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Sub Section 6.1 – <b>Community Partnerships and Equitable Policing</b>	Effective: July 30, 2023 Revised: n/a
Subject 6.1.1 – <b>Promoting Unbiased Policing</b>	

## Definitions

**“Police officer”** – a constable appointed under the *Police Act* or an enforcement officer appointed under s. 18.1 of the *Police Act*.

## Standards

### Duty to promote equitable policing

The Board, or the Commissioner must ensure that:

- (1) The duty of all employees to deliver services impartially and equitably, in a manner that upholds human rights, and without discrimination based on race, national or ethnic origin, colour, religion, age, sex, sexual orientation, marital status, family status, disability, gender identity and expression, political beliefs, types of employment, economic or social standing is communicated to all employees of the police force.
- (2) The police force’s commitment and expectation that all employees will provide services in a culturally safe, responsive, and trauma-informed manner is communicated to all employees of the police force.

### Policy framework to support equitable policing

The Board, or the Commissioner must ensure that:

- (3) The process of establishing, amending, or routinely reviewing the policies and procedures of the police force includes analysis or consideration of whether:
  - (a) the policy or procedure promotes equitable and impartial service delivery and public trust and confidence in the police force, and
  - (b) whether individuals or groups may be disproportionately impacted by the policy or procedure (e.g., [Gender-Based Analysis Plus](#)).
- (4) The persons responsible for the analyses described in Standard (3) above are provided with resources and information to assist in the analysis.

## Written procedures to support equitable policing, the protection of rights, and access to justice

The Chief Constable, Chief Officer, or Commissioner must ensure that:

- (5) Written procedures are examined annually to ensure consistency with legislative amendments and applicable case law related to right to equal treatment, protection and benefit under the law, including the *Canadian Charter of Rights and Freedoms* and the obligations of police, related to:
  - (a) informing persons of the reason for their arrest or detention;
  - (b) informing a detained or arrested person of their right to counsel and providing that person with access to the same;
  - (c) detaining a person;
  - (d) obtaining confessions and admissions from a person; and
  - (e) gathering of evidence, including search and seizure.
- (6) Written procedures governing personal searches are in place that incorporate the right to equal treatment, protection and benefit under the law, including the *Canadian Charter of Rights and Freedoms* and the obligations of police that, at minimum:
  - (a) provide direction on recognizing and handling items of cultural or religious significance in a culturally sensitive way;
  - (b) provide direction on accommodations to be offered and/or made when conducting searches, in a manner that is responsive to the gender identity or expression of the person being searched; and
  - (c) outline criteria and procedures for conducting, authorizing, documenting, and monitoring the use of strip searches and internal searches.
- (7) Written procedures are in place governing investigations likely to involve persons in vulnerable circumstances, including, but not limited to:
  - (a) intimate partner violence;
  - (b) sexual assaults;
  - (c) offences related to the sex industry;
  - (d) offences involving youth; and
  - (e) incidents believed to be, or reported to police as being motivated by racism, prejudice, or hate.
- (8) Written procedures or guidance governing police interactions with persons in vulnerable circumstances, including, but not limited to:
  - (a) persons who may be vulnerable due to age (i.e., children or older adults);
  - (b) persons with disability or who may have communication barriers (e.g., language, hearing or speech);
  - (c) persons with apparent mental health and/or substance use problems;
  - (d) persons with diverse gender identity or expression;

- (e) victims or witnesses who may be less inclined to report or speak to police because of precarious legal status (e.g., victims or witnesses who have outstanding warrants against them, or with precarious immigration status ); and
  - (f) persons living in public spaces (e.g., persons relying on, or sleeping in public spaces).
- (9) The views of persons impacted, or relevant service providers or advocates of those impacted, are sought and considered in developing or making significant changes to the procedures or guidance referred to under Standards (6), (7), and (8).
- (10) Written procedures governing police response to and investigations of offences related to intimate partner violence are consistent with the Provincial policy on relationship violence and include trauma-informed practices.
- (11) Written procedures governing police response to and investigations of offences related to persons involved in the sex industry are consistent with the BC Association of Chiefs of Police *Sex Work Enforcement Guidelines*.
- (12) Written procedures governing police response to persons with apparent mental health and/or substance use problems emphasize de-escalation, integrated and collaborative approaches between police agencies and health authorities, and consider evidence and best practices outlined in the BC Government [\*Interfaces between mental health and substance use services and police\*](#) toolkit.

### Services to support access to justice

The Chief Constable, Chief Officer, or Commissioner must ensure that:

- (13) Written procedures include requirements that officers provide victims of crime with information and services, including referrals to victim services, in keeping with the obligations of police under the *Canadian Victims Bill of Rights* and the *Victims of Crime Act* and in a culturally appropriate manner, as appropriate to the circumstances.
- (14) The police force accepts and supports third party reports by community-based victim services (where these exist) on behalf of adult victims of sexual assault.
- (15) Written procedures or guidance are available to officers governing the decision to use, and how to access interpreters or translation services to provide services in other languages spoken in the area served.
- (16) The use of interpreters in taking statements is consistent with the Memorandum of Understanding on disclosure, signed between the BC Prosecution Service, the Public Prosecution Service of Canada (BC), and all police agencies in British Columbia.

### Audit and review activity

The Chief Constable, Chief Officer, or Commissioner must ensure that:

(17) Audits are conducted annually to examine compliance with departmental policies or procedures related to at least one of the following topics:

- (a) personal searches, referred to in (6) above;
- (b) investigations likely to involve persons in vulnerable circumstances, referred to in (7) above;
- (c) interactions with persons in vulnerable circumstances, referred to in (8) above,
- (d) the provision of information and services to victims of crime, referred to in (13) above;
- (e) third party reports, referred to in (14) above; or
- (f) use of interpreters or translation services, referred to in (15) and (16) above.

(18) In an effort to monitor for systemic inequities in service delivery, an analysis of at least one of the following types of records is conducted at least once a year, disaggregated by ethnicity, and gender or sex of subjects:

- (a) Subject-Behaviour-Officer-Response reports;
- (b) prisoner bookings; or
- (c) other records as identified by the Board.

(19) A report of the audits and analyses referred to in Standards (17) and (18) is provided to the Board or, in the case of the provincial police force, the Commissioner.

The Board, or the Commissioner must:

(20) Within 60 days of receipt of a report referred to in Standard (19), provide to the Director of Police Services a copy of the report and a summary of any action(s) planned or taken by the Board in response to the report.

### Policies to guide a police board's response to Service and Policy Complaints

The Board must:

(21) Ensure that written policy governing the response to Service and Policy complaints requires consideration of whether the complaint includes allegations of discriminatory policies or practices when determining which course of action permitted by s. 171 (1) of the *Police Act* is necessary to respond adequately to a complaint, including at minimum whether to refer the matter to the Chief Constable as permitted by sub-section (a), or to initiate a study or investigation as permitted by sub-section (b) or (c).

### Policies and procedures

The Chief Constable, Chief Officer, or Commissioner must ensure that:

(22) Policies and procedures are consistent with these *BC Provincial Policing Standards*.