Agenda - Winnipeg Police Advisory Board - March 19, 2009

REPORTS

Item No. 4 Meetings Attended by Executive Director
File GF-2.2

The Executive Director of the Winnipeg Police Advisory Board is submitting for the information of the Board a review of meetings regarding proposed changes to The Provincial Police Act.

Meetings Attended by Executive Director

Manitoba Justice – Police Act Changes
Public Consultation
March 3, 2008, Canad-Inns Polo Park
March 4, 2008, Freight House 200 Isabel St.

Each session was attended by 30-40 people. A workshop format was used to address three topics:

1. Investigations of police-involved incidents,
2. Local Police Boards
3. Provincial Police Commission

After a short presentation on a topic the 2-3 questions listed in the public consultation documents relative to that topic were discussed in small groups at each table, and a report was then made by each table to the larger group. Opportunity was also provided for individuals to comment on each question raised. A separate round was conducted for each of the three main topics.

Overall public comments were more consistent on the issues of investigations of police than on the creation of police Boards or a provincial police Commission. In general, the degree of support for the models ***as presented*** seemed higher at the Freight House session than at Polo Park.

Comments made regarding a separate Investigation Unit for police-involved incidents

- Will always be controversial – difficult to find complete unbiased yet knowledgeable people
- Need change to regain trust
- All police, including Biz and other Special Constables, should be included under the Police Act
- SIU should report to the Legislature, not the Attorney General
- Whoever writes the report has the power to wash things away
- Independent report submitted in each case by the civilian monitor
- Reports need to be made public
- Some favored the Alberta model, others it should be like a public inquiry
- Requires Law Society reform to hold Crowns accountable
- Need a good definition of "major incident" so no confusion on what is under the SIU mandate, and definition of "less serious".
- SIU should decide severity, not the local police service. (SIU need to be aware of all incidents)
- Clear criteria on what are serious injury…"requiring hospitalization" is not sufficient to determine the seriousness of an incident. Psychological effects on victims should also be considered serious.
- Allegations of racism, intimidation and humiliation should be included in SIU mandate
- Need a penalty provision if police do not report incidents to SIU
- Need a separate location and office from other police

- Should be full time
- Including Diversity in staffing SIU
- Trained civilian investigators preferred – More civilian than police background
- Use police initially to train civilians to do the investigations
- Standards (regulations?) should be developed through a public process
- Cameras should be put in holding cells
- A youth committee would be helpful
- Will there be an appeal process?

Comments regarding Local Police Boards

- Require consistent terms of reference within the Province
- Not mandatory, but strongly encouraged
- Should be mandatory with local accountability
- Boards should be elected
- Boards must have authority, compensation reflective of community
- Board hires chief and executives, sets policy
- Board recommends budgets
- Council should hire chief, set salary and police budget
- Setting police priorities
- Public input critical
- Balanced membership - Members with different perspectives -Include educators, aboriginals, newcomers
- Not a current police officer, but retired officer OK
- Board size should relate to population
- Size matters – Winnipeg dominates
- Independent boards – no mayor, 1 councilor at most
- Reflect demographics of community
- Mandatory for Winnipeg, optional for others
- No criminal record, resident of the community
- Should be paid by Province if mandatory
- 3-4 years with staggered terms
- Aboriginal boards can elect per their custom
- Result could be achieved by an amendment to the City of Winnipeg Act requiring a police board for Winnipeg

Comments regarding a Provincial Police Commission

- Do we need a Commission, an extra layer?
- Must have some power -More than an advisory board
- Clear terms of reference
- Powers similar to Ombudsman – Investigate, recommend, follow-though
- Create standard regulations for all police services
- Research and implementation responsibilities (i.e. AJI)
- Responsibilities listed are OK
- Public involvement
- Will it be open – available?
- New comers representation
- Sizable membership
- No overlap
- Hear complaints
- Democratically elected
- No police or former police
- Oversee consequences for poor action of police
- Paid full-time employees
- Public hearings
- MHRC representative
- Training and standards are important
- Public needs education as well
- Bad investigations have costs and open to influence of insiders
- Individual municipalities should have own board if they want
- Balance of knowledge and representation
- 5 minimum

R.A. MacIntyre
Executive Director
WPAB, March 10, 2009