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SECOND REPORT

Canadian Association for Civilian Oversight of Law Enforcement

**The Hon. Gerald S. Lapkin
Police Complaints Commissioner (Ontario)**

Prepared: November 7, 1995

CANADIAN ASSOCIATION FOR CIVILIAN OVERSIGHT OF LAW ENFORCEMENT

UPDATE
November, 1995

BACKGROUND

This is to provide an update on the events around the establishment of CACOLE since the previous report of May 16, 1995, a copy of which is attached.

The following is a summary of the developments at the First Annual Conference of CACOLE and the first Board of Directors meeting. For more detailed information regarding the Conference, please refer to the Conference notes, attached.

CACOLE CONFERENCE

The conference took place September 30 and October 1, 1995, Harbour Towers Hotel, Victoria, British Columbia.

The invitees were limited to heads of or employees of civilian agencies with a legislated mandate for oversight of police. There were approximately 35 in attendance representing provincial and national agencies for police governance and oversight of police conduct. Each province was represented with the exception of Prince Edward Island. Additionally, there was representation from the Calgary and Edmonton municipal police commissions.

The conference succeeded in dealing with the principle pieces of business before it, to adopt a Charter for the Canadian Association for Civilian Oversight of Law Enforcement and to appoint a Board of Directors to oversee the work of the Association until the 1996 Conference. At the same time, through the debates on the Charter and through several panel presentations, guidance was given to the Board on areas for focus and developmental work, principally refining the CACOLE Charter, membership, a discipline digest, and clearinghouse function. Each of these issues is dealt with below.

BOARD OF DIRECTORS

It had been proposed by the steering committee and accepted by the Conference that the Board of Directors be comprised of six positions to be filled by persons eligible according to the provisions of the draft Charter to be regular members and two positions to be filled by persons eligible to be associate members. Further, the steering committee had recommended that the regular member Board positions each represent a particular region of the country. Again, that recommendation was accepted by the Conference.

Having adopted those recommendations, the Conference broke briefly into regional meetings to permit each region to identify a representative to be appointed to the Board. The result of that process led to the unanimous appointment by the Conference of the following:

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Region 1	B.C., Alberta, Yukon	Frances Gordon Vice-Chair, B.C. Police Commission
Region 2	Saskatchewan, Manitoba, N.W.T.	Norman Ralph Commissioner Law Enforcement Review Agency
Region 3	Ontario	The Hon. Gerald Lapkin Police Complaints Commissioner
Region 4	Quebec	To be filled by Board of Directors
Region 5	New Brunswick, Nova Scotia, P.E.I., Newfoundland and Labrador	Jean Beeler Chair Nova Scotia Police Commission
Region 6	Canada, national, federal	Bertrand Giroux Executive Director RCMP Public Complaint Commission
Director 7	Associate Member	Don Sorochan, Q.C. Vancouver, B.C.
Director 8	Associate Member	Mike Badham President Canadian Association of Police Boards

Mr. Badham was approached at the Conference to fill the associate member position and confirmed his participation several weeks later prior to the first meeting of the Board of Directors.

The first meeting of the new Board of Directors took place by teleconference on November 1st. The meeting was primarily concerned with reviewing the priority tasks, structuring responsible committees and naming members to those committees. The attached chart reflects those decisions.

SECRETARIAT

Ontario's Police Complaints Commissioner had volunteered the services of his office to provide administrative support and coordination to CACOLE and the Board of Directors. The Conference adopted that offer.

A proposal for the secretariat's functions was outlined in a panel session at the Conference and is reflected in the attached graph. The CACOLE Secretariat consists of volunteer time, labour and expertise of staff of the Ontario Police Complaints Commissioner, principally Susan James, Manager of Information and Research Services, Mark Conacher, Executive Director, and Albert Nigro, Director of Legal Services. The Secretariat will also be drawing on the services of others as required.

It was agreed at the first Board of Directors meeting that communication amongst Board members on CACOLE business should be channelled through the Secretariat.

CHARTER

A number of specific areas for amendment, particularly regarding membership were discussed at the Conference. Albert Nigro, Legal Director for the Ontario Police Complaints Commissioner, had been the drafts-person for the proposed Charter. He has agreed to incorporate the changes into the Charter, and will be resubmitting it to the Board of Directors for final adoption and circulation.

MEMBERSHIP

The Conference adopted the position that there should be two classes of membership, regular and associate. Membership in both categories can be corporate or individual. Regular members are heads of agencies or staff of agencies which are established by law and whose mandate is the oversight of law enforcement. The membership provisions in the Charter are being refined and will be confirmed along with the balance of the Charter.

CONFERENCE '96

The 1996 Conference is scheduled for Halifax, to be hosted by the Nova Scotia Police Commission. As the conference for IACOLE is scheduled for Washington, D.C. in late September, 1996, CACOLE resolved to hold the 1996 CACOLE Conference on dates immediately before or after the IACOLE Conference in order to convenience those who wish to attend both conferences.

At its November 1 meeting, CACOLE's Board appointed Susan James of Ontario, and Frances Gordon of B.C. to assist Jean Beeler in conference preparation. Unlike the past two conferences which have focused on the establishment of CACOLE, the scope of the 1996 Conference will be broader and open, at a minimum, to all regular and associate members.

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BOARD OF DIRECTOR PRIORITIES: THE CACOLE COMMITTEES

Canada's involvement in supporting emerging democracies. A presentation at the IACOLE Conference in Vancouver the preceding week by Ms Lucie Edwards of the Department of External Affairs had underscored the critical importance of developing effective, professional, and honest policing services in such nations. She also conveyed her experience that effective and independent civilian control of police was axiomatic to a democratic and that provision for civilian control had to be part of the foundation work when establishing or rebuilding a police service.

In this respect, the CACOLE Conference deputized J.P. Beaulne to write to the appropriate officials in External Affairs by way of follow up to Ms Edwards remarks to make them aware of CACOLE and to express CACOLE's interest in being of assistance.

At the Board of Directors meeting on November 1st, the Directors noted that CACOLE's role is to ensure that those who may be interested in obtaining more information about civilian oversight of law enforcement in Canada are aware of CACOLE's existence. Otherwise, CACOLE's role at this stage of its development should be reactive.

With respect to IACOLE and the newly formed United States National Association for Civilian Oversight of Law Enforcement (NACOLE), it was acknowledged by the Board of Directors that there should be regular sharing of information with IACOLE and NACOLE about the Canadian Association's developments and activities but that otherwise the organizations will be operating independently of one another. In other words, CACOLE is not a branch of IACOLE and should not be seen as such. CACOLE is, however, concerned not to be seen to be competing with IACOLE and therefore CACOLE's involvement with such issues as the emerging democracies will require careful and clear communication and coordination with IACOLE.