



**BOARD OF POLICE COMMISSIONERS  
DRAFT MINUTES  
June 20, 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: Martin Ward, Solicitor  
Chief Dan Kinsella, Halifax Regional Police  
Inspector Jeremie Landry, Halifax District Royal Canadian Mounted Police  
Iain MacLean, Municipal Clerk  
Andrea Lovasi-Wood, Legislative Assistant

*These minutes are considered draft and will require approval by Board of Police Commissioners at a future meeting.*

*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](http://halifax.ca).*

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*The meeting was called to order at 12:34 p.m., and recessed at 2:46 p.m. the Board of Police Commissioners reconvened in at 2:57 p.m. the Board of Police Commissioners moved into an In Camera (In Private) session at 4:00 p.m. and reconvened at 4:52 p.m., the Board of Police Commissioners adjourned at 5:09 p.m.*

## **1. CALL TO ORDER AND LAND ACKNOWLEDGEMENT**

The Chair called the meeting to order at 12:34 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 – NONE**

## **3. APPROVAL OF MINUTES – May 16, 2022**

MOVED by Commissioner Blackburn, seconded by Commissioner McDougall

**THAT the minutes of May 16, 2022 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

Deferred to the July 6, 2022 meeting of Board of Police Commissioners:

- Item 10.1.2 Wortley Report Recommendations Tracking Document June 2022 Update

Item 7.1 Jurisdictional Authority to Create a Terms of Reference for an Independent Civilian Review be considered after Item 13.1 LEGAL ADVICE - Private and Confidential Report.

Item 10.2.2 Commissioner Critchley – Violence Against Women Advocate Case Review be considered after Item 8.3.1 Presentation – Violence Against Women Advocate Case Review: An Emerging Best Practice in Sexual Assault Investigations.

MOVED by Commissioner Critchley, seconded by Commissioner Blackburn

**THAT the agenda be approved as amended.**

**MOTION PUT AND PASSED.**

Later in the meeting, it was MOVED by Commissioner Blackburn, seconded by Commissioner McDougall

**THAT the following items be deferred to the July 6, 2022 meeting of the Board of Police Commissioners:**

- **10.4 HALIFAX REGIONAL POLICE/ROYAL CANADIAN MOUNTED POLICE CHIEF UPDATES**

**MOTION PUT AND PASSED.**

## **5. BUSINESS ARISING OUT OF THE MINUTES – NONE**

## **6. CALL FOR DECLARATION OF CONFLICT OF INTERESTS**

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Commissioner Critchley declared a conflict of interest:

- Item 10.2.1 Commissioner Blackburn – Board of Police Commissioners Working Group on Recommendations to Define Defunding Police Terms of Reference
- Item 7.1 Jurisdictional Authority to Create a Terms of Reference for an Independent Civilian Review

## **7. CONSIDERATION OF DEFERRED BUSINESS – February 28, 2022**

### **7.1 Jurisdictional Authority to Create a Terms of Reference for an Independent Civilian Review**

Commissioner Critchley was recused from the meeting during consideration of this item having declared a conflict interest in the matter.

The Chair provided a summary of the legal opinion to the Board of Police Commissioners during Item 13.1 LEGAL ADVICE - Private and Confidential Report regarding the Commission's authority to form an independent civilian review to investigate the oversight, governance, and policy aspects of the August 18, 2021 incident.

The following motion was on the floor:

MOVED by Commissioner Blackburn, seconded by Commissioner McDougall

**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. CORRESPONDENCE, PETITIONS & DELEGATIONS**

### **8.1 Correspondence – None**

### **8.2 Petitions – None**

### **8.3 Presentation**

#### **8.3.1 Presentation – Violence Against Women Advocate Case Review: An Emerging Best Practice in Sexual Assault Investigations – Sunny Marriner, Canadian Lead, Violence Against Women Advocate Case Review**

Sunny Marriner, Canadian Lead, Violence Against Women Advocate Case Review gave a presentation introducing the violence against women case review which is currently being used by jurisdictions across Canada during the investigation of sexual assaults to identify barriers and proactively collaborate with police in their removal. Marriner responded to questions of clarification from the Board of Police Commissioners including reviewer selection criteria, protection of confidentiality, federal government funding, financial implications, how case reviewers work with local police victim service units and implementation process for bringing case review to a jurisdiction.

## **9. INFORMATION ITEMS BROUGHT FORWARD – NONE**

## **10. REPORTS**

### **10.1 STAFF**

#### **10.1.1 Board of Police Commissioners July to December 2022 Meeting Schedule**

The following was before the Commission:

- A staff recommendation report dated May 3, 2022

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MOVED by Commissioner Blackburn, seconded by Commissioner Kent

**THAT the Board of Police Commissioners approve the proposed meeting schedule for July to December 2022 as outlined in Attachment 1 of the May 3, 2022 staff report.**

Iain MacLean, Municipal Clerk gave an overview of the staff recommendation report and responded to questions of clarification from the Board of Police Commissioners.

Commissioner Smith proposed that the meeting schedule be modified so that the October 5, 2022 and December 7, 2022 meetings occur in the evening, beginning at 4:30 p.m. 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 now read:

MOVED by Commissioner Blackburn, seconded by Commissioner Kent

**THAT the Board of Police Commissioners approve the proposed meeting schedule for July to December 2022 as outlined in Attachment 1 of the May 3, 2022 staff report, and Attachment 1 be modified to show that the October 5, 2022 and December 7, 2022 meetings are to be scheduled to occur in the evening, beginning at 4:30 p.m.**

**MOTION PUT AND PASSED.**

#### **10.1.2 Wortley Report Recommendations Tracking Document June 2022 Update**

This matter was deferred during the approval of the Order of Business.

#### **10.1.3 Halifax Regional Police Policy Review**

The following was before the Commission:

- Staff presentation dated June 20, 2022

Chief Dan Kinsella, Neera Ritcey, Director, Corporate Affairs, and Kara Evans, Policy and Business Initiative Coordinator, Halifax Regional Police gave a presentation regarding Halifax Regional Police's current policy manuals, an update on the progress of Halifax Regional Police's ongoing policy refresh and the planning and considerations regarding the public release of policies.

Chief Kinsella responded to questions of clarification from the Board of Police Commissioners.

MOVED by Commissioner Blackburn, seconded by Commissioner Kent

**THAT the meeting be extended to 4:30 p.m.**

**MOTION PUT AND PASSED.**

#### **10.1.4 Appointment of Representative to Nova Scotia Association of Police Governance Board of Directors**

The following was before the Commission:

- A motion memorandum dated June 20, 2022

MOVED by Commissioner McDougall, seconded by Commissioner Kent

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**THAT the Board of Police Commissioners appoint Commissioner Lisa Blackburn to serve as the Commission's representative on the Nova Scotia Association of Police Governance Board of Directors.**

**MOTION PUT AND PASSED.**

#### **10.1.5 Selection of Nominee to Canadian Association of Police Governance Board of Directors**

The following was before the Commission:

- A motion memorandum dated June 20, 2022

MOVED by Commissioner McDougall, seconded by Commissioner Blackburn

**THAT the Board of Police Commissioners approve the selection of Commissioner Yemi Akindoju to serve as the Commission's nominee to the Canadian Association of Police Governance Board of Directors for the term 2022-2024.**

**MOTION PUT AND PASSED.**

#### **10.1.6 Nova Scotia Association of Police Governance 2022/2023 Membership Renewal**

The following was before the Commission:

- A motion memorandum dated June 20, 2022

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 Nova Scotia Association of Police Governance in the amount of \$900.**

**MOTION PUT AND PASSED.**

### **10.2 MEMBERS OF BOARD OF POLICE COMMISSIONERS**

#### **10.2.1 Commissioner Blackburn – Board of Police Commissioners Working Group on Recommendations to Define Defunding Police Terms of Reference**

Commissioner Critchley was recused from the meeting during consideration of this item having declared a conflict interest in the matter.

The following was before the Commission:

- A report dated June 15, 2022

MOVED by Commissioner Blackburn, seconded by Commissioner Kent

**THAT the Board of Police Commissioners:**

- 1. Approve the Terms of Reference, as outlined in Attachment 1 of the report dated June 15, 2022, for a Working Group on Recommendations to Define Defunding Police.**
- 2. Approve the formation of the Working Group on Recommendations to Define Defunding Police, directing the Working Group to follow the Terms of Reference below:**

- a. **Review the Committee on Recommendations to Define Defunding Police report “Defunding the Police: Defining the Way Forward for HRM” and review the 36 recommendations;**
  - b. **Identify the governmental agency with responsibility for specific recommendations;**
  - c. **Recommend to the Board a course of action to further the implementation of specific recommendations by identified responsible agencies;**
  - d. **Recommend to the Board Terms of Reference for a subcommittee to work on recommendations concerning the implementation of those recommendations within the Board’s jurisdiction; and**
  - e. **Provide a report containing these and any related recommendations for the Board of Police Commissioners to consider.**
- 3. The Working Group on Recommendations to Define Defunding Police shall submit a written report to the Board of Police Commissioners.**

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

**MOTION PUT AND PASSED.**

Commissioner Critchley rejoined the meeting at this time.

**10.2.2 Commissioner Critchley – Violence Against Women Advocate Case Review**

The following was before the Commission:

- A Request for Board of Police Commissioners’ consideration form from Commissioner Critchley

MOVED by Commissioner Critchley, seconded by Commissioner Blackburn

- 1. That the Chair of the Halifax Board of Police Commissioners (the “Board”) direct the Chief Officer of the Halifax Regional Police (“HRP”) and recommend that the Chief Superintendent of the Halifax District Royal Canadian Mounted Police (“RCMP”) enter into discussions with the Improving Institutional Accountability Project (“IIAP”) to explore options for the implementation of the Violence Against Women Advocate Case Review (“VACR”) model in the Halifax Regional Municipality (“HRM”).**
- 2. That the Board create a subcommittee, consisting of no more than three (3) members of the Board and any additional number of members of the public as required, to oversee and assist with the development and implementation of the VACR in the HRM.**

Martin Ward, Solicitor advised the Board of Police Commissioners regarding jurisdictional concerns about the wording of the motion, suggesting that “recommend” instead of “direct” the Chief Officer of the Halifax Regional Police would be more appropriate and responded to questions of clarification from the Board of Police Commissioners.

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Chief Dan Kinsella, Halifax Regional Police and Inspector Jeremie Landry, Halifax District Royal Canadian Mounted Police (Halifax District RCMP) responded to questions of clarification from the Board of Police Commissioners.

Commissioner Critchley proposed that part 1 of the motion be modified to read “recommend” instead of “direct” the Chief Officer of the Halifax Regional Police. 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 now read:

MOVED by Commissioner Critchley, seconded by Commissioner Blackburn

- 1. That the Chair of the Halifax Board of Police Commissioners (the “Board”) recommend the Chief Officer of the Halifax Regional Police (“HRP”) and Chief Superintendent of the Halifax District Royal Canadian Mounted Police (“RCMP”) enter into discussions with the Improving Institutional Accountability Project (“IIAP”) to explore options for the implementation of the Violence Against Women Advocate Case Review (“VACR”) model in the Halifax Regional Municipality (“HRM”).**
- 2. That the Board create a subcommittee, consisting of no more than three (3) members of the Board and any additional number of members of the public as required, to oversee and assist with the development and implementation of the VACR in the HRM.**

Commissioner Blackburn proposed that part 2 of the motion be removed from the motion and that the Chief of Halifax Regional Police and Chief Superintendent of the Halifax District RCMP return to the Commission at the Commission’s September 2022 meeting to report on the progress of discussions with Improving Institutional Accountability Project. 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 now read:

MOVED by Commissioner Critchley, seconded by Commissioner Blackburn

**That the Chair of the Halifax Board of Police Commissioners (the “Board”) recommend the Chief Officer of the Halifax Regional Police (“HRP”) and that the Chief Superintendent of the Halifax District Royal Canadian Mounted Police (“RCMP”) enter into discussions with the Improving Institutional Accountability Project (“IIAP”) to explore options for the implementation of the Violence Against Women Advocate Case Review (“VACR”) model in the Halifax Regional Municipality (“HRM”) and that HRP and RCMP report back to the Board at the Board’s September 2022 meeting regarding the progress of the discussions with IIAP.**

**MOTION PUT AND PASSED.**

#### **10.4 HALIFAX REGIONAL POLICE/ROYAL CANADIAN MOUNTED POLICE CHIEF UPDATES**

This matter was deferred, refer to Order of Business.

**11. ADDED ITEMS – NONE**

**12. ITEMS FOR FUTURE CONSIDERATION – NONE**

**13. IN CAMERA (IN PRIVATE)**

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MOVED by Commissioner Kent, seconded by Commissioner Blackburn

**THAT the Board of Police Commissioners convene to In Camera (In Private) to discuss Item 13.1 LEGAL ADVICE MATTER.**

**MOTION PUT AND PASSED.**

**13.1 LEGAL ADVICE - Private and Confidential Report**

This matter was dealt with In Camera (In Private) and ratified in public as follows:

MOVED by Commissioner Kent, seconded by Commissioner Blackburn

**THAT the Board of Police Commissioners:**

- 1. Discuss the legal opinion received in Item 13.1 LEGAL ADVICE - Private and Confidential Report during discussion of Item 7.1 Jurisdictional Authority to Create a Terms of Reference for an Independent Civilian Review; and**
- 2. Release the private and confidential legal opinion dated May 30, 2022 to the public.**

**MOTION PUT AND PASSED.**

**Private and Confidential Information Items**

1. Private and Confidential In Camera (In Private) Information Report - re: Legal Advice
2. Private and Confidential In Camera (In Private) Information Report - re: Security Matter

**14. NOTICES OF MOTION**

**14.1 Commissioner Critchley**

TAKE NOTICE that, at the July 2022 meeting of the Board of Police Commissioners, I intend to move a motion to propose that the Chair of the Halifax Board of Police Commissioners direct the Chief Officer of the Halifax Regional Police and recommend that the Chief Superintendent of the Halifax District Royal Canadian Mounted Police prepare staff reports to be received by the Board at their August meeting. These reports should briefly outline all policies, procedures, and other operational guidance provided to officers regarding the enforcement of subsections 8(1) and 8(2) of Halifax Regional Municipality By-Law P-600 Respecting Municipal Parks.

**15. DATE OF NEXT MEETING – July 6, 2022, if required**

**16. ADJOURNMENT**

The meeting adjourned at 5:09 p.m.

Andrea Lovasi-Wood  
Legislative Assistant