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# CACOLE COMMUNIQUÉ



**Canadian Association for Civilian Oversight of Law Enforcement**  
**L'association Canadienne de surveillance civile du maintien de l'ordre**  
**Special Conference Edition**  
**January 2007**

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## President's Message

Robert Mitchell, Q.C.

Chair, Saskatchewan Public Complaints Commission

On behalf of the Board of Directors of CACOLE, I wish you a Happy New Year. I am honoured to have been elected CACOLE's President for 2007 and I look forward to working with a Board of Directors committed to developing current projects as well as expanding our focus as the issues surrounding civilian oversight evolve.

Serving as Vice President will be Peter Tinsley, Chair of the Military Police Complaints Commission. Peter is no stranger to CACOLE, having been on the Executive prior to leaving for service as one of four International Prosecutors appointed by the High Representative in the Special War Crimes Department of the State Court of Bosnia and Herzegovina. Prior to that, Peter was Director of Ontario's Special Investigations Unit.

George V. Wright will be CACOLE's Secretary. George was previously Registrar of Private Investigators and Security Guards. He has been Commissioner of Manitoba's Law Enforcement Review Agency (LERA) since 1998.

We welcome Tom Haney to CACOLE and to the Board as Treasurer. Tom was formerly Director of the Police Leadership Program at Dalhousie University, the CEO of Commissionaires Nova Scotia and CEO of the Nova Scotia Safety Council prior to being appointed as Director, Nova Scotia Police Complaints Commission.

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It would be remiss of me not to acknowledge the role that Dirk Ryneveld, QC, as President in 2005 and 2006 and his previous Board has played in bringing CACOLE's name to the forefront of civilian oversight. We are grateful that Dirk has remained on the Board as Past President and that he will continue to act as CACOLE's liaison on the international oversight initiative.

Effective January 1, 2007, Luauna Selman will become Executive Director and will continue as Conference Coordinator.

While this issue is devoted to the 2006 Conference, I am pleased to announce the 2007 Conference Planning Committee is meeting in Ottawa February 8, 2007 to discuss potential topics and speakers. If you have any ideas for the 2007 Conference please let us know by emailing us as [conference@cacole.ca](mailto:conference@cacole.ca). The 2007 Conference will be held in Halifax, Nova Scotia, October 10, 11, and 12, 2007. We look forward to seeing you there and will post any updates on our website.



*CACOLE Conference 2006 Delegates and Speakers assemble in the lobby of the Vancouver Marriott before the opening reception hosted by Vancouver Mayor Sam Sullivan at the Pan Pacific Hotel.*

## **Conference Coordinator's Report** **Luauna Selman**

The theme for CACOLE's 2006 Conference was "Civilian Oversight – Striking the Right Balance" and featured both Canadian and international speakers from diverse sectors of the policing, oversight and justice community.

Presentations on Canadian civilian oversight models; recent developments in civilian oversight; and proposed changes to oversight legislation were informative about what is working, what changes have occurred and what could be enhanced. The International Day focused on cooperation; oversight around the world; and opportunities for learning. A very popular plenary session was "Complaints against the Police – Stakeholder's Perspectives". Delegates found the panel to be well-balanced and felt they provided an insight into the thinking of stakeholders who adopt different perspectives. This session generated lively discussion during the question period. Mediation, police response to the mentally ill and policing initiatives in First Nations and Aboriginal communities are issues in the forefront of oversight agencies. Panels covering these topics were well received by delegates. Please visit [www.cacole.ca](http://www.cacole.ca) for more complete coverage of agenda sessions and speakers presentations.

But our focus was not completely on work. Networking is an important element in professional development and delegates were afforded many opportunities to form new relationships, and share and access new information. An example of how important it is to host these types of conferences became clear to me, as Conference Coordinator, when one of the delegates from Africa informed me that he had learned of the existence of an organization in Africa much like CACOLE while attending our conference. It was his intent to join this organization upon his return home.

Events like this do not happen without considerable effort. It starts with establishing an interesting agenda, identifying thought-provoking speakers and events that foster networking and learning, as well as donations of funds, time and in-kind support. We are most grateful to Mayor Sam Sullivan of the City of Vancouver for hosting a memorable opening reception and networking event. We extend our thanks to the staff of the Marriott Vancouver, the staff of the Office of the Police Complaint Commissioner of BC and the staff of the Surrey office of the Commission for Public Complaints Against the RCMP who kindly donated their time and equipment to facilitate printing of conference materials. CACOLE is also grateful for the generous financial support of Police Services, Public Safety and Solicitor General, British Columbia.

Our sincere thanks to all who participated in making this the best CACOLE conference to date! And mark these dates in your calendar – October 10, 11 & 12, 2007 at the Delta Hotel in Halifax, Nova Scotia.



*Dirk Ryneveld, QC, Police Complaint Commissioner, British Columbia, President, CACOLE and Hyacinthe Miller, Executive Director/Treasurer, CACOLE*



*John Wadham, Deputy Chair, Independent Police Complaints Commission of England and Wales; Kevin Begg, Assistant Deputy Minister & Director of Police Services, Ministry of Public Safety and Solicitor General of British Columbia; and Allan Galbraith, New Zealand Police Complaints Authority*



*The Honourable Mayor Sam Sullivan Vancouver, British Columbia*



*Patrick Duncan, Counsel, Municipal Association of Police Personnel, Nova Scotia; Sonya Ferrara, Ombudsman Representative, Nova Scotia; and Nadine Cooper Mont, Nova Scotia Police Complaints Commissioner*



*Foreground: Associate Professor Colleen Lewis (PhD), Monash University; Conference Coordinator Luauna Selman; and Stephen Shaw, Prisons & Probation Ombudsman for England and Wales  
Background: Bruce Brown, Deputy Police Complaint Commissioner, British Columbia with Al Hutchinson, Oversight Commissioner, Policing Reform Northern Ireland*



*Cathy Boxer-Byrd, Senior Advisor, Ontario Civilian Commission on Police Services; Sandy Adelson, Senior Policy Advisor, Toronto Police Services Board; and Joanne Campbell, Executive Director, Toronto Police Services Board*



*Inspector Sherry Dwyer of the Saanich Police Department, British Columbia with Tom Haney, Director, Nova Scotia Police Complaints Commission*



*Foreground: Robert Mitchell, QC, Chair of the Saskatchewan Police Complaints Commission being interviewed by the media; Background: Paul Kennedy, Chair, Commission for Public Complaints against the RCMP also participating in a media interview*



*Cameron Ward (left), attorney, British Columbia speaks with media*

## CACOLE CONFERENCE 2006 - International Day and the INIOP Inception Working Group Dirk Ryneveld, Q.C., President of CACOLE



*Some of the Members of the INIOP Inception Working Group (Left to Right): Gil L. Bourdoux, Conseiller, Comité permanent de contrôle des services de police, Belgique; Carmel Foley, Commissioner, Garda Síochána Ombudsman Commission, Ireland; Thomas Tshabalala, African Policing Civilian Oversight Forum/Independent Complaints Directorate, South Africa; Barbara Attard, San Jose Independent Police Auditor, California; Allan Galbraith, New Zealand Police Complaints Authority; Dirk Ryneveld, QC, President, CACOLE, Police Complaint Commissioner, British Columbia; Martin Kreutner, Director, Federal Bureau for Internal Affairs, Austria; Tom Maguire, Principal Officer, Garda Síochána Ombudsman Commission, Ireland; John Wadham, Deputy Chair, Independent Police Complaints Commission of England and Wales; Judge Kevin Haugh, Commission Chairman, Garda Síochána Ombudsman Commission, Ireland and Pierce Murphy, President, NACOLE, Community Ombudsman for the City of Boise, Idaho*

The CACOLE 2006 Conference held in Vancouver October 2-5 was a resounding success! This was partially due to a great venue and an excellent agenda, as well as to an extensive pre-conference outreach program that attracted an unprecedented number of delegates from around the world.

Of the 161 registered Canadian and international delegates and speakers from diverse sectors of the policing, oversight and justice community, forty-five represented 18 different countries including England, Scotland, Northern Ireland, Ireland, Belgium, the Netherlands, Austria, Portugal, Namibia, South Africa, Bermuda, Chile, Grand Cayman, New Zealand, Australia, and Brazil in addition to the USA and Canada.

There was considerable media 'buzz' as well, with delegates and speakers in demand for interviews from

reporters representing local and national print and electronic organizations.

One of the highlights of the four-day event was the dedication of an entire day's agenda to world-renowned speakers on a variety of international oversight topics.

At the conclusion of the conference a meeting was held to confirm the support of those present to the creation of an International Network for Independent Oversight of Policing – (INIOP). Those discussions were very positive and resulted in the establishment of an ad hoc committee made up of international representatives who will meet in early 2007 in Brussels. CACOLE was instrumental in kicking off discussions about an international oversight body in Toronto in 2004 and I am gratified that progress continues. Through my continued participation as past President, CACOLE will remain actively involved in moving this initiative forward.



*Associate Professor Colleen Lewis (PhD), Monash University with John Wadham, Deputy Chair, Independent Police Complaints Commission of England and Wales*



*Ian Badiola Heresmann, Investigative Police of Chile/Centre for Police Research and Development with Dr. Luis Manuel Dos Santos Pires, Deputy Inspector General, Portugal*



*Allan Galbraith, New Zealand Police Complaints Authority; Nuala O'Loan, Police Ombudsman for Northern Ireland; and Nivio Caixeta do Nascimento, Altus*



*Christian Pierre of the Trinidad Tobago Police Complaints Authority speaks with Pierce Murphy, Ombudsman for the City of Boise and President of NACOLE*



*Martin Kreutner, Director, Federal Bureau for Internal Affairs, Federal Ministry of the Interior, Austria speaks with Superintendent Louise Morel, Royal Canadian Mounted Police*



*John Epp, Commissioner, Office of the Complaints Commission, Grand Cayman has a word with Al Hutchinson, Oversight Commissioner, Policing Reform Northern Ireland*



*Left to right: Judge Kevin Haugh, Commission Chairman, Garda Síochána Ombudsman Commission, Ireland; Allan Galbraith, New Zealand Police Complaints Authority; Leslie Xinwa, Acting Executive Director, Independent Complaints Directorate, South Africa; Gil L. Bourdoux, Conseiller, Comité permanent de contrôle des services de police, Belgique*



*Left to right: John Wadham, Deputy Chair, Independent Police Complaints Commission of England and Wales; Martin Kreutner, Director, Federal Bureau for Internal Affairs, Federal Ministry of the Interior, Austria; Dirk Ryneveld, QC, President, CACOLE, Police Complaint Commissioner, British Columbia; Peter Tinsley, Vice President, CACOLE, Chair, Military Police Complaints Commission, Canada; Eduardo Diaz, Executive Director, Independent Review Panel, Miami-Dade County, Florida*



*Left to right: Gil L. Bourdoux, Conseiller, Comité permanent de contrôle des services de police, Belgique; Barbara Attard, San Jose Independent Police Auditor, California; Thomas Tshabalala, African Policing Civilian Oversight Forum/Independent Complaints Directorate, South Africa; John Robert Walters, Ombudsman, Namibia*

## Draft Legislative Model for Civilian Oversight

In his 2005-2006 Annual Report, the Chair of the Commission for Public Complaints Against the RCMP (CPC) highlighted the need to enhance the legislation governing civilian oversight of the RCMP. As a follow-up to that recommendation, Mr. Kennedy has released for comment the text of a draft legislative model on November 16, 2006.

Titled the *Federal Law Enforcement Review Board Act*, the initiative is focused on restoring the balance between collective security and individual rights. The proposed legislative model provides for several enhancements.

### Enhancement of accountability and transparency by:

- Empowering the Board to establish criteria to ensure the impartiality and integrity of investigations conducted by the RCMP of its members
- Authorizing the Board to monitor such investigations and, where it deems appropriate, to direct that the Commissioner refer the matter for investigation by a different police force
- Providing unfettered access as of right to all information but for Cabinet Confidences
- Creating a positive obligation on law enforcement officers to account for their actions
- Enlarging the scope of review to include actions of retired law enforcement officers and non-officers who act under the direction or supervision of such officers
- Creating a new audit/review power and a new right to complain about the inadequacy or inappropriateness of the policies, procedures, guidelines and the ability to respond or provide a service or training programs

### Strengthening ministerial accountability by:

- Providing the Minister of Public Safety with the right to request special reports concerning any matter
- Authorizing the sharing of Board reports with provincial ministers who contract for RCMP services

### Modernizing oversight to better reflect integrated enforcement practices by:

- Authorizing the Board to conduct joint investigations and to share information with review bodies that have powers, duties and functions that are similar to the Board

### Providing safeguards by:

- Ensuring that sensitive information will not be improperly disclosed, that testimony heard will not be used in any other criminal, civil or administrative proceeding
- Prohibiting the harassment or intimidation of witnesses, and the obstruction or interference of the Board's functions

To view the Draft Model Legislation in its entirety visit [www.cpc-cpp.gc.ca](http://www.cpc-cpp.gc.ca).



## ANNOUNCEMENTS

### Board Member Resignations



The CACOLE Board of Directors has accepted the resignation of Hyacinthe Miller, with regret. Following retirement from a senior staff position in the Ontario Public Service, Ms. Miller worked as a consultant and instructor in the policing/performance management/governance field. She served as CACOLE's Executive Director and Conference Coordinator for five years and more recently as Treasurer. Hyacinthe's efforts on behalf of CACOLE have helped establish the reputation that CACOLE enjoys today. She will continue as a part-time member of the Ontario Civilian Commission on Police Services as well as concentrating on her writing and pursuing other more leisurely adventures.



CACOLE Board member Donna Shelley, QC, was appointed a Judge of the Court of Queen's Bench of Alberta on December 15, 2006. Madam Justice Shelley is formerly Chair of the Law Enforcement Review Board of Alberta. She has been a Member of the Citizens Appeal Panel of Alberta, the City of Edmonton Court of Revision and the Alberta Municipal Government Board. She is also an active Member and Past Director of the Rotary Club of Edmonton. While we will miss her contributions to CACOLE, we wish to congratulate Madam Justice Shelley on her appointment.

### CACOLE'S New Mailing Address

**CACOLE**  
**Box 48941**  
**595 Burrard Street**  
**Vancouver, British Columbia V7X 1A8**  
[www.cacole.ca](http://www.cacole.ca)  
[conference@cacole.ca](mailto:conference@cacole.ca)

(604)660-2385 (telephone) (604) 660-1223 (fax)

### Mark these dates on your calendar

**CACOLE CONFERENCE 2007**  
**October 10<sup>th</sup>, 11<sup>th</sup>, 12<sup>th</sup>, 2007**  
**HALIFAX DELTA HOTEL**

**TO: CACOLE Members and Supporters**  
**FROM: Robert Mitchell, Q.C.**  
**President, CACOLE /Chair, Office of Saskatchewan Police Complaints Investigator**  
**RE: RENEWAL OF ANNUAL MEMBERSHIP**

Membership fees sustain the ongoing administrative operations of CACOLE and, along with conference registrations and donations, support CACOLE's ability to continue meeting its objectives.

CACOLE is a non-profit, national organization of agencies involved in the oversight of police officers in Canada. The members of CACOLE are dedicated to advancing the concepts, principles and application of civilian oversight of law enforcement throughout Canada by:

- Increasing public awareness and understanding of civilian oversight of law enforcement;
- Furthering the acceptance of the role of civilian oversight organizations,
- Advancing the concept of civilian oversight of law enforcement and encouraging its development at local, provincial, national, and international levels,
- Fostering research and publication in the field of civilian oversight of law enforcement,
- Serving as a clearing house of information on matters relating to civilian oversight of law enforcement,
- Providing support to individuals and organizations in order to advance the concept of civilian oversight of law enforcement,
- Organizing at least one conference annually,
- Developing and presenting educational programs to advance the purposes of the organization, facilitating the sharing of resources in order to advance for purposes of the organization, and
- Entering into formal relationships and associations with other organizations dedicated to objectives similar to those of the corporation.

We have initiated discussions with a number of our civilian oversight counterparts throughout the world, and we are working towards establishing a formal working coalition of international oversight agencies. Despite differences in legislation, mandates and geography, there is a great deal we can learn from one another with respect to administrative and community initiatives, best practices and practical service improvements. Our members also continue to participate in speaking engagements and information sessions in Canada and abroad, a testament to the growing public and organizational awareness of the benefits of civilian oversight.

Become part of the vibrant, informed civilian oversight community in Canada and take advantage of the benefits of membership.

#### **The Value of CACOLE Membership**

CACOLE members benefit from being part of a national and international community of professionals, regulators and supporters of police governance and civilian oversight of law enforcement. CACOLE is the only organization of its kind in Canada.

- CACOLE Members are informed about activities in the civilian oversight sector through [www.cacole.ca](http://www.cacole.ca), the annual Compendium of Oversight Agencies in Canada and the newsletter, Communiqué.
- Members have the opportunity to participate on the Board of Directors and working committees, as well as meetings with key government decision makers, national stakeholder groups and representatives of other oversight organizations.
- They provide input to and receive benefits from professional development conferences and briefings with officials at all levels.
- They have access to resources such as peer-to-peer information sharing and problem solving within the CACOLE network in Canada and abroad.
- CACOLE has established a Research Project Committee which will solicit grant proposals from community and educational organizations on topics relating to policing and civilian oversight of law enforcement.
- CACOLE members are leaders in the field of civilian oversight. Their energy and commitment have helped build CACOLE from its inception and first official conference in 1996 to an international presence in the civilian oversight field. We are most appreciative of those who are already members of CACOLE and we welcome new members!

Join us, won't you? And please take a few minutes to share this letter with your colleagues.

The Canadian Association For Civilian Oversight Of Law Enforcement  
L'association Canadienne De Surveillance Civile Du Maintien De L'ordre  
**Application for Membership**

January – December 2007

Title \_\_\_\_\_ Name: \_\_\_\_\_

Organization: \_\_\_\_\_

Mailing Address: \_\_\_\_\_  
\_\_\_\_\_

Telephone: (    ) \_\_\_\_\_ Facsimile: (    ) \_\_\_\_\_

E-Mail address: \_\_\_\_\_

Web site: \_\_\_\_\_

Membership applied for: Regular  Associate

Individual  (\$150.00) Organization  (\$300.00) Receipt required:

If Regular Membership, include the Name of the employing organization:  
\_\_\_\_\_

Title and Name of Organization Head: \_\_\_\_\_

Please complete the application form (one for each member). Send a  
cheque, bank draft or money order payable in Canadian funds to:

CACOLE Membership  
c/o Luauna Selman  
CACOLE Executive Director  
Box 48941  
595 Burrard Street  
Vancouver, British Columbia V7X 1A8  
(604)660-2385 (telephone) (604) 660-1223 (fax)  
www.cacole.ca