

Canadian Association for Civilian Oversight of Law Enforcement

(CACOLE)

Conference 2002

THE CHALLENGES OF ACCOUNTABILITY

September 18 – 21, 2002

The Fairmont Newfoundland, St. John's, Newfoundland

CACOLE gratefully acknowledges generous contributions from:

Military Police Complaints Commission

Solicitor General Canada

Ministre de Sécurité Publique du Québec

Department of Justice of Newfoundland & Labrador

Department of Fisheries & Aquaculture, Newfoundland & Labrador

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Wednesday, September 18th, 2002

6:00 – 7:30 p.m. Conference Registration – Court Garden Foyer
 7:00 – 10:00 p.m. Welcome. Networking. Opening Reception. Cash bar. Court Garden

Thursday, September 19th, 2002

7:15 – 8:15 am Breakfast (on your own)
 8:00 – 9:00 am Registration continues. **All Conference sessions will be held in The Fort William A**

<u>Time</u>	<u>Activity</u>	<u>Presenters</u>
8:30 – 9:00 am	A/President's Address <ul style="list-style-type: none"> ▪ Welcome ▪ Cross Country Overview ▪ CACOLE updates ▪ A Vision for CACOLE 	Paul Monty, Commissaire à la déontologie policière
9:00 – 9:15 am	Welcoming Remarks – The Honourable Kelvin Parsons, Minister of Justice and Attorney General, Newfoundland & Labrador	Leslie Harris, OC, PhD, Commissioner, Royal Newfoundland Constabulary Police Complaints Commission
9:15 – 11:15 am	1. Integrity Assurance & Internal Investigations – Models and Relationships Is having Units within police services investigating their own members productive, consistent with or conducive to effective oversight? What is the impact on public and police perception? Speakers will present perspectives on investigations and investigators in the private sector and in police Internal Affairs/Professional Standards units	Moderator: E. Garry Mumford, Director, Nova Scotia Police Commission Gilles Lelièvre –Director, Internal Affairs, Montreal City Police
Plenary Session Presentations	<ul style="list-style-type: none"> • Models for investigation of police misconduct (internal, external, mixed model) • A Comparison of the Standards of Proof in Administrative Matters vis-à-vis Criminal Matters • The Blue Wall - How is police culture shaping officers' responses to internal investigations and civilian oversight? • How do investigators and civilian oversight agencies ensure they get all the information needed for decision-making? 	S. J. B. (John) Dickson, BA, LL.B, Vice President, Forensic & Investigative Services, Deloitte & Touche Inspector Robert G. Hall, Professional Standards, Winnipeg Police Service Chief Superintendent Brian Roberts, RCMP North West Region - Human Resources Thomas G. Flanagan, S.C., Member, Military Police Complaints Commission
10:15 – 10:45 am	Health break	

<u>Time</u>	<u>Activity</u>	<u>Presenters</u>
10:45 – 11:30 am	Question period	
11:45 am	Group photo – Court Garden	
12:00 – 1:15 pm	Luncheon speaker – Leslie Harris, OC, PhD	Introduction: Peter O’Flaherty, Counsel, Royal Newfoundland Constabulary Police Complaints Commission
Court Garden		
1:15 – 3:00 pm	2. Recent Developments in First Nations Policing Oversight	Moderator: George Wright, Commissioner, Law Enforcement Review Agency, Manitoba
Presentation	There are a variety of policy perspectives, legislative & governance issues with respect to First Nations policing and the development, implementation and maintenance of First Nations civilian oversight.	Oliver Williams, Senior Special Investigator, Federation of Saskatchewan Indian Nations
Panel Discussion & Questions	<p>Panellists will discuss issues relating to:</p> <ul style="list-style-type: none"> • Outreach, partnership building and information exchange with stakeholder groups • Trends and relationships with federal and provincial oversight agencies (e.g., Commission for Complaints Against the RCMP, Commissaire à la déontologie policière, Office of the Complaints Investigator in Saskatchewan) • The history of First Nations policing in Quebec and recent advancements 	<p>Gorden McGregor, Chief, Kitigan Zibi Anishinabeg Police Department, President, Association of First Nations Chiefs of Police of Québec</p> <p>Superintendent Ron Lamabe Criminal Operations, K Division Headquarters, RCMP Edmonton</p> <p>Peter Fisher, Director General Aboriginal Policing Directorate, Department of the Solicitor General Canada</p>
3:00 – 3:15	Health break	
3:15 – 4:45 pm	3. Placards and Petitions - Politicizing the Oversight Process	Moderator: Peter Tinsley, Director, Special Investigations Unit, Ontario
Panel	The last decade has seen the advent of political activity and candidate support, police ‘work-to-rule’, fundraising campaigns and lobby days in which local, provincial and federal politicians are courted by police associations and unions on issues of legislation, administration and operations. There has also been an increased number of public inquiries and external reviews of policing.	David Griffin, Executive Officer, Canadian Police Association
Question & Answer period	<ul style="list-style-type: none"> ▪ What are the impacts on and implications for public confidence in policing and civilian oversight? ▪ What is an appropriate Governance response vis-à-vis the Public Interest? ▪ What are some of the emerging challenges for management and police associations? 	<p>Superintendent Christopher J. McNeil, Halifax Regional Police</p> <p>Julian Falconer, Falconer Macklin</p> <p>Norm Gardner, Chair, Toronto Police Services Board</p>

<u>Time</u>	<u>Activity</u>	<u>Presenters</u>
4:45 – 5:30 pm	Report - <i>Saving Lives: Alternatives to the Use of Lethal Force</i>	Moderator: Peter Tinsley
Presentation/Discussion	<ul style="list-style-type: none"> ▪ The genesis of the June 23-23, 2000 Conference ▪ The unique proceedings of the conference ▪ The substance of the Report and recommendations 	Conference Co-Chairs - Tam Goossen, Former President, Urban Alliance on Race Relations and Julian Falconer
Followed by Press Conference	<ul style="list-style-type: none"> ▪ Comments on the conference and the Report from the police perspective 	Norm Gardner
6:00 – 7:15 pm	Refreshments, networking. Hospitality suite (cash bar)	
Admiralty Suite, Room 700		
Dinner	On your own.	
9:00 – 10:30 pm	Networking. Hospitality suite (cash bar)	
Admiralty Suite		

Friday, September 20th

<u>Time</u>	<u>Activity</u>	<u>Presenters</u>
7:15 – 8:15 am	Breakfast (on your own)	
8:30 – 10:30 am	4. Protesters, Politicians and Police	Moderator: Paul Monty, Commissaire à la déontologie policière
Panel	Milan, Quebec, Seattle, Vancouver. Peaceful protesters give expression to their fundamental democratic rights set out in <i>The Charter of Rights and Freedoms</i> .	
Question period	<p>Police conduct ought to be tempered by such protected democratic values. While governments at all levels have a role to play, political interference with policing duties ought not to be tolerated.</p> <p>The public looks to civilian oversight bodies to uphold the fundamental democratic values of individual Canadians and support police independence from political influence when adjudicating public complaints of police conduct and exercising governance duties.</p> <ul style="list-style-type: none">• Pre-planning for oversight and the aftermath of protests - What lessons can be learned from the experiences in Quebec, Ottawa and Windsor?• Who is in charge? – Determining accountability in federal-provincial-municipal policing (joint forces) operations• Accommodating protest: Implications of lawful dissent for private and public property owners• What is the role of civilian oversight bodies in safeguarding the public interest?	<p>Andre Senècal, Sûreté de Québec, Directeur des affaires internes</p> <p>Robert Sinclair, QC.</p> <p>Chief Vince Bevan, Ottawa Police Service</p> <p>Chief Superintendent Lloyd Hickman, Officer-in-Charge of RCMP security operations for the G-8 Summit</p>
10:30 – 10:45 am	Health Break	
10:45 – 12:15 pm	5. A Dialogue with Senator Serge Joyal, PC., OC.	Introduction: Don Morrison, Past President, CACOLE
Presentation	Public safety and political imperatives – are they competing priorities?	
Question period	The role of The Senate in safeguarding public interest when laws change. What did they envision as the role of civilian oversight agencies vis-à-vis sections 25.1-25.4 of the <i>Criminal Code of Canada</i> ??	
12:30 – 1:45	Luncheon in the Court Garden	

<u>Time</u>	<u>Activity</u>	<u>Presenters</u>
2:00 – 3:15 pm Presentation Discussion	<p>6. Law Enforcement Justification Provisions and the new Role for Civilian Oversight</p> <p>There has been a significant extension of police powers with the recent enactment of federal legislation aimed at dealing with organized crime, terrorism, and ensuring the security of international conferences.</p> <p>Peter O’Flaherty will discuss the challenges presented to civilian oversight agencies, in responding in an effective and meaningful way, to citizen complaints arising from the exercise by police of their extended powers.</p> <p>The focus of David Finlay's presentation will be on policy making as one way that civilian oversight agencies (with jurisdiction to make policies that must be followed by the Chief of Police) have to encourage ethical police conduct in the exercise of their extended powers.</p>	<p>Moderator: Grant Garneau, A/Chair, New Brunswick Police Commission</p> <p>Peter O’Flaherty, Counsel, Royal Newfoundland Constabulary Police Complaints Commission</p> <p>David Finlay, Chair, Edmonton Police Commission</p>
3:15 – 3:30 pm	Health break	
3:30 – 5:00 pm Panel, Question period	<p>7. Independent Investigations of Major Incidents</p> <p>Perspectives on the impact independent investigations and public inquiries have on policing and civilian oversight</p> <ul style="list-style-type: none"> • The Omagh Bombing Incident • The dynamics of public inquiries • Roles, Responsibilities and Accountability 	<p>Moderator: Nadine Cooper Mont, Chair, Nova Scotia Police Commission</p> <p>David Wood, Executive Director for the Police Ombudsman for Northern Ireland</p> <p>Jean Beeler, former Chair, Nova Scotia Police Commission</p> <p>Richard Deering, Chief, Royal Newfoundland Constabulary</p>
5:00 – 5:30 pm	Wrap up	
5:30 – 6:30 pm Admiralty Suite	<p>Evening of Recognition for members/past members/representatives of civilian oversight Agencies who have made a significant contribution to CACOLE.</p> <p>Presentations. Refreshments, networking. Cash bar</p>	<p>Paul Monty, A/President, CACOLE</p>
Dinner	On your own.	

Saturday, September 21st

<u>Time</u>	<u>Activity</u>	<u>Facilitators</u>
7:15 – 8:15 am	Breakfast – on your own	
8:30 – 8:45 am	Opening remarks, housekeeping	
The Fort William A		
8:45 – 10:15 am	Syndicate Groups	To be announced
The Fort William A	Delegates break into 6 groups for 90-minute discussion on selected topics. Facilitators will compile notes for follow-up.	
<i>(No translation services available)</i>	Discussion Topics <ol style="list-style-type: none">1. Are complaints a negative reflection on policing and the effectiveness of civilian oversight?2. Should there be a role for civilian oversight agencies to make recommendations or comments (positive or negative) to police services and governing authorities on police investigations, officer conduct that is not misconduct, police policies and procedures, other findings of fact, etc.3. Is there an “ideal” model for civilian oversight? Does the model differ depending on who is being reviewed?4. How should a civilian oversight agency establish a distinct corporate identity, raise its public profile and communicate its perceived role? Do the media have a role in civilian oversight?5. Should special constables, auxiliaries, police civilian members, university security, housing authority and transit security and private contractors for specialized services on behalf of the police fall under the scope of civilian oversight?6. Public Expectations and Fiscal Reality – the difficulties of independent investigations, the skills necessary and obstacles to success. How does a civilian oversight agency achieve the balance between public confidence, efficiency and effectiveness in the field of investigating police malpractice?	
10:15 – 10:30 am	Health Break	

<u>Time</u>	<u>Activity</u>	<u>Facilitators</u>
10:30 am – 12:00 pm	<p><u>CACOLE Annual General Meeting</u></p> <p>Including:</p> <p>Bylaw review – Paul Monty</p> <p>2003 Conference – David Finlay</p> <p>Election of 2003 Executive/Swearing in</p>	
12:00 – 12:30 pm	<p>Conference Closing Remarks</p> <p>Delegates depart for lunch on their own, networking, etc.</p>	
12:30 – 2:30 pm	<p>CACOLE Board of Directors Meeting & Working Lunch</p>	

Special thanks to Gerry Peach and Pam Little for their energy, creativity and expertise with all things administrative.

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