



## Canadian Association of Police Boards

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# CAPB National

January 2004

## CAPB Activities

### CAPB Ethical Framework

#### Background

At the 2002 CAPB Annual Conference, the Board of Directors of the Canadian Association of Police Boards was directed by the membership to assess the Canadian Association of Chiefs of Police Ethical Framework for the policing profession, with the objective of adopting the Code of Conduct as is, or with modifications, as the Code of Conduct on Ethics for the Canadian Association of Police Boards.

At the 2003 Conference in Halifax, the Board reported back to the membership on this initiative. The CAPB Board of Directors developed an ethical framework for its members to use in their decision making role. The following is the resolution approved at the 2003 CAPB Conference adopting the ethical framework, followed by the ethical framework itself.

*WHEREAS at the 2002 Annual General Meeting, the CAPB membership approved a resolution requesting that the CAPB assess the Canadian Association of Chiefs of Police (CACP) Ethical Framework for the policing profession, with the objective of adopting the Code of Conduct as is, or with modifications, as the Code of Conduct on Ethics for the Canadian Association of Police Boards; and*

*WHEREAS in accordance with the direction given at last year's Annual General Meeting, the CACP Ethical Framework has been reviewed and adapted to make it relevant for police services board members; and*

*WHEREAS it is incumbent upon members of the CAPB to safeguard the public trust by acting ethically and to work diligently in support of Canadian democratic values that are enshrined in the Constitution and the Charter of Rights and Freedoms;*

*THEREFORE BE IT RESOLVED THAT the Canadian Association of Police Boards adopt the CAPB Ethical Framework to assist all police board members in fostering a professional, ethical environment.*

### ETHICAL FRAMEWORK

### CANADIAN ASSOCIATION OF POLICE BOARDS

*Adopted by the CAPB Membership August 22, 2003*

#### Preamble

There can be little question that legitimate police powers are derived from the consent of the public. As a result, it is incumbent upon the members of the Canadian Association of Police Boards (CAPB) to safeguard the public trust by acting ethically. Therefore, the primary duty of all CAPB members is to work diligently in support of Canadian democratic values that are enshrined in the Constitution and the Charter of Rights and Freedoms.

*... continued on page 2*

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**Ethical Framework ...continued**

To this end, the CAPB endorses the Ethical Framework developed and adopted by the Canadian Association of Chiefs of Police (CACP) to help all police executives foster a professional, ethical environment that enables police personnel to act in a manner that is consistent with Canadian democratic values. Further, the CAPB has elected to establish its own Ethical Framework to help all police board members foster a professional, ethical environment.

The Ethical Framework highlights the responsibilities of CAPB members to: the public; the Police Chief, police associations and the police organization as a whole; their professional partners; and themselves personally. The Ethical Framework identifies board members' responsibilities and ethical values that are based upon the ethical foundation of justice, rule of law, moral core, human dignity and democratic principles.

Decisions made by CAPB members should be in keeping with the Ethical Framework.

**Ethical Foundation**

The ethical foundation of justice, rule of law, moral core, human dignity and democratic principles forms the context for ethical decision making, which must guide our decisions.

**Justice**

Fairness, equity and impartiality in the application of the law.

**Rule of Law**

Equality of access to the rights enshrined in the Constitution and the Charter of Rights & Freedoms.

**Moral Core**

The moral imperative to act in a manner that is consistent with what is good, right and just.

**Human Dignity**

Respect for human dignity and the rights of persons.

**Democratic Principles**

The balance of individual and personal freedoms with the concept of social order, civic responsibility and the general public good.

Recognition of the legitimate authority of office-holders and the importance of maintaining the public trust.

**Ethical Values**

*The "rightness" of a decision can be judged on whether it is consistent with these ethical values:*

- Empathy
- Courage
- Equity
- Integrity
- Honesty
- Respect
- Transparency
- Trustworthiness

**Board Member Responsibilities**

*The key relationships for police board members are with the public, their police chief and organization, their police associations, their professional partners, their fellow board members, and themselves personally.*

**Public**

*Responsibilities of CAPB members toward the people they serve and other public officials include:*

- Actively advancing the public safety agenda
- Being a wise steward of public resources

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**Ethical Framework ...continued**

- Ensuring the provision of competent and responsive services
- Respecting the legitimate authority of municipal Council and other public office holders
- Being accountable

**Police Chief, Associations and the Organization**

*Responsibilities of CAPB members toward their Chief of Police, police associations, employees of their police service, and the police service as a corporate entity, include:*

- Setting and focusing on the strategic priorities
- Fostering a healthy and safe work environment
- Promoting continuous learning and career development
- Fostering professionalism
- Maintaining accountability
- Setting the moral tone
- Respecting the legitimate roles of the Chief of Police and the Associations
- Promoting harmonious and collaborative labour relations

**Professional Partners**

*Responsibilities of CAPB members toward others in the policing profession, their fellow board members and others engaged in services related to the policing profession include:*

- Building value-based relationships
- Sharing knowledge
- Upholding the public trust
- Being accountable
- Consulting effectively

**Personal**

*Responsibilities of CAPB members toward themselves include:*

- Maintaining focus on the strategic direction
- Modeling leadership attributes
- Managing life-work balance
- Delivering on commitments
- Persevering
- Learning about their roles and responsibilities as a board member
- Developing themselves
- Maintaining self-discipline
- Avoiding conflicts of interest and the appearance of personal gain

**Considerations for Ethical Decision-Making**

The following are issues for consideration and guidance in the decision-making process for board governors.

1. Consistency with the law, existing codes of conduct, board policies and by-laws
2. Consistency with the CAPB Ethical Framework
3. Identification of those potentially affected by the decision
4. Identification of the probable consequences of the decision
5. Assessment of the potential beneficial or detrimental impacts flowing from the decision, or the failure to make a decision
6. Avoidance of any real or perceived conflicts of interest or the perception of personal gain
7. Ability to justify the decision in terms of the public trust.



## In the News...

### RCMP Seeks Public/Private Partnership

The RCMP is turning to private-sector companies to cope with a dramatic spike in the number of underground drug labs set up for ecstasy and methamphetamine.

The clandestine laboratories, as they are known, are often found in the bathrooms, basements and garages of residential homes, police say. They are stocked with a lethal mix of chemicals including acetone, ephedrine, methanol, rubbing alcohol, paint thinner and red phosphorus – the active ingredient in road flares.

One Vancouver house was put under 24-hour fire watch last year after police discovered red phosphorous, a flammable ingredient used to make speed, inside the house. In Windsor, last year, a lab was discovered in a top-floor apartment of a high-rise building.

Many labs are run independently, but police are uncovering links to biker gangs such as the Hell's Angels and Asian organized crime gangs. Shutting down such operations, when they are found, often involves several government departments, including housing officials and the health department.

Early in October, the RCMP issued a request looking for “highly qualified and fully licensed (hazard materials) specialists.” It is the first step toward establishing a contract with a company to handle and dispose of chemicals seized from the labs, police said.

A decade ago, there was a small network of drug labs operating in California. The number of operations increased exponentially and began spreading to the east. Last year, U.S. authorities discovered 80,000 chemical drug-making operations. In Washington state – which borders B.C. – that number grew from about 50 in 1997, to 1,470 last year. In Canada, the national number is growing – from virtually none five years ago to more than 40 uncovered last year.

### Drug-Impaired Driving Consultation Response

The Canadian Association of Chiefs of Police (CACP), Canadian Professional Police Association (CPPA), Canadian Association of Police Boards (CAPB) and Mothers Against Drunk Driving (MADD Canada) submitted a joint response to Justice Canada's consultation document on drug-impaired driving. As the organizations stated in their respective responses to Bill C-38, drug-impaired driving is a serious issue that needs to be addressed prior to any loosening of cannabis possession laws.

Since Parliament last reviewed impaired driving in 1999, MPs have recognized the challenges in enforcing drug-impaired driving laws in the country.

Given the current pre-occupation with new drug strategy legislation, the Government was urged to act immediately to address this problem prior to proceeding with any changes to marijuana possession laws.

Two issues that were highlighted: there needs to be amendments made to the *Criminal Code* that will provide the proper authority for police to effectively enforce drug-impaired driving laws; and police forces across Canada need to have the proper drug evaluation training resources available to their officers.

For further details, visit the CAPB's web site, Bulletin #75.

**In the News...continued****Government Considers Megatrial Overhaul**

The federal government is considering changes to the justice system to allow megatrials to proceed with as few as eight jurors and with backup judges who could take over if needed. Megatrials, involving complex evidence or numerous defendants, come with lengthy proceedings and big price tags. Several recent high-profile trials have sparked calls for simplifying such cases. The Criminal Code would have to be amended to make the changes that justice ministers across Canada have proposed.

Quebec called for the changes last year after a judge abandoned a Hells Angels trial four months into what was the costliest prosecution in the province's history. The trial, which restarted with a new judge and jury, ended in September with a plea bargain. And in Edmonton, a multimillion-dollar trial of 11 people charged with trafficking in cocaine was stayed in September after a judge expressed shock that 38 boxes of evidence were not disclosed to the defence until late in the proceedings.

Canadian law does allow another judge to take over a case if the sitting judge dies or becomes incapacitated. But the new judge can also order the proceedings to start over. The existing law also requires a mistrial to be declared if the number of jurors dips from the regular 12 to fewer than 10.

For nation-wide statistics on complex court cases, see the CAPB's web site under "National News".

**Canadian Police Service Receives Prestigious International Award**

The Ottawa Police recently received the Webber Seavey Award for Quality in Law Enforcement.

Also honoured as a finalist in 2002, the Ottawa Police Service was selected as one of three international law enforcement agencies to receive top honours this year for its "Attendance Enhancement Program (AEP)." The department created the program to reverse a continuous increase in the use of sick leave over a five-year period.

The AEP represents a multifaceted approach to prevent, minimize and control the risk of economic and human resource loss due to absenteeism. The objective was to improve officer attendance, as well as raise awareness about attendance issues. In 2000, the use of sick leave equaled the expenses of 57 full-time employees.

To kick-off the AEP in 2001, the police service launched two high-profile pilot initiatives. One involved offering officers monetary rewards and/or recognition for demonstrating perfect or strong attendance. The other focused on arming supervisory staff with the information, procedures and tools they needed to monitor officer attendance. After minor modifications, the pilot initiatives officially became part of the program. Year-end 2002 results confirmed the program was a success, and results in 2003 are on track to be even better.

Jointly sponsored by the International Association of Chiefs of Police (IACP) and Motorola, the Webber Seavey Award is presented annually to agencies and departments worldwide in recognition for promoting a standard of excellence that exemplifies law enforcement's contribution and dedication to the quality of life in local communities. The award is named for Webber S. Seavey, IACP's first president.

For more information on the Ottawa Police Service's winning program or details on this year's winners, finalists and semifinalists, visit the IACP web site at [www.theiacp.org](http://www.theiacp.org).

**In the News...continued****All-time Low for Gun-related Deaths**

The gun-death rate in Canada fell to an all-time low in 2002. The 26% of homicides committed with a firearm is the lowest proportion since data was first collected in 1961, Statistics Canada said recently. Stabbing was the most common method of killing, accounting for 31% of homicides. Beatings resulted in 21% of deaths. Strangulation or suffocation came in at 11%.

The overall homicide rate actually increased slightly, pushed up by the deaths of 15 missing women in previous years in Port Coquitlam, B.C., but not reported by police until 2002.

Among Canada's big cities with populations exceeding 500,000, Toronto had the most homicides in 2002, with 90, followed by Vancouver with 69 and Montreal with 66. Toronto's rate of 1.8 victims per 100,000 inhabitants was sixth-highest among the nine largest cities. Canadian police reported 582 homicides, up 29 from 2001, making the national homicide rate 1.85 homicides per 100,000 people, up from 1.78 in 2001.

*Excerpt from The Toronto Star, October 2, 2003.*

**Gun Registry Use – Update**

Police forces in Ontario routinely use the federal firearms registry as a tool in their investigations. According to the Toronto Star, the Toronto Police Service used the registry to obtain sworn affidavits on whether or not guns were legally registered 423 times in the first two years of the program.

Other public agencies, such as the Crown Attorney's Office and the Ministry of Natural Resources, tapped into the registry for affidavits 179 times over the same period.

On average, every week there are between 13,000 – 15,000 queries to the registry from police across Canada.

**Marihuana Grow Operations -  
Police Leaders Warn of Economic Costs and Safety Threat**

A groundbreaking study recently released by the Ontario Association of Chiefs of Police (OACP) shows that indoor marihuana grow operations pose an increasing threat to public safety and cost consumers millions of dollars in stolen electricity and insurance costs.

The report, *Green Tide: Indoor Marihuana Cultivation and its Impact on Ontario*, was compiled through police intelligence sources in Ontario. It examines data covering the period of 2000 to 2002 and makes projections to the end of 2003.

Between 2000 and 2002, it's estimated that so-called indoor "grow ops" increased by 250 per cent, with as many as 15,000 commercial grow ops in operation in 2002 and 1.2 million plants seized by police. During this period, grow ops produced and housed as much as 1.2 million kilograms of marketable marihuana and related products. Revenue from this illegal activity is estimated to be as high as \$12.7 billion.

OACP President Ean Algar noted that Ontario's police leaders will use the *Green Tide* report as the basis for working with government and industry groups such as electric utility companies, insurance companies and real estate associations on a provincial strategy for combating commercial marihuana grow operations.

For further information on the OACP report or its plan of action contact Joe Couto, Director of Government Relations and Communications 416-926-0424 (cell) or [jcouto@oacp.on.ca](mailto:jcouto@oacp.on.ca).

## Upcoming Events

### "Finding Common Ground: Governance Management of Police Services"

February 8-10, 2004  
Police Executive Centre  
Canadian Police College, Ottawa



An Executive Workshop for Police Executives and Police Service Board Members jointly sponsored by the Canadian Police College and the CAPB.

Visit [www.cpc.gc.ca](http://www.cpc.gc.ca) for registration forms. For more information please contact Ruth Montgomery, the session coordinator, at (604)-806-0046 or via email at [ruth.montgomery@telus.net](mailto:ruth.montgomery@telus.net).

### OAPSB 2004 Conference

May 6, 7, 8, 2004,  
Hamilton, Ontario

Check the OAPSB web site at [www.oapSB.ca](http://www.oapSB.ca) for more information.

### CAPB 2004 Conference

August 18 – 21, 2004  
Vancouver, British Columbia

Watch the CAPB National newsletter or CAPB web site at [www.capb.ca](http://www.capb.ca) for more information.



## People - Appointments

**Anne McLellan** has been appointed Deputy Prime Minister and Minister of Public Safety and Emergency Preparedness. This new Ministry replaces the former Department of the Solicitor General and will be one of the primary departments the CAPB will deal with. This is welcome news for the CAPB as the Association enjoyed an excellent relationship with Minister McLellan during her tenure as Justice Minister. In fact, a telephone call between the Minister and CAPB President, Edward Keyes has already been scheduled. The following are highlights of Minister McLellan's career.

Anne McLellan's past positions have included Minister of Health, Minister of Justice and Attorney General, Minister of Natural Resources and Federal Interlocuter for Metis and Non-Status Indians. She is in her 3<sup>rd</sup> term as a Member of Parliament for Edmonton West.

Deputy Prime Minister McLellan has a B.A. & LLB from Dalhousie and a Master of Laws from King's College, University of London. Prior to her election she taught at the University of New Brunswick and University of Alberta (U of A). Her last posting in Academia was as Acting Dean at U of A's Faculty of Law.

**Margaret Bloodworth** has been appointed Deputy Minister of Public Safety and Emergency Preparedness.

**Robert A. Wright** has been appointed National Security Advisor to the Prime Minister.

**Irwin Cotler** has been appointed Minister of Justice and Attorney General of Canada. This is the other Ministry with which the CAPB deals on a regular basis.

Irwin Cotler (MP, Mount Royal, Quebec) was first elected to the House of Commons in 1999 and re-elected in 2000.

He has served on the Standing Committee on Foreign Affairs and Standing Committee on Justice & Human Rights. He was most recently Special Advisor to the Minister of Foreign Affairs on the International Criminal Court.

Minister Cotler was a Professor of Law at McGill & Director of its Human Rights Program prior to his election.

A letter has been sent to both Ministers congratulating them on their appointments and requesting a meeting with them in the spring.

**Michael Harcourt** is to Chair the Prime Minister's Advisory Committee on a New Deal for Canada's Cities.

## Sex Registry to Expand?

In October, Wayne Easter, the then federal Solicitor General, promised to do what he could to expand the proposed sex-offender registry to include offenders now in jail, rather than restricting it to people who have not yet been sentenced.

The prospect of last-minute changes to the legislation, which was in the final stages of the parliamentary process when parliament prorogued in November, was the result of an unanimous warning from provincial governments that the registry will be less effective if it excludes known sex offenders.

The federal government introduced a bill in 2002 that would require sex offenders to register their addresses and telephone numbers with police within 15 days of leaving prison and be required to update the information annually, possibly for the rest of their lives. Several provinces, along with the Canadian Professional Police Association (CPPA), had pushed for years for a registry to enable police to more quickly track abducted children in the crucial early hours.

The registry, which Mr. Easter said he hoped would be running by 2004, would impose criminal sanctions, including jail terms, on sex offenders who fail to keep police apprised of their whereabouts. The CAPB will be watching closely to see what happens to this Bill in 2004.

## Test Your Governance Knowledge!

1. The founder of modern policing is commonly held to be:
  - a) Lord Earl Grey
  - b) Commissioner William Bratton
  - c) Sir Robert Peel
  - d) John Graves Simcoe
2. In what year was the Canadian Association of Police Boards formed?
  - a) 1981
  - b) 1989
  - c) 1991
  - d) 1994
3. What country has a system of police board governance closest to the Canadian model of police boards?
  - a) United States
  - b) United Kingdom
  - c) Australia
  - d) Germany
4. What method of policing gained credence and visibility in the late 1980s & early 1990s in Canada?
  - a) Intelligence led
  - b) Community-based
  - c) Geographic profiling
  - d) FIDO

*For answers to this quiz, visit the CAPB web site at [www.capb.ca](http://www.capb.ca).*

## The CAPB Wants to Hear from Your Board!

Is your Board planning or implementing something new or innovative? Has your Board/Service recently been recognized for innovative work it is doing? Is there any news or recent appointments that you would like the CAPB to share with fellow Boards across the country? The CAPB wants to hear from your Board, so please share information with us! Send it electronically to [wendy.fedec@ottawa.ca](mailto:wendy.fedec@ottawa.ca).