



CAPG

CANADIAN ASSOCIATION OF POLICE GOVERNANCE

GOVERNMENT RELATIONS &

ADVOCACY STRATEGY

2016-2017

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# Composition and Duties of Canadian Police Boards and Commissions

In most provinces in Canada maintaining one or more municipal police services, governance of the service falls to a civilian body comprised of members of municipal Council, citizens of the municipality appointed by the Province or municipality, or a combination thereof. While duties of municipal police boards/commissions vary slightly from province to province, most are responsible for determining adequate personnel levels; budgeting for the needs of the force; monitoring the budget; reviewing the performance of the service; hiring the Chief of Police; labour relations; discipline; and policy development.

## Mission Statement

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The Canadian Association of Police Governance works collaboratively and proactively with members and partners to enhance civilian governance of policing in Canada.

## Vision Statement

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The Canadian Association of Police Governance is a strong, national voice and resource for civilian governance of policing in Canada.

## Strategic Directions

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### INFORM

Ensure members have independent access to the information and insights needed to be effective as police governance organizations.

### CONNECT

Bring members and partners together on a regular basis to share knowledge and develop deeper connections.

### FOCUS

Articulate a common national voice on priority issues in police governance and community safety, and advocate for change.

### BUILD

Stimulate thought leadership and contribute to evidence-based research and initiatives that fill gaps in our current knowledge on police governance.

### THE CAPG WILL

Collect, assemble, synthesize, and disseminate best practices as a tool kit/resources for members; convene groups to knowledge share and build common perspectives on civilian governance; be a national voice to influence public policy on civilian governance of policing and community safety; partner with thought-leaders to further the discussion on emerging evidence-based community safety and policing issues.

## CAPG First Nations Police Governance

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The CAPG works with First Nations Self-Administered Police Governance Authorities through its First Nations Police Governance Council. The Council has collectively discussed and identified issues related to the marginalization of the safety of First Nation and Inuit people which include:

- a) First Nation and Inuit people are not entitled to the same level of safety as other Canadians perpetuated by inadequate funding practices;
- b) A need for improved, sustainable funding to the FNPP in the form of A-based funding;
- c) The need for recognition of First Nations policing beyond program status to a recognized essential service supported by incremental investments in compensation and infrastructure comparable to police agencies across Canada;
- d) The need for strengthening community governance of police service providers including funding for training of oversight bodies so they are culturally appropriate, responsive and accountable to the communities they serve;
- e) The need to ensure culturally appropriate resources and training is available needed to sustain and improve the mental well-being of police officers and peacekeepers serving First Nations communities;
- f) and the need to support the expansion of the program to other First Nations communities who desire a Self-Administered First Nations Police Service.

## Background

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In 1991, the federal government introduced an Indian Policing Policy Framework for the negotiation of culturally appropriate policing arrangements between the federal, provincial or territorial governments, and First Nation or Inuit communities. The Framework consisted of a general statement of federal objectives, a statement of policy purpose, policy principles and funding parameters. The Indian Policing Program – now referred to as the First Nations Policing Program (FNPP) – was created as the funding vehicle of the Framework. The FNPP is a discretionary and non-statutory transfer payment program.

In 2009-2010, Public Safety Canada conducted an Evaluation of the First Nations Policing Program conducted. Based on key findings and conclusions contained in the report, the Evaluation Directorate made the following recommendations:

- a) **Assist in strengthening community governance of police service providers.**
- b) Ensure that future contribution agreements include performance objectives and reporting obligations that support APD's ability to measure the achievement of FNPP objectives.
- c) Take measures to assess whether the objectives of the FNPP are achieved effectively and efficiently by the innovative service delivery approaches proposed by Program partners and stakeholders.

Participants of the 2010 National Report from the Community Engagement Sessions specifically identified a lack of training in leadership and board governance.

The Auditor General's Report, tabled in spring 2014, reported that "First Nations communities should have an effective and appropriate role in directing their policing service." Additionally, the AG reported that not all incorporated agreements are currently provided with training and instruction to ensure that programs are being delivered efficiently.

## Current Situation

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*"I want to listen very carefully to hear what you have to say and to benefit from the advice and the wisdom that you represent."*

*-The Honourable Ralph Goodale, Minister of Public Safety and Emergency Preparedness, speaking at the Assembly of First Nations' Indigenous Public Safety and Policing Forum on March 30, 2016 in Regina, SK.* Public Safety Canada is currently conducting a review of the FNPP, with the funding agreements due to sunset in 2018.

Much has changed in the policing world since the 1990s, but the First Nations Policing Policy has not been updated since 1996. The Government of Canada has stated that it is committed to building a nation-to-nation relationship with Indigenous Peoples. One of the ways in which the Government is seeking to reset this relationship is through a renewed approach to Indigenous policing. Public Safety Canada officials are engaging stakeholders across Canada to get their input on the renewal of the approach to funding Indigenous policing. Through early fall 2016, they will be meeting with stakeholders through regional dialogue sessions, participating in events led by Indigenous organizations, and visiting Indigenous communities.

## **Recommendations**

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Take immediate action towards correcting fundamental flaws in the FNPP that continue to marginalize the safety of First Nations communities by closing the funding gap and beginning meaningful discussions with the appropriate stakeholders well before the next round of scheduled funding agreement negotiations in 2018.

Develop a consultation protocol on governance of police services in First Nations communities to ensure compatibility with the culture, traditions and decision-making process of the First Nations communities. Further, ensure that First Nations representative organizations be included in policy forums that bring together senior officials from FPT governments to discuss First Nations policing.

Provide national funding in order to pursue consultation and accommodation among First Nations police services and communities, including the urban setting, regarding police governance.

# **CAPG National Training for Police Governance Authorities**

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While much training material on police governance exists in Canada, its accessibility and relevance to wider audiences is limited due to the specific nature of the provincial Police Acts as well as the detail and quality of the available information.

Training for police board/commission members is not mandatory in every province, nor is there a consistent and cohesive vehicle for the delivery of such training. A need for such a vehicle has been identified by CAPG stakeholders.

## **Background**

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Police Act legislation is either unclear, inconsistent, or non-existent regarding the training of police board/commission members. Where such training exists, it has been identified as insufficient, out-of-date, or inaccessible.

Police boards/commissions across Canada are often under-resourced, with accessible, cohesive, evidence-based training consistently being identified as a gap in addressing effective governance and oversight of municipal police services.

## **Current Situation**

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In 2015, the CAPG identified a gap in core training for board/commission members. In response to this need, the CAPG launched a monthly webinar series covering a number of topics of relevance to police board/commission members. The webinar series has grown, and it is apparent that there is an appetite across Canada for accessible training for police board/commission members.

Recently, the CAPG engaged stakeholders across Canada to get their input the current trends in police governance training. Where available, training for police board/commission members is delivered through a number of ad hoc delivery methods, including:

- The municipal police department
- Provincial Bodies and Associations (such as BCAPG, Manitoba Police Commission, etc.)
- The Board office
- CAPG Conferences and Webinars

Training for police board/commission members is delivered through a variety of mechanisms, including:

- In person
- Conference and seminar sessions
- Webinar/online
- Self-guided online resources

The majority of stakeholders who engaged with the CAPG expressed interest in an accessible training program for police board/commission members.

## **Recommendations**

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The CAPG recommends support for the development of a formal accreditation program to be delivered through a national body such as the CAPG.

The CAPG's objective is to develop a series of learning modules to provide an informed overview of the core roles and responsibilities of a police board/commission member. We would propose to include the following five evidence-based modules:

1. **Governance in the Police Context:** This module would explain what governance is, distinguish it for the oversight role often associated with complaint agencies and outline police governance in Canada.
2. **Governance Dynamics – Roles and Responsibilities:** This module would clearly point out the legal responsibilities of various police boards/commissions across the country, at a general but understandable level. The point of this module is to clarify the strategic leadership and accountability roles of governing bodies.
3. **Relationship to the Chief and Oversight of Police Performance:** This module would outline the responsibilities of the governing body with respect to the hiring, setting goals and objectives, and assessing performance of the Chief of Police. It will also address the key and often debated issue of the role of the governing body in policy and strategy but not daily operations and individual investigative actions. It will speak to the need for operational information by the governing body as a means of assessing performance.
4. **Community Relations:** The police governing body has a number of roles with respect to the public interest. It also must seek out public views on strategic direction, community developments, and on the public perception of police service performance by using techniques such as polling, consultation meetings, etc. This module will set out the scope of these responsibilities and identify tools and best practices in use in Canada today.
5. **Strategic Planning:** Key to the governing body role is the ability to effectively using strategic planning to direct change. In fact, change and the search for economies at the practice level can only be effective when the strategic direction of the police service integrates these values, develops metrics of measurement, and defines accountabilities for their achievement. This is a key governing activity that needs to be understood in the context of the broader change agenda. This module will identify best practices in strategic planning for police governing body.

## CAPG GOVERNMENT RELATIONS 2016-2017

### ISSUES SCANNING

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The Member Engagement & Advocacy Committee will work with the Executive Director to identify, analyze and assign issues arising from Resolutions. Additionally, the Executive Director will scan items identified by stakeholders such as Federation of Canadian Municipalities (FCM), Canadian Association of Chiefs of Police (CACP), Canadian Police Association (CPA) and others that would be of interest to the directors and members of the Canadian Association of Police Governance (CAPG).

### LEGISLATION TRACKING

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The Executive Director tracks legislation through House of Commons and Senate and prepares brief overview on any Bills that impact municipal police governance, budgets and policies. The Executive Director will liaise with Clerks of Committees to try to arrange for CAPG to appear as a witness on pertinent legislation. The Executive Director will track legislation in relation to Resolutions passed by the members of CAPG and update on an annual basis.

### STRATEGIC MESSAGING

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The Executive Director will work with the Member Engagement & Advocacy Committee and Communications Director to develop key messages to government on strategic issues. The overarching principle guiding this task is to be focused and strategic in the 'ASK'.

### POLITICAL ADVOCACY

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The Executive Director sets up meetings with the Minister of Public Safety, Justice, Health, and others as needed for the President and members of the Executive. The Executive Director maintains regular contact with political staff in Ministry offices and develops relationships to engage all political parties on issues of importance. Each spring the Executive Director will organize an annual Lobby Day(s) on Parliament Hill, work with staff to confirm a comprehensive schedule of meetings and develop a briefing package for Directors and Parliamentarians.

## ANNUAL ADVOCACY PLAN

### SEPTEMBER 2016

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- Circulate the Resolutions approved by CAPG Members to Provincial, Territorial and Federal Deputy Ministers and Associate Deputy Ministers with a request for response.
- Send Resolutions to Minister of Public Safety, Minister of Justice & Attorney General and other Cabinet Ministers according to Resolutions approved.
- Circulate names and short bios of the Executive Committee and Directors of the CAPG to above noted lists
- Send a letter of request for a meeting from the CAPG President to the Minister of Public Safety and Minister of Justice
- Encourage attendance in Ottawa at the National Peace & Police Officers Memorial on the last Sunday in September for CAPG Executive and Directors
- Review Parliamentary Calendar when approved the end of September and begin strategizing for annual advocacy plan
- Meet with stakeholders to discuss issues of mutual interest

### OCTOBER 2016

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- Compile Resolutions responses as they are received and circulate to Board of Directors
- Follow up on request for meeting with Minister(s)
- Meet with Minister
- Adjust draft advocacy plan following discussions at Board Retreat
- Executive Director establish/confirm good lines of communication with Chiefs of Staff to the Minister of Public Safety & the Minister of Justice & Attorney General
- Review legislation as it is tabled in the House of Commons and Senate
- Issues scanning via all media
- Meet with stakeholders to discuss issues of mutual interest
- Report to Member Engagement & Advocacy Committee on progress

### NOVEMBER 2016

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- Continue to collect Resolutions responses and circulate to Board of Directors

- Issues scanning via all media
- Legislation tracking – prepare briefs as necessary & liaise with Committee Clerks on status of legislation at Committee
- Update lobby registry and communications reporting
- Further develop Strategic Messaging in consultation with Member Engagement & Advocacy Committee
- Meet with stakeholders to discuss issues of mutual interest

## DECEMBER 2016

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- Prepare status report on Resolutions and Legislation for Committee
- Set priorities for Advocacy Days
- Prepare draft Advocacy Days outline for discussion
- Prepare list of who we want to meet in Ottawa (Ministers, Opposition Leaders, SECU Committee members, JUST Committee members, Senate Committee Members)
- Develop outline for Lobby Day schedule based on input from Committee
- Meet with stakeholders to discuss issues of mutual interest
- Report to Member Engagement & Advocacy Committee on progress

## JANUARY 2017

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- Send out Call for Resolutions to members
- Draft letter of invitation to the Minister of Public Safety to speak at the CAPG annual conference
- Draft letter of invitation to the Minister of Justice & Attorney General to speak at the CAPG annual conference
- Continue to gather responses to Resolutions
- Update Resolutions Tracking Database
- Review draft of Lobby Days Strategy by Board of Directors at regular board meeting

## FEBRUARY 2017

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- Draft a master list of who CAPG would like to meet with for Lobby Days
- Send out a letter of request to meet for Advocacy Days list developed in consultation with Committee and Board of Directors

- Develop master database of meetings and continually update as meetings are confirmed/cancelled
- Issues scanning via all media
- Legislation tracking – prepare briefs as necessary & liaise with Committee Clerks on status of legislation at Committee
- Continue to gather responses to Resolutions
- Update Resolutions Tracking Database
- Meet with stakeholders to discuss issues of mutual interest
- Report to Member Engagement & Advocacy Committee on progress

## MARCH 2017

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- Follow up with requests sent to Ministers for CAPG Annual Conference
- Send out follow up letters of request to meet for Advocacy Days
- Update master database of meetings and continually as meetings are confirmed/cancelled
- Issues scanning via all media
- Legislation tracking – prepare briefs as necessary & liaise with Committee Clerks on status of legislation at Committee
- Continue to gather responses to Resolutions
- Update Resolutions Tracking Database

## APRIL 2017

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- Finalize database of meetings/update as needed filling in gaps with appropriate senior bureaucrats (Deputy Ministers) as needed
- *Lobby Days (TBC)*
- Follow up with thank you letters for all meetings held
- Send out any documents/information requested in meetings held
- Have Directors prepare notes on their meetings and compile for use in CAPG Board Connection newsletter
- Ask Directors to take photos at meetings with Parliamentarians and send them a copy for their records
- Issues scanning via all media
- Legislation tracking – prepare briefs as necessary & liaise with Committee Clerks on status of legislation at Committee
- Continue to gather responses to Resolutions
- Update Resolutions Tracking Database

- Meet with stakeholders to discuss issues of mutual interest
- Report to Member Engagement & Advocacy Committee on progress

## MAY 2017

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- *Lobby Days (TBC)*
- Follow up with thank you letters for all meetings held
- Send out any documents/information requested in meetings held
- Have Directors prepare notes on their meetings and compile for use in CAPG Board Connection newsletter
- Ask Directors to take photos at meetings with Parliamentarians and send them a copy for their records
- Issues scanning via all media
- Legislation tracking – prepare briefs as necessary & liaise with Committee Clerks on status of legislation at Committee
- Continue to gather responses to Resolutions
- Update Resolutions Tracking Database

## JUNE 2017

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- Develop communication piece on Lobby Days for the CAPG Annual Report
- Prepare final Resolutions tracking document for circulation at the CAPG Annual General Meeting and for inclusion in the Annual Report
- Confirm with Minister of Public Safety / Justice Minister attendance at the CAPG annual conference
- Liaise with Ministerial staff on all details of Minister's presentation at the CAPG annual conference including timing, protocol, seating, etc.
- Meet with stakeholders to discuss issues of mutual interest
- Report to Member Engagement & Advocacy Committee on progress

## JULY 2017

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- CAPG Annual Meeting & Conference – update on Resolutions tracking to Members
- Work with Minister's staff for presentation at CAPG Annual Conference
- Prepare report on any legislation of pertinence and appearances as witness by CAPG Directors at Committees for Annual Report

- Continue to meet with stakeholders and ministerial staff to build relationships

## AUGUST 2017

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- Circulate the Resolutions approved by CAPG Members to Provincial, Territorial and Federal Deputy Ministers and Associate Deputy Ministers with a request for response.
- Send Resolutions to Minister of Public Safety, Minister of Justice & Attorney General and other Cabinet Ministers according to Resolutions approved.
- Circulate names and short bios of the Executive Committee and Directors of the CAPG to above noted lists
- Send a letter of request for a meeting from the CAPG President to the Minister of Public Safety and Justice
- Encourage attendance in Ottawa at the National Peace & Police Officers Memorial on the last Sunday in September for CAPG Executive and Directors
- Review Parliamentary Calendar when approved the end of September and begin strategizing for annual advocacy plan
- Meet with stakeholders to discuss issues of mutual interest

## CAPG 2016 RESOLUTIONS APPROVED

### **Canadian Bomb Data Centre**

The RCMP terminated operation of the Canadian Bomb Data Centre in April 2016 as a result of budgetary constraints; and Individual police agencies are now responsible for collecting and storing their own data; and Closure of the centre means police agencies no longer have access to coordinated information, resources, and expertise at a time when it's becoming increasingly important to have a centralized source for information about the criminal use of explosives; and Terrorism and the threat of terrorism is increasing both domestically and abroad, making it incumbent upon governments and law enforcement agencies to amplify rather than diminish efforts in combatting terrorism globally.

Canadian Association of Police Governance urges the federal government to restore funding that will permit the Canadian Bomb Data Centre to continue its operation as an important resource for enhancing the ability of municipal police services to efficiently and effectively prevent crime.

### **Roadside Drug Screening Device**

The Federal Government of Canada has committed to legalizing and regulating marijuana by 2017; and committed to stronger laws to punish those who operate a motor vehicle while under the influence of marijuana; and drivers under the influence of drugs pose a danger to themselves and other users of the highway; and section 253 of the *Criminal Code* makes it an offense to operate a vehicle while impaired by a drug; and Canada does not currently have a roadside screening device to detect drugs in impaired drivers, although roadside screening devices have been used effectively in other countries, including Australia; and without a roadside drug screening device, police officers will have a more difficult time detecting drug impaired driving, and crown prosecutors will have difficulty prosecuting drug impaired drivers.

Canadian Association of Police Governance brought forward a resolution passed in 2014 urging the Government of Canada to improve the safety of Canada's roadways by identifying and approving a roadside drug screening device that will enhance the investigation and prosecution of drug impaired driving.

### **Commission A Committee And/Or Academic Study Of How Technology Has Changed The Nature Of Crime, The Impact On The Public And The Capability And Capacity Of Law Enforcement To Protect The Public And Enforce The Law**

Technological advancements have changed the way that crimes are committed. Crimes can be committed seamlessly using technology and threats to the public can be made anonymously; and Local crimes can now be committed using transnational infrastructure, access to victims is no longer limited by geography and evidence related to these crimes may reside as data held by service providers or persons around the world and is usually retained for a limited time if at all; and Technology that was intended to protect the personal information and the privacy of citizens such as passcodes, encryption and the "Dark Net" is also being used to cloak criminal activity; and Technological advancements with operating systems, programs and devices to lock phones and protect information have made it extremely difficult if not impossible for law enforcement even pursuant to lawful judicial authorizations, to recover evidence. This issue, among others, requires consultation and collaboration with other stakeholders to resolve; and Crimes utilizing technology evolve faster than the law, thus diminishing the ability of the law enforcement agencies to protect the public; and Law enforcement agencies tasked with investigating crimes and defusing threat have limited resources. In addition they are segregated by information silos, jurisdiction, political boundaries, as well as national and transnational laws.

The Canadian Association of Police Governance urged the Federal Government of Canada to commission a study by way of committee and/or an academic review of the evolution of crime due to technology, the impact on the public and the capability and capacity of law enforcement agencies to protect the public and enforce the law. The purpose of this study would be to assess the current state of this issue, explore solutions and make recommendations for future action.

## **STANDARDIZED PERFORMANCE MEASURES FOR POLICE SERVICES IN CANADA**

The availability of reliable data is essential for police boards and commissions to fulfill their mandated requirement to ensure police services are adequate and effective and to monitor the performance of police chiefs. In the current environment of a strong need to demonstrate that police service costs are being adequately controlled and managed, such performance measures are key to demonstrating value for money and to helping ensure that investment decisions are evidence-based. The current availability of such data is limited. Where data on police workloads, activities and outcomes exists, it is not always standardized, recent, public, or collected using a rigorous methodology. The Government of Canada already plays a key role in collecting data on policing, crime and victimization and studying issues associated with policing costs in Canada.

The Canadian Association of Police Governance called on the Government of Canada to take a facilitating role – together with the Provinces, Territories and First Nations – toward the establishment of a set of standardized performance measures for police services that cover the full spectrum of outcomes expected of modern police services in Canada, and related data requirements that enable cross-jurisdictional comparisons.