

Manitoba's *Police Services Act*

.....
CACOLE – June 9, 2010

***Delta Fredericton Hotel
Fredericton, New Brunswick***



PSA Objectives

- Modernized Police Services Act
- Independent and transparent investigations
- Civilian participation in local police management & oversight
- Civilian input on province-wide policing issues

Timelines

- Feb 4/09 – Consultations commence
- April 14/09 – Bill 16 is tabled
- June 18/09 – All-party review
- Oct 8/09 – Royal Assent

Nov 09 to Present – Budget & Background

Pre-Act Consultations

- 120 stakeholders:
 - Police chiefs
 - Police Associations
 - Mayors, Reeves, CAOs, councillors
 - AMC, MMF, SCO, MKO
 - Prosecutors
 - Defence counsel
 - Academics
 - Community agencies
- 5 public meetings
- Web-based consultations
- Standing Committee review of the Bill

3 Core Elements

- **Independent Investigation Unit** (Investigation of Cases)
- **Local Police Boards** (Local Management of municipal and First Nation police services)
- **Provincial Police Commission** (Province-wide independent Commission to provide advice on policing standards, issues, etc)

Independent Investigation Unit

Key Issues

- Public & officer confidence when police officers are the subject of a potential criminal investigation
- Required skill-sets for investigators
- Transparency & maximum independence

Core Elements

- Applies to on and off-duty incidents – RCMP, Municipal, & First Nation police
- Civilian director & stand-alone unit
- Qualifications of investigators
- Mixed unit
- Embedded legal counsel
- Civilian monitors
- Independent prosecutors

Jurisdiction

IIU

Mandatory Cases

- Fatal Force
- 'Serious Injury'
- Prescribed offences

Discretionary Cases

- All other cases
- Unit would monitor, have authority to take over any investigation and follow-up

Initiated Tasks

- ▶ Budget process near completion
- ▶ Review of position descriptions for Director, Senior Investigators and Investigators within:
 - ASIRT
 - SIU
 - RCMP
 - WPS
 - Civilian monitors

Initiated Tasks

- ▶ Review of ASIRT and SIU investigative policies
- ▶ Ongoing media scans of ASIRT and SIU cases

Priority Tasks

- ▶ **Hire Director and consultation plan**
- ▶ **Regulations & required elements:**
 - defining 'serious injury' in relation to mandatory IIU investigations
 - IIU qualifications
 - timing of subject and officer interviews
 - Police & IIU Protocols: incident notification, accessing special services (e.g., IDENT)
 - Selection & training of civilian monitors

Local Police Boards

Canadian Experience

- Create a buffer to limit perceptions of and actual political interference in local policing
- Facilitate civilian input and oversight of policing
- Enhance police accountability to the community
- Enhance responsiveness to local priorities, emerging concerns and trends

Local Police Boards

- Mandatory for Municipal and First Nation Police Services
- Profile:
 - Membership: 3-5-7
 - Proposed duties & powers
 - Mandatory training & codes of conduct

Initiated Tasks

- **Continued consultations with municipalities**
- **Documents collection and review:**
 - Board Policy manuals
 - Position descriptions for board members, chair and vice chair
 - Board Training material
 - Codes of Conduct for board members
 - Budgeting models for use by boards

Manitoba Police Commission

- **Facilitate public input into province-wide standards & policing services**
- **Statutory Duties:**
 - Advice to Government on PSA Regulations & Standards
 - Training & policy manuals for local police boards
 - Roster of Civilian Monitors for the IIU
 - Special studies

Initiated Tasks

- MPC budget approval pending Estimates
- Identification of priority regulations -
- Operational mandate of civilian monitors

Obtaining Copies of the Act

<http://web2.gov.mb.ca/laws/statutes/2009/c03209e.php>

or

George.wright@gov.mb.ca

204.945.8696