

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: March 4, 2024		
Subject: Violence Against Women Advocate Case Review		
Motion for Committee to Consider:		
<ol style="list-style-type: none">1. That the Board of Police Commissioners direct the Chief Officer of HRP to prepare a staff report which should include<ol style="list-style-type: none">a. A breakdown of the number of allegations of sexual offences investigated by SAIT which do not lead to charges being laid, plus the reasons why; andb. A recommendation as to whether or not the Board should direct the direct the Chief Officer of HRP to implement the VACR program as proposed by Sunny Mariner at the Board's June 20, 2022, meeting.2. That, if there are any concerns regarding the jurisdiction of the Board as it relates to (1), the Board of Police Commissioners secure an independent legal opinion regarding whether or not it has the jurisdiction to direct the Chief Officer of HRP to implement the VACR program as proposed by Sunny Mariner at the Board's June 20, 2022, meeting.		
1. Legal authority		
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: 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.

2. 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.

3. 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 February 28, 2024