



Item No. 10.2.1

Board of Police Commissioners for the Halifax Regional Municipality December 4, 2024

TO: Chair Kent and Commissioners of the Board of Police Commissioners for the Halifax Regional Municipality

FROM: Cathie O'Toole, Chief Administrative Officer

DATE: November 12, 2024

SUBJECT: Violence Against Women Advocate Case Review – Halifax Regional Police

RECOMMENDATION REPORT

ORIGIN

October 4, 2023, Board of Police Commissioners for the Halifax Regional Municipality motion (Item No. 10.2.2):

THAT the Board of Police Commissioners defer Item 10.2.2 to a future meeting of the Board in order for Halifax Regional Police to provide further information on the progress of the implementation of the Violence Against Women Advocate Case Review Model including identification of the police resourcing required to implement the model.

MOTION PUT AND PASSED

March 4, 2024, Board of Police Commissioners for the Halifax Regional Municipality motion (Item No. 10.3.1):

THAT the Board of Police Commissioners for the Halifax Regional Municipality direct the Chief Officer of Halifax Regional Police (HRP) to prepare a staff report which should include:

- a. A breakdown of the number of allegations of sexual offences investigated by SAIT which do not lead to charges being laid; and
- b. A recommendation as to whether or not the Board should direct the Chief Officer of HRP to implement the Violence Against Women Advocate Case Review (VACR) program as proposed by Sunny Mariner at the Board's June 20, 2022, meeting.

MOTION PUT AND PASSED

RECOMMENDATION

THAT the Board of Police Commissioners for the Halifax Regional Municipality direct the Chief Officer of Halifax Regional Police and advise the Chief Officer of Halifax Regional Detachment to participate in the RCMP H Division (Nova Scotia) Sexual Assault Investigations Review Committee process for a trial period of 12 months, and return to the Board in February 2026 with an update and a recommendation as to continued participation.

BACKGROUND

The August 7, 2024, meeting of the Halifax Regional Municipality (HRM) Board of Police Commissioners received an Information Report from Halifax Regional Police: “*Violence Against Women Advocate Case Review – Halifax Regional Police.*”¹ That report can be found at Attachment 1, and fulfilled part (a) of the above motion, dated March 4, 2024.

The report outlined how the Violence Against Women Advocate Case Review (VACR) model seeks to improve equitable access to the criminal justice system of sexual violence survivors, through the review of sexual assault investigations which do not result in a charge.

The Board had previously recommended in June 2022 that Halifax Regional Police (HRP) and RCMP Halifax Regional Detachment (HRD) explore options for the implementation of VACR in Halifax². This report addresses that recommendation and part (b) of the above motion dated March 4, 2024.

DISCUSSION

The benefits of a review model for sexual violence investigations are recognized and acknowledged by HRP. In exploring the options for such a model in Halifax, HRP has been working collaboratively with the RCMP on integrating files investigated by the Integrated Sexual Assault Investigation Team (SAIT) into the RCMP H Division (Nova Scotia) Sexual Assault Investigations Review Committee (SAIRC) process.

SAIRCs are being established in all RCMP contract policing divisions to provide investigative oversight, to ensure investigations are thorough, timely, impartial, and properly classified, as well as to identify any systemic gaps and barriers.³

The SAIRC is comprised of provincial independent subject matter experts across governmental and non-governmental organizations, all of whom are required to sign a non-disclosure agreement. An RCMP Sergeant attends the meetings on behalf of RCMP but does not participate in the file review process; their role is to answer any questions from SAIRC members.

Investigations are selected at random prior to each SAIRC meeting, with the un-vetted file material securely and completely prepared and transferred. No sexual assault investigations are excluded from being selected from review, including those involving children.

The SAIRC meets three times per year to review sexual assault investigations. Each committee member reviews a file individually and in depth, against an agreed set of standards. Following the review, the SAIRC

¹ [August 7, 2024, Board of Police Commissioners | Halifax](#)

² [June 20, 2022, Board of Police Commissioners | Halifax](#)

³ <https://www.rcmp-grc.gc.ca/en/the-way-forward-ii-an-update-the-implementation-the-rcmps-sexual-assault-review-and-victim-support>

may find that the investigation was completed in accordance with best practice, or they may make recommendations, including (but not limited to) that the investigation be re-opened for additional investigative steps to be taken, or that the investigating officer receive feedback.

To prepare for potential HRP and HRD participation in the SAIRC process, viewing access to the Records Management System (Versadex RMS) was extended to RCMP analysts, a SAIT supervisor attended a SAIRC meeting to observe the review process, and evaluated requirements for information-sharing, resources, and logistics. The assessment process determined it would be beneficial for HRP to leverage the policing partnership with HRD and participate in the RCMP H Division SAIRC process, thereby providing a continuity of service between law enforcement agencies and benefitting all survivors of sexual violence within HRM.

Participation in the SAIRC process also addresses the potential legal obstacle which had been identified with the VACR model, namely the sharing of personal information. Investigations involving sexual assault contain extremely sensitive information, with legislation between provinces differing in how they address the sharing of personal information in sexual assault cases with third parties. This is not an area of concern with the SAIRC process.

HRP has prepared a number of SAIT investigation files for submission to the next set of review meetings, which are scheduled to take place in December. A SAIT supervisor will attend to respond to any questions the committee may have.

FINANCIAL IMPLICATIONS

There are no financial implications associated with HRP participating in the RCMP SAIRC.

COMMUNITY ENGAGEMENT

No community engagement was required for the purpose of creating this report.

ALTERNATIVES

The Board of Police Commissioners for the Halifax Regional Municipality could choose not to approve the recommendation.

LEGISLATIVE AUTHORITY

Under subsection 55(1) of the Nova Scotia *Police Act*, 2004, the function of a board is to provide:

- (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: ...

- (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.

ATTACHMENTS

Attachment 1 – Information Report to the HRM Board of Police Commissioners, dated July 12, 2024:
Violence Against Women Advocate Case Review – Halifax Regional Police

Report Prepared by: A/Deputy Chief Andrew Matthews – Halifax Regional Police

Report Approved by: Chief Don MacLean – Chief of Police, Halifax Regional Police



Attachment 1

Item No. 3

Board of Police Commissioners for the Halifax Regional Municipality August 7, 2024

TO: Chair Kent and Commissioners of the Board of Police Commissioners for the Halifax Regional Municipality

SUBMITTED BY: Original Signed

Cathie O'Toole, Chief Administrative Officer

DATE: July 12, 2024

SUBJECT: Violence Against Women Advocate Case Review – Halifax Regional Police

INFORMATION REPORT

ORIGIN

October 4, 2023, Board of Police Commissioners for the Halifax Regional Municipality motion (Item No. 10.2.2):

THAT the Board of Police Commissioners defer Item 10.2.2 to a future meeting of the Board in order for Halifax Regional Police to provide further information on the progress of the implementation of the Violence Against Women Advocate Case Review Model including identification of the police resourcing required to implement the model.

MOTION PUT AND PASSED

March 4, 2024, Board of Police Commissioners for the Halifax Regional Municipality motion (Item No. 10.3.1):

THAT the Board of Police Commissioners for the Halifax Regional Municipality direct the Chief Officer of Halifax Regional Police (HRP) to prepare a staff report which should include:

- a. A breakdown of the number of allegations of sexual offences investigated by SAIT which do not lead to charges being laid; and

- b. A recommendation as to whether or not the Board should direct the Chief Officer of HRP to implement the Violence Against Women Advocate Case Review (VACR) program as proposed by Sunny Mariner at the Board's June 20, 2022, meeting.

MOTION PUT AND PASSED

This information report is meant to respond to part a) of the March 4, 2024 motion. A recommendation in response to part b) will not be brought forward until a permanent Chief for Halifax Regional Police is in place and has the opportunity to provide input.

LEGISLATIVE AUTHORITY

Under subsection 55(1) of the Police Act, the function of a board is to provide:

- (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: ...

- (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.

BACKGROUND

At the June 20, 2022, meeting of the Halifax Regional Municipality (HRM) Board of Police Commissioners ("the Board"), a presentation was delivered on the Violence Against Women Case Advocate Review (VACR) by Sunny Mariner, the VACR Project Lead¹.

The presentation outlined how only one in five of all sexual violence cases which are reported to police result in a charge and, of those, only half make it to trial.

The VACR model was developed through the federally funded 'Improving Institutional Accountability Project' (IIAP), and seeks to improve equitable access to the criminal justice system of sexual violence survivors, through the review of sexual assault investigations which do not result in a charge.

The VACR reviews are undertaken by independent experts from local sexual assault support centres, who

¹ <https://www.halifax.ca/city-hall/boards-committees-commissions/june-20-2022-board-police-commissioners>

can identify cases which may require further investigation by police.

VACR was endorsed by the Canadian Association of Chiefs of Police (CACP) in 2020 and has been included as best practice in the Canadian Framework for Collaborative Police Response on Sexual Violence.

DISCUSSION

Following the meeting on June 20, 2022, the Board recommended that Halifax Regional Police (HRP) and RCMP Halifax Regional Detachment (HRD) explore options for the implementation of VACR in Halifax.

At the July 12, 2023, meeting of the Board, an information report was delivered which outlined three options for the implementation of VACR in Halifax; full implementation of the model as proposed, a hybrid model, or maintenance of the status quo (do nothing)².

At the request of the Board, a further information report was delivered at the October 4, 2023, meeting which outlined the details of an environmental scan on VACR³. The report concluded that *“[t]he responses received from participating agencies affirm the positive impact of the VACR initiative. Notable improvements in investigative outcomes, coupled with enhanced collaboration with community partners, demonstrate the significance of this program. While increased workload and resource allocation challenges were acknowledged, agencies unanimously emphasize that the benefits far outweigh any associated drawbacks.”* (p.2)

The benefits of a review model for sexual violence investigations are recognized and acknowledged by both HRP and HRD. Therefore, the third option presented at the July 2023 meeting, of maintaining the status quo – doing nothing – is not considered to be a viable option.

The exploration process has included identification of potential barriers to the sharing of personal information for the purpose of the review. Cases involving sexual violence contain extremely sensitive information, with legislation between provinces differing in how they address the sharing of personal information in sexual assault cases with third parties.

At the meeting of the Board on March 4, 2024, Superintendent Andrew Matthews of the Integrated Criminal Investigation Division explained that HRP is seeking advice from Halifax Regional Municipality’s legal department regarding any possible legislative concerns.

In the meantime, HRP has been working collaboratively with RCMP on integrating files investigated by the Integrated Sexual Assault Investigation Team (SAIT) into the RCMP H Division (Nova Scotia) Sexual Assault Investigations Review Committee (SAIRC) process.

SAIRCs are being established in all RCMP contract policing divisions to provide investigative oversight, to ensure investigations are thorough, timely, impartial, and properly classified, as well as to identify any systemic gaps and barriers.⁴

Through the integrated HRM policing model, HRP will leverage its policing partnership with HRD in order to participate in the RCMP H Division SAIRC process, thereby providing a continuity of service between law enforcement agencies and benefitting all survivors of sexual violence within HRM.

² <https://www.halifax.ca/media/82854>

³ <https://www.halifax.ca/media/83747>

⁴ <https://www.rcmp-grc.gc.ca/en/the-way-forward-ii-an-update-the-implementation-the-rcmps-sexual-assault-review-and-victim-support>

For the purpose of HRP participation in the SAIRC process, HRP has extended viewing access to its Records Management System (Versadex) to RCMP analysts, observed the review process, and is evaluating requirements for information-sharing, resources, and logistics. This assessment process remains ongoing. The next SAIRC meeting is scheduled for September 16 and 17, 2024.

The below table illustrates the number of investigations into sexual offences undertaken by SAIT⁵ since 2020, where charges have not been laid i.e. those which could be eligible for a review process.

SAIT is an integrated unit therefore the numbers below include both HRP and HRD files.

Table 1 – Number and charge status of sexual offences investigated by SAIT⁶

	2020	2021	2022	2023	2024 YTD
Total Sexual Offence Investigations	398	454	488	433	233
Charges laid	79 (20%)	66 (15%)	84 (17%)	73 (17%)	22 (9%)
Charges not laid	319 (80%)	388 (85%)	404 (83%)	360 (83%)	211 (91%)

FINANCIAL IMPLICATIONS

There are no financial implications at this time. Should Halifax move forward with implementation of a third party review model, financial implications will depend on the components required to implement the model by way of staffing, coordination, and implementation recommendations (policy changes).

COMMUNITY ENGAGEMENT

No community engagement was required for the purpose of creating this information report.

ATTACHMENTS

There are no attachments to this report.

⁵ As well as sexual offences, the SAIT mandate includes other types of investigations, including physical child abuse. It should also be noted that while SAIT is responsible for the majority of investigations into sexual offences, a limited number remain at the Patrol level where the criteria to do so are met

⁶ These numbers are accurate as of the current date and are subject to change as investigations progress and conclude. For the more recent files, a larger proportion remain still under investigation

A copy of this report can be obtained online at halifax.ca or by contacting the Office of the Municipal Clerk at 902.490.4210.

Report Prepared by: A/Deputy Chief Andrew Matthews – Halifax Regional Police

Report Approved by: A/Chief Don MacLean – Halifax Regional Police

A/Superintendent Don Moser – RCMP Halifax Regional Detachment
