



**The Manitoba Police Commission**

**La Commission de police du Manitoba**



# Question

Should security checks be required for police board members?

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# PSA Requirement

## Police Board Required

26(1) Every municipality that operates a police service must establish and maintain a police board ... (proclaimed June 2012)



# Role of Police Boards

General duties of police board

28(1) The police board must

- (a) Establish priorities and objectives for the police service



# Role of Police Boards

- (b) Establish policies for the effective management of the police service
- (c) Direct the police chief/monitor performance
- (d) Perform any other prescribed duties



# Role of Police Boards

## Restrictions

28(4) No role on specific matters

28(5) No role in personnel matters

28(6) No right to sensitive information



# Police Board Appointments

Appointing members to police board  
30(2) ... One member of a police board is to be appointed by the Lieutenant Governor in Council, and the other members are to be appointed by Council.



# Police Board Regulation

In October 2012 the Province of Manitoba registered its Police Board Regulation that set out the eligibility requirements for police board members...





# Police Board Regulation

2(3) Before being appointed... a person must provide appointing authority with consent authorizing inquires into... background, child abuse registry check, criminal records check, court registry check....



# Police Board Regulation

## Appointment Considerations

3 Before appointing a person...the appointing authority must be satisfied that the person is

(a) of good character

(b) has knowledge of community issues

(c) is able to commit time/effort to carry out role



# Challenge

In March 2013 the Winnipeg Police Board passed a requirement that all potential board members consent to a comprehensive security clearance and background check conducted by the Winnipeg Police Service.



# Challenge

One provincial appointee to the Winnipeg Police Board raised concerns with the potential conflict of interest of having the Winnipeg Police Service conduct these checks given the appointee would ultimately be responsible for the oversight of the service.



# MPC Study

## MPC Study - 3 Issues

- What is the appropriate level of background check for PB members?
- Which PS should conduct these checks?
- Can one appointing authority require additional checks of another?



# Cross Jurisdictional Review

## Vancouver Police Board

- Mayor, one Mun appt and five Prov
- Prov conducts interviews, ref checks, personal profile, criminal record check on all (except ref check on Mun appt)
- RCMP completes criminal record, indices check

# Cross Jurisdictional Review

## Saskatoon Police Board

- All chosen by council
- No background checks completed



# Cross Jurisdictional Review

## Edmonton Police Commission

- All chosen by council
- Criminal record and enhanced security check conducted on all board members except council members





# Cross Jurisdictional Review

Enhanced Security Check includes:

- Check for wants and warrants
- Check on all family members over 12
- Indices check
- All checks conducted by EPS



# Cross Jurisdictional Review

## Toronto Police Board

- Mayor or designate, two council members, mun citizen appointment, 3 Prov appointments
- Prov appointees checks through OPP



# Cross Jurisdictional Review

Prov checks includes: Police record check, local indices check, internet check, credit bureau check, police information portal check

- City of TO does not do background check on its appointees



# Cross Jurisdictional Review

## Halifax Police Service

- Council members, mun appointees, prov
- Prov appointees submit CR check with application – can be done by any PS
- Mun appointees – application – police records check by HRPS



# Manitoba Feedback

PBs submitted that:

- board members should undergo security checks
- Mun and Prov appointees same checks
- Min check - CR and child abuse registry checks



# Manitoba Feedback

- Two boards felt a vulnerable sector screen and adult abuse check was required
- One board felt that in person interviews, ref checks and local indices checks were required



# Manitoba Feedback

- None of the boards felt a financial background check or interviews of family members were required
- Most boards felt there was no issue with subject PS conducting checks



# Manitoba Feedback

PCs submitted that:

- All PCs felt background checks inclusive of CR, child abuse registry, vulnerable sector screen and indices checks were required

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# Manitoba Feedback

- Most PCs felt appointees should be subjected to reference checks - some felt family interviews and financial checks were also required



# Manitoba Feedback

Moreover ...PCs submitted that:

- Additional safeguards were necessary to mitigate risk and protect against potential access and exposure to police intelligence and information



# Manitoba Feedback

- Felt subject PS should conduct background checks given access to local indices
- If not subject PS - then RCMP could best conduct checks on their behalf...

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# Conclusions

The research showed:

- Security clearance practices vary widely
- No one right answer



# Conclusions

Manitoba feedback showed:

- Consistent belief in need for requirement of security checks
- Fairly consistent perspective on content and how checks should be conducted



# MPC Recommendations

- All PB members continue to undergo background checks prior to appointment
- Mun and prov appointees be required to undergo same minimum checks: CR, reference checks, vulnerable sector, abuse registry checks, local indices



# MPC Recommendations

- Both Mun and Prov appointees undergo same background checks
- Any PS of appointing authority's choice can be used for conducting checks - if appointee has issue - RCMP to be used as an alternate



# Furtherance

- Recommendations accepted
- Subject to Regulation amendment (pending)

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# Questions?

