



BOARD OF POLICE COMMISSIONERS
October 18, 2021

PRESENT: Commissioner Lindell Smith, Chair
Commissioner Carole McDougall, Vice Chair
Commissioner Yemi Akindoju
Commissioner Lisa Blackburn
Commissioner Harry Critchley
Commissioner Becky Kent

REGRETS: Commissioner Anthony Thomas

STAFF: Jacques Dubé, Chief Administrative Officer
Martin Ward, Solicitor
Andrew Gough, Solicitor
Chief Dan Kinsella, Halifax Regional Police
Chief Superintendent Janis Gray, Halifax District Royal Canadian Mounted Police
Iain MacLean, Municipal Clerk
Andrea Lovasi-Wood, Legislative Assistant

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

The agenda, reports, supporting documents, and information items circulated are online at halifax.ca.

The meeting was called to order at 12:32 p.m., the Commission moved into an In Camera (In Private) session at 3:45 and reconvened at 4:12 p.m. the Commission adjourned at 4:15 p.m.

1. CALL TO ORDER

The Chair called the meeting to order at 12:32 p.m. and acknowledged that the meeting took place in Mi'kma'ki, the traditional and ancestral territory of the Mi'kmaq people, and that we are all treaty people.

2. COMMUNITY ANNOUNCEMENTS

No community announcements were noted.

3. APPROVAL OF MINUTES – September 20, 2021 and October 7, 2021 Special Meeting, 2021

MOVED by Commissioner Blackburn, seconded by Commissioner Critchley

THAT the minutes of September 20, 2021 and October 7, 2021 Special Meeting be approved as circulated.

MOTION PUT AND PASSED.

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

Additions:

- Item 11.1 Drafting of HRP and RCMP Communication Policy Where Police Complaint Investigation is Ongoing or a Complaint is Reasonably Foreseeable

MOTION PUT AND PASSED UNANIMOUSLY.

Deletions: None

MOVED by Commissioner McDougall, seconded by Commissioner Blackburn

THAT the agenda be approved as amended.

MOTION PUT AND PASSED.

Later in the meeting, it was MOVED by Commissioner Critchley, seconded by Commissioner Kent

THAT Item 11.1 be deferred to the November 15, 2021 meeting of the Board of Police Commissioners.

MOTION PUT AND PASSED.

5. BUSINESS ARISING OUT OF THE MINUTES

6. CALL FOR DECLARATION OF CONFLICT OF INTERESTS – NONE

7. CONSIDERATION OF DEFERRED BUSINESS– September 20, 2021

7.1 East Coast Prison Justice Society Petition

The following was before the Board of Police Commissioners:

- A request for consideration form from Commissioner Critchley
- Correspondence from Kimberly Sweeny, Rachel Labonte, James R. Lahey, Bobbie Martin, Zachary Lohnes, Becky Siamon

MOVED by Commissioner Critchley, seconded by Commissioner Kent

THAT the Board of Police Commissioners prepare a draft of a mandate and terms of reference for an independent civilian review of the oversight, governance, and policy aspects of the HRP's handling of the protests on August 18, 2021, which mandate and terms of reference will be received and reviewed by the Board at their November meeting.

Commissioner Critchley responded to questions of clarification from the Board of Police Commissioners.

Martin Ward, Solicitor, advised the Board of Police Commissioners regarding the Commission's jurisdiction under the *Police Act* to conduct an independent civilian review of a police force. Ward responded to questions of clarification from the Board of Police Commissioners.

Chief Dan Kinsella, Halifax Regional Police, responded to questions of clarification from the Board of Police Commissioners.

The Chair proposed that an independent legal opinion and a staff report be requested regarding the Commission's jurisdictional authority to create terms of reference for an independent civilian review of the oversight, governance, and policy aspects of the handling of the protests on August 18, 2021 as an initial step. As provided for in section 53 (2) of Administrative Order One, Respecting the Procedures of the Council, the amendment was accepted as friendly.

The motion as amended now read:

MOVED by Commissioner Critchley, seconded by Commissioner Kent

THAT the Board of Police Commissioners request an independent legal opinion and a staff report on the jurisdictional authority for the Commission to create a terms of reference for an independent civilian review of the oversight, governance, and policy aspects of the handling of the protests on August 18, 2021.

And that the following motion be deferred until the opinion is received:

THAT the Board of Police Commissioners prepare a draft of a mandate and terms of reference for an independent civilian review of the oversight, governance, and policy aspects of the HRP's handling of the protests on August 18, 2021, which mandate and terms of reference will be received and reviewed by the Board at their November meeting.

MOTION AS AMENDED PUT AND PASSED.

8. CORRESPONDENCE, PETITIONS & DELEGATIONS

8.1.1 September 20, 2021 Correspondence

Commissioner Critchley requested that discussion of Item 8.1.1 occur during discussion of Item 11.1.

8.1.2 Correspondence

Correspondence was received and circulated for items: 7.1.

For a detailed list of correspondence received refer to the specific agenda item.

8.2 Petitions - None

8.3 Presentation – None

9. INFORMATION ITEMS BROUGHT FORWARD – NONE

10. REPORTS

10.1 STAFF

10.1.1 HRM Wortley Report Recommendations – Discussion Regarding Future Reporting

Chief Kinsella, Halifax Regional Police, and Chief Superintendent Janis Gray, Halifax District Royal Canadian Mounted Police (Halifax District RCMP), responded to questions of clarification from the Board of Police Commissioners.

The Board of Police Commissioners agreed that Halifax Regional Police and Halifax District RCMP are to provide ongoing Wortley Report recommendations via quarterly reporting with additional updates as required.

The Chair agreed to request that the Department of Justice provide continued communication regarding the provincially led Wortley Report recommendations.

10.1.2 Victim Services – Presentations from Halifax Regional Police and Royal Canadian Mounted Police

The following was before the Board of Police Commissioners:

- A staff presentation from Halifax Regional Police dated October 18, 2021
- A staff presentation from Halifax District RCMP dated October 18, 2021

Inspector Carolyn Nichols, Support Divisional Commander, Halifax Regional Police, gave a presentation and responded to questions of clarification from the Board of Police Commissioners.

A copy of the staff presentation is on file.

Chief Dan Kinsella, Halifax Regional Police, responded to questions of clarification from the Board of Police Commissioners.

Kimberly Richard, Victim Services Coordinator, Halifax District RCMP, gave a presentation and responded to questions of clarification from the Board of Police Commissioners.

A copy of the staff presentation is on file.

Chief Superintendent Janis Gray, Halifax RCMP District, responded to questions of clarification from the Board of Police Commissioners.

10.1.3 Halifax Regional Police and Royal Canadian Mounted Police Financial Reporting

The following was before the Board of Police Commissioners:

- A staff information report from Halifax Regional Police dated October 8, 2021
- A staff presentation from Halifax Regional Police dated October 18, 2021
- A staff presentation from Halifax District RCMP dated October 18, 2021

Craig Horton, Financial Coordinator, Halifax Regional Police, gave a presentation on Halifax Regional Police's budget process for 2021/22.

A copy of the staff presentation is on file.

Chief Superintendent Janis Gray, Halifax District RCMP, gave a presentation and responded to questions of clarification from the Board of Police Commissioners.

A copy of the staff presentation is on file.

The Chair agreed to request a meeting with the Department of Justice to update the Board of Police Commissioners regarding the Halifax District RCMP policing budget allocation prior to HRM's annual budget process.

10.1.4 Halifax Regional Police Body-Worn Camera Pilot Program – Update

Chief Dan Kinsella, Halifax Regional Police, gave an update on the status of the Halifax Regional Police's body-worn camera pilot program and responded to questions of clarification from the Board of Police Commissioners.

Chief Kinsella agreed to prepare a memorandum or email to Board of Police Commissioners with more detail so the Commission can discuss options.

10.2 MEMBERS OF BOARD OF POLICE COMMISSIONERS

10.2.1 Commissioner McDougall – Board of Police Commissioners Work Plan Session

Commissioner McDougall, Vice Chair, updated the Board of Police Commissioners regarding scheduling of work plan session.

10.3 COMMISSIONER UPDATES

10.3.1 Commissioner McDougall – Canadian Association of Police Governance Annual Conference

Commissioner McDougall, Vice Chair, referred the Board of Police Commissioners to information report titled "Report on work of the Canadian Association of Police Governance (CAPG)" for details regarding the CAPG Annual Governance.

10.4 HALIFAX REGIONAL POLICE/ROYAL CANADIAN MOUNTED POLICE CHIEF UPDATES

Chief Superintendent Janis Gray, Halifax District RCMP, gave an update on recent and upcoming Halifax District RCMP initiatives.

Chief Dan Kinsella, Halifax Regional Police, gave an update on recent Halifax Regional Police initiatives and staffing announcements.

11. ADDED ITEMS

11.1 Drafting of HRP and RCMP Communication Policy Where Police Complaint Investigation is Ongoing or a Complaint is Reasonably Foreseeable

The following was before the Board of Police Commissioners:

- A request for consideration form from Commissioner Critchley

This item was deferred to the November 15, 2021 meeting of the Board of Police Commissioners.

12. ITEMS FOR FUTURE CONSIDERATION – NONE

13. IN CAMERA (IN PRIVATE)

MOVED by Commissioner Critchley, seconded by Commissioner McDougall

THAT the Board of Police Commissioners convene to In Camera (In Private) to discuss Item 13.2. PERSONNEL CONDUCT MATTER.

MOTION PUT AND PASSED.

13.1 In Camera (In Private) Minutes – September 20, 2021 and October 7, 2021 Special Meeting

This matter was dealt with in public.

MOVED by Commissioner Critchley, seconded by Commissioner Kent

THAT the In Camera (In Private) minutes of September 20, 2021 and October 7, 2021 Special Meeting be approved as circulated.

MOTION PUT AND PASSED.

13.2 PERSONNEL CONDUCT MATTER

This matter was dealt with In Camera (In Private).

14. NOTICES OF MOTION

15. DATE OF NEXT MEETING – November 15, 2021

16. ADJOURNMENT

The meeting adjourned at 4:15 p.m.

Andrea Lovasi-Wood
Legislative Assistant