

CANADIAN ASSOCIATION FOR CIVILIAN OVERSIGHT OF LAW ENFORCEMENT



CIVILIAN OVERSIGHT: BUILDING CONFIDENCE and TRUST



AGENDA
MAY 5, 6 and 7, 2014
Victoria, British Columbia

CACOLE Program 2014 is brought to you by:

PROGRAM CHAIR:

Stan T. Lowe, Chair, Office of the Police Complaint Commissioner of British Columbia

PROGRAM MEMBERS:

Helen Banulescu, Executive Director, Commission for Public Complaints Against the RCMP

Pierre Beaudoin, Executive Director, New Brunswick Police Commission

Max Churley, Investigator, Manitoba Law Enforcement Review Agency

John A. Clarke, Executive Director, Saskatchewan Public Complaints Commission

Nadine Cooper Mont, Commissioner, Nova Scotia Office of the Police Complaints Commissioner

David Gavsie, Associate Chair, Ontario Civilian Police Commission

Tony Loparco, Director, Ontario Special Investigations Unit

Ronald J. MacDonald, Q.C., Director, Nova Scotia Serious Incident Response Team

Gerry McNeilly, Director, Office of the Independent Police Review Director (Ontario)

Ian McPhail, Q.C., Interim Chair, Commission for Public Complaints Against the RCMP

Robert Mitchell, Q.C., Chair, Saskatchewan Public Complaints Commission

Clifton Purvis, Director, Alberta Serious Incident Response Team

Glenn Stannard, Chair, Military Police Complaints Commission

Paul Stetson, Manager/Senior Investigator, PEI Office of the Police Commissioner

Zane Tessler, Executive Director, Manitoba Independent Investigation Unit

Jasbir Brar, CACOLE Executive Director

WITH THE ASSISTANCE OF:

Kate McDerby, Commission for Public Complaints Against the RCMP

Mingbo Ma, Commission for Public Complaints Against the RCMP

Luauna Selman, Coordinator, Intake Services and Outreach, OPCC

Kerry Ringdahl, Office of the Police Complaint Commissioner

Julie Baksh, Budget and Administrative Assistant, Ontario Special Investigations Unit

PRELIMINARY CONFERENCE SYNOPSIS

Conference Location:

The Grand Pacific Hotel
463 Belleville Street
Victoria, BC V8V 1X3
(250) 386-0450

Hospitality Evening:

Delegates and guests are invited for an informal gathering in the Pender Island Ballroom.
Cash Bar
Sunday, May 4, 2014
7:00 pm to 11:00 pm

Early Registration Desk

Sunday, May 4, 2014
3:00 pm to 5:00 pm
Vancouver Island Ballroom

Regular Registration

Monday, May 5, 2014
7:30 am to 8:30 am
Vancouver Island Ballroom

Professional Development Conference

Monday, May 5, 2014, 8:30 am to
Wednesday, May 7, 2014, 12:00 pm
Vancouver Island Ballroom

CACOLE Annual General Meeting and Election of Officers

Monday, May 5, 2014
4:15 pm – 5:30 pm
Galiano Room

Welcome Reception at the Grand Pacific Hotel

Monday, May 5, 2014
6:00 pm – 8:30 pm
Pender Island Ballroom

Board of Directors and Delegates Dinner*

Tuesday, May 6, 2014
6:00 pm – 8:00 pm
Vancouver Island Ballroom

**Note: Delegate guests are welcome to attend with prearrangement*

MONDAY, May 5, 2014

7:00 – 8:30 Conference Registration & Breakfast for Delegates in the Pender Island Ballroom & Pacific Lounge

8:30 – 8:45 Welcome and Introduction by Stan T. Lowe, President CACOLE

8:45 – 9:00 Conference Opening and Remarks
Darryl Plecas
Parliamentary Secretary to the Minister of Justice and Attorney General for Crime Reduction

9:00 – 10:15 Media, Oversight, and Policing

This panel will examine a number of controversial issues involving the media, police and oversight agencies. Panellists will bring their unique perspectives to this “Bear Pit Session” on issues including: the perception of bias in media reporting, media responsibility, transparency, accountability, “civilian” oversight, police acceptance of oversight, i.e. “walking the walk”, and electronic surveillance and policing.

Moderator:

Stan T. Lowe, Commissioner
Office of the Police Complaint Commissioner

Panellists:

Gerry McNeilly, Director
Office of the Independent Police Review Director

Tom Stamatakis, President
Canadian Police Association

David Walmsley, Editor-in-Chief
Globe and Mail

10:15 – 10:30 Refreshment Break

10:30 – 12:00 Digital Video Evidence from Police Body Worn Cameras: How and How Much, Why and Why Not

Acceptance of body-worn cameras is growing as the reduction of cost and technical issues increases its practical feasibility. This panel will first review some findings from the pilot project currently in operation by the Edmonton Police Service. Panellists will then discuss issues which arise from this technology, including cost, storage of data, privacy rights, disclosure obligations, impact on public complaints and officer use of force.

Moderator:

Ronald J. MacDonald, Q.C., Director
Nova Scotia Serious Incident Response Team

Panellists:

Tony Loparco, Director
Ontario Special Investigations Unit

Michael McEvoy, Deputy Commissioner
Office of the Information and Privacy Commissioner

Dr. Mary Stratton, Research Analyst/Coordinator Edmonton
Police Service

12:00 – 1:30 Lunch provided by CACOLE in the Pender Island Ballroom & Pacific Lounge

1:30 – 2:45 International Perspectives on Oversight

Delegates from the United States, Trinidad and Tobago, and Hong Kong will provide an overview of their respective civilian oversight systems and raise issues they are facing. In addition, Brian Buchner will share his perspective as President of NACOLE.

Moderator:

David Gavsie, Associate Chair
Ontario Civilian Police Commission

Panellists:

Brian Buchner, Special Investigator, Los Angeles Board of
Police Commissioners & President, NACOLE

Master Ralph Doyle, Deputy Director
Trinidad & Tobago Police Complaints Authority

Daniel Mui, Deputy Secretary General
Independent Police Complaints Council, Hong Kong

2:45 – 3:00 Refreshment Break

3:00 – 4:00 Proactive Training in Police Ethics

Panelists will provide the findings of the CACP Ethics Committee, Professionalism in Policing recommendations report and the CPS “Stay in the Game” program. The panel will aim to encourage a lively discussion of the value of proactive training in police ethics.

Moderator:

Catherine Light, Director of Investigations
Independent Investigations Unit, Manitoba

Panellists:

Dr. Stephen Maguire, Executive Director, Organizational
Values and Ethics Certificate Program, Carleton University

Superintendent Kathy Grant
Calgary Police Service

Inspector Darren Leggatt
Calgary Police Service

4:15 – 5:30 CACOLE Annual General Meeting and Election of Officers

6:00 – 8:30 Evening Reception

TUESDAY, May 6, 2014

7:30 – 9:00 Breakfast for Delegates in the Pender Island Ballroom & Pacific Lounge

9:00 – 10:30 **Use of Force I: Divining the Line Between Reasonable and Excessive**

This panel will discuss appropriate use of force by police officers in a number of different areas including strip searches, shootings, taser, self-defence, as well as the use of video cams.

Moderator:

Nadine Cooper Mont, Commissioner
Nova Scotia Office of the Police Complaints Commissioner

Panellists:

Ronald J. MacDonald, Q.C., Director
Nova Scotia Serious Incident Response Team

Ian Scott, former Director
Special Investigations Unit, Ontario

10:30 – 10:45 Refreshment Break

10:45 – 12:00 **Use of Force II: Use of Force Experts in Court Proceedings**

This panel discusses whether use-of-force reports/experts are an appropriate form of evidence in court proceedings. The use-of-force report will be explained and two senior BC counsel and a use-of-force expert will debate the issue.

Moderator:

Tony Loparco, Director
Ontario Special Investigations Unit

Panellists:

Oleh Kuzma, Deputy Director, Legal Operations
BC Ministry of Justice

Ravi R. Hira, Q.C.
Affleck, Hira & Burgoyne

John McKay
John McKay Consulting Incorporated

12:00 – 1:30 Keynote Luncheon Speaker
Robert Mitchell, Q.C., Chair,
Saskatchewan Public Complaints Commission

Introduction:

Stan T. Lowe, Commissioner
Office of the Police Complaint Commissioner of
British Columbia

Lunch provided by CACOLE in the Pender Island Ballroom & Pacific Lounge

1:30 – 2:45 **Aboriginal Perspectives on the Civilian Oversight of Police**

Is it possible for aboriginal stakeholders to have confidence in the civilian oversight of police? Throughout Canada, in rural and urban communities, aboriginal stakeholders engage civilian oversight agencies. Does the structure of those oversight agencies instill confidence that police will be held accountable for their actions? The panel will discuss strategies unique to aboriginal stakeholders in an effort to create confidence in those civilian oversight authorities.

Moderator:

Clifton Purvis, Director, Alberta Serious Incident Response Team

Panellists:

Ron Hepperle, Director
First Nations Policing Government of Alberta

Wendy Grant-John, Councillor and former Chief Musqueam
First Nation

Chief Robert Louie
Westbank First Nation

2:45 – 3:00 Refreshment Break

3:00 – 4:00 **The Burden of Oversight**

As demands for public accountability of the police have increased, so too have the number of bodies charged with various aspects of the oversight regime. Police officers involved in a serious incident can now potentially have their conduct reviewed by a civilian criminal investigative body, a coroner in the case of death, the civil courts, a complaints review body, their own force, a police services board or even an ombudsman. What are the effects of this multiplicity of processes, and how can we do a better job of integration within the existing legislative framework, particularly in light of concerns at all levels of government about the economics of policing?

Moderator:

Ian McPhail, Q.C., Interim Chair
Commission for Public Complaints Against the RCMP

Panellists:

Steven M. Boorne, Barrister & Solicitor

Craig MacMillan, Assistant Commissioner Professional Integrity Officer, RCMP

4:15 – 4:30 Group Photo

6:30 – 8:30 Board of Directors and Delegate Dinner

WEDNESDAY, May 7, 2014

7:00 – 8:30 Breakfast for Delegates in the Pender Island Ballroom & Pacific Lounge

8:30 – 10:00 Early Resolution Processes

The panel will examine the use and benefits of various resolution programs (ADR) being employed in resolving public complaints against police and their benefits for police in relation to risk management and for the complainants in relation to having a part in framing complaint resolution outcomes.

Moderator:

Gerry McNeilly, Director
Office of the Independent Police Review Director

Panellists:

Ken Cormier, Manager, Investigations
Office of the Independent Police Review Director

Rollie Woods, Deputy Police Complaint Commissioner,
Office of the Police Complaint Commissioner of
British Columbia

10:00 – 10:15 Refreshment Break

10:15 – 11:30 Who Should Prosecute the Police?

This panel will address the issue of police officer prosecutions. The panel will speak to a developing view amongst some experienced in the areas of criminal and professional misconduct involving law enforcement that there exists an institutional bias in favour of the police in both the prosecution and sentencing of the police. The panel will cover topics such as: *The perception of institutional bias in favour of the police: Who should conduct criminal prosecutions of police and who should preside over professional misconduct proceedings?*

Moderator:

Glenn Stannard, Chair
Military Police Complaints Commission

Panellists:

Morris Elbers, President, ELBS Inc.
(Ret) Superintendent, OPP

Douglas King, Staff Lawyer
Pivot Legal Society

11:30 – 11:45 Concluding Remarks from Stan T. Lowe, CACOLE President

2015 CACOLE Conference Announcement

11:45 – 12:00 Program Evaluation Circulated for Completion

12:00 2014 CACOLE Conference Concludes

Continuing Professional Development

*** Attendance at this conference may be applied toward Continuing Professional Development (CPD) for lawyers in some provinces.*

For example, it can count for up to nine substantive hours toward CPD in Ontario, but not professionalism hours or new member requirement.