

**CANADIAN ASSOCIATION FOR CIVILIAN  
OVERSIGHT OF LAW ENFORCEMENT**

**CIVILIAN OVERSIGHT  
IN AN EVOLVING FUTURE**



**AGENDA**  
**MAY 8th – 11th, 2016**  
**Saskatoon, Saskatchewan**

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## **CACOLE Program 2016 is brought to you by:**

### **PROGRAM CHAIRS:**

W. Brent Cotter, Chair, Saskatchewan Public Complaints Commission (SK)

Zane Tessler, Executive Director, Manitoba Independent Investigation Unit (MB)

### **PROGRAM MEMBERS:**

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

Max Churley, Investigator, Manitoba Law Enforcement Review Agency (MB)

John A. Clarke, Executive Director, Saskatchewan Public Complaints Commission (SK)

Nadine Cooper-Mont, Commissioner, Nova Scotia Office of the Police Complaints Commissioner (NS)

Sue Hughson, Director, Alberta Serious Incident Response Team (AB)

Paul Larochelle, Commissaire, Commissaire a la deontologie policiere (QC)

Rick Linden, Chair, Manitoba Police Commission (MB)

Tony Loparco, Director, Ontario Special Investigations Unit (ON)

David Loukidelis QC, Chair, Law Enforcement Review Board (AB)

Stan T. Lowe, Commissioner, Office of the Police Complaint Commission (BC)

Ronald J. MacDonald QC, Director, Nova Scotia Serious Incident Response Team (NS)

Jennifer Malloy, Executive Director, Canadian Association of Police Governance (ON)

Ian McPhail, QC, Chair, Civilian Review and Complaints Commission for the RCMP (ON)

Andy Pringle, Chair, Toronto Police Services Board (ON)

Ronald Cormier, Executive Director, New Brunswick Police Commission (NB)

Randy Doyle, Manager, Royal Newfoundland Constabulary Public Complaints Commission (NL)

Richard Rosenthal, Director, Independent Investigations Office (BC)

Hilary McCormack, Chairperson, Military Police Complaints Commission (ON)

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

Lesley Kelly, Executive Director, Law Enforcement and Oversight Branch (AB)

Cathy Palmer, Chair, Edmonton Police Commission (AB)

Stephen Jovanovic, Associate Chair, Ontario Civilian Police Commission (ON)

Richard Peach, Executive Director, Saskatchewan Police Commission (SK)

Lisa Silver, Commissioner, Calgary Police Commission (AB)

Debbie Wilson, CACOLE Executive Director (ON)

### **WITH THE ASSISTANCE OF:**

Staff of the Saskatchewan Public Complaints Commission:

Wendy McGough

Genevieve Rollheiser

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## **CONFERENCE SYNOPSIS**

### **Civilian Oversight: In An Evolving Future**

#### **Conference Location:**

Delta Bessborough  
601 Spadina Crescent East  
Saskatoon, Saskatchewan

#### **Early Registration Desk**

Sunday, May 8, 2016  
5:00 pm to 7:00 pm

#### **Regular Registration**

Monday, May 9, 2016  
7:00 am to 8:30 am

#### **Professional Development Conference**

Monday, May 9, 2016, 8:30 a.m. to Wednesday, May 11, 2016, 12:00 p.m.

#### **CACOLE Annual General Meeting and Election of Officers**

Monday, May 9, 2016  
4:30 pm

#### **Welcome Reception at the Delta Bessborough**

Monday, May 9, 2016 – Terrace Lounge  
5:30 pm – 7:00 pm

#### **Board of Directors and Delegates Dinner\***

*Wanuskewin Heritage Park, Awi-Paskwaw-South*  
Tuesday, May 10, 2016  
6:00 p.m. – 8:00 p.m. Dinner

#### **Award Presentation**

*\*Note: Delegate guests are welcome to attend with pre-arrangement!*

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## MONDAY, May 9, 2016

7:00 – 8:30 [Conference Registration & Breakfast for Delegates](#)

8:30 – 9:00 **Welcome** Adam Ballroom

*Brent Cotter, CACOLE President*

*Chief Clive Weighill  
Police Service and President, Canadian Association of Chiefs of Police*

*Gord Wyant, Q.C.  
Minister of Justice and Attorney General*

9:00 – 10:45 **Police Pursuits** Adam Ballroom

*Moderator: Ron MacDonald, Q.C., Director  
Nova Scotia Serious Incident Response Team*

*Panellists: Ron MacDonald, Q.C., Director  
Nova Scotia Serious Incident Response Team*

*Zane Tessler, Civilian Director  
Manitoba Independent Investigation Unit*

*Christine Hudy, M.Ed.  
Acting Manager, Training Program Support and Evaluation, RCMP*

*Grant St. Germaine, Superintendent  
North District Commander, RCMP F Division*

Police pursuits lead to a significant percentage of injuries and deaths arising from the interaction of the police and offenders each year in Canada. They also have a potential to result in injury or death to members of the public. As a result most police agencies have developed comprehensive policies to govern this activity. This difficult area must balance safety with the need to apprehend offenders. The session will examine statistics and law related to pursuits, as well as relevant police policies and a review of representative cases.

10:45 – 11:00 [Refreshment Break](#)

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## MONDAY, May 9, 2016

11:00 – 12:30 Comparison and Concerns on Legal Decision Making Criteria for Oversight Adam Ballroom

*Moderators: Zane Tessler, Executive Director  
Independent Investigation Unit*

Adam Ballroom

*Panellists: Zane Tessler, Executive Director  
Independent Investigation Unit*

*Joseph J. Markson  
Defence Counsel, Markson Law*

*Bonnie Bokenfohr, Public Complaint Director and Legal Counsel  
Edmonton Police Commission*

*Reasonable suspicion; More likely than not; Reasonable and Probable; Balance of Probabilities; Reasonable likelihood; Beyond Reasonable Doubt. Different standards, different tests, different considerations – can they lead to different decisions by related oversight agencies?*

*In this session, we will examine and contrast the varying and diverse standards of proof employed by police oversight agencies in Canada and abroad. How low or high should the bar be set? Can conflicting decisions arise on the same factual circumstances? Is it time to consider one standard for all matters involving police oversight? The session will be interactive, with discussion and questions being encouraged.*

12:30 – 1:30 Lunch provided by CACOLE

1:30 – 3:00 Criminal Investigative Oversight and the Police: Partnership or Protagonists? Adam Ballroom

*Moderator: Ron MacDonald, Q.C., Director  
Nova Scotia Serious Incident Response Team*

*Panellists: Tom Stamatakis, President  
Canadian Police Association*

*Tony Loparco, Director  
Special Investigations Unit, Ontario*

*Sue Hughson, Q.C., Executive Director  
Alberta Serious Incident Response Team*

*The SIU, ASIRT, SIRT, the IIO, and the IIU all now provide criminal investigative oversight of police in five provinces. These units have generally been viewed as a necessary and valuable part of policing in Canada. Indeed, Quebec is soon to have their own unit, the Bureau des enquêtes indépendantes, while other provinces are actively considering them. Building and maintaining relationships with police management and associations is a critical part of the job for each of these organizations. This session offers an opportunity for a frank discussion of various issues from each perspective, as well as a question and answer period. The goal will be to not only discuss issues, but to develop a way forward to advance lasting solutions.*

3:00 – 3:15 Refreshment Break

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## MONDAY, May 9, 2016

3:15 – 4:45 Oversight: Citizens, Police and Mental Health

Adam Ballroom

*Moderator: Gerry McNeilly, Director  
Office of the Independent Police Review*

*Panellists: A/Sgt. Steve Holmes  
Hamilton Police Service*

*Sarah Burtenshaw  
St. Josephs Healthcare, Hamilton*

*Roslyn Shields  
Sr. Policy Analyst  
Centre for Addiction and Mental Health (CAMH)*

*Ian Scott, Barrister and Solicitor  
Law Office of Ian Scott*

*Police officers are responding to an ever-increasing number of calls involving people in crisis. This session looks at police services' approaches to addressing mental health and dealing with people in crisis, as stakeholders and the public call for police to establish working relationships with the mental health community, and also for increased civilian oversight and leadership in this area. The session examines the issues and the best practices to ensure police effectively address the needs of people in crisis while protecting the public, while acknowledging that this crisis should not only be a police issue but a sharing of responsibilities by Government, mental health agencies, police services and the public.*

4:45 – 5:15 CACOLE Annual General Meeting and Election of Officers

Adam Ballroom

5:30 – 7:00 Welcome Reception  
Cash Bar

## TUESDAY, May 10, 2016

7:30 – 9:00 Breakfast for Delegates

9:00 – 10:45 Civilian Oversight: Comparative and International Perspectives

Adam Ballroom

*Moderator: Ian McPhail Q.C., Chair  
Civilian Review and Complaints Commission for the RCMP*

*Panellists: Kelvyn Anderson, Executive Director  
Police Advisory Commission, Philadelphia*

*Sandra Musumeci, Deputy Inspector General  
New York Police Department*

*Civilian Oversight of Law Enforcement has been in a dynamic state of evolution for at least the last decade. While much of this dynamism has occurred in Canada, other countries have seen the development of a range of approaches to Civilian Oversight that can inform the Canadian experience. Speakers with an international or comparative perspective will share their thoughts and experience with the audience at this session.*

10:45 – 11:00 Refreshment Break

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## **TUESDAY, May 10, 2016**

**11:00 – 12:45 Resolving Civilian Complaints  
Mediation, Conciliation, Intermediate Ways – Different Perspectives**

**Adam Ballroom**

*Moderator: Gerry McNeilly, Director  
Office of the Independent Police Review*

*Panellists: Stan Lowe, Commissioner  
Office of the Police Complaint Commissioner, British Columbia*

*Gerry McNeilly, Director  
Office of the Independent Police Review Director, Ontario*

*Paul Larochelle Q.C., Commissioner  
Police Ethics Commissioner, Quebec*

*Public Confidence in civilian complaint systems is central in increasing and maintaining public trust in our police services all across Canada. There are different ways in determining a citizen complaint. While formal avenues such as investigations, conduct inquiries, and adjudications may be necessary in more serious matters, the majority of complaints involving police are less serious and are better resolved through alternative dispute resolution (ADR) processes like mediation, conciliation or informal resolution.*

*This session will examine three different provincial approaches to alternative dispute resolution of complaints against polices. Each panelist will examine the system in place in their province, and their experiences in terms of the issues associated with their processes. The panel will also examine the future of ADR in the Canadian context and the potential influence it may have on public trust and confidence in our police services, as well as police confidence in the process. Audience participation is a valuable component of this session.*

**12:45 – 1:30 Lunch provided by CACOLE**

**1:30 – Travel to Wanuskewin Heritage Park**

**2:30 – 4:30 Respecting Culture to Improve Policing and Civilian Oversight**

**Part I: Practical Implications: Bridging Cultural Gaps to Improve Service and Communication**

*Moderator: Sue Hughson, Q.C., Executive Director, Alberta Serious Incident Response Team*

*Panellists: Tom Hewitt, Aboriginal Liaison Officer and Civilian Investigator  
Alberta Serious Incident Response Team*

*Anne Wildcat, Board Councillor  
Erminskin Cree Nation*

*Jason McAdams, Sergeant  
RCMP – Regina*

*Working in an environment where distrust of any authority is common, what can we do as police and civilian oversight agencies to better bridge the gaps between our agencies and the communities where we often work, most commonly, our aboriginal communities? What can be done to provide the right environment for communication, respecting cultural traditions? This session will examine what has been tried, what has worked and what can be improved. The role of a Community Liaison in an investigation will be examined and the challenges faced by both agencies and the individual chosen will be discussed.*

**Part II: Aboriginal People and Policing: Perspectives, Progress, Oversight**

*Moderator: Brent Cotter, Chair  
Saskatchewan Public Complaints Commission*

*Panelist: Chief Clive Weighill  
Police Service and President, Canadian Association of Chiefs of Police*

*Mike Metatawabin, Board Chair/President  
Nishnawbe Aski Police Service*

*Shawn Batise, Vice Chair/Vice President  
Nishnawbe Aski Police Service*

*Julian Falconer, B.A., LL.B., LLD (Hon)  
Falconers LLP*

*Canada's Aboriginal People are, in disproportionate numbers, the subject of police-citizen engagements. And in some cases, these encounters have been problematic, leading to significant changes in policing and civilian oversight models in Canada. For this reason it is important to engage Aboriginal leaders on questions of civilian oversight, to assess progress and to work to constantly enhance cultural understandings. The first part of this session will examine the ways in which the police-Aboriginal citizen experience is perceived and the ways in which progress is being undertaken in some cities.*

*As well, with the development of Aboriginal-governed policing services in some Canadian communities has come the development of Aboriginal oversight of these police services. This will be the subject of the second part of the session. Representatives of one such Aboriginal policing model will share their experiences in this new world of policing and police oversight.*

**4:45**            **Group Photo**

**5:00**            **Transportation back to Delta Bessborough for the members not attending the Delegate Dinner**  
**Entertainment**

**6:00 – 8:00**    **Board of Directors and Delegate Dinner, Awi-Paskwaw-South**

**Award Presentation (Media Coverage)**

**Keynote Speaker: Doug Moen Q.C., Deputy Minister to the Premier of Saskatchewan**

**8:30 p.m.**    **Return to Delta Bessborough**



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**WEDNESDAY, May 11, 2016**

7:00 – 8:30 **Breakfast for Delegates**

8:30 – 10:00 **Management/Control of Crime Scenes**

Adam Ballroom

*Moderator: Tony Loparco, Director  
Special Investigation Unit, Mississauga*

*Panellists: Tony Loparco, Director  
Special Investigation Unit, Mississauga*

*Ches Parsons  
"A" Division Criminal Operations Officer  
National Security, RCMP*

*Ronald MacDonald Q.C., Director  
Serious Incident Response Team (SIRT), Nova Scotia*

*Lorne Pubantz, Team Commander North  
Alberta Serious Incident Response Team (ASIRT)*

*How are crime scenes managed across the country during investigations by Civilian Oversight bodies of possible criminal conduct by a police officer to ensure the integrity of the investigation? Contrasting approaches across the country. Who is responsible for processing/documenting the scene? Continuity of exhibits, processing of exhibits etc. Legislation/policy governing the relationships between the Civilian oversight bodies and police departments in relation to parallel investigations.*

10:00 – 10:15 **Refreshment Break**

10:15 – 11:30 **Use of Force, De-escalation**

Adam Ballroom

*Moderator: Randy Doyle, Manager  
Royal Newfoundland Constabulary PCC*

*Panellist: Dr. Orville Nickel*

*Current research paper: "Critical Factors in Police Use-Of-Force Decisions, including an analysis of how female police officers" use-of-force decisions differ from the decisions of their male colleagues. With the help of Ph.D. researchers I am working to duplicate my dissertation study in the United States the results of which will be published in due course.*

11:30 – 11:45 **Concluding Remarks from Brent Cotter,  
CACOLE President**

Adam Ballroom

2017 CACOLE Conference Announcement

12:00 **2016 CACOLE Conference Concludes**