

## C.A.C.O.L.E. Taking Aim at Canadian Issues



### President's Message

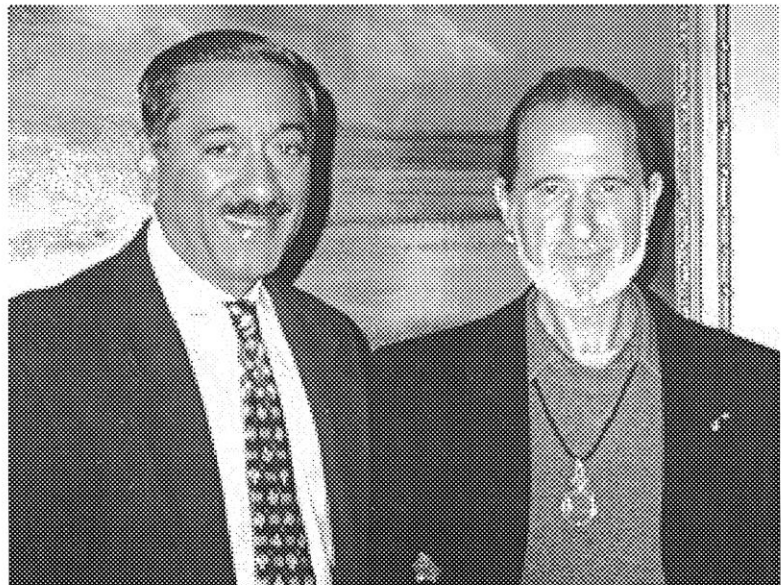
There have been significant changes within some of our provinces over the last few years in regards to their systems of Oversight of public complaints. With these changes of management there are new people entering into oversight positions who have new ideas to offer to all of us. These same individuals are enthusiastically embracing CACOLE as a source of information and direction. I would personally like to take this opportunity to welcome them to our organization. Fresh ideas are the backbone of growth within any endeavor and we welcome the insight each of you have to offer.

M. Jean Beeler

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*The Honourable Justice Wallace Opal and Frank Serpico  
taken at last year's conference in Vancouver*

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One of the highlights from last year's conference was our guest speaker Frank Serpico. He proved to be not only an interesting speaker but was very good natured about providing many of the delegates and other panellist with the thrill of a photo shoot. Pictured above with Justice Wallace Opal in the foyer of the Sutton Hotel between sessions.

## President's Message

(Continued from page 1)

I would be remiss if I did not take this opportunity to speak of this year's plans for the conference. The location has been selected as Saint John's New Brunswick and Colleen Knudson of the New Brunswick Police Commission has been of tremendous assistance in making all of the arrangements that are needed to put an event of this size together.

The Conference Committee has been meeting on a regular basis planning the

types of workshops and panels that will not only be of interest but contain some practical applications in our day to day work.

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"Fresh ideas are the backbone of growth within any endeavor"  
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Informal resolutions between complainants and the police are a goal all of us strive to achieve when appropriate. This year we are pleased to offer a half day instruction in Mediation. Michael Keating is a well known instructor within this area and has been chosen to address the delegates in this growing method of complaint resolution.

We have worked hard to make this conference one that will give all of our delegates real working knowledge to bring back to their businesses.

I am looking forward to meeting each of you during this year's event and urge you to make your plans to attend early.

Jean Beeler is Chair of the Nova Scotia Police Commission



## Morin Reforms Trickle Into Courts Improved treatment of accused people appears sporadic

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The Toronto Star  
April 21, 1998

At their first encounter with the jurors who will decide their fate, Gary Moore-McFarlane and Paul Bogel were little more than nameless bodies.

Seated in the prisoner's dock in the University Ave. courtroom, the two men were presented simply as "the accused" during the somewhat tense and highly repetitive jury selection.

"Juror look upon the accused" the registrar instructed in what has become a linguistic convention of Canadian courts.

What is significant is that the term was being used more than a week after a report into the Guy Paul Morin case recommended that its use be curtailed.

Former Quebec Court of Appeal Judge Fred Kaufman suggested that prosecutors and the courts be encouraged to refer by name to people charged with crimes.

Kaufman also recommended that barring the existence of a proven security risk, people charged with a crime be given the option of sitting with their lawyers, instead of in the dock.

The idea is to improve the treatment of people charged with a crime, to reinforce the presumption of innocence. Kaufman's report said the environment of trials, especially jury trials must reflect that the person charged "really is innocent until proven guilty beyond a reasonable doubt."

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"It's difficult to conceive, quite frankly, of any good reason not to put them into practice,"  
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The two ideas are arguably the easiest of Kaufman's 119 recommendations to implement. So lawyer Melvyn Green, representing the Association in Defence of the Wrongly Convicted, is puzzled as to why there has been little change.

"It's difficult to conceive, quite frankly, of any good reason not to put them into practice," Green said.

"They can only contribute to fairness and equality in the justice system."

Yet in the courtrooms through-out the University Ave. Building last week, people standing trial for everything from murder to armed robbery were invariably corralled in the wooden dock, often behind bulletproof screens.

In typical fashion, lawyers for a man named Alvin James, who was charged with sexual assault, obtained permission to have their client's handcuffs removed each day before the jury filed into the courtroom.

Still, the armed court officer seated next to the dock was difficult to ignore.....

## Number of Officers Per Capita Declines

Blue Line Magazine  
April 1999

The number of police officers per capita declined for the seventh consecutive year, Statistics Canada reported in February.

There were 181 officers for every 100,000 population in 1998.

The ratio of police officers to civilians increased steadily during the '60s and early '70s but the numbers have been declining in recent years, the agency reported.

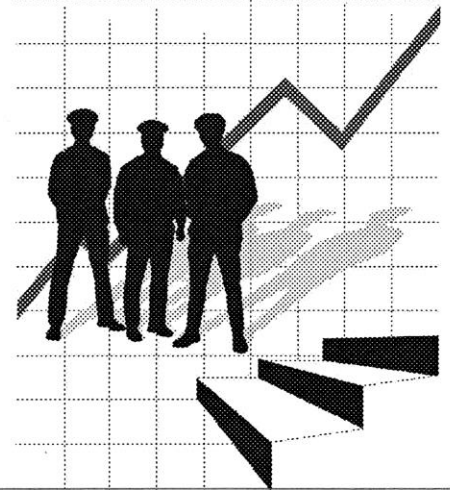
The total number of officers in Canada on June 15, 1998 was 54,722, which is virtually the same as the year before.

Manitoba had the highest number of police per capita with 195 per 100,000. Prince Edward Island had the lowest rate with 143.

However, the report showed a slight increase in the amount spent on policing in 1997 - 98. An estimated total of \$6 billion was spent on policing services in 1997, or roughly \$200 for each Canadian.

Statistics also showed an increase in the number of female police officers. Women accounted for almost one out of every eight officers.

The number of male officers dropped by 1.2 per cent in 1998 over the previous year, while the number of female officers increased by 9.8 per cent.



## Solicitor General to Increase Public and Police Officer Safety

Toronto, Ontario February 12, 1999

Solicitor General and Minister of Correctional Services Robert Runciman released a report resulting from a comprehensive review of pursuit procedures.

"I asked for the review because our government takes the issue of pursuits seriously, especially where public and police officer safety is concerned," said Mr. Runciman. "I will be instructing ministry officials to consult on how best to implement the recommendations as soon as possible. As well, I will discuss possible Highway Traffic Act amendments that will increase penalties for drivers fleeing the police with the Minister of Transportation.

The recommendations outlined in the report include:

- amending through regulation the policy direction to police services and police officers on pursuits, including setting out a new three-part test to initiate a pursuit, requiring that greater consideration be given to alternatives to pursuits, and enhancing supervisory controls over pursuits;
- providing support for the training of police officers and supervisors on pursuits, including the production of a new training video on police pursuits and alternatives to them;
- providing seed funding on a one-time basis for demonstration helicopter projects and their evaluation. It will be the responsibility of the interested police services to negotiate with operators and develop proposals for provincial funding;
- provide funding for the purchase of tire deflation devices and their evacuation. Nine police services across the province will be receiving over \$100,00 in front-line policing grants to purchase tire deflation devices; and
- amending the Highway Traffic Act to strengthen fines and penalties for drivers attempting to flee the police, as well as pressing the federal government to toughen the relevant Criminal Code penalties.

## IACOLE - Update Australia Conference

International Connection  
February 1999 Issue

For those of you not aware, the 15th Annual World Conference will be held September 5-9, 1999 in Sydney, Australia.

International Exposure: From 1985 to 1998 all IACOLE conferences have been held in North America, nine in the United States and five in Canada. Until very recently our newsletter was in English only and all business was conducted in North America. This makes it difficult to convince those who are not from North America that we are truly an international association. Hopefully, the 1999 Conference in Sydney will be a step to enhancing our international exposure. This does not mean that North America does not remain very important to us. We need, however, to start rotating the conference to all parts of the world to broaden our exposure, membership and influence. It is difficult to keep international representative interested if we fail to bring our programs to their part of the world.

We are developing an interesting program and are getting significant assistance and warm welcomes from the governments and people of Australia. One of the highlights of the conference is that numerous sessions will be held at the New South Wales Parliament House, thanks to the generosity of the members of the Legislative Assembly of New South Wales.

The Board of Directors of CACOLE would like to extend our support to IACOLE and wish them a successful conference. For more information on IACOLE's 1999 conference you may contact the President, Mark A. Gissiner, at City of Cincinnati, Cincinnati, Ohio. Tel: 513-352-6240.

### We can police our own, says man in charge

No Need for arm's-length agency to probe alleged cop crimes: inspector

By Mike McIntyre - Police Reporter  
Winnipeg Free Press - May 22, 1999

MANITOBA JUSTICE officials should consider setting up an arm's-length group to investigate alleged police criminal misconduct, a spokesman for Ontario's Special Investigations Unit says.

The call comes a day after a Winnipeg police officer was found not criminally liable for the death of a city woman after she was flung from his speeding motorcycle on a ride home from a city bar two years ago.

On Thursday night, a jury found Const. Bob Lesuk was not guilty of impaired driving causing death, not guilty of impaired driving and not guilty of dangerous driving causing death.

He was, however, found guilty of dangerous driving and refusing to give a breath sample.

"From a public perception point of view, it's never a good idea when police investigate themselves. You'll never be able to convince the public there isn't a bias there," said SIU supervisor Bob Slack.

"It's very difficult to take a police officer before a jury and get a conviction. It's pretty well known that people are willing to give police officers the benefit of the doubt."

Ontario is the only province in Canada to have a separate unit to investigate police.

Insp. Roy Smith, head of the Winnipeg Police Service internal investigations unit, said yesterday the force has no desire to have a similar unit here.

"We're not going to change the way we do business. Nobody else would be able to do a better job than we did," Smith said.

Smith also said police will not change the way they investigate their own, despite three other cases in the past year where charges against officers have been thrown out.

Besides the Lesuk case, charges have included stealing evidence, theft and weapons offences.

"This was all done above board, and we even bring in Crowns from outside the city who don't know the officers so there can be no perception of bias," he said.

Lesuk is suspended without pay pending the outcome of his sentencing hearing on the two convictions. Senior officers will review his status once the case is complete.

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## We can police our own

(con't)

"We have officers with convictions who are still working, but we have never had a case like this before. It is much more serious, and resulted in the death of this young lady," said Smith. "Just because he is not guilty of a criminal offence does not mean he couldn't be charged and convicted of breaching internal regulations."

Smith also said police officials are puzzled that a jury did not find Lesuk responsible for Koreen Wood's death.

"If citizens are concerned, perhaps they should look at the judicial process," he said. "I feel we did a very thorough job on this case and the evidence was there. I'm quite baffled by this."

"Once we get it into court, for some reason, it seems to be very difficult to convict a police officer."

"The jury's decision is very unusual to me. They were prepared to find him guilty of refusing a breathalyser, but they didn't look at the impaired part," said Smith.

"I don't know if they understood that in order to request a breathalyser, there has to be suspicion the person was impaired. In my mind this should be a no-brainer"

Police were unable to obtain a blood sample from Lesuk after he refused the breath test, as a judge would likely never issue a warrant to have it done forcibly.

"The only times we can do that is if the person is unable to speak. But we couldn't drag him down kicking and screaming, roll up his sleeve and take his blood," said Smith.

He was also confused as to how the jury found Lesuk guilty of dangerous driving, but not dangerous driving causing death.

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## Executive Director's Message

Susan James

We are actively working to develop a conference that will be, as the past conferences have been, one that brings together members of the civilian oversight community. It will offer delegates an opportunity to meet with their contemporaries from other provinces and provide panels that have presenters that will increase our understanding of the ways we carry out our very important mandates. We are very pleased to provide a session this year on mediation and dispute resolution. The agenda attached will provide you with an overview of the conference as of the date of this printing. As additional speakers are secured an updated version will be distributed within our mailing lists.

A strong membership in CACOLE will furnish the support our organization needs to allow us to provide practical information to not only other over-sight agencies but to police services as well. Our goal is to fully represent the Canadian Civilian Oversight Community. A strong membership will also allow us to continue to provide the assistance to the International Civilian Over-sight Community that seek our assistance.

Pam Little and I work hard to see that the newsletters are informative and interesting. We can only do that with your help. Please send us any information or media clippings that would be suitable for inclusion in the newsletter. It is a way of sharing information and keeping us all abreast of the issues that are developing in all jurisdictions.

For more information on CACOLE please feel free to contact me at:

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e-mail: [sujames@idirect.com](mailto:sujames@idirect.com)

**Canadian Association for Civilian Oversight of Law  
Enforcement (CACOLE)  
1999 Conference Agenda - Delta Brunswick**

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Tuesday, September 21, 1999

4:00 to 5:30 p.m. . . . . CACOLE Conference Committee Meeting

7:00 to 9:00 p.m. . . . . Registration and Reception

Take advantage of this opportunity to meet informally with other delegates in the McAvity Room. Your delegate packages will be available with finalized agendas, information on the City of Saint John, etc. Additional tickets will be on sale at this time for spouses/friends to attend the dinner at Grannons Seafood Restaurant.

Wednesday, September 22, 1999

8:15 to 8:45 a.m. . . . . Additional Registration

If you're late arriving and could not make last evening's reception you can still register at this time.

9:00 to 9:30 a.m. . . . . Welcome and Opening Remarks

The opening of the conference will be by an official of the New Brunswick Government

9:30 to 10:30 a.m. . . . . Cross Country Checkup

The Cross Country Checkup has been altered this year to highlight some of the major changes which have occurred within some of our provinces. Jean Beeler, President of CACOLE, will be the Moderator. Don Morrison, British Columbia Police Complaints Commission and representatives from Quebec and Ontario will be offering us an appreciation of some of the major changes and challenges that they have experienced.

10:30 to 10:45 a.m. . . . . Refreshments/Break

10:45 to 12:30 p.m. . . . . Accountability - Taking the Pulse of Law Enforcement

This session will examine the methods used by oversight, governing authorities and law enforcement agencies to ensure accountability. Risk assessment, audit and evaluation, corrective measures.

12:30 to 2:00 p.m. . . . . Lunch & Guest Speaker

Justice Fred Kaufman has tentatively agreed to speak. Justice Kaufman has led a distinguished career within the criminal justice system and presided over the Commission of Inquiry into the wrongful conviction of Guy Paul Morin.

..... Agenda Con't on Page 2

2:00 to 3:30 p.m. . . . . **Inquest and Inquiries - Lessons Learned**

Although most of us consider Canada a land of equity and fairness, injustices have occurred. After many years of incarceration, individuals such as Donald Marshall, Guy Paul Morin and David Milgard were found to be innocent after having been wrongly convicted. This session will focus on the recommendations for changes in practices and policies that arose following review of cases such as these.

3:30 to 3:45 p.m. . . . . **Refreshments/Break**

3:45 to 5:00 p.m. . . . . **Alternative Justice (First Nations)**

An evaluation and intricacies of a growing trend to apply alternative justice systems within our first nation communities. Justice Graddon Nicholas of the New Brunswick Provincial Court and Paula Marshall, Director of the Mi'kmaq's Young Offender Program in Nova Scotia will review their experience with Healing Circles and the Alternative Justice System.

Thursday, September 23, 1999

9:00 to 10:30 a.m. . . . . **Focussing Today - Planning for Tomorrow**

If you don't know where you are going, any road will do . . . Civilian oversight agencies serve the public interest, nevertheless, they should operate as a business. This session will provide an overview of strategic planning principles: accountability, objectives, standards, performance measures, monitoring and evaluation. Colleen Knudson, member of the New Brunswick Police Commission and Hyacinthe Josiah, Senior Advisor with the Ontario Civilian Commission on Police Services will be discussing the importance of and steps required for implementing a strategic plan.

10:30 to 10:45 a.m. . . . . **Refreshments/Break**

10:45 - 12:00 a.m. . . . . **Perspectives on Investigations**

Investigations, whether it be at the police level or oversight level, require certain skills and techniques. This session will centre on the expertise needed, and the direction a good investigation. Both police and oversight agencies will be interested in the perspective our precentors will offer. The Moderator for this session will be Cylene Riopel of the RCMP Public Complaints Commission, The speakers will be Kathy Wingate a prior member of the New Brunswick Police Commission, and Maime Murray an experienced police investigator from New Brunswick. An additional speaker who was involved in the Poitras Commission is also expected to speak and we are awaiting confirmation.

12:00 to 1:30 p.m. . . . . **Lunch**

Open Lunch, here is your chance to break away on your own and explore Market Square on your own.

. . . . . Agenda Con't on Page 3

**1:30 to 3:30 p.m. . . . . Mediation Workshop**

Michael Keating is a professional practitioner and instructor within the area of mediation and alternative dispute resolution. He has been retained to conduct this valuable session on Mediation. Regardless of the level of involvement you are in within policing or oversight this workshop will provide valuable insight into the benefits and procedures used to improve the number of informal resolutions.

**3:30 to 4:00 p.m. . . . . Refreshments/Break**

**4:00 to 5:00 p.m. . . . . Continuation of Mediation Workshop**

**6:15 to 9:00 p.m. . . . . Dinner at Grannons**

Grannon's is located in Market Square and is renowned for it's seafood amid historic surroundings. The cost for this dinner will be paid by registration fee. Don't forget Additional tickets will be on sale for spouses/friends to attend the dinner.

Friday, September 24, 1999

**9:00 to 10:30 a.m. . . . . General Board Meeting & Elections**



# CANADIAN ASSOCIATION FOR CIVILIAN OVERSIGHT OF LAW ENFORCEMENT

## MEMBERSHIP INFORMATION

CACOLE is a national organization of agencies involved in the oversight of police officers in Canada.

CACOLE is dedicated to advancing the concept, principles and application of civilian oversight of law enforcement throughout Canada.

The CACOLE charter allows for the following classes of membership:

### Regular Membership - Individual & Organizational

1. Organizations that have the mandate, by or under a law, to provide civilian oversight in Canada.
2. Organizations whose membership is composed of organizations that fall within paragraph 1.
3. Individuals affiliated with organizations that fall within paragraph 1 or 2.

Regular members may vote on all Association business at Association meetings and receive a reduced registration rate for the Annual Conference.

### Associate Membership - Individual & Organizational

Organizations and individuals that have an interest in civilian oversight in Canada may apply for Associate membership in the Association. Examples of who may apply for this category are:

- members of police services;
- members of other criminal justice system agencies;
- members of institutes, research bureaux, law enforcement associations, criminal justice planning councils;
- members of the Bench or Bar;
- professors of accredited colleges and universities who teach or conduct research in the field of criminology or criminal justice;
- persons who are interested in or have contributed to the civilian oversight of law enforcement.

Associate members may vote for Associate Directors on the Board of Directors. Where an Associate is an organization, the head of the organization exercises his/her vote.

### Honorary Membership

Organizations and individuals nominated by the Board of Directors, are eligible for honorary membership in the Association.



# Canadian Association for Civilian Oversight of Law Enforcement

## Membership Application

### Categories & Fees:

Regular Member - Individual	\$150.00 (Cdn. per year)
Regular Member - Organization	\$300.00 (Cdn. per year)
Associate Member - Individual	\$150.00 (Cdn. per year)
Associate Member - Organization	\$300.00 (Cdn. per year)
Honourary Member	Nominated by board of Directors

\*\*\*\*\*

Name: \_\_\_\_\_  
(Surname) (First Name) (Title)

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

Mailing Address: \_\_\_\_\_ Telephone: ( ) \_\_\_\_\_

\_\_\_\_\_ Fax: ( ) \_\_\_\_\_

\_\_\_\_\_ Internet Address/E-Mail \_\_\_\_\_

Postal Code \_\_\_\_\_

Membership Applied for: (see categories above): \_\_\_\_\_

If "Regular" Name of Organization: \_\_\_\_\_

Head of Organization: \_\_\_\_\_

Please send cheque or money order payable to:

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1999 REGISTRATION FORM  
Canadian Association for Civilian Oversight  
of Law Enforcement

**NATIONAL CONFERENCE**

September 21<sup>st</sup> - 24<sup>th</sup>, 1999

DELTA BRUNSWICK

Conference Rate: \$119.00 (Cdn) - Please make your arrangements directly with the hotel and indicate you are a CACOLE delegate.

39 King Street  
Saint John, New Brunswick E2L 4W3  
Te: 506-648-1981  
Fax: 505-658-0914  
Toll Free Reservations: 1-800-268-1133

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

Agency: \_\_\_\_\_

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

City: \_\_\_\_\_ Province: \_\_\_\_\_ Postal Code: \_\_\_\_\_

Phone: ( ) \_\_\_\_\_ Fax: ( ) \_\_\_\_\_

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

Conference Registration Fees: (includes reception and specified meals, please let us know if you with a vegetarian selection for the dinner at Grannons)

Regular and Associate Members of CACOLE or their Staff .....	\$325.00
Non-Members .....	\$375.00
Saint John area members (does not include meal functions) .....	\$225.00
Saint John area non-members (does not include meal functions) .....	\$275.00
Four or more delegates from a member agency (rate per person) .....	\$225.00
Registration plus joining CACOLE as an individual member (\$50.00 discount) ....	\$425.00)

Mail completed form and fee payable (Canadian Funds) to:

Susan James, in Trust  
#107 - 480 Oriole Parkway, Toronto, Ontario M5P 2H8  
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Vacant

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