan-Silvester, HSBC
- Gary Moser, Chief Executive Officer, Health Employers Association of British Columbia
- Barbara Murphy, Deputy Commissioner, Office of the Police Complaints Commission
- Beth Nielsen, Executive Assistant, Vancouver Police Board
- Carol Quartermain, Program Manager, Police Services Division, Province of British Columbia (retired)
- Darcy Rezak, Managing Director, Vancouver Board of Trade
- Ray Rice, Chair, Esquimalt Police Board
- Paul Shrive, Chief Constable, Port Moody Police
- Eric Simmons, former member, Victoria Police Board
- Alisdair Smith, Human Resources (board development), Credit Union Central
- Tom Stamatakis, President, Vancouver Police Union
- Gerry Stearns, Ph.D., Organized Crime Agency of British Columbia
- Carole Taylor, Chair, Board of Directors, Canadian Broadcasting Corporation
- Joe Trasolini, Chair Port Moody Police Board
- Elizabeth Watson, Managing Director, Board Resourcing and Development, Province of British Columbia
- Florence Wong, Vancouver Police Board
- Ron Wood, Chair, West Vancouver Police Board
- Lorne Zapotichny, Chief Constable, New Westminster Police

Each interview lasted between forty and sixty minutes, and focused on perceptions, observations and concrete examples of the level of effectiveness of governance within boards. Discussion also focused on governance, board member role and competencies, assessment, communication, development for boards and members, and what might be done in order to enhance board effectiveness. All interviews were, and are still, confidential. No individual is quoted without permission—nor is any personal communication quoted without permission.

On September 6<sup>th</sup>, 2002, the lead researcher sent letters to the police board chairs asking them to identify board members interested and available to attend one of two scheduled focus groups. These facilitated sessions were held in Victoria (October 18<sup>th</sup>, 2002), and the Lower Mainland (October 25<sup>th</sup>, 2002). The following board members took part:

- Judith Bowen, Central Saanich Police Board
- Gord Irving, Central Saanich Police Board
- Victoria Kuhl, Saanich Police Board
- Sharlene Smith, Saanich Police Board
- Peg Wenting, Abbotsford Police Board
- Nerida Bullock, Abbotsford Police Board
- Dan Brown, Port Moody Police Board
- John Lynn, Vancouver Police Board
- Ardath Hoole, West Vancouver Police Board
- Russell Fraser, West Vancouver Police Board

In order to observe governance in action, the principal researcher attended the following police board meetings:

- Abbotsford Police Board, October, 15, 2002
- New Westminster Police Board, October, 15, 2002
- Vancouver Police Board, October 16 and November 20, 2002
- West Vancouver Police Board, October 23, 2002
- Port Moody Police Board, October 23, 2002
- Delta Police Board, October 24, 2002
- Saanich Police Board, November 18, 2002
- Victoria Police Board, November 26, 2002

The principal researcher also attended:

- Canadian Association of Police Boards annual conference, August, 2002, in Ottawa.
- British Columbia Association of Police Boards meeting, November, 2002, in Central Saanich.
- Orientation session for new police board members, December 7, 2002, in Delta.

On December 16<sup>th</sup>, 2002, based on all the above data collection processes, a one hundred-sixty page draft version of this report was released for discussion within the British Columbia police board and police community. Accompanying the draft report was a letter requesting constructive comment on the report. As a part of this consultation process, two large forums were held to review and discuss the report:

- January 11, 2003, in Sydney, BC, in conjunction with a regular meeting of the BC Association of Police Boards. Thirty-four people attended.
- February 22, 2003, in New Westminster, BC, in conjunction with the annual conference of the BC Association of Police Boards. Approximately sixty people attended.

Three municipal police boards (West Vancouver, Port Moody, and Nelson) did not have any representation at the January 11<sup>th</sup> meeting. As a result, the principal researcher of this project made an offer to the Chair of each board to attend one of their board meetings, make a presentation, and hear comments on the draft report. The West Vancouver Police Board accepted this offer, and a meeting was held on January 31, 2003.

In addition, the following meetings were held to discuss the draft report:

- Mayor Mary Reeve, Chair of the Abbotsford Police Board, January 15, 2003
- Mayor Allison Habkirk, Chair of the Central Saanich Police Board, February 22, 2003
- Elizabeth Watson, Managing Director, Board Resourcing and Development, Province of British Columbia, February 26, 2003
- Murray Mollard, Executive Director of the BC Civil Liberties Association, March 7, 2003

In addition to these discussions, several board members and other stakeholders met with the author in private, sent comments electronically, or by regular post.

## Appendix C – Self Assessment Tools

While a number of tools exist by which boards can conduct a self-assessment, or have an outside person facilitate the process, there are relatively few such tools that have been validated through research. Three that are supported by academic research and are easy to use are:

- *Governance Effectiveness ‘Quick Check’* (2000), created by Mel Gill and available through his corporate web site at [www.synergyassociates.ca](http://www.synergyassociates.ca)
- *Governance Self-Assessment Checklist* (2002), also created by Mel Gill, and distributed through his corporate web site at [www.synergyassociates.ca](http://www.synergyassociates.ca)
- *Measuring Board Effectiveness: A Tool for Strengthening Your Board* (2000) by Holland and Blackmon, from the National Center for Nonprofit Boards.

The *Governance Effectiveness ‘Quick Check’* can be found on the following pages and is reproduced with the permission of the author. Police boards interested in learning more about both the *‘Quick Check’* and the *Governance Self-Assessment Checklist* are encouraged to contact Mel Gill via e-mail at [mel.gill@rogers.com](mailto:mel.gill@rogers.com), or his corporate web site at [www.synergyassociates.ca](http://www.synergyassociates.ca)

Municipal police board members can view copies of both *the Measuring Board Effectiveness: A Tool for Strengthening Your Board* manual and assessment instrument through the Justice Institute of BC library collection dedicated to police boards.

Board members can also contact the National Center for Nonprofit Boards to order copies of the guide book and assessment instrument by visiting the National Center web site at [www.boardsource.org](http://www.boardsource.org)









## Appendix D – Board Reading List

In an attempt to inform future conversations and deepen board member's understanding of a variety of issues that impact policing and societal safety, Chief Constable Battershill, of the Victoria Police Department has developed a reading list for new and current board members. As a part of the professional development of his staff, the following resources are also made available to members of the department.

In addition to current articles from such publications as the *Harvard Business Review* and *Atlantic Monthly*, the reading list compiled by C.C. Battershill includes:

- Bratton, W. and P. Knobler (1998). *Turnaround: How America's Top Cop Reversed the Crime Epidemic*. New York: Random House.
- Capponi, P. (2001). *Bound By Duty: Walking the Beat With Canada's Cops*. Toronto: Penguin.
- Carver, J. (1997). *Boards That Make A Difference*. San Francisco: Jossey-Bass.
- Foot, D. K. and D. Stoffman (1999). *Boom, Bust and Echo*. Toronto: MacFarlane, Walter and Ross.
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- Gladwell, M. (2000). *The Tipping Point*. New York: Little, Brown and Company.
- Kerik, B. B. (2001). *Lost Son: A Life in Pursuit of Justice*. New York: Regan Books.
- Moore, M. H. (1990). *Police Leadership: The Impossible Dream? Impossible Jobs in Public Management*. Kansas: University of Kansas Press: 72-102.
- Ruggero, E. (2001). *Duty First: West Point and the Making of American Leaders*. New York: Harper Collins.
- Senge, P. M. (1990). *The Fifth Discipline: The Art & Practice of The Learning Organization*. New York, Doubleday.

Stajuhar, K. I., L. Poffenroth, et al. (2001). *Missed Opportunities: Putting a Face on Injection Drug Use and HIV/AIDS in the Capital Health Region*. Vancouver: Centre for Health Evaluation & Outcome.

# Appendix E – Board Manual Table of Contents

The following is a suggested table of contents for a police board manual. It has been provided by Elizabeth Watson, Managing Director, Board Resourcing and Development, Office of the Premier.

The Board Calendar item refers to an annual plan of when the annual cycles begin for strategic planning, budgeting and assessment of the Chief Constable.

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# Appendix F – Municipal Police Boards in BC

This list is effective as of December 2, 2002, when the bulk of the research for this project was concluded.<sup>30</sup>

Abbotsford Police Board  
Chair: Mayor Mary Reeves

Central Saanich Police Board  
Chair: Mayor Allison Habkirk

Delta Police Board  
Chair: Mayor Lois Jackson

Esquimalt Police Board<sup>31</sup>  
Chair: Mayor Darwin Robinson

Nelson Police Board  
Chair: Mayor David Elliott

New Westminster Police Board  
Chair: Mayor Wayne Wright

Oak Bay Police Board  
Chair: Christopher Causton

Port Moody Police Board  
Chair: Mayor Joe Trasolini

Saanich Police Board  
Chair: Mayor Frank Leonard

Vancouver Police Board  
Chair: Mayor Larry Campbell

Victoria Police Board  
Chair: Mayor Allan Lowe

West Vancouver Police Board  
Chair: Mayor Ron Wood

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<sup>30</sup> Note that a B.C. municipal election was held in November of 2003, and some mayors interviewed prior to this were no longer Chair of the municipal police board after the election.

<sup>31</sup> Effective January 1, 2003, the Esquimalt Police was amalgamated with Victoria Police.



# Appendix G – Assessment Centre Dimensions for the Position of Chief Constable

The following dimensions (abilities, skills and qualities) essential for successful job performance in the Chief Constable Level position are:

1. **Environmental Awareness**—The gathering and use of information about situations and events inside and outside the police department to identify possible concerns and opportunities. Includes the recognition of potential crisis situations, the recognition of symptoms of good and bad morale and the ability to adapt to change.
2. **Flexibility**—Ability to adapt to changing situations, related to different personalities, modify management approach and tolerate different personalities.
3. **Interpersonal Sensitivity**—Actions that indicate an attention to the needs, feelings and expressions of others. Includes the ability to deal with others in a tactful, sensitive, impartial manner.
4. **Judgement / Decision Making**—Ability to develop a specific, goal oriented course of action based on information and observations. Includes analytical thinking, recognizing and understanding the underlying issues of a problem, problem solving skills, and the ability to make decisions and accept responsibility under pressure.
5. **Leadership**—Knowledge of and ability to use motivational techniques necessary for guiding and influencing individuals and groups towards organizational goals. Includes the ability to delegate work, give directions, empower individuals, obtain active participation of others, maintain morale and accept responsibility for decisions.
6. **Oral Communication Skills**—Ability to express ideas, thoughts, questions and concepts on both individual and group situations.



7. **Oral Presentation Skills**—Ability to present ideas, thoughts, questions and concepts in both individual and group situations.
8. **Planning And Organizing**—Ability to formulate a plan of action for self and others. Skill in determining how to accomplish a job task with limited resources and documentation of appropriate records.
9. **Problem Confrontation**—Effectiveness in asserting oneself to deal with an unpleasant situation rather than avoid or ignore it.
10. **Professionalism**—Specific behaviours, actions and attitudes that display the highest standards of the police profession. Includes personal appearance; professional demeanor under stress; ability to display confidence, leadership, and authority; ability to receive constructive criticism; and projecting a positive, professional image.
11. **Technical And Professional Knowledge**—Knowledge and understanding of the concepts associated with technical and professional police information. Includes knowledge of federal, provincial and local laws; budgets and budgetary process; rules, regulations and procedures of police departments; labour contracts and personnel rules and procedures; information systems in the police department and in city government; investigative principals and procedures; and court decisions that related to policing.
12. **Written Communication**—Clear and effective organization of concepts in writing. Includes style, vocabulary, grammar and format. In the Presentation Exercise this will include format, layout of presentation, visual aids, etc.

Source: Police Academy. (2000). *The Assessment Centre Method: 27*. Justice Institute of BC, New Westminster, BC.

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