



**BOARD OF POLICE COMMISSIONERS
MINUTES
February 28, 2022**

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

STAFF: Jacques Dubé, Chief Administrative Officer
Martin Ward, Solicitor
Chief Dan Kinsella, Halifax Regional Police
Acting Chief Superintendent Darren Campbell, 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 12:37 p.m., and recessed at 1:57 p.m. the Board of Police Commissioners reconvened in at 2:00 p.m. the Board of Police Commissioners adjourned at 4:06 p.m.

1. CALL TO ORDER AND LAND ACKNOWLEDGEMENT

The Chair called the meeting to order at 12:37 p.m. and acknowledged that the meeting took place in the traditional and ancestral territory of the Mi'kmaq people, and that we are all treaty people.

2. COMMUNITY ANNOUNCEMENTS

Commissioners noted special community announcements and acknowledgements.

3. APPROVAL OF MINUTES – January 17, 2022, January 31, 2022 Special Meeting, February 3, 2022 Special Meeting

MOVED by Commissioner Kent, seconded by Commissioner Blackburn

THAT the minutes of January 17, 2022, January 31, 2022 Special Meeting, February 3, 2022 Special Meeting be approved as circulated.

MOTION PUT AND PASSED.

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

Additions: None

Deletions: None

Item 8.1 Board of Police Commissioners Subcommittee to Define Defunding Police Report; Defunding the Police: Defining the Way Forward for HRM discussion be delayed until El Jones, Chair of Board of Police Commissioners Subcommittee to Define Defunding Police joins the Board of Police Commissioners' meeting.

Item 11.2.1 Commissioner Blackburn – Review of the Define Defunding Police Report Subcommittee to be considered during Item 8.1 Board of Police Commissioners Subcommittee to Define Defunding Police Report; Defunding the Police: Defining the Way Forward for HRM.

MOVED by Commissioner Kent, 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 the following items be deferred to the March 21, 2022 meeting of Regional Council:

- **Item 11.2.3 Commissioner Critchley – Human Resources consultant to study the issues of understaffing and increased mental health claims within the Halifax Regional Police**

MOTION PUT AND PASSED.

5. BUSINESS ARISING OUT OF THE MINUTES – NONE

6. CALL FOR DECLARATION OF CONFLICT OF INTERESTS

Commissioner Critchley declared a conflict of interest for Item 11.2.1 Commissioner Blackburn – Review of the Define Defunding Police Report Subcommittee because of their involvement with the preparation of the Subcommittee report and Item 7 Motion of Rescission – September 20, 2021 and October 18, 2021.

7. MOTION OF RESCISSION – September 20, 2021 and October 18, 2021

MOVED by Commissioner Kent, seconded by Commissioner McDougall

THAT the Board of Police Commissioners waive section 63 (3) of Administrative Order One respecting notice of motion be made for a motion of rescission.

MOTION PUT AND PASSED.

Commissioner Critchley stepped away from the meeting.

MOVED by Commissioner Kent, seconded by Commissioner Blackburn

THAT the Board of Police Commissioners:

- 1. Rescind the September 20, 2021 motion deferring receipt of the petition from East Coast Prison Justice Society and discussion of the request in the petition to the next meeting of the Board of Police Commissioners; and**
- 2. Rescind the following October 18, 2021 motions:**
 - a. requesting 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; and**
 - b. deferring a motion to prepare a mandate for an independent civilian review of the HRP's handling of the protests on August 18, 2021 pending receipt of the independent legal opinion and staff report.**

MOTION PUT AND PASSED.

Commissioner Critchley rejoined the meeting at this time.

MOVED by Commissioner Blackburn, seconded by Commissioner Kent

THAT the Board of Police Commissioners, per section 49(1) of Administrative Order One, waives notice of motion for motions relating to the East Coast Prison Society petition tabled at the Commission's September 20, 2021 meeting.

MOTION PUT AND PASSED.

Commissioner Critchley stepped away from the meeting.

MOVED by Commissioner Blackburn, seconded by Commissioner McDougall

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 a future meeting.

MOTION PUT AND PASSED.

Commissioner Critchley rejoined the meeting at this time.

8. CONSIDERATION OF DEFERRED BUSINESS – January 17, 2022

8.1 Board of Police Commissioners Subcommittee to Define Defunding Police Report; Defunding the Police: Defining the Way Forward for HRM

El Jones, Chair of Board of Police Commissioners Subcommittee to Define Defunding Police responded to questions of clarification from the Board of Police Commissioners.

Amy Siciliano, Public Safety Advisor responded to questions of clarification from the Board of Police Commissioners regarding how the Define Defunding Police report relates to the renewal of HRM's public safety strategy.

Acting Chief Superintendent Darren Campbell, Halifax District Royal Canadian Mounted Police (Halifax District RCMP) advised the Board of Police Commissioners that Halifax District RCMP have formed a group to review the Define Defunding Police report and its recommendations.

Chief Dan Kinsella, Halifax Regional Police advised the Board of Police Commissioners that Halifax Regional Police are reviewing the Define Defunding Police report and its recommendations.

Discussion of this item also included discussion of the motion in Item 11.2.1 Commissioner Blackburn – Review of the Define Defunding Police Report Subcommittee.

9. CORRESPONDENCE, PETITIONS & DELEGATIONS

9.1 Correspondence

Correspondence was received from P.A.D.S. Community Advocacy Network.

9.2 Petitions – None

9.3 Presentation

9.3.1 Policing and Family Violence Against Men – *Kelsey Green*

Due to technical issues, the Board of Police Commissioners agreed to defer this matter to a future meeting.

10. INFORMATION ITEMS BROUGHT FORWARD – NONE

11. REPORTS

11.1 STAFF

11.1.1 Halifax Regional Police 2021/22 – 3rd Quarter Financial Update

The following was before the Board of Police Commissioners:

- Staff information report dated February 24, 2022

Chief Dan Kinsella, Halifax Regional Police, and Craig Horton, Financial Coordinator, Halifax Regional Police responded to questions of clarification from the Board of Police Commissioners.

11.1.2 Halifax Regional Police Strategic Plan Update

The following was before the Board of Police Commissioners:

- Staff information report dated February 28, 2022

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

11.1.3 Halifax Regional Police and Halifax District Royal Canadian Mounted Police and Crime Statistics

The following was before the Board of Police Commissioners:

- Staff information report from Halifax Regional Police dated February 28, 2022
- Staff information report from Halifax District Royal Canadian Mounted Police dated February 28, 2022

Acting Chief Superintendent Darren Campbell, Halifax District RCMP gave a presentation on the Halifax District RCMP crime statistic overview from July to December 2021 and responded to questions of clarification from the Board of Police Commissioners.

Chief Dan Kinsella, Halifax Regional Police gave a presentation of Halifax Regional Police's biannual crime statistics from July to December 2021 and responded to questions of clarification from the Board of Police Commissioners.

11.1.4 2022 Board of Police Commissioners Work Plan

The following was before the Board of Police Commissioners:

- Handout of the facilitator's notes from the Board of Police Commissioners December 4, 2021 Work Plan Session

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

The Board of Police Commissioners discussed next steps in finalizing the 2022 Work Plan.

11.1.5 Canadian Association of Police Governance Membership Renewal

The following was before the Board of Police Commissioners:

- Motion memorandum

MOVED by Commissioner McDougall, seconded by Commissioner Kent

THAT the Board of Police Commissioners approve the annual renewal of the Commission's membership in the Canadian Association of Police Governance in the amount of \$5,100.

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

MOTION PUT AND PASSED.

11.2 MEMBERS OF BOARD OF POLICE COMMISSIONERS

Commissioner Critchley stepped away from the meeting.

11.2.1 Commissioner Blackburn – Review of the Define Defunding Police Report Subcommittee

The following was before the Board of Police Commissioners:

- Request for Board of Police Commissioners' consideration form submitted by Commissioner Blackburn

MOVED by Commissioner Blackburn, seconded by Commissioner Kent

THAT the Board of Police Commissioners strike a subcommittee, made up of up to three Commissioners, to review the recommendations of the Board of Police Commissioners Subcommittee to Define Defunding Police report and determine the body responsible for their completion.

Marty Ward, Solicitor responded to questions of clarification from the Board of Police Commissioners regarding terms of reference for the proposed subcommittee and the use of outside resources.

The Chair proposed that the motion include the subcommittee returning to a future Board of Police Commissioners meeting with a draft Terms of Reference and work plan. 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 Blackburn, seconded by Commissioner Kent

THAT the Board of Police Commissioners strike a subcommittee, made up of up to three Commissioners, to review the recommendations of the Board of Police Commissioners Subcommittee to Define Defunding Police report and determine the body responsible for their completion and return to a future Board of Police Commissioners meeting with a draft Terms of Reference and work plan.

MOTION AS AMENDED PUT AND PASSED.

Commissioner Critchley rejoined the meeting at this time.

11.2.2 Commissioner McDougall – Proposal to host the Canadian Association of Police Governance 2024 Annual Conference

The following was before the Board of Police Commissioners:

- Request for Board of Police Commissioners' consideration form submitted by Commissioner McDougall

MOVED by Commissioner McDougall, seconded by Commissioner Kent

THAT the Board of Police Commissioners send a proposal to the Canadian Association of Police Governance expressing the Board of Police Commissioners' interest in hosting the Canadian Association of Police Governance Annual Conference in 2024.

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

MOTION PUT AND PASSED.

MOVED by Commissioner Blackburn, seconded by Commissioner McDougall

THAT the meeting time be extended beyond 3:30 p.m.

MOTION PUT AND PASSED.

11.2.3 Commissioner Critchley – Human Resources consultant to study the issues of understaffing and increased mental health claims within the Halifax Regional Police

The following was before the Board of Police Commissioners:

- Request for Board of Police Commissioners' consideration form submitted by Commissioner Critchley

MOVED by Commissioner Critchley, seconded by Commissioner Blackburn

THAT the Chair of the Board of Police Commissioners direct the Chief Officer of the Halifax Regional Police (HRP) to, in consultation with and with the approval of the Board of Police Commissioners, hire a Human Resources consultant to study the issues of understaffing, increased mental health claims, and increased long-term absences within the Halifax Regional Police. The objective of this study would be to present a report to the Board of Police Commission which would outline:

- a) the contributing factors giving rise to these issues; and**
- b) recommendations for addressing these issues in the short, medium, and long term.**

This report could then inform budget deliberations in future fiscal years.

Martin Ward, Solicitor responded to questions of clarification from the Board of Police Commissioners.

MOVED by Commissioner Critchley, seconded by Commissioner Kent

THAT the Board of Police Commissioners defer Item 11.2.3 Commissioner Critchley – Human Resources consultant to study the issues of understaffing and increased mental health claims within the Halifax Regional Police to the March 21, 2022 meeting of the Board of Police Commissioners.

MOTION TO DEFER PUT AND PASSED.

11.2.4 Commissioner Critchley – Special public consultation meeting on policing and gender-based violence

The following was before the Board of Police Commissioners:

- Request for Board of Police Commissioners' consideration form submitted by Commissioner Critchley

MOVED by Commissioner Critchley, seconded by Commissioner Blackburn

THAT the Board of Police Commissioners invite subject matter experts in the areas of gender-based violence, family violence, sexual violence, and intimate partner violence (collectively, "gender-based violence") to give presentations to the Board at a special consultation meeting.

THAT the Chair of the Board of the Police Commissioners direct the chief officer of the Halifax Regional Police to, ahead of the special consultation meeting, draft a staff report outlining policies, procedures, statistics and other relevant information relating to the issue of policing and gender-based violence.

THAT the Chair of the Board of the Police Commissioners advise the chief officer of the Halifax District RCMP to do the same.

MOTION PUT AND PASSED.

11.3 COMMISSIONER UPDATES – NONE

11.4 HALIFAX REGIONAL POLICE/ROYAL CANADIAN MOUNTED POLICE CHIEF UPDATES

Chief Dan Kinsella, Halifax Regional Police, gave an update on recent Halifax Regional Police initiatives and responded to questions of clarification from Board of Police Commissioners.

12. ADDED ITEMS – NONE

13. ITEMS FOR FUTURE CONSIDERATION

14. IN CAMERA (IN PRIVATE)

14.1 In Camera (In Private) Minutes – January 31, 2022 Special Meeting and February 3, 2022 Special Meeting

This matter was dealt with in public.

MOVED by Commissioner Kent, seconded by Commissioner McDougall

THAT the In Camera (In Private) minutes of January 31, 2022 Special Meeting and February 3, 2022 Special Meeting be approved as circulated.

MOTION PUT AND PASSED.

15. NOTICES OF MOTION

15.1 Commissioner Critchley

TAKE NOTICE that, at a future meeting of the Board of Police Commissioners, I intend to move a motion to propose that the Board of Police Commissioners request a staff report from HRM Legal Services clarifying the meaning of the phrases “discipline,” “personnel conduct,” “contract negotiations,” and “security of police operations” in section 51 of the Police Act (collectively, the “grounds” for going in camera). The staff report should provide a definition for each of these phrases and explain what evidence is required under each ground before the Board can move in camera.

15.2 Commissioner Critchley

TAKE NOTICE that, at a future meeting of the Board of Police Commissioners, I intend to move a motion to propose that the Chair of the Board of the Police Commissioners direct the chief officer of the Halifax Regional Police to draft a staff report providing details regarding their ongoing policies and procedures review.

15.3 Commissioner Critchley

TAKE NOTICE that, at a future meeting of the Board of Police Commissioners, I intend to move a motion to propose that the Board of Police Commissioners request a staff report regarding the revamp for the budget approval process for the 2023/24 fiscal year to bring it in to compliance with the *Police Act*.

15.4 Commissioner Critchley

TAKE NOTICE that, at a future meeting of the Board of Police Commissioners, I intend to move a motion to propose that the Board of Police Commissioners request a staff report regarding the feasibility of moving the crossing guard program and the youth advocate program out of the Halifax Regional Police budget into another HRM budget area.

16. DATE OF NEXT MEETING – March 9, 2022 special meeting and March 21, 2022

17. ADJOURNMENT

The meeting adjourned at 4:06 p.m.

Andrea Lovasi-Wood
Legislative Assistant