

Item No. 10.2.2

Request for Consideration		
<input checked="" type="checkbox"/> Agenda Item (Submitted to Municipal Clerk's Office by Noon at least 5 working days prior to the meeting)	<input type="checkbox"/> Added Item (Submitted to Municipal Clerk's Office by Noon at least one day prior to meeting)	<input type="checkbox"/> Request from the Floor <input type="checkbox"/> Notice of Motion
Council or Committee: Halifax Board of Police Commissioners:		
Date of Meeting: June 20, 2022		
Subject: Violence Against Women Advocate Case Review		
Motion for Committee to Consider:		
<ol style="list-style-type: none">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.		
<ol style="list-style-type: none">1. Legal authority<ol style="list-style-type: none">a. HRP		
Under subsection 55(1) of the <i>Police Act</i> , the function of a board is to provide (emphasis added): <ol style="list-style-type: none">(a) civilian governance on behalf of the council in relation to the enforcement of law, the maintenance of law and order and the prevention of crime in the municipality; and(b) the administrative direction, organization and policy required to maintain an adequate, effective and efficient police department		
Without limiting the generality of the functions noted in subsection 55(1), under subsection 55(3) the Board has the following specific duties: ... <ol style="list-style-type: none">(c) ensure that community needs and values are reflected in policing priorities, objectives, goals, programs and strategies;(d) ensure that police services are delivered in a manner consistent with community values, needs and expectations;(e) act as a conduit between the community and the police service providers.		
Section 52 reads: <p>On behalf of the board, the board chair or the chair's delegate may give advice or direction, in writing, to the chief officer on any matter within the jurisdiction of the board under this Act, but not to other members of the police department and, for greater certainty, no other member of the board shall give advice or direction to a member of the police department.</p>		

b. RCMP

Section 68(1) reads:

68 (1) The function of an advisory board is to provide advice to the council in relation to the enforcement of law, the maintenance of law and order and the prevention of crime in the municipality, but the advisory board shall not exercise jurisdiction relating to complaints, discipline, personnel conduct or the internal management of the Royal Canadian Mounted Police.

Section 68(3) reads in part:

(3) Without limiting the generality of subsection (1), an advisory board shall, subject to the police contract or policing agreement, ...

(d) ensure that police services are delivered in a manner consistent with community values, needs and expectations;

(e) act as a conduit between the community and the police department;

(f) recommend policies, administrative and organizational direction for the effective management of the police department;

Section 66 reads:

On behalf of the advisory board, the board chair or the chair's delegate may, in accordance with an agreement made pursuant to clause 36(1)(b), give advice in writing to the chief officer, but not to other members of the police department and, for greater certainty, no other member of the board shall give advice or direction to a member of the police department.

3. Information about the VACR Model

The Violence Against Women Advocate Case Review was developed by the IIAP and seeks to increase equitable access to the justice system for survivors of sexual violence through objectively measurable improvement in policing violence against women.

VACR is an external file review process which seeks to address case attrition and provide oversight in sexual assault cases through the knowledge of subject matter experts sourced directly from the community. VACR adds a best practice link to the policing investigative chain:

Report → Investigation → Clearance → REVIEW

VACR promotes collaboration, knowledge sharing, learning and systemic change through the added link in the investigative chain which provides an ongoing a safeguard process to catch police reported sexual assault cases before they slip through the cracks instead of analyzing what went wrong: after a complaint is filed; after survivors go to the media; after a scandal; or after a perpetrator or serial offender assaults again.

VACR has been endorsed by the Canadian Association Chiefs of Police in 2020 and has been included as a best practice in their Canadian Framework for Collaborative Police Response on Sexual Violence for all municipal police services to adopt and implement.

4. Rationale

In light of the above, this motion is in keeping with a number of the Board's duties, including:

- The function of the Board under 55(1)(b) to provide "the administrative direction, organization and policy required to maintain an adequate, effective and efficient police department"
- The Board's duty under 55(3)(c) to "ensure that community needs and values are reflected in policing priorities, objectives, goals, programs and strategies"
- The Board's duty under 55(3)(d) to "ensure that police services are delivered in a manner consistent with community values, needs and expectations," and
- The Board's duty under 55(3)(e) to "act as a conduit between the community and the police service providers."

- The Board's duty under 55(3)(i) to "ensure the department is managed by the chief officer according to best practices and operates effectively and efficiently"

Outcome Sought: Noted above

Commissioner Harry Critchley

Submitted June 15, 2022