
CACOLE COMMUNIQUÉ

Canadian Association for Civilian Oversight of Law Enforcement
L'association Canadienne de surveillance civile du maintien de l'ordre

December 2012

CACOLE CIVILIAN OVERSIGHT IN THE 21ST CENTURY: TECHNOLOGY AND ATTITUDES

The 2012 Professional Development Conference was held May 28 – 30 this year at the Intercontinental Toronto Yorkville in beautiful Toronto. President John E. Phillips opened the conference and the Honourable John Gerretsen, Attorney General for the Province of Ontario welcomed delegates to Ontario and presented some opening remarks to the conference.



Conference Delegates pose for the CACOLE 2012 group photo. Seated in the front row is the CACOLE Management Committee (L-R) Helen Banulescu, Executive Director, Commission for Public Complaints Against the RCMP, Clifton Purvis, Executive Director, Alberta Serious Incident Response Team, Ian Scott, Director, Ontario Special Investigations Unit, Nadine Cooper-Mont, Nova Scotia Police Complaint Commissioner and John Phillips, Chair, Alberta's Law Enforcement Review Board

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CONFERENCE IN REVIEW:

DAY 1: Monday May 28, 2012

Social Media, Cell Phone and Police Video Technology and the Changing Face of Police Accountability

From chants of “See you on YouTube,” as people recorded police activity during the G20 in Toronto, to police recording interactions with the public on in-cruiser and body cameras, social media and video technology is changing the face of police accountability. Some say the use of video offers the best possible evidence, improve police accountability, reduces complaints of police misconduct and saves money in court costs. Civil rights advocates say the devices raise privacy issues. The panel discussed if these devices are a help or a hindrance.



Michael Blumberg (left), President, CI Technologies and Dave Seglins (centre), Reporter/Host, CBC News Toronto answer audience questions as Gerry McNeilly (right), Director, Office of the Independent Police Review Director listens at the podium.

Police Officer Duty to Cooperate in the Context of the Ontario Court of Appeal Schaeffer Decision

The recent Ontario Court of Appeal decision in Schaeffer addressed the issue of access to legal counsel, particularly with respect to the preparation of notes, for police officers subject to an investigation by the Special Investigations Unit. The Panel debated the case from the perspective of police officers’ private interests vs. their public duty, and the impact of the decision in Ontario and Quebec.



Panellists: (L-R) Me Andre Fiset, Castiglio & Associates, Joseph Markson, Markson Law Professional Corporation, Ian Scott, Director, Ontario Special Investigations Unit, Julian Falconer, Falconer Charney LLP and panel moderator Helen Banulescu, Executive Director, Commission for Public Complaints Against the RCMP.

Lunch was held with an address by Keynote Luncheon Speaker Commissioner Robert Paulson, C.O.M. Royal Canadian Mounted Police. Commissioner Paulson was introduced by Mr. Ian McPhail, Q.C., Interim Chair, Commission for Public Complaints Against the RCMP



Commissioner Robert Paulson (left), C.O.M. Royal Canadian Mounted Police accepts a token of appreciation from Mr. Ian McPhail (right), Q.C., Interim Chair, Commission for Public Complaints Against the RCMP

Informal Resolution of Complaints – Ontario and BC Trends in the use of alternative (appropriate) dispute resolution in police complaint handling

This panel examined ADR in the challenging context of police complaints, including identifying appropriate cases and the importance of ensuring a meaningful process. It also explored innovative programs and training underway in British Columbia and Ontario. This session included a segment on the innovative approach of the Vancouver Police Quick Response Team (QRT).



Panellists: Inspector Mike Serr, Vancouver Police Department, Gerry McNeilly, Director, Office of the Independent Police Review Director, and panel moderator Stan Lowe, Commissioner, British Columbia Office of the Police Complaint Commissioner

How do police boards/commissions, municipalities and provincial oversight bodies work together to ensure the provision of adequate, effective, affordable and sustainable policing.

We have entered an age where Canadian police services must not only be adequate and effective, but also financially affordable and sustainable. The panel explored issues on these subjects from (a) aboard/commission, (b) a municipality, and (c) provincial oversight body perspective, specifically how different governance levels work together to ensure community safety and policing standards are not compromised in implementing possible financial constraints.



Panelists (L-R): Berry Vrbanovic, President, Federation of Canadian Municipalities, Carol Allison-Burra, President, Canadian Association of Police Boards, David Gavsie, Chair, Ontario Civilian Police Commission, and George Wright, Commissioner, Law Enforcement Review Agency (Manitoba)

After the last panel Monday afternoon CACOLE held the Annual General Meeting and Election of Officers.

DAY 2: Tuesday, May 29, 2012

Investigative skills competencies and training for police officers; and the applicability of investigative training for police oversight organizations

This two-part session featured a discussion on police investigator competencies and standardized investigative training. Following the panel, delegates participated in an actual classroom training session for Investigative Skills Education Program “ISEP” – Risk Effective Decision Making utilizing a use of force training scenario.



Moderator Wendy Moshuk, CACOLE Executive Director and panellists Geoff Gruson, Executive Director, Canadian Police Sector Council



Rick Gagnon, ISEP Provincial Coordinator/Training Specialist, Landmark Introspective Group

Unnecessary/Excessive Use of Force – How Police Officers Talk About Use of Force

Developing insights into the process police officers apply when rationalizing or explaining the amount of force used to affect an arrest in situations where officers perceive physical resistance may occur. How do police officers choose an appropriate response to an aggressive individual?



Moderator: John Clarke, Executive Director, Saskatchewan Public Complaints Commission and panellist O.A. (Orv) Nickel, BA, MBA, Consultant, O.N.E. Corporation, Criminal Justice, Security & Safety

Gerry McNeilly, Independent Police Review Director (Ontario) provided an update on the G20 Systemic Review Report.

Following the G20 summit, Ontario's Office of the Independent Review/Director carried out systemic review to investigate common issues that arose from complaints against police during the G20. That review now complete, Gerry McNeilly delivered a brief update on the status of his G20 systemic review report.



Gerry McNeilly, Director, Office of the Independent Police Review Director, delivers his findings on the G20 Systemic Review Report.

Alberta Serious Incident Response Team case study presentation featuring the use of technology within its mandate to independently investigate potential criminal conduct by police.

A series of actual case studies was presented where technology has figured prominently in the independent investigation of serious injury or death or other sensitive matters related to potential criminal actions of police officers.



Nadine Cooper-Mont (seated), Nova Scotia Police Complaint Commissioner and speaker Clifton Purvis, Executive Director, Alberta Serious Incident Response Team

International Panel on Contemporary Police Oversight Issues

International Panellists discussed contemporary issues involving attitudes and technology in law enforcement oversight and the establishment of some new organizations.



Panellists (L-R): Richard Rosenthal, Director, Independent Investigations Office, Province of British Columbia, Gillian Lucky, Director, Trinidad and Tobago Police Complaint Authority; Ian McPherson, Partner, Advisory Services, Management Consulting Services, KPMG LLP Toronto and moderator Richard Evans, Senior Director Operations, Commission for Public Complaints Against the RCMP.

Tuesday evening the Board of Directors' and Delegates' Dinner was held in the Foyer and Willard Room of the Intercontinental Yorkville Hotel.



Delegates enjoy dinner at the Board of Directors' and Delegates' Dinner

DAY 3: Wednesday, May 30, 2012

Aboriginal Policing Legal Issues

Responses to Aboriginal law enforcement, specific to legal issues, provincial laws, inter-agency relationships, Band Council permission, bylaw prosecutions, Band Council Resolutions, case law, and contract policing.



Panelists (L-R): Inspector Mike LeSage, OIC, National Aboriginal Policing Services (NAPS) / Services nationaux de police autochtones (SNPA), Royal Canadian Mounted Police, Kyle Friesen, Legal Counsel, Legal Advisory Section, RCMP Pacific Region and panel moderator John E Phillips, Chair, Law Enforcement Review Board (Alberta)

Contrasting the Internal Model with External Investigative Models

Professor Roach contrasted the primary models that exist within Canada, from the internal one of police investigating their own, to external investigative ones with a criminal mandate like the SIU in Ontario and the new Independent Investigations Office in British Columbia, and the civilian review of complaints which relies upon internal police investigations, and discuss their strengths and weaknesses.



Ian Scott, Director, Ontario Special Investigations Unit (SIU) introduces Professor Kent Roach, University of Toronto (seated)

The conference concluded with some closing remarks by our president and with the announcement of the 2013 CACOLE conference to be held in Charlottetown, P.E.I.

BEHIND THE SCENES



OIPRD staff assist delegates with conference registration



John E. Phillips, Chair, Law Enforcement Review Board (Alberta) welcomes delegates at the pre-conference reception on Sunday, May 27, 2012



Wendy Moshuk, CACOLE Executive Director and George Wright, Commissioner, Manitoba Law Enforcement Review Agency



Ian Scott, Director, Special Investigations Unit chats with delegates at the pre-conference reception



Gerry McNeilly, Director, Office of the Independent Police Review Director and John E. Phillips, Chair, Law Enforcement Review Board (Alberta)



Conference Delegates mingle at the pre-conference reception



(L-R) Ian Scott, Director, Ontario Special Investigations Unit, Honourable John Gerretsen, Attorney General for the Province of Ontario, John E. Phillips, Chair, Law Enforcement Review Board (Alberta) and Gerry McNeilly, Director, Independent Police Review Director (Ontario)



Windsor Chief of Police, Al Frederick



Delegates listen to panellists.



(L-R) John E. Phillips, Chair, Law Enforcement Review Board (Alberta), Gerry McNeilly, Director, Independent Police Review Director (Ontario), Commissioner Robert Paulson, C.O.M. Royal Canadian Mounted Police, Ian McPhail, Q.C., Interim Chair, Commission for Public Complaints Against the RCMP, George Wright, Commissioner, Manitoba Law Enforcement Review Agency and Ian Scott, Director, Ontario Special Investigations Unit



**Nadine Cooper-Mont,
Nova Scotia Police Complaint Commissioner**



Delegates pay close attention to Gerry McNeilly's findings on the Office of the Independent Police Review Director's G20 Systemic Review Report



Gillian Lucky, Director, Trinidad and Tobago Police Complaint Authority and Claudia Williams, OIPRD



Gerry McNeilly and his staff present the Office of the Independent Police Review Director's G20 Systemic Review Report



Roberta Ross, OIPRD shares a laugh with delegates at the Conference closing.



Paul Stetson (middle ground) listens as Charlottetown, PEI is announced as the next location for the 2013 CACOLE Conference.