



**BOARD OF POLICE COMMISSIONERS
MINUTES
June 17, 2019**

PRESENT: Commissioner Steve Craig, Chair
Commissioner Carole McDougall, Vice-Chair
Commissioner Tony Mancini
Commissioner Natalie Borden
Commissioner Lindell Smith
Commissioner Carlos Beals
Commissioner Anthony Thomas

STAFF: Caroline Blair-Smith, Senior Advisor to the Chief Administrative Officer
Acting Chief Robin McNeil, HRP
Inspector Robert Doyle, Halifax District Detachment, RCMP
Amy Siciliano, HRP Public Safety Advisory
Martin Ward, Solicitor
Duncan Read, Solicitor
David Perusse, Legislative Assistant

The following does not represent a verbatim record of the proceedings of this meeting.

*The agenda, supporting documents, and information items circulated to the Board are available online:
www.halifax.ca*

The meeting was called to order at 12:32 p.m. and moved In Camera (In Private) at 2:19 p.m. The Board reconvened in public session at 2:40 p.m. and adjourned at 2:42 p.m.

1. CALL TO ORDER

The Chair called the meeting to order at 12:32 p.m.

2. APPROVAL OF MINUTES – April 29, 2019 & May 13, 2019

MOVED by Commissioner Borden, seconded by Commissioner McDougall

THAT the minutes of April 29, 2019 & May 13, 2019 be approved as presented.

MOTION PUT AND PASSED.

3. APPROVAL OF THE ORDER OF BUSINESS AND APPROVAL OF ADDITIONS AND DELETIONS

MOVED by Commissioner Mancini, seconded by Commissioner McDougall

THAT the agenda be approved as presented.

MOTION PUT AND PASSED.

4. BUSINESS ARISING OUT OF THE MINUTES

4.1 Police Complaints Communication Plan – Update

Commissioner Beals noted that they met with the communications team for both the HRP and RCMP, Halifax District, to discuss the Public Complaints Communications Plan, and ways to monitor the complaints process. Beals noted that more work is needed to enhance public trust in this process, and added that there is another meeting scheduled for later in the summer.

5. CALL FOR DECLARATION OF CONFLICT OF INTERESTS - NONE

6. CONSIDERATION OF DEFERRED BUSINESS - NONE

7. CORRESPONDENCE, PETITIONS & DELEGATIONS

7.1 Correspondence

The Legislative Assistant noted that the Municipal Clerk's Office received correspondence from Laura MacDonald dated June 14, 2019. This correspondence was circulated to members of the Board.

7.1.1 Nova Scotia Human Rights Commission – Street Checks Legal Opinion

The following was before the Board:

- Correspondence from the Chair of the Board of Police Commissioners to the Halifax Regional Police dated May 13, 2019
- Correspondence from the Christine Hanson, Director & CEO, Nova Scotia Human Rights Commission dated June 4, 2019

The Chair provided an overview of the correspondence that was sent to the Nova Scotia Human Rights Commission (NSHRC) regarding the Board's request for an independent legal opinion on street checks, as well as the NSHRC's response to the letter. The Chair asked that if any Commissioners have anything in particular that they would like to see addressed in this review, that they should let the Board know so that it can be communicated to the NSHRC.

7.2 Petitions - None

7.3 Presentations

7.3.1 Coalition to Ban Street Checks - Nancy Hunter & Joanne Bealy

The following was before the Board:

- A presentation request from Joanne Bealy, dated May 24, 2019

Nancy Hunter and Joanne Bealy, Coalition to Ban Street Checks, spoke to the Board about street checks in the HRM and their petition to the Government of Nova Scotia requesting that the practice be banned. Hunter noted that the HRM has a poor legacy and reputation when it comes to racism, and the issue of street checks only perpetuating this legacy. They noted that the government response to the Wortley Report to date has been lacking in a commitment to achieve real change.

Hunter noted that they intend to submit their petition to the Legislative Assembly in the fall and will continue to collect signatures over the summer. They added that they would be happy to submit the petition to the Board in the fall as well.

The Chair thanked Hunter and Bealy for their presentation.

8. INFORMATION ITEMS BROUGHT FORWARD - NONE

9. REPORTS

9.1 STAFF

9.1.1 Board of Police Commissioners 2018 Annual Report to Regional Council

The following was before the Board:

- A draft information report from the Board of Police Commissioners dated June 12, 2019

MOVED by Commissioner McDougall, seconded by Commissioner Borden

THAT the Board of Police Commissioners:

- 1. Approve the 2018 Board of Police Commissioners annual report, as presented; and**
- 2. Direct that the approved 2018 Board of Police Commissioners annual report be forwarded to Halifax Regional Council.**

Speaking to the Board's 2018/2019 Work Plan, Commissioner McDougall noted that the Board plans to meet in September to update the Plan.

Commissioner Borden suggested that the Board schedule a check-in mid way through the year to see how the Board is progressing in completing the items in the Work Plan.

MOTION PUT AND PASSED.

9.1.2 Police Services Retention Policy on Historical Street Check Records

The following was before the Board:

- A staff report dated June 14, 2019

Acting Chief Robin McNeil, Halifax Regional Police, provided the Board with an overview of the report on the police services' retention policy on historical street checks records. They noted that the policy is in

response to the recommendations outlined in the Wortley Report. McNeil noted that under the policy, the HRP plans to maintain data relating to street checks collected from 2005 to 2019 until December 2020.

Responding to questions from members of the Board, Acting Chief McNeil and Martin Ward, solicitor, noted that the Freedom of Information and Protection of Privacy (FOIPOP) application process for the HRP is covered by the *Halifax Charter*, which incorporates the provisions from the provincial FOIPOP legislation.

Commissioner Borden suggested that the HRP and Municipal FOIPOP process be highlighted for the public, including how the information is released, and how it is reported.

The Chair thanked Acting Chief McNeil for the overview.

9.1.3 HRP 2018/2019 Fiscal Year 4th Quarter Financial Report

The following was before the Board:

- Halifax Regional Police 2018/2019 Fiscal Year 4th Quarter Financial Report ‘
- Staff presentation titled “2018/19 Halifax Regional police 4th Quarter Operating Financials”

Craig Horton, HRP Financial Coordinator, provided the Board with a presentation on the Halifax Regional Police 2018/2019 Fiscal Year 4th Quarter Financial Report. They noted that the HRP have a 2018/2019 net operating surplus of \$552,900, resulting from additional cost recoveries from secondments, G7 Ministerial meeting claims, criminal record checks fees, Cadet Program tuition, and SOT service fee revenue.

The Chair thanked Horton for the presentation.

9.1.4 Halifax Regional Police Information Technology Security Audit – Update

The following was before the Board:

- Staff presentation titled “HRP Cybersecurity Update”

Andrew Kozma, HRP Chief Information Security Officer, provided the Board with a presentation and update on HRP Cybersecurity and the HRP’s progress on the KPMG security audit recommendations. Kozma noted that to date, of the sixty-six (66) recommendations outlined in the report, ten (10) have been completed, forty (40) are currently in-progress and sixteen (16) have not yet started. They further noted that approximately 50% of the completed recommendations are high impact/high likelihood recommendations. Kozma added that cybersecurity objectives are now incorporated into the HRP Strategic Plan.

The Chair suggested that the Board receive an In Camera (In Private) update on this topic at the next regular meeting, so the Board can look at these items in more detail.

The Chair thanked Kozma for the presentation.

9.1.5 HRM Police Services Review – Update

Caroline Blair-Smith, Senior Advisor to the Chief Administrative Officer, provided the Board with an update on the Police Services Review, noting that the consultants are in the final stages of drafting a report, which is expected to go before Halifax Regional Council by the end of the summer. They added that after the report goes to Regional Council, it can be forwarded to the Board for its review.

The Chair thanked Blair-Smith for the update.

9.2 MEMBERS OF BOARD OF POLICE COMMISSIONERS

9.2.1 Commissioner Borden - HRP Strategic Plan Phase II Quarterly Report Template

The following was before the Board:

- Draft HRP Strategic Plan Phase II Quarterly Reporting Template

Commissioner Borden spoke to the Board about the HRP Strategic Plan Phase II Quarterly Report Template, noting that a risk assessment matrix has been added to the template. They noted that they are still working with HRP staff on the new reporting template, but it should be implemented in the fall of 2019. Borden added that they will be coming back to the Board with a finalized version in the near future.

The Chair thanked Commissioner Borden for the update.

9.2.2 Commissioner Smith - Changes to Halifax Regional Municipality By-Law Number P-100: Respecting the Board of Police Commissioners

The following was before the Board:

- A request for consideration from Commissioner Smith

MOVED by Commissioner Smith, seconded by Commissioner Beals

THAT the Board of Police Commissioners request changes to Halifax Regional Municipality By-Law Number P-100: Respecting the Board Of Police Commissioners, with changes to section 8 (2) (f) that will now read “ensure compliance with Nova Scotia Police Act code of conduct; and the Halifax Regional Police Code of Ethics.”

Commissioner Smith spoke to the Board about the motion, explaining that while by-law P-100 incorporates reference to the NS *Police Act* code of conduct, it does not reference the Halifax Regional Police Code of Ethics. As such, they expressed a concern that it is not currently within the mandate of the Board to ensure compliance with the HRP Code of Ethics.

MOTION PUT AND PASSED.

9.2.3 Commissioner Smith - Community Communication Strategy

The following was before the Board:

- A request for consideration from Commissioner Smith

MOVED by Commissioner Smith, seconded by Commissioner Beals

THAT the Board of Police Commissioners request that the Chief of Police prepare a community communication strategy that clearly and straightforwardly communicates what a citizen's rights are in situations where Police interact with residents and community by;

- 1. Creating an easy to read "know your rights" information pamphlet or guide that outlines an Officers and citizens obligations when conducting a stop, interaction, or investigation. This information will also be available on HRM and HRP's website.**
- 2. Create community engagement strategies delivered by officers and community members that educates the public on their rights, and the roles and responsibilities of an officer.**
- 3. Engage with the minority communities in partnership with the Board of Police Commissioners to hold scheduled Town Halls in community, in order for the Board and Police service to understand community needs in order to enhance the effectiveness of the police service.**
- 4. Having all officers communicate - in accordance with the Minister of Justice direction regarding street checks – when coming in contact with the public adhere to all practices within the HRP Code of Ethics.**

Commissioner Smith spoke to the Board about the motion, explaining that police services in HRM should do more to ensure that the public is made aware of their rights and obligations relating to their interactions with the police and law enforcement, even if this is just making this information available to the public online.

Commissioner Smith noted that, on the advice of the Board's legal counsel, a slight amendment be made to the wording of part 4 of the motion:

THAT the motion be amended so that part 4 reads as follows:

- 4. Having all officers communicate that information during their interactions with members of the public, in a manner consistent with both the HRP Code of Ethics, and the directive of the Attorney General dated April 17, 2019.**

The amendment was considered as friendly by the Board.

The motion before the Board was as follows:

MOVED by Commissioner Smith, seconded by Commissioner Beals

THAT the Board of Police Commissioners request that the Chief of Police prepare a community communication strategy that clearly and straightforwardly communicates what a citizen's rights are in situations where Police interact with residents and community by;

- 1. Creating an easy to read "know your rights" information pamphlet or guide that outlines an Officers and citizens obligations when conducting a stop, interaction, or investigation. This information will also be available on HRM and HRP's website.**
- 2. Create community engagement strategies delivered by officers and community members that educates the public on their rights, and the roles and responsibilities of an officer.**
- 3. Engage with the minority communities in partnership with the Board of Police Commissioners to hold scheduled Town Halls in community, in order for the Board and Police service to understand community needs in order to enhance the effectiveness of the police service.**
- 4. Having all officers communicate that information during their interactions with members of the public, in a manner consistent with both the HRP Code of Ethics, and the directive of the Attorney General dated April 17, 2019.**

Commissioner Borden noted that they would like to make an additional amendment relating to a plan for the HRP to report on each of the Wortley report recommendations relating to community engagement.

MOVED by Commissioner Borden, seconded by Commissioner McDougall

THAT the motion be amended to include the following:

- 5. Creating a plan to report on each of the recommendations in the Wortley Report relating to Community Engagement, and include this in the Community Communications Strategy.**

MOTION TO AMEND PUT AND PASSED.

The motion before the Board was as follows:

MOVED by Commissioner Smith, seconded by Commissioner Beals

THAT the Board of Police Commissioners request that the Chief of Police prepare a community communication strategy that clearly and straightforwardly communicates what a citizen's rights are in situations where Police interact with residents and community by;

- 1. Creating an easy to read "know your rights" information pamphlet or guide that outlines an Officers and citizens obligations when conducting a stop, interaction, or investigation. This information will also be available on HRM and HRP's website.**
- 2. Create community engagement strategies delivered by officers and community members that educates the public on their rights, and the roles and responsibilities of an officer.**
- 3. Engage with the minority communities in partnership with the Board of Police Commissioners to hold scheduled Town Halls in community, in order for the Board and Police service to understand community needs in order to enhance the effectiveness of the police service.**
- 4. Having all officers communicate that information during their interactions with members of the public, in a manner consistent with both the HRP Code of Ethics, and the directive of the Attorney General dated April 17, 2019.**
- 5. Creating a plan to report on each of the recommendations in the Wortley Report relating to Community Engagement, and include this as part of the Community Communications Strategy.**

MOTION PUT AND PASSED AS AMENDED

Commissioner Beals left the meeting at 2:09 p.m.

9.2.4 Commissioner Smith - Future Budget Presentations to include all items related to Police operations, projects, and purchases

The following was before the Board:

- A request for consideration from Commissioner Smith

MOVED by Commissioner Smith, seconded by Commissioner Mancini

THAT the Board of Police Commissioners request that the Chief of the Halifax Regional Police, in addition to submitting future HRP budgets, also keep the Board informed of any strategic

initiatives impacting police services in the HRM; including those that impact significant police operations, projects, and purchases.

Commissioner Smith spoke to the Board about the motion, explaining that the request largely arose from the recent discussion of the armoured rescue vehicle (ARV) for the HRP. Smith noted that Commissioners felt that they should have been provided with more notice before this matter came forward for approval. The motion would request that anything with a significant impact on police services be brought forward to the Board, which would allow Commissioners to be better informed.

MOTION PUT AND PASSED.

9.3 COMMISSIONER UPDATES

9.3.1 Management Employee Relations Committee - NONE

9.3.2 Canadian Association of Police Governance Board - NONE

9.3.3 Nova Scotia Association of Police Governance Board

Commissioner McDougall provided the Board with an update on the Nova Scotia Association of Police Governance Board, noting that the Board met last Thursday and discussed concerns relating to varying interpretations of the *Police Act* by different Police Boards and Police Advisory Boards in the Province. They additionally noted that there will be a provincial conference in September in conjunction with the annual conference for Chiefs of Police.

The Chair thanked Commissioner McDougall for the update.

9.3.4 Canadian Association of Police Governance Annual Conference Calgary, August 8-11, 2019

Commissioner McDougall reminded interested Commissioners to sign up to attend the annual Canadian Association of Police Governance Annual Conference in Calgary, taking place from August 8-11.

Commissioner Craig noted that the Board will be able to send any Commissioner who is interested in attending.

The Chair thanked Commissioner McDougall for the update.

Commissioner Mancini left the meeting at 2:14 p.m.

9.4 HRP/RCMP CHIEF UPDATES

Inspector Robert Doyle, Halifax District Detachment, RCMP, provided the Board with an update on the new RCMP, Halifax District Officer-in-Charge, Janis Gray, who will soon be arriving to fill the position. Doyle additionally noted that several RCMP, Halifax District staff partook in an African Canadian Experience Course in May, with additional courses being offered in September 2019.

Acting Chief McNeil provided the Board with an update on Chief Dan Kinsella, noting that they will assume their new role with the HRP on July 1, 2019.

The Chair thanked Acting Chief McNeil and Inspector Doyle for the updates.

10. ADDED ITEMS - NONE

11. IN CAMERA (In Private)

The Board of Police Commissioners may rise and go into a private In Camera (In Private) session, in accordance with Section 51 of the Nova Scotia Police Act for the purposes of dealing with the following;

11.1 Approval of In Camera (In Private) Minutes – April 29, 2019 & May 13, 2019

The Board dealt with the following item during public session:

MOVED by Commissioner McDougall, seconded by Commissioner Smith

THAT the Board of Police Commissioners approve the April 29, 2019 and May 13, 2019 In Camera (In Private) minutes as presented.

MOTION PUT AND PASSED.

11.2 Personnel Matter

A matter pertaining to an identifiable individual or group.

The following item was dealt with by the Board In Camera (In Private), and no further action was required.

12. NOTICES OF MOTION

13. DATE OF NEXT MEETING

- July 17, 2019
- August 19, 2019 (Cancelled)

14. ADJOURNMENT

The meeting adjourned at 2:42 p.m.

David Perusse
Legislative Assistant