

**MINISTRY OF JUSTICE
CORRECTIONS BRANCH
BRIEFING NOTE - CONFIDENTIAL**

PREPARED FOR: Honourable Shirley Bond, Minister of Justice and Attorney General
FOR INFORMATION

ISSUE:

WorkSafeBC (WSBC) will be conducting inspections of all nine provincial correctional centres.

KEY POINTS:

- WSBC has been keeping the Corrections Branch and centres advised of their intention and plan to inspect all provincial correctional centres.
- The Corrections Branch welcomes the inspections by WSBC and maintains a commitment to health and safety in the workplace.
- WSBC stated they are not only targeting correctional centres, initiatives will be undertaken to inspect other occupational workplaces, including health care facilities.
- WSBC stated that if they find contraventions they will write orders. Correctional centres will promptly comply with any such orders.
- Once the first centre is inspected (Fraser Regional Correctional Centre (FRCC)), senior Corrections managers will have a debriefing and share information with the other centres to assist in their preparation for inspection.
- The Corrections Branch facilitates a Safety Coordination Board which has monthly conference calls and is comprised of two representatives from WSBC, two Occupational Health and Safety (OHS) specialists from the BC Public Service Agency, an Employer representative (excluded manager) from each correctional centre, and two representatives from Corrections Branch headquarters.
- The purpose of the Safety Coordination Board is to discuss safety issues and communicate best practices.
- All centres carry out a risk assessment for violence in the workplace at the start of operations and whenever there is a significant change in the nature of the business or the location of the workplace.
- Centres are reviewing all violence in the workplace risk assessments older than 3 years to ensure there have been no major changes to the job duties, processes or environment since the assessment was completed. If changes have occurred, then those conditions will be assessed to determine if those factors change or create new recommendations. The updated risk assessment will be reviewed by the Joint Occupational Health and Safety Committee, the recommendations will be implemented, and the revised risk assessment documented.

CURRENT STATUS:

- In advance of the inspections, WSBC will provide the centre with a five-page Field Officer Compliance Guide. This guide will inform the centre of what documentation WSBC is seeking and the process, etc. (Once FRCC receives this guide, it will be shared with the other correctional centres).
- WSBC will not just be looking at paper compliance. They will be talking to workers to see if they understand the policies and safe work practices, and where to find them, etc.
- They will also be talking to the contract workers (e.g. food services workers, health care contractors, etc.).

FOCUS OF INSPECTIONS:

- Accountabilities: responsibilities (employer, supervisor, worker); communications, including with health care and food contractors.
- Violence in the Workplace: including risk assessments, training, education, communication.
- Blood and Body Fluids: Note: North Fraser Pretrial Centre (NFPC) currently has a WSBC order to complete an Exposure Control Plan (ECP) and provide training to staff by November 1, 2012. The draft ECP has been submitted to WSBC and we are awaiting their comments. Once approved by WSBC, the ECP will be distributed to all centres.

BACKGROUND:

- Three WSBC employees will conduct the inspections: two prevention officers and one hygiene officer.
- The same three WSBC officers will conduct the first two inspections at FRCC and Surrey Pretrial Services Centre.
- For the remaining centres, two of these three individuals will conduct the inspection along with the WSBC officer responsible for that centre.
- The hygiene officer will participate in all inspections, with the prevention officers alternating at the remaining centres.
- To date, WorkSafeBC has found our workplaces to be safe and our staffing levels to be adequate.
- All correctional centres have an active Occupational Health and Safety Committee, with both Employer and Union representation, which addresses concerns with safety issues.
- While a correctional environment has inherent risks, the Corrections Branch has developed practices and policies that minimize those risks and has made modifications to correctional centres that contribute to staff safety.

OTHER BRANCHES/MINISTRIES/GOVERNMENTS:

- BC Public Service Agency (BCPSA)
- WorkSafeBC (WSBC)

TIMELINES:

- Fraser Regional Correctional Centre will be the first centre inspected. WSBC are planning to be at the centre for three days. However, since this will be the first centre and WSBC's pilot inspection, they are uncertain of how long it will take.
- Surrey Pretrial Services Centre will be inspected in late November.
- The remaining centres will be inspected within the first three months of 2013. Once WSBC determines the schedule, they will advise the correctional centres.

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**MINISTRY OF JUSTICE
EMERGENCY MANAGEMENT BC
BRIEFING NOTE**

PREPARED FOR: The Honourable Shirley Bond
Minister of Justice and Attorney General

and

The Honourable Pat Bell
Minister of Jobs, Tourism and Skills Training
and Minister Responsible for Labour
FOR INFORMATION

ISSUE:

Fire Code inspection of complex industrial operations.

BACKGROUND:

- Recent tragic events in the wood manufacturing industry have highlighted a number of jurisdictional issues with respect to Fire Code inspections:
 - Under the *Fire Services Act* (the Act), municipalities have responsibility for Fire Code inspections. However, small municipalities often lack the expertise and resources to inspect high risk industrial operations.
 - Public buildings, including industrial operations, do not receive regular Fire Code inspections in unincorporated areas. If there is a complaint or if it is deemed advisable, the Office of the Fire Commissioner (OFC) will respond, investigate, and provide inspections.
 - Industrial operations on federal First Nations lands do not receive consistent Fire Code inspections. Aboriginal Affairs and Northern Development Canada (AANDC) provides for inspections of many public buildings on First Nations lands, but industrial operations are not inspected.
- Public buildings and worksites in all areas of British Columbia are inspected by WorkSafeBC and British Columbia Safety Authority (BCSA) inspectors, but these inspectors are not qualified or mandated to conduct Fire Code inspections.

- WorkSafeBC has the mandate under the Workers Compensation Act to, among other things, conduct inspections of workplaces by an occupational safety or hygiene officer. The officer will leave an Inspection Report (IR), which is an official record of the visit. An Inspection Report details findings of a worksite visit by a WorkSafeBC officer. It documents any points of discussion and recommendations. It also includes any orders or penalties for violations of the Act or Occupational Health and Safety Regulation that result from the visit.
- Similarly, BCSA has the mandate under the Safety Standards Act to conduct assessments of technical equipment. Safety officers issue Certificates of Inspection which document non-compliances found and specify corrective remedies. Assessment resources are targeted at higher risk equipment installations through the application of a Risk Assessment Program. A working group comprised of representatives from the following agencies has been tasked with developing recommendations regarding Fire Code inspections of high risk industrial operations: OFC; Ministry of Jobs, Tourism and Skills Training and Responsible for Labour; WorkSafeBC; and the BCSA.

DISCUSSION/RECOMMENDATIONS:

- A key principle guiding the deliberations and recommendation of the working group is that of owner responsibility. Ultimately, the owner of a public building is responsible for adherence to the Fire Code. The Fire Code section 2.2.1.1 states "unless otherwise specified, the owner or the owner's authorized agent shall be responsible for carrying out the provisions of this code."
- The working group has also recognized that inspection and fire safety enhancements will have to build upon and integrate with the safety infrastructure that is already in place.

The working group has developed the following recommendations for consideration.

Immediate Actions:

1. Owner Responsibility:

s.13, s.14

However,

s.13, s.14

regulatory agencies, working with industry, can immediately begin to signal the expectation that owners provide for such inspections. Proof of such inspections could be requested for review by representatives of the OFC, the local authority, WorkSafeBC, AANDC, BCSA and other regulatory agencies, in the course of regularly scheduled and/or targeted inspections. Such efforts would be complemented by the multi-agency communication, inspection, and enforcement efforts described below.

As required, the OFC will be able to utilize Section 21, 22, and 25 of the Act to promote and enforce Fire Code compliance in high risk facilities.

2. OFC Inspectors

- a. WorkSafeBC Partnership: That OFC and WorkSafeBC undertake a partnership to provide for additional OFC inspection resources. Under Section 114 of the Workers Compensation Act, WorkSafeBC may enter into partnerships with other agencies regarding occupational health and safety, and pursuant to a resolution of WorkSafeBC's Board of Directors, may enter into a funding partnership. Such an agreement between OFC and WorkSafeBC could provide for the creation of four to five industry-funded inspector positions, reporting to the OFC for a trial period of two to three years. These positions would focus on inspection for high risk industrial operations and could also provide training to Local Assistants to the Fire Commissioner to increase inspection expertise and capacity in rural areas.
 - b. Additional OFC Inspectors: Without a legislative requirement for owners of high risk facilities to provide proof of compliance and maintain documentation, the additional staff available through an OFC/WorkSafeBC partnership will be insufficient to meet inspection and enforcement needs outside of larger municipalities. The number of additional OFC staff required, will depend upon the required scope of inspections, for example:
 - i. all high risk facilities vs. sawmills and planing mills only; and/or,
 - ii. unincorporated areas only vs. unincorporated areas in addition to small municipalities.
3. Inter-Agency Memoranda of Understanding: That inter-agency Memoranda of Understanding (MOUs) be developed and implemented between agencies such as OFC, local authorities, WorkSafeBC, AANDC, BCSA, etc. which would set out consistent practices and procedures regarding review of proof of compliance documents, inter-agency notification regarding Fire Code compliance issues, and follow up agency actions.

4. First Nations: That provincial regulatory agencies work with AANDC to extend recommended Fire Code compliance enhancement actions and provisions to facilities on federal First Nations lands. Discussions held this week between OFC and AANDC confirm that AANDC is supportive of the above recommendations being applied on federal First Nations lands. For example, inter-agency MOUs would provide for information sharing between AANDC and inspection agencies. Where Fire Code compliance issues are identified, for example through review of proof of compliance documents for F1 facilities, AANDC will undertake enforcement and compliance activities. OFC will continue to liaise with AANDC with respect to Provincial action on this issue.
5. Industry and Local Authority Liaison: That provincial agencies and AANDC initiate a focussed and coordinated outreach effort targeted at high risk industries, the insurance industry, and local authorities, to ensure that fire hazards for high risk industrial operations, Fire Code requirements, regulator expectations, and enforcement procedures are well understood.
6. Enforcement: That the Fire Commissioner coordinate with other inspection and enforcement agencies to ensure Fire Code compliance through enhanced enforcement. When Fire Code compliance issues are identified in an F1 facility, owners are normally given reasonable opportunities to achieve compliance in a timely fashion, unless there is an immediate threat to life safety. Should there be an immediate threat to life safety, or if compliance is not achieved voluntarily by the owner, a number of enforcement mechanisms are available, to provincial agencies and local authorities up to and including evacuation or closure orders for the facility by the Fire Commissioner under Section 25 of the Act.

Longer Term Actions:

s.13

NEXT STEPS:

- Based on direction with respect to the above recommendations, the working group will return with further detail with respect to implementation timing, approvals and requirements, including further scoping of staffing requirements.
- The working group will also work with GCPE staff to ensure coordinated messaging as elements are approved for public communication.

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**MINISTRY OF JUSTICE
EMERGENCY MANAGEMENT BC
BRIEFING NOTE**

PREPARED FOR: The Honourable Shirley Bond
Minister of Justice and Attorney General

and

The Honourable Pat Bell
Minister of Jobs, Tourism and Skills Training
and Minister Responsible for Labour

FOR INFORMATION UPDATE

ISSUE:

Fire Code Compliance of complex industrial operations.

BACKGROUND:

- Recent tragic events in the wood manufacturing industry have highlighted a number of jurisdictional issues with respect to Fire Code inspections:
 - Under the *Fire Services Act*, municipalities have responsibility for Fire Code inspections. However, small municipalities often lack the expertise and resources to inspect high risk industrial operations.
 - Public buildings, including industrial operations, do not receive regular Fire Code inspections in unincorporated areas. If there is a complaint or if it is deemed advisable, the Office of the Fire Commissioner (OFC) will respond, investigate, and provide inspections.
 - Industrial operations on federal First Nations lands do not receive consistent Fire Code inspections. Aboriginal Affairs and Northern Development Canada (AANDC) provides for inspections of many public buildings on First Nations lands, but industrial operations are not inspected.
- Public buildings and worksites in all areas of British Columbia are inspected by WorkSafeBC and British Columbia Safety Authority (BCSA) inspectors, but these inspectors are not qualified or mandated to conduct Fire Code inspections.

- WorkSafeBC has the mandate under the Workers Compensation Act to, among other things, conduct inspections of workplaces by an occupational safety or hygiene officer. The officer will leave an Inspection Report (IR), which is an official record of the visit. An Inspection Report details findings of a worksite visit by a WorkSafeBC officer. It documents any points of discussion and recommendations. It also includes any orders or penalties for violations of the *Workers Compensation Act* or Occupational Health and Safety Regulation that result from the visit.
- Similarly, BCSA has the mandate under the Safety Standards Act to conduct assessments of technical equipment. Safety officers issue Certificates of Inspection which document matters of non-compliance found and specify corrective remedies. Assessment resources are targeted at higher risk equipment installations through the application of a Risk Assessment Program.

A working group comprised of representatives from the following agencies has been tasked with developing recommendations regarding Fire Code inspections of high risk industrial operations: OFC; Ministry of Jobs, Tourism and Skills Training and Responsible for Labour; WorkSafeBC; and the BCSA.

DISCUSSION/RECOMMENDATIONS:

- A key principle guiding the deliberations and recommendation of the working group is that of owner responsibility. Ultimately, the owner of a public building is responsible for adherence to the Fire Code. The Fire Code section 2.2.1.1 states "unless otherwise specified, the owner or the owner's authorized agent shall be responsible for carrying out the provisions of this code."
- The working group has also recognized that inspection and fire safety enhancements will have to build upon and integrate with the provincial safety infrastructure that is already in place.

The working group has developed the following recommendations for consideration.

Immediate Actions:

1. Owner Responsibility:

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However,

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regulatory agencies, working with industry, can immediately begin to signal the expectation that owners provide for such inspections. Proof of such inspections could be requested for review by representatives of the OFC, the local authority, WorkSafeBC, AANDC, BCSA and other regulatory agencies, in the course of regularly scheduled and/or targeted inspections. Such efforts would be complemented by the multi-agency communication, inspection, and enforcement efforts described below.

As required, the OFC will be able to utilize Sections 21, 22, and 25 of the *Fire Services Act* to promote and enforce Fire Code compliance in high risk facilities.

2. Fire Inspection and Prevention Initiative

- a. WorkSafeBC Initiative: That OFC and WorkSafeBC undertake a partnership to provide for additional resources for a Fire Inspection and Prevention Initiative through the Health and Safety Association. Under Section 114 of the *Workers Compensation Act*, WorkSafeBC may enter into partnerships with other agencies regarding occupational health and safety, and pursuant to a resolution of WorkSafeBC's Board of Directors, may enter into a funding partnership. Such an agreement between OFC and WorkSafeBC could provide for the creation of an entity responsible for coordinating information, inspections and education, reporting to the Health and Safety Association, Worksafe BC, BC Safety Authority and the OFC for a trial period of two years. These positions would focus on education and coordination of information and inspections high risk industrial operations identified in the Worksafe Combustible Dust Strategy and will also provide training to Local Assistants to the Fire Commissioner, employers and workers. This will increase awareness and inspection expertise and capacity in rural areas.
3. First Nations: First Nations workers and employers would be included in the educational training. That provincial regulatory agencies work with AANDC to extend the opportunity to educate current and potential facility owners and lessees on First Nations Land.
4. Enforcement: That the Fire Commissioner coordinate with other inspection and enforcement agencies to ensure Fire Code compliance through enhanced enforcement. When Fire Code referrals are forwarded to the OFC, owners are normally given reasonable opportunities to achieve compliance in a timely fashion, unless there is an immediate threat to life safety. Should there be an immediate threat to life safety, or if compliance is not achieved voluntarily by the owner, a number of enforcement mechanisms are available, to provincial agencies and local authorities up to and including evacuation or closure orders for the facility by the Fire Commissioner under Section 25 of the *Fire Services Act*.

Longer Term Actions:

s.13

NEXT STEPS:

- Based on direction with respect to the above recommendations, the working group will return with further detail with respect to implementation timing, approvals and requirements, including further scoping of staffing requirements.
- The working group will also work with GCPE staff to ensure coordinated messaging as elements are approved for public communication.

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**MINISTRY OF JUSTICE
EMERGENCY MANAGEMENT BC
BRIEFING NOTE**

PREPARED FOR: Shirley Bond
Minister of Justice and Attorney General
and
Moira Stilwell
Minister of Social Development
and
Dr. Margaret MacDiarmid
Minister of Health
FOR DECISION

ISSUE:

The Ministry of Justice, through Emergency Management British Columbia (EMBC) and Canadian Red Cross Society (CRCS) is proposing that British Columbia recognize CRCS as an Auxiliary to Government (ATG) organization. As key partners in the delivery of humanitarian services, the Ministry of Justice is requesting that the Ministry of Health (MOH) and the Ministry of Social Development (MSD) join with CRCS and EMBC in signing the ATG Memorandum of Understanding.

BACKGROUND:

This proposal would recognize the unique capacity of the CRCS to rapidly mobilize human and material resources during emergencies, and would provide a critical framework for enhanced cooperation and pre-disaster planning between CRCS and the Province.

Designation of CRCS as ATG would establish a framework for coordinated planning, response and recovery and would signal to the national and International Red Cross Movement that the Province of British Columbia is a committed partner. The designation as ATG would formalize the working relationship between the province and the Canadian Red Cross and allow the CRCS direct access to a number of key emergency management committees and response tables.

Red Cross' direct services to citizens would be complementary to those the province provides and would ensure gaps in services to impacted citizens are addressed quickly and wasteful duplication of services does not occur. ATG designation does not require a financial contribution from the Province of British Columbia.

On September 20, 2012 EMBC/JAG, MOH and the CRCS signed a Letter of Agreement (LOA) setting out expectations of each party with respect to Red Cross Emergency Response Units (ERUs) and Field Assessment Coordination Team (FACT) deployment. The LOA is a framework for the timely and effective deployment of ERUs/FACTs into British Columbia in times of major disaster. The framework includes pre-disaster components such as integrated planning, exercises, joint media planning and coordination at all levels. The ERU LOA is attached.

More formal and consistent emergency management planning between provincial agencies and CRCS is expected to yield faster, more effective, and less expensive emergency response operations, particularly for larger events. Fast and seamless deployment of the Emergency Response Units, which can provide a variety of essential emergency services such as water, logistics, and medical aid, would help address a significant gap in British Columbia's disaster response capacity. The ATG designation will further enhance the planning and development of these services for British Columbians.

DISCUSSION:

The 2011 emergency events in Japan have shown that even the most prepared jurisdiction can face devastating effects if struck by a severe earthquake and/or a tsunami. Like Japan, British Columbia is at high risk of an earthquake and/or a tsunami severe enough to result in extensive injuries, loss of life, displacement of populations and significant economic impact. The designation of CRCS as ATG is one way to incrementally improve British Columbia's catastrophic disaster response and recovery capacity by utilizing CRCS' existing human and physical resources.

This proposal does not hold the Province to any legal or financial commitments but will create an opportunity for CRCS to have a seat at the Inter-agency Emergency Preparedness Council, the Health Emergency Management Council, the Provincial Emergency Coordination Centre and Provincial Regional Emergency Operation Centres. In addition to complementing emergency response planning and operations, having Red Cross at the Inter-agency Emergency Preparedness Council table will allow for more exposure to and direct planning with other ministries and will extend the opportunities for Red Cross engagement.

EMBC and CRCS have produced a Memorandum of Understanding which sets out expectations for each party under an Auxiliary to Government arrangement. The Office of the Chief Information Officer, the Information and Privacy Commissioner, Legal Services Branch and JAG EFOs have reviewed and approved the MOU as attached.

While other non-government-organizations (NGO) in British Columbia may question the designation of Red Cross as the only ATG humanitarian agency in the province, this practice is consistent with the commitment made by the Government of Canada (Canadian Red Cross Letters Patent, Section 3) and is defensible due to the unique role, capacity and international reach of the International Red Cross Movement. Provincial humanitarian organizations such as Red Cross, Salvation Army and the Mennonite Disaster Services routinely work closely together on events and we do not anticipate the ATG designation will change these positive working relationships.

There is an equivalent MOU in place between the CRCS and the Province of Nova Scotia. Quebec has a partnership agreement with Red Cross and although they do not specifically use the term auxiliary, the Red Cross is the only NGO to have a seat at Quebec's planning committees, is the designated agency for response and disaster fund raising and provides Emergency Social Services for many communities, including the City of Montreal. Alberta and Ontario are in the process of negotiating an ATG agreement.

NEXT STEPS:

On October 23, 2012 the national Roundtable for Canada's Platform for Disaster Risk Reduction will be held in Vancouver. The Platform brings together stakeholders from a broad cross section of society including the public sector, the private sector, academia, NGOs, professional associations, and Aboriginal groups to discuss strategies for disaster risk reduction.

As Minister Bond is opening this event and key stakeholders will be present, including senior representatives from the Canadian Red Cross, there is an opportunity to announce the ATG MOU at the Roundtable for Canada's Platform for Disaster Risk Reduction.

RECOMMENDATION:

It is recommended that the Auxiliary to Government Memorandum of Understanding be signed by the Ministries of Justice, Health and Social Development. The signature page is attached to the ATG MOU.

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Attachment

- Draft Memorandum of Understanding with CRCS
- Emergency Response Unit Letter of Agreement



A Memorandum of Understanding
Between
The Government of British Columbia
And
The Canadian Red Cross Society
Regarding the
Development of an
Official Auxiliary to Government Role

September 2012

The Canadian Red Cross Society, a not-for-profit corporation incorporated under the laws of Canada and registered as a charity with the Canada Revenue Agency ("CRCS")

AND

The Province Her Majesty the Queen in Right of the Province of British Columbia, as represented by the Ministry of Justice (the "the Province")

WHEREAS there is significant and known risk of major or catastrophic disaster in the Province of British Columbia;

AND WHEREAS the Province is committed to preparing for, responding to and recovering from such a risk;

AND WHEREAS the Province understands and recognizes that CRCS will support the Province by meeting its purpose as set out in the Canadian Red Cross Society Act, S.C. 1909, c68 section 2.4 "In times of peace or war to carry on and assist in work for the improvement of health, the prevention of disease and the mitigation of suffering throughout the world" through its mission "to improve the lives of vulnerable people by mobilizing the power of humanity in Canada and around the world," and its role as auxiliary to the public authorities, as set out in its Letters Patent, issued under the Canada Corporations Act in 1970.

AND WHEREAS the CRCS understands that the Province is ultimately responsible for the provision of government programs and services to people in British Columbia and undertakes to assist the Province of British Columbia in the delivery of services that are agreed upon by the CRCS and the Province.

AND WHEREAS the CRCS and the Province now wish to establish this Memorandum of Understanding ("MOU") to govern the future relationships between the CRCS and the Province in regards to the delivery of public humanitarian programs and services to the people of British Columbia.

NOW THEREFORE IN CONSIDERATION of the premises and of the mutual covenants herein the Parties hereto agree as follows:

1. PURPOSE

- 1.1 This MOU shall govern the future relationships between the CRCS and the Province in regards to the delivery of public humanitarian programs and services to people in British Columbia. This MOU also seeks to facilitate and accomplish the goals and objectives set forth by the Parties to ensure that the Parties to this MOU conduct the necessary and appropriate discussions to deal with issues which may be

of mutual interest in order to assess progress in accomplishing the desired objectives.

- 1.2 This MOU and its Schedules (collectively, this "MOU") creates no liability or obligation on the part of the Parties, except as set forth in Section 14 of this MOU.
- 1.3 The Parties may subsequently enter into additional agreements and contracts with specific government departments and agencies in the spirit of supporting this MOU.

2. INTERPRETATION

- 2.1 **Translation.** The Parties acknowledge that this MOU and all documents relating hereto were executed in English. Should this MOU be translated into any other language, in the event of a discrepancy in the interpretation of its meaning, the English version shall prevail.
- 2.2 **Counterparts.** This MOU may be executed in counterparts, each of which shall be considered an original and all of which taken together shall be deemed to constitute one and the same instrument. An executed copy of the MOU may be delivered by facsimile or by any other electronic means.
- 2.3 **Governing Law.** This MOU will be interpreted in accordance with the laws of British Columbia.

3. DEFINITION

- 3.1 In this MOU "Auxiliary to Government" means, in accordance with and adapting the definition adopted at the 30th International Conference of the Red Cross and Red Crescent (2007), a specific and distinctive partnership, entailing mutual responsibilities and benefits, based on international, national, provincial and territorial laws in which the Province and the CRCS agree on the areas in which CRCS supplements public humanitarian services.

4. OBJECTIVES AND SCOPE

- 4.1 The objective of this MOU is to provide a framework for collaboration in the delivery of public humanitarian programs and services, more specifically:
 - 4.1.1 to support emergency management in the provision of human services and recovery assistance;

- 4.1.2 to support emergency management during catastrophic events through the deployment of local, national and, international resources;
- 4.1.3 to support emergency management pertaining to health related emergencies, including but not limited to pandemic influenza;
- 4.1.4 to support health programming, including but not limited to the provision of health equipment;
- 4.1.5 to support education initiatives as may be arranged and agreed between the Province and CRCS such as disaster preparedness, first aid, water safety, violence and abuse prevention and the promotion of humanitarian values;
- 4.1.6 to support community programs as may be arranged and agreed between the Province and CRCS.

5. COLLABORATION

- 5.1 The Parties will collaborate to identify how CRCS can work with the Province in their humanitarian service.
- 5.2 The Parties agree that in support of this collaboration and to make this collaboration operational, the Parties may subsequently enter into additional agreements and contracts with specific government departments and agencies in the spirit of supporting this MOU.

6. PROJECT CONTACTS

- 6.1. For the duration of this MOU, the Parties shall each appoint a nominee (the "Project Contact") to manage the relationship between the Parties. Such Project Contact shall act as the primary contact person at each of the Province and the CRCS.

The Project Contacts shall be as follows:

- i. CRCS: Director, British Columbia and Yukon
- ii. Province: Fire and Emergency Management Commissioner

Upon written notice to the other Party, either Party may change its designated Project Contact person.

7. RESPONSIBILITIES OF THE PARTIES UNDER THIS MOU ARE, AND THE PARTIES AGREE AS FOLLOWS:

7.1 Emergency Management

7.1.1 In order for the CRCS to act as an Auxiliary to Government in the emergency management field, the Province will, to the extent reasonably possible ensure CRCS is included in the following:

7.1.1.1 Policy decision tables – BC Interagency Emergency Preparedness Council (IEPC). As auxiliary to government in the humanitarian field, the CRCS can make a unique and unbiased contribution in crisis situations;

7.1.1.2 Operational Planning tables – as a contributor involved in the planning and development of hazard plans/ emergency management plans as well as annual operations plans to be agreed upon in an annual work plan;

7.1.1.3 Provincial Emergency Coordination Centre (PECC) – during activation of the Provincial Emergency Coordination Centre (PECC) or Provincial Regional Emergency Operations Centres (PREOCs) or equivalent, CRCS will hold a seat within the operations section to supplement public humanitarian services, unless decided otherwise by the Fire and Emergency Management Commissioner.

7.2 Annual Work Plan

7.1.2 The Parties through their Project Contacts will work together each year to review past activities and to develop a mutually acceptable work plan with a list of activities to be performed in the following year under this MOU. The list will be negotiated during the last quarter of each calendar year, to be ready for implementation by April 1st of the following year.

7.3 Interim Meetings

7.3.1 The Parties through their Project Contacts will meet to discuss and may agree upon areas of collaboration in the event of the following:

7.3.1.1 an emergency affecting people in British Columbia, as declared by a local authority, the Province or the Government of Canada;

- 7.3.1.2 a major international humanitarian emergency or disaster to which the Province is responding;
- 7.3.1.3 a situation that falls short of a declared emergency but is critical and seriously endangers the lives, health or safety of people in British Columbia;
- 7.3.1.4 the Province proposes embarking upon a program of public awareness, education or training related to the improvement of health, prevention of disease and the mitigation of suffering¹, in which CRCS is equipped and prepared to participate effectively.

8. FINANCIAL ARRANGEMENTS

- 8.1 This MOU creates no financial rights or obligations for the participants.
- 8.2 The Parties agree that they may subsequently enter into additional agreements and contracts with specific government departments and agencies in the spirit of supporting this MOU.
- 8.3 Any procurement, grant or contribution resulting from, or required by, the implementation of this MOU must be accomplished in accordance with the applicable rules to which each Party is subject apart from this MOU.

9. SETTLEMENT OF DISPUTES

- 9.1 The Participants understand that this MOU is not legally binding and places no legal obligation on either party.
- 9.2 Any disputes regarding the interpretation or implementation of this MOU will be resolved by a consultation between the Parties and will not be referred to a tribunal or any other third party for settlement, unless under further agreement of the Parties.

10. EFFECTIVE DATE

- 10.1 The terms of this MOU will become effective on the date of the last signature by the Parties as indicated on the signature page of this MOU.

¹ Canadian Red Cross Society Act Section 2.4

11. MODIFICATION

- 11.1 This MOU may be modified upon the mutual, written consent of the Parties.

12. TERM AND TERMINATION

- 12.1 This MOU will remain in effect until terminated by the mutual written consent of the Parties.
- 12.2 Either Party may withdraw from this MOU upon presentation of 30 days written notice to the other Participant.

13. COMMUNICATION

- 13.1 Subject to the limitations of Section 14 and those set out in any subsequent agreements, the Parties shall strive for open communication between each other.
- 13.2 All legal notices, notices, requests, demands or other communications between the Parties shall be made in accordance with the notice section set out in each of subsequent agreement.

14. CONFIDENTIALITY, ACKNOWLEDGEMENT, PUBLICATION AND DISSEMINATION OF PROJECT INFORMATION

- 14.1 The Parties may have access to information related to the other Party's business and operations and/or other matters relating to the Party's business and strategic plans, policy documents and budgeting information which may not be accessible or known to the general public. The Parties will not use or disclose such information to any third party without obtaining the other Party's prior written consent.
- 14.2 No personal information in the custody or control of the Province will be disclosed to the Canadian Red Cross under this MOU. During disasters the Province and the CRCS will be required to share personal information for humanitarian assistance purposes; therefore, the Province and the CRCS will develop an Information Sharing Agreement identifying the scope, collection, use and disclosure of private information.
- 14.3 Upon execution of subsequent agreements, not this MOU, the Parties shall jointly promote, and receive recognition for any projects jointly entered into and will acknowledge the support of the other in publications, press releases and other communication activities in accordance with the terms and conditions set out in any subsequent agreements.

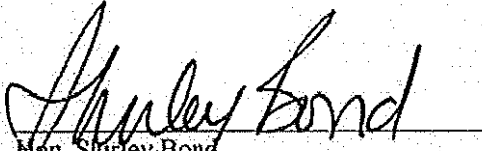
15. RELATIONSHIP OF THE PARTIES

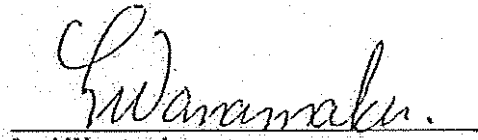
- 15.1 Independent Contractors.** Each Party shall maintain its own separate and unique missions and mandates, its own insurance, and shall each be responsible for its own liabilities and accountabilities. No Party shall make representations on behalf of the other, or bind the others in any manner whatsoever.
- 15.2 Third Parties.** The Parties may work independently with other organizations engaged in disaster response; however they shall be transparent about the establishment of these collaborations with other organizations, wherever they affect coordination of activities related to this MOU.
- 15.3 Charitable and Humanitarian Purpose and Interest.** The Parties acknowledge and agree that, under this MOU, they are collaborating to achieve the common charitable and humanitarian purpose or purposes described in this MOU.
- 15.4 Ethical Standards.** The Parties shall maintain appropriate ethical standards in all aspects of project implementation through the prevention of bribery, or other corrupt practices.

EFFECTIVE DATE AND SIGNATURES

The Parties bind themselves to this MOU through the following authorized signatories, the effective date of the MOU being the day on which the last Party signs.

APPROVED BY:


Hon. Shirley Bond
Minister of Justice and Attorney General
Ministry of Justice
Government of British Columbia
OCT 10 2012


Lori Wanamaker
Deputy Solicitor General
Ministry of Justice
Government of British Columbia
OCT 09 2012

Hon. Moira Stilwell
Minister
Ministry of Social Development
Government of British Columbia

Mark Sieben
Deputy Minister
Ministry of Social Development
Government of British Columbia

Hon. Dr. Margaret MacDiarmid
Minister
Ministry of Health
Government of British Columbia

Graham Whitmarsh
Deputy Minister
Ministry of Health
Government of British Columbia

Sue Philips
Director General Western Canada
Canadian Red Cross Society

Kimberley Nemrava
Director, British Columbia/Yukon
Canadian Red Cross Society

LETTER OF AGREEMENT Between the
Government of BC
Ministry of Health (MOH),
Ministry of Justice (MOJ)
and the
Canadian Red Cross Society (CRCS)

The Canadian Red Cross Society, a not-for-profit corporation incorporated under the laws of Canada and registered as a charity with the Canada Revenue Agency ("CRCS")

AND

Her Majesty the Queen in Right of the Province of British Columbia, as represented by the Ministry of Justice and the Ministry of Health (the "Province");

WHEREAS there is significant and known risk of major or catastrophic disaster in the Province of British Columbia;

AND WHEREAS the Province is committed to preparing for, responding to and recovering from such a risk;

AND WHEREAS the CRCS is a neutral and independent humanitarian organization mandated under the Canadian Red Cross Society Act of 1909 to "In time of peace or war to carry on and assist in work for the improvement of health, the prevention of disease and the mitigation of suffering throughout the world."¹

AND WHEREAS the CRCS has local, national and international resources to contribute to the mitigation of and response to disasters, specifically Red Cross Emergency Response Units ("ERUs") and Field Assessment Coordination Teams ("FACTs");

AND WHEREAS the presence and use of ERUs and FACTs have been proven to be of added value in many disaster operations around the world;

AND WHEREAS the Province and the CRCS (collectively the "Parties", each a "Party") wish to confirm their commitment to working effectively together to address the risk of and response to disasters in British Columbia (the "Project");

NOW THEREFORE IN CONSIDERATION of the premises and of the mutual covenants herein the Parties hereto agree as follows:

¹ Canadian Red Cross Society Act, Section 2.4

1. PURPOSE of This Letter Of Agreement:

- 1.1 This Letter of Agreement seeks to develop and implement a plan and framework for the timely and effective deployment of out of province ERUs and FACTs as a temporary resource into British Columbia in times of major disaster. For the purposes of this letter of agreement, disaster is defined in the *Emergency Program Act* as a calamity that is (a) caused by accident, fire, explosion or technical failure or by the forces of nature, and (b) has resulted in serious harm to the health, safety or welfare of people or in widespread damage to property.
 - 1.1.1 A CRCS ERU deployment will be based on a range of factors, including:
 - i. Magnitude and evolution of the disaster;
 - ii. Number and needs of the affected population;
 - iii. Capacity of the British Columbian and Canadian government to respond;
 - iv. Availability of International Red Cross and Canadian Red Cross resources (human, financial, material);
 - v. Suitability of the ERU as a response tool for this situation;
 - vi. Access to country and affected area(s); and
 - vii. Security situation.
 - 1.2 This Letter of Agreement also seeks to facilitate the Parties towards conducting necessary and appropriate discussions that will assess progress in accomplishing the desired objectives as set out in this agreement and the accompanying MOU, including integrated planning, exercises and coordination at all levels.
 - 1.2 This Letter of Agreement and its Schedules (collectively, this "LOA") create no liability or obligation on the part of the Parties, except as set forth in Section 11 of this LOA.
 - 1.3 The Parties may subsequently enter into additional agreements and contracts with specific government departments and agencies in the spirit of supporting this MOU.

2. INTERPRETATION

- 2.1 **Translation.** The Parties acknowledge that this LOA and all documents relating hereto were executed in English. Should this LOA be translated into any other language, in the event of a discrepancy in the interpretation of its meaning, the English version shall prevail.
- 2.2 **Counterparts.** This LOA may be executed in counterparts, each of which shall be considered an original and all of which taken together shall be deemed to constitute one and the same instrument. An executed copy of the LOA may be delivered by facsimile or by any other electronic means.

2.3 **Governing Law.** This LOA will be interpreted in accordance with the laws of British Columbia.

3. **LEVELS OF COORDINATION**

3.1 The Parties agree that the following three levels of cooperation are needed:

3.1.1 **Strategic Coordination** by senior management levels with respect to:

- i. Developing and endorsing a strategic approach and direction;
- ii. Promoting implementation of and adherence to legislation, regulation, and policies of all levels of government and CRCS policy;
- iii. Ensuring coordination mechanisms are in place to facilitate timely decisions, problem-solving, compliance, and accountability; and
- iv. Ensuring effective risk management through planning, monitoring, reporting, and evaluation.

3.1.2 **Operational Coordination** regarding the timely and efficient deployment of ERUs and FACTs. This will require:

- i. Understanding of government and the CRCS disaster response systems;
- ii. Clear and detailed understanding of the capacities and limitations of the units;
- iii. Compliance with BC legislation and regulations;
- iv. Full mutual understanding of the scope and capacity of ERUs and FACTs;
- v. Development of detailed roles and responsibilities and standard operating procedures for each Party;
- vi. Joint planning, development, assessment, implementation, monitoring and evaluation of deployment plans;
- i. Identification of which party or Ministry is most appropriate to complete each program / activity and function;
- ii. Integrated programming across agencies with respect to ERUs and FACTs;
- iii. Coordination and problem-solving mechanisms are in place at all levels and stages; and
- vii. Provision of technical support and coordination for all agencies.

3.1.3 **Technical Coordination** will be required as follows:

Joint government and CRCS coordination will be required to focus on specific technical sectors and issues that will include:

- i. Activation and deployment processes: triggers for activation, timelines and line management;
- ii. Permission for out-of-province medical personnel to practice;

- iii. Deployment and operation of out-of-province medical devices, pharmaceuticals, and supporting infrastructure; and
- iv. Deployment and operation of out-of-province vehicles, telecommunication and IT equipment.

4. RESPONSIBILITIES

4.1 The Parties agree to:

- 4.1.1 Identify and allocate personnel and resources for strategic, operational and technical coordination functions;
- 4.1.2 Develop activation protocols;
- 4.1.3 Develop a plan to address deployment of ERU and FACT into British Columbia;
- 4.1.4 Coordinate and execute ERU and FACT deployment into BC in case of a major disaster; and
- 4.1.5 Coordinate and execute joint public messaging regarding ERU and FACTs deployment.

4.2 The Province as represented by the Ministry of Justice will:

- 4.2.1 Identify information that is needed by the Provincial Emergency Coordination Centre (PECC) to deploy ERUs into BC;
- 4.2.2 Develop a funding and payment matrix for costs to be borne by the Province as per section 6.3 and 6.4;
- 4.2.3 To the extent reasonably possible, ensure CRCS staff/volunteers are integrated into BC's emergency management structure (i.e. in the PECC and/or Provincial Regional Emergency Operations Centre (PREOCs) or equivalent);
- 4.2.4 Work with CRCS to identify any barriers to deployment; and
- 4.2.5 Facilitate appropriate linkages to other agencies.

4.3 The Province, as represented by the Ministry of Health will

- 4.3.1 Work with CRCS to identify any barriers to deployment and to cooperate with CRCS on training and exercise opportunities;

4.3.2 Facilitate required linkages to Health Authorities and other Ministries and organizations engaged in the provision of health care as identified in the deployment plan;

4.3.3 Engage CRCS in integrated planning on health emergency management initiatives;

4.3.4 To the extent reasonably possible, ensure CRCS is integrated into the provincial Health Emergency Coordination Centre (HECC) response coordination structure; and

4.3.5 Support the BRU teams upon arrival with site selection and other operational matters.

4.4 The Canadian Red Cross will:

4.4.1 Provide information on the availability, capacity, module contents, potential configurations and other specifications of the BRU and FACT resources;

4.4.2 Participate in training and exercises;

4.4.3 Advise the Province of training opportunities;

4.4.4 Work with the Province and others to identify barriers to deployment; and

4.4.5 Act as the lead and portal with the International Red Cross and Federation on the acquisition of additional disaster response personnel and assets.

5. PROJECT CONTACTS

5.1 For the duration of this LOA, the Parties shall each appoint a nominee (the "Project Contact") to manage the relationship between the Parties. Such Project Contact shall act as the primary contact person at each of the Ministry of Justice and the Ministry of Health and the CRCS. The Project Contacts shall be as follows:

- i. MOJ: Fire and Emergency Management Commissioner and Assistant Deputy Minister
- ii. MOH: Executive Director, Emergency Management Unit
- iii. CRCS: BC-Yukon Director

Upon written notice to the other Party, either Party may change its designated Service Contact person.

6. **FINANCIALS**

- 6.1 Nothing in this LOA creates any financial obligations for either party.
- 6.2 As part of this Letter of Agreement the CRCS shall provide BRU and FACT research, design, development, management, warehousing and Red Cross personnel training, which CRCS funds and manages jointly with the International Red Cross.
- 6.3 Where training needs are identified for BC emergency management personnel, the Parties shall include this as part of the work plan and any associated costs shall be borne by the Province.
- 6.4 In the event BRU and FACT deployment is requested by the Province, the Parties shall ensure that an agreement and costs of such deployment is prepared in advance and forwarded to the Province for review and approval.

7. **EFFECTIVE DATE**

- 7.1 The terms of this LOA will become effective on the date of the last signature by the Parties as indicated on the signature page of this LOA.

8. **MODIFICATION**

- 8.1 This LOA may be modified upon the mutual, written consent of the Parties.

9. **TERMINATION**

- 9.1 This LOA will remain in effect until terminated by the mutual written consent of the Parties.

10. **COMMUNICATION**

- 10.1 Subject to the limitations of Section 11 and those set out in the agreements, the Parties shall strive for open communication between each other.
- 10.2 All legal notices, notices, requests, demands or other communications between the Parties shall be made in accordance with the notice section set out in each of the agreements.

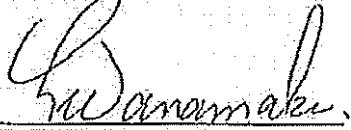
11. CONFIDENTIALITY, ACKNOWLEDGEMENT, PUBLICATION AND DISSEMINATION OF PROJECT INFORMATION

- 11.1 The Parties may have access to information related to the other Party's business and operations and/or other matters relating to the Party's business and strategic plans, information which may not be accessible or known to the general public. The Parties will not use or disclose such information to any third party without obtaining the other Party's prior written consent.
- 11.2 Upon execution of subsequent agreements, not this MOU, the Parties shall jointly promote, and receive recognition for any projects jointly entered into and will acknowledge the support of the other in publications, press releases and other communication activities in accordance with the terms and conditions set out in any subsequent agreements.

12. RELATIONSHIP OF THE PARTIES

- 12.1 **Independent Contractors.** Each Party shall maintain their own separate and unique missions and mandates, their own insurance, and shall each be responsible for their own liabilities and accountabilities. No Party shall make representations on behalf of the others, or bind the others in any manner whatsoever.
- 12.2 **Third Parties.** The Parties may work independently with other organisations engaged in disaster response; however, they shall be transparent about the establishment of these collaborations with other organisations, wherever they affect coordination of activities related to the Project.
- 12.3 **Charitable and Humanitarian Purpose and Interest.** The Parties acknowledge and agree that, under this LOA, they are collaborating to achieve the common charitable and humanitarian purpose or purposes described in this LOA.
- 12.4 **Ethical Standards.** The Parties shall maintain appropriate ethical standards in all aspects of Project implementation through the prevention of bribery, or other corrupt practices.

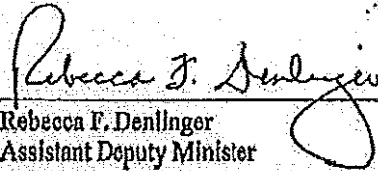
APPROVED BY:



Lori Wanamaker
Deputy Minister
Ministry of Justice
Government of British Columbia

Sept 20, 2012

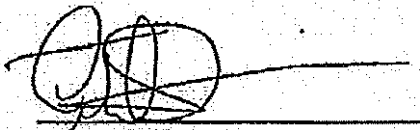
Date



Rebecca F. Denlinger
Assistant Deputy Minister
Emergency Management British Columbia
Ministry of Justice
Government of British Columbia

Sept. 20, 2012

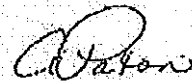
Date



Graham Whitmarsh,
Deputy Minister
Ministry of Health
Government of British Columbia

19th September 2012

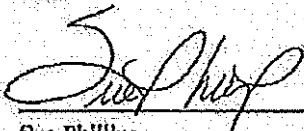
Date



Arlene Pilon
Assistant Deputy Minister
Ministry of Health
Government of British Columbia

September 19, 2012

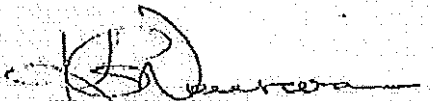
Date



Sue Phillips,
Director General Western Canada
Canadian Red Cross Society

Sept 20/2012

Date



Kimberley Nemrva
Director, British Columbia/Yukon
Canadian Red Cross Society

20 Sept. 2012

Date

**MINISTRY OF JUSTICE
EMERGENCY MANAGEMENT BC
BRIEFING NOTE**

PREPARED FOR: The Honourable Shirley Bond
Minister of Justice and Attorney General
FOR DECISION

ISSUE:

The Office of the Fire Commissioner's response to the Fire Services Liaison Group (FSLG) report "*Public Safety in British Columbia: Transforming the Fire/Rescue Service*" presented to government on April 27, 2010 which identifies 14 recommendations for improving the provision of fire and rescue services in British Columbia.

BACKGROUND:

FSLG Report Background

- The FSLG report was initiated in May 2007 with \$1.275M in government funding provided by six provincial ministries/entities and Indian and Northern Affairs Canada.
- Chaired by the Fire Chiefs' Association of BC, the FSLG's membership includes representatives from the BC Fire Training Officers' Association, the Fire Prevention Officers Association of BC, the Volunteer Firefighters' Association of BC, and the BC Professional Fire Fighters' Association.
- The Union of British Columbia Municipalities initially participated in the report's development but withdrew in early 2008 due to concerns that, while they supported the idea of the project, they did not feel they could endorse all of the recommendations in the final document.
- The Local Government Management Association of BC also participated in the deliberations on an ex-officio basis.
- The Office of the Fire Commissioner (OFC) was engaged throughout the report's development process.

FSLG Report Findings

- The FSLG report identified a number of systemic challenges to the province's fire/rescue services. These challenges were described as including an expanded scope of responsibilities beyond traditional fire services (i.e. road rescue), legacy governance frameworks, inadequate operational practices, escalated public service expectations and ongoing fiscal challenges. These issues were found to most significantly challenge the sustainability of volunteer firefighting units.
- The report contains 14 recommendations classified as either 'Immediate' or 'Longer-Term' priorities. Twelve of the recommendations were positioned as the responsibility of the provincial government.

FSLG Report Leadership Group

- The Ministry of Justice created the 'FSLG Report Leadership Group' (Leadership Group) to assist the Office of the Fire Commissioner in developing practical, affordable responses to the FLSG Report.
- The Terms of Reference (TOR) for the Leadership Group identify a two year timeframe for the Leadership Group's deliberations, from the commencement date of October 1, 2010. The Leadership Group subsequently recommended a completion date of October 31, 2012.
- The Leadership Group's first meeting occurred on December 7, 2010. The full Leadership Group has met in person on seven additional occasions, most recently on September 11, 2012.
- The final meeting of the Leadership Group, under its existing TOR, is scheduled for October 24 2012. The Minister of Justice and Attorney General is scheduled to attend.

DISCUSSION:

Office of the Fire Commissioner Response to the FSLG Report

- Responses to each recommendation of the FSLG Report, will be detailed in the document titled "Improving Fire Services: The Office of the Fire Commissioner's Response to the FSLG Report" (Response Report) currently being finalized.
- Key response actions identified in the Response Report are:
 - *Creating Fire Services Advisory Committees.
 - Working with the JIBC to ensure provincial funding for firefighter training (\$1.082 million/yr) is allocated in a way that meets the future needs of the fire service.
 - Assisting LGMA to deliver a training program for local authorities focussed on fire department creation and management.
 - Conducting a survey of fire departments and creating a registry of fire departments.
 - *Streamlining and updating the Local Assistant to the Fire Commissioner (LAFC) system.
 - Developing additional guidance materials for local authorities. For example:
 - A guide for local authorities, clarifying the Provincial standard for firefighter training; and,
 - *A guide regarding municipal responsibilities with respect to the management (e.g. frequency) of fire safety inspections.
 - Exploring options to increase Fire Code compliance in high hazard occupancies.
 - *Enhancing enforcement of provincial statutes, codes and regulations.
 - Reviewing compensation agreements for rescue and other services.
- * These actions will also support enhancements to Fire Code compliance in high hazard occupancies.

- The Leadership Group recommended that the province not act on FSLG recommendations to:
 - make local authorities responsible for fire departments in their jurisdiction; and,
 - implement a deadline for mandatory firefighter certification.
- The Leadership Group has also been the primary consultation body with respect to a review of the Fire Services Act. The Leadership Group has provided numerous recommendations for updates.
- While technically beyond the mandate of the Leadership Group, Building and Safety Standards Branch, Ministry of Energy and Mines, is also using the Leadership Group as a consultation body with respect to issues surrounding implementation of a uniform building code for British Columbia.
-

s.13

Stakeholder Buy-in

- Many of the recommendations contained in the FSLG Report, would require significant incremental funding to implement.
- EMBC has stressed to the Leadership Group that incremental funding is unlikely to be available from the Province, at least in the medium term.
- Thus, consistent with the Leadership Group's Terms of Reference, the development of recommendations has focussed on those options that are practical and affordable, which has restricted available solutions.
- Local government and fire services organizations represented on the Leadership Group are supportive of the Response Report.
- Areas where such organizations may communicate that the Office of the Fire Commissioner's responses to the FSLG Report fall short are:

s.13, s.16

RECOMMENDATION:

Approve the Response Report for release, currently planned for October 31, 2012.

NEXT STEPS:

- Finalization and public release (currently planned for October 31) of the Response Report.
- Reconstitution of the Leadership Group as a Fire Services Advisory Committee to continue to provide advice to the Fire and Emergency Management Commissioner.

APPROVED / NOT APPROVED

The Honourable Minister Shirley Bond
Minister of Justice and Attorney General

Date

ATTACHEMENT

1. Draft Report - "Improving Fire Services: The Office of the Fire Commissioner's Response to the FSLG Report."
2. Members of the Leadership Group

Prepared by:
Cameron Lewis
Executive Officer
Emergency Management BC
250 953-4036

Approved by:
Rebecca F. Denlinger
Assistant Deputy Minister
Fire and Emergency Management Commissioner
250 953-4083

**MINISTRY OF JUSTICE
EMERGENCY MANAGEMENT BC
BRIEFING NOTE**

PREPARED FOR: The Honourable Shirley Bond
Minister of Justice and Attorney General
FOR INFORMATION

ISSUE:

Status report associated with the proposed closure of Kitsilano Canadian Coast Guard Base.

BACKGROUND:

In May 2012, the Federal government announced the closure of three Canadian Coast Guard (CCG) communications centres in Vancouver, Comox, and Tofino by 2015. The confirmation of the closures came one day after \$79 million in budget cuts were announced, affecting approximately 400 jobs at the federal Department of Fisheries and Oceans and the Canadian Coast Guard. The closures mean the entire British Columbia coast will be served by two communications centres in Prince Rupert and Victoria which will be required to undergo major technology upgrades.

This announcement followed news that the Kitsilano CCG base will be closing by Spring 2013. Located in English Bay, the Kitsilano CCG base currently responds to approximately 200 search and rescue calls each year approximately half of which are considered life-at-risk. Following the proposed closure of Kitsilano CCG base, Richmond's Sea Island CCG Base will assume responsibility for all Metro Vancouver calls.

The consolidations, in response to federal budget cuts, are part of a major reorganization at the Department of Fisheries and Oceans, the Ministry responsible for maritime Search and Rescue (SAR). A senior CCG official said the closings will not put lives at risk because a good mix of additional resources are available to respond to maritime emergencies, and fill the void.

DISCUSSION:

Under the *Constitution Act* of 1867, Marine Search and Rescue is a Federal responsibility carried out by the Department of Fisheries and Oceans (DFO) through the CCG. As the CCG continues to implement closure of the Kitsilano CCG Base, officials are working to implement changes as part of the decision including consultation with stakeholders, maximizing current resources, and identifying additional resources to fill the gap.

Stakeholder Engagement

- Since the summer, the CCG has held roundtable working group meetings in Vancouver to discuss the local emergency response system after the closure of the Kitsilano CCG Base.
- Participants included police, fire departments, BC Ambulance, federal volunteer search and rescue, commercial assistance operators and representatives of local recreational clubs.
- This is part of ongoing dialogue and meetings with these agencies on how services will be provided in Vancouver Harbour following federal announcements, including the planned addition of an Inshore Rescue Boat (IRB) station, strengthened partnerships and funding to support the Royal Canadian Marine Search and Rescue (RCM-SAR).

Available SAR Resources

- The CCG SAR program in the Metro Vancouver area relies on a network of resources to respond to emergencies. This consists of federal government resources, volunteer organizations, local emergency responders, and vessels of opportunity, any of which can be tasked by the Joint Rescue Coordination Centre (JRCC) to respond to an incident.
- The Royal Canadian Marine SAR (RCM-SAR) is a critical volunteer service that provides a year-round 24/7 service staffed with on-call volunteers. They co-respond with other agencies including the CCG, Fire Consortium and VPD for the majority of annual calls (170 calls per year in Lower Mainland region).
- The new (IRB) station will provide increased SAR capacity during the peak summer operational season. The CCG hires IRB crews through the Federal Student Work Experience Program (FSWEP) to perform SAR duties at IRB stations across Canada.
- The CCG has further negotiated with RCM-SAR to increase its capacity in the area. This includes:

- Relocating RCM-SAR Station 2 from Indian Arm to Second Narrows, increasing the training budgets for the eight local RCM-SAR units, increased recruitment, on water training and increased budget for operations including a commitment to invest \$100,000 a year in the RCM-SAR training and equipment.
- With respect to Sea Island Base:
 - The two hovercraft and one fast response craft will continue to be available for SAR taskings.
 - In 2013, the CCG will be replacing one of the existing hovercraft with a larger, more capable, more efficient vessel that has a greater range of service.

Response Times and Coverage

- National level of service for CCG is for launch within 30 minutes of receipt of task. Greater Vancouver area has historically benefitted from a higher level of service than most other areas within the country, as there are two 24/7 marine CCG SAR stations within 17 nautical miles of each other.
- The Metro Vancouver area has benefitted from an elevated level of service with the Kitsilano CCG Base. The closure, in conjunction with the other provisions outlined, will provide an equitable level of service with other areas of the country such as Montreal and Toronto who have similar levels of marine traffic needs without 24/7 marine SAR.
- The existing coverage area of the CCG Sea Island base extends as far north as the Sunshine Coast and as far south as the US San Juan and Gulf Islands.
- The hovercraft can be, and is, tasked anywhere in this area to respond to an incident.
- While resources from Sea Island CCG Base may be called into the Vancouver area more often, the station's coverage area will not change.
- With the addition of a seasonal Inshore Rescue Boat and enhanced services from the RCM-SAR, CCG is confident that levels of service will be in line with other Canadian ports including response times.
 - The CCG has assessed where the new IRB station will be located within the Vancouver Harbour and are close to making an announcement.
 - IRB stations have proven to be an effective means to deliver SAR response in major metropolitan harbours. For example, the average response time for the Kitsilano lifeboat station is 22 minutes, while the average response time for the Montreal IRB is seven minutes.

SUMMARY:

The CCG has held a series of roundtable working group meetings in Vancouver over the summer and throughout the fall to ensure a smooth transition and comprehensive consultation to a new system in light of the closure of the Kitsilano CCG Base. Over the past six years, the CCG has invested \$1.4 billion into renewing the Coast Guard's ships and helicopters. This investment also includes the addition of a seasonal IRB crew and funding to enhance services to support RCM-SAR to adequately meet the primary SAR demand in the area once the Kitsilano CCG Base closes.

Prepared by:

Carol McClintock
Manager, Training and Volunteer Programs
Emergency Management BC
250 952-4811

Approved by:

Kelly Gilday
Executive Director, Mitigation
Emergency Management BC
250 952-4919

**MINISTRY OF JUSTICE
EMERGENCY MANAGEMENT BC
BRIEFING NOTE**

PREPARED FOR: The Honourable Shirley Bond
Minister of Justice and Attorney General
FOR INFORMATION

ISSUE:

To provide an overview of the federal government's Joint Emergency Preparedness Program (JEPP) and the implications of its cancellation by Public Safety Canada effective April 1, 2013.

BACKGROUND:

JEPP – Program Overview

- JEPP was established by the federal government in 1980 to enhance the capacity of local authorities, First Nations, provinces and territories to respond to all types of emergencies and enhance the resiliency of critical infrastructure assets.
- The program is a federally cost-shared program, managed through Public Safety Canada (PSC) and administered by the Provinces and Territories, which supports eligible projects at the local (municipal, regional district and First Nations) and provincial levels.
- Federal funding under JEPP is provided within the context of three program categories – each with discrete and dedicated funding envelopes:

1) JEPP – Emergency Preparedness:

- Overview:
 - JEPP – Emergency Preparedness supports a range of community-based public safety initiatives including: training and education; telecommunication systems; emergency plans; emergency exercises; equipment for Emergency Operation Centres (EOCs); specialized vehicles and equipment and Light Urban Search and Rescue. Under the program, the federal government provides funding up to 50 per cent of eligible project costs. Local authorities and First Nation recipients contribute the residual 50 per cent.
 - Each year, the program provides funding to approximately 80 to 120 local authorities and First Nations, most of which went to smaller communities with limited internal capacity to fund emergency preparedness projects.

- Budget Allocation:

- Prior to March 2011, the province received an annual base budget allocation of \$0.410M. These base budget funds were augmented by additional federal funding reallocations of unspent budgets from other provinces and territories over the course of each fiscal year ranging between \$0.130M to \$0.650M (2008/09 to 2012/13).
- In 2012/13, the federal government reduced its annual base funding allocation to the province to \$0.250M. Additional surplus JEPP funds reallocated from other provinces and territories generated an additional \$0.130M in the current fiscal year.

2) JEPP – Urban Search and Rescue (USAR):

- Overview:

- JEPP - USAR supports the development of community-based capacity to locate and extricate persons trapped in collapsed structures and other entrapments using specially trained dogs and electronic search equipment. The program includes support for the City of Vancouver's Heavy Urban Search and Rescue team. Funding for the program is based upon a 75 per cent federal and 25 per cent local authority cost sharing model.

- Budget Allocation:

- Annual federal JEPP - USAR funding to the province within the last five years has ranged from \$0.414M to \$1.235M.
- Federal funding to the province for 2012/13 totals \$0.944M and supports nine projects – including the City of Vancouver's HUSAR team.

3) JEPP – Critical Infrastructure

- Overview:

- JEPP – Critical Infrastructure (CI) supports initiatives to enhance the resilience of processes, systems, facilities, technologies, networks, assets and services essential to health, safety, security or economic well-being of Canadians and the effective functioning of government.
- Federal funding within this envelope is limited to \$0.40M nationally in 2012/13 and is based upon a 75 per cent federal and 25 per cent local authority, First Nations or provincial contribution.
- The province last received funding under this category to support preparedness for the 2010 Winter Games.
- Emergency Management BC did not receive any applications for funding in 2012/13.

See Appendix A for JEPP Financial Overview for British Columbia 2012/13.

Federal Termination of JEPP

- In July 2012, the federal government, without consultation, announced that funding for JEPP, including the Emergency Preparedness, USAR and CI components, would be terminated in 2013/14. The federal government's position with respect to the cancellation was that the program's objectives had been successfully met.

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DISCUSSION:

- JEPP's termination was within the context of the Federal Government's 2012 budget, which announced \$5.2 billion in program spending cuts; the public safety portfolio shouldered the second-largest portion of those cuts at \$687.9 million, or 9.9 per cent of its base budget.
- In 2012/13, JEPP generated \$1.324M in federal funding and \$0.695M in matching local authority and First Nations financial contributions within the province (\$2.019M total).

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Appendix A – JEPP Financial Overview for British Columbia 2012/13

Public Safety Canada JEPP Program Funding - British Columbia 2012/13						
	Federal Funding		Contribution		Local Authority and First Nations Cost-Sharing Contributions*	
			Federal	LA/FN		
JEPP - Emergency Preparedness (50% fed. & 50% local authority/First Nations)	Base Budget	\$250,000	50%	50%	Base Budget Matching	\$250,000
	Supplementary Reallocated**	\$130,000	50%	50%	Supplementary Matching	\$130,000
		\$380,000				\$380,000
JEPP - USAR (75% fed. & 25% local authority)	Approved Budget	\$944,000	75%	25%	Approved Budget Matching	\$315,000
		\$ 944,000				\$315,000
JEPP - Critical Infrastructure	Approved Budget	\$0	75%	25%	Approved Budget	\$0
		\$0				\$0
Total Federal JEPP Contribution		\$1,324,000			Total Local Authorities & First Nations JEPP Contribution	\$695,000
Total JEPP Funding Federal Government and Local Authorities and First Nations			\$ 2,019,000			

Note:

* Local Authorities and First Nations may procure assets (e.g. Vehicles and generators) which exceed allowable federal JEPP thresholds. As such, those additional costs are ineligible for matching funding and are not reflected in the numbers above.

** As at October 23, 2012, British Columbia has an additional nine JEPP - Emergency Preparedness projects awaiting approval from the federal government totalling \$238,000. If approved the federal JEPP- Emergency Preparedness contribution in 2012/13 would total \$618,000.

**MINISTRY OF JUSTICE
EMERGENCY MANAGEMENT BC
BRIEFING NOTE**

PREPARED FOR: The Honourable Shirley Bond
Minister of Justice and Attorney General
FOR INFORMATION

ISSUE:

The manufacturer of the Human External Transport System (HETS) used by a number of Ground Search and Rescue (GSAR) teams is currently not able to re-certify HETS equipment for use; thus grounding the current GSAR teams from using this equipment when responding to incidents.

BACKGROUND:

Currently there is one supplier in Canada that is approved by Transport Canada to manufacture/inspect HETS. This equipment is currently used by 10 GSAR groups in British Columbia.

Earlier this year the owner of Emergco Technical Solutions, supplier/manufacturer of the HETS equipment, made arrangements with Talon Helicopters to conduct inspections of the existing HETS equipment that was in use.

On Saturday October 27th, an e-mail was received from Whistler Search and Rescue stating; "effective immediately, Talon Helicopters has asked all HETS providers using equipment bearing maintenance release certificates (green tags) signed by Talon's flight engineers to voluntarily suspend all use of this equipment until such time as the actual requirements dealing with the overhaul and re-inspection certification process can be verified with Transport Canada."

On Saturday October 27th, Emergency Management BC (EMBC) was also contacted by the owner of Talon Helicopters confirming that Talon has not received the proper paper work from Emergco which would allow the company to re-inspect the HETS Equipment. In addition, Talon Helicopters informed EMBC that the Emergco certification to produce/inspect HETS equipment expired in 2007.

Subsequently an e-mail was distributed through the BC Search and Rescue Association to all GSAR groups in British Columbia informing them that any equipment that was either purchased from or inspected by Emergco after 2007 was not Transport Canada approved and should not be used. This has temporarily grounded the use of HETS equipment by British Columbia GSAR groups.

On Monday October 29th, EMBC was contacted by Mr. Trevor Heryet (BC Regional Director, Transport Canada) who confirmed that Emergco's approval expired in 2007.

DISCUSSION:

The Joint Rescue Coordination Centre has been notified that the call volume for assistance may increase until the issue of "certification" for the HETS equipment can be resolved.

Mr. Heryet has indicated that his staff are looking at possible solutions however he did state "it is up to Emergco to submit the appropriate documentation" for certification approval.

Emergco has confirmed via email that they have contacted Transport Canada.

INTERIM SOLUTION:

1. GSAR volunteers have other Rescue techniques, such as rope rescue, that can be used.
2. The JRCC is able to assist in some cases.
3. Parks Canada has ability to assist in some cases.
4. **Transport Canada is working with supplier to re-certify the current HETS equipment. This could take up to a week.**

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**MINISTRY OF JUSTICE
EMERGENCY MANAGEMENT BC
BRIEFING NOTE**

PREPARED FOR: The Honourable Shirley Bond
Minister of Justice and Attorney General
FOR INFORMATION

TOPIC:

Flood mitigation works on Sicamous Creek (also known as 2 Mile Creek) within the District of Sicamous (DoS) and flood mitigation works requested by local residents and the Columbia Shuswap Regional District (CSRD) on Hummingbird Creek.

BACKGROUND:

On June 23, 2012, flash floods caused Hummingbird Creek and Sicamous Creek to spill their banks. Numerous residences and properties as well as several roadways sustained damage, and the evacuation of over 300 residents was required. Emergency response activities are complete, but community recovery activities are ongoing.

Consistent with direction that Emergency Management British Columbia (EMBC) undertake cross-government coordination for long term recovery work associated with significant emergency events, EMBC has been coordinating ministry recovery activities for Sicamous area flooding. Thus, EMBC is the primary point of contact for local authorities and residents with respect to watercourse issues on Sicamous and Hummingbird Creeks.

DISCUSSION:

Sicamous Creek (Also known as "2 Mile") Flood Mitigation Works

- The flooding of June 23 caused Sicamous Creek to change course, cutting off Highway 97A at the 2 Mile Bridge location, 3km south of Highway 1, and impacting numerous residences as well as the large Waterway houseboat facility. A temporary bridge was installed on July 1st and the highway was reopened.
- This location has flooded previously, most recently in 1997.
- Because of concerns that the 200 meters of creekbed between Highway 97A and Mara Lake could not adequately contain periodic flood flows, local authorities and residents requested that flood mitigation work be undertaken on this portion of the creek before water was returned to the original channel. This location has flooded previously, most recently in 1997.
- The Province offered to undertake construction of flood mitigation work on Sicamous Creek consisting of creekbed widening and bank armoured if the District of Sicamous would undertake ongoing operating and maintenance. These ongoing requirements are anticipated to be minimal.

- The Province continues to pursue a signed agreement with the District of Sicamous on this matter.
- However, because work was required to be complete in the creekbed by approximately September 15 due to fish habitat permitting issues, the Ministry of Transportation and Infrastructure (MOTI) ultimately began the proposed flood mitigation work in Sicamous Creek in advance of achieving a signed agreement.
- Work on the creekbed and banks is now complete. This work will initially mitigate flood risk on Sicamous Creek to a 1:200 year flood return level, and will address the majority of residents' concerns, but without maintenance by the District of Sicamous, the effectiveness of these channel works will decline over time.
- Costs of the works (approximately \$475,000) will be covered 1/3 by MOTI and 2/3 by the Ministry of Justice (JAG).
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to cover the JAG portion of costs.
- MOTI is now focussed on restoring the highway at the Sicamous Creek location, with work expected to be complete by the end of October.
-

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Hummingbird Creek

- On June 23, the culvert on Highway 97A over Hummingbird Creek, at the location known both as "6 mile" and "Swansea Point," became clogged by local debris, resulting in localized flooding and closure of the highway.
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- MOTI has undertaken post-flooding work on Hummingbird creek in the vicinity of the highway (e.g. removing deposits, replacing and improving bank protection, etc.). This work is modest in scope compared to the more extensive work that previous studies have prescribed in order to minimize flood risk on Hummingbird creek.
- Debris flows have occurred previously at the Hummingbird Creek location. In 2004, the Province offered funding for a debris basin (\$3.0 M in 2004) and a new bridge (\$1.1 M in 2004) crossing Hummingbird Creek, in order to prevent the recurrence of such events. However, the Swansea Point community indicated, by referendum in June 2004, that it would not undertake the associated operating and maintenance cost for the debris basin. The current capital cost of such works is estimated at \$4.7 M for the basin and \$1.7 M for the bridge for a total of \$6.4 M.
- Residents and local authority officials have requested that the Province undertake channel works on Hummingbird Creek, and replace the existing culvert on Highway 97A with a bridge.
- MOTI has noted that the existing culvert meets MOTI design standards. However, in response to the June 2012 flooding event, and concerns voiced by community members, MOTI is conducting additional analysis to determine if an upgraded culvert or structure is warranted at this location.

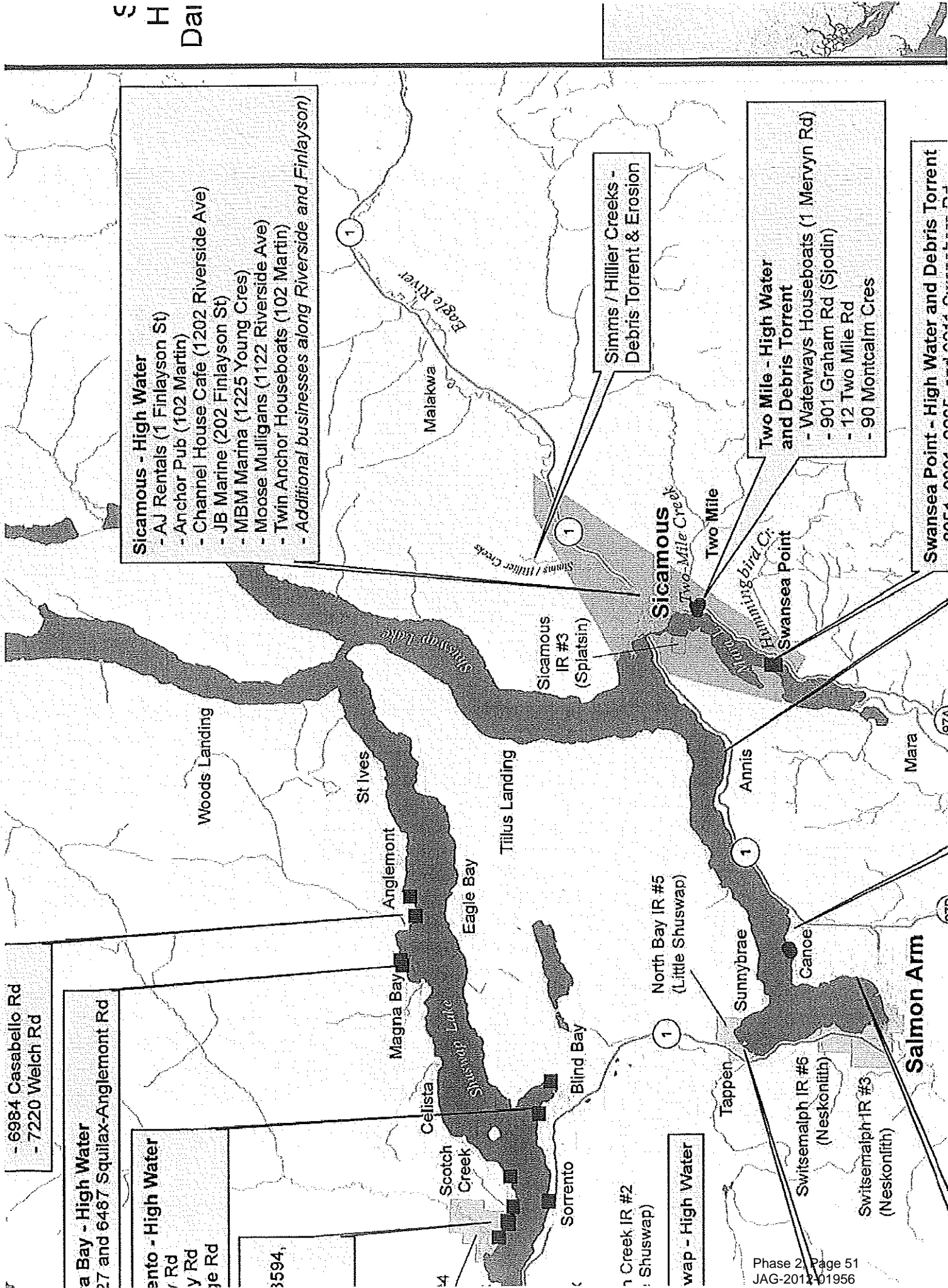
- No existing programs provide for channel restoration or in-channel flood mitigation works such as those requested at Hummingbird Creek. The CSRD has been encouraged to apply for shared funding towards a debris basin, through the Flood Protection Program, administered by EMBC. However, it is uncertain if its cost benefit rating would be competitive when compared with other potential flood mitigation projects.
- Staff from EMBC, MOTI and the Ministry of Forests, Lands and Natural Resource Operations (FLNRO) are currently assessing what mitigation works could be undertaken on Hummingbird Creek for a modest cost (i.e. a significantly lower cost than a bridge or debris basin). Such work may entail addressing local debris and channel deposits. The possibility of using the Flood Protection Program as a funding source is also being assessed.
- Residents and Columbia Shuswap Regional District (CSRD) officials have been informed that such assessment work is underway.
- Specific assessment work undertaken in recent weeks has included the following:
 - Staff from FLNRO and MOTI have met to review existing studies on Hummingbird Creek, and to discuss potential affordable additional channel work that could be undertaken on the creek.
 - Staff from FLNRO have conducted a helicopter overflight of Sicamous and Hummingbird Creeks with a focus on identifying potential imminent risk issues. None were identified.
 - Supervised by MOTI, a contractor has undertaken a ground survey of Hummingbird Creek.
 - Processing of existing LIDAR (remote sensing mapping technology) data for Hummingbird Creek.
- With information gathered through the above work, MOTI, with advice from FLNRO, is currently engaging Golder and Associates to provide specific recommendations for channel works and the highway crossing on Hummingbird Creek.
- These recommendations are expected from Golder and Associates by October 31, 2012.
- Based on these recommendations, EMBC, in consultation with FLNRO and MOTI, will communicate options for approval.

Attachment

Shuswap Mara Lake Damage Overview Map

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**MINISTRY OF JUSTICE
POLICING AND SECURITY PROGRAMS BRANCH
POLICING AND SECURITY DIVISION
INFORMATION NOTE**

PREPARED FOR: Honourable Shirley Bond, Minister of Justice and Attorney General
FOR INFORMATION

ISSUE: Request from the Mounted Police Professional Association of Canada /
BC Mounted Police Professional Association to meet with the Minister

BACKGROUND:

- The Mounted Police Professional Association of Canada (MPPAC), a union-like association of over 2200 regular and civilian RCMP members, is a national amalgamation of three regional police associations:
 - BC Mounted Police Professional Association (BCMPPA);
 - Mounted Police Association of Ontario (MPAO); and
 - Association des Membres de la Police Montée du Québec (AMPMQ).
- The MPPAC's mandate is to represent the interests of its members on professional and employment issues with the RCMP employer. Its particular focus is to advocate for free collective bargaining for RCMP members, and to improve:
 - wages, benefits and working conditions;
 - workplace health, safety, and wellness;
 - member training and qualifications;
 - policing methods and standards; and
 - labour relations.
- The BCMPPA is the provincial association aligned under the MPPAC. Together they represent approximately 600 RCMP members in BC.
- The RCMP is the only major police force in Canada that is not unionized. The MPPAC and its regional associations actively pursue formal unionization and the recognition of collective bargaining rights for its members.
- In 2009 in the Ontario Superior Court, the MPAO successfully challenged provisions under s.96 of the *RCMP Regulations* that allow RCMP management to apply a "Staff Relations Representative Program" (SRRP) program in lieu of formal unionization. The MPAO had argued that s.96 amounted to a violation of s.2(d) of *Charter* (Freedom of Association).

- In June 2012, the Ontario Court of Appeal overturned the Superior Court's decision on the following basis:
 - The voluntary associations formed by the RCMP members allow them to pursue workplace issues in a meaningful way (a contrast was drawn between vulnerable agricultural workers and more privileged RCMP members).
 - The Mounted Police Legal Fund plays a complementary and supportive role to the SRRP, and demonstrates it is effectively possible for RCMP members to exercise their Freedom of Association Rights under the *Charter*.
- Notably, two new labour law questions were also posed with the Ontario Court of Appeal June 2012 decision: "Does the right to collective bargaining ...
 - ... guarantee workers the right to be represented in their relationship with their employer by an association of their own choosing?
 - ... require that the vehicle for dealing with workers' collective concerns with management be structurally independent of management?"

DISCUSSION:

- In May 2012, at the BC Police Association meeting, Minister Bond spoke briefly with MPPAC President Rae Banwarie and BCMPPA Director Rolly Beaulieu. The Minister suggested a future meeting could be scheduled.
- The MPPAC is supporting the appeal of the June 2012 decision in the Supreme Court of Canada, and is also attempting to link its drive for unionization to emergent issues affecting RCMP (image, resource levels, court lawsuits re: discriminative behaviour). It is expected MPPAC would raise these issues in a meeting with the Minister and/or Ministry Executives.

RECOMENDATION:

- Minister and Assistant Deputy Minister (Policing and Security Programs) to meet with the BCMPPA/MPPAC.

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**MINISTRY OF JUSTICE
POLICING AND SECURITY PROGRAMS BRANCH
POLICE SERVICES DIVISION
BRIEFING NOTE**

PREPARED FOR: Honourable Shirley Bond, Minister of Justice and Attorney General
FOR INFORMATION

ISSUE: 911 Pocket Dial Awareness Campaign

BACKGROUND:

- According to Statistics Canada's 2010 Residential Telephone Service Survey, cell phones are becoming increasingly popular in Canada and British Columbia is one of the three provinces with the highest proportion of households with cell phones: 82 percent of households in BC have cell phones.
- As the use of mobile phones increases, police services are reporting an increasing issue with unintentional 911 calls and pocket dials. This is a public safety issue as law enforcement resources become tied up in discerning whether or not the phone call is a real emergency or the result of an accidental dial. Consequently, the Public Safety Answering Point (PSAP)'s ability to respond to real emergencies is being negatively impacted.
- Pocket dials, which are an issue across Canada, were discussed at the November ADM-PI. Since then, BC and Alberta Governments have been working in collaboration with Public Safety Canada to research this and other issues with 911 calls from mobile phones.
- As part of the project with Alberta and Public Safety Canada, information on pocket dials was gathered by Ministry of Justice staff from several Operational Communications Centres (OCC) in BC, including EComm, municipal police (Abbotsford, Delta, Nelson, New Westminster, Port Moody, Saanich, Victoria, and West Vancouver), and the RCMP (Burnaby, Courtenay, Kelowna, Nanaimo, Prince George, and Victoria). Information collected indicates that pocket dials are a serious and increasing problem for OCCs and police in BC.
- The Union of BC Municipalities (UBCM) has passed resolution B60 "911 Pocket Calls", part of which requests the provincial government to consider establishing an awareness campaign similar to that in Ontario which aimed to provide the public with information on how to prevent accidental calls to 911.

DISCUSSION:

- A response has been sent to UBCM on resolution B60 which acknowledges the concerns with pocket dial calls to 911. It explains the Ministry's project with the Alberta government and Public Safety Canada and anticipates ADM-PI will make a submission to the Canadian Radio-Telecommunications Commission regarding this issue. Additionally, in response, Ministry of Justice staff has committed to reviewing the Ontario awareness campaign for consideration of a similar approach in BC.
- In Ontario in 2011, several police agencies reported that approximately 10 percent of 911 calls received were the result of pocket dials. In an effort to reduce the number of pocket dials, this year, the Ontario Provincial Police (OPP) and the Ontario 911 Advisory Board (OAB) have partnered together to raise public awareness regarding the issues with unintentional and pocket dialled calls.
- Starting in January 2012, the Ontario campaign included a joint media release from OPP and OAB, media releases from a few individual police departments, three posters, and a brief video on pocket dials. Posters included the message that phones can be dialled from pockets, purses, and backpacks and cautioned individuals to be sure that their device is carefully stored and to never pre-program 911 into their phones.
- The Ontario public awareness campaign also communicated solutions to help reduce the risk of pocket dialling from a mobile phone. Potential solutions include:
 - Locking keypad or putting device in standby mode;
 - Not programming 911 into speed dial or automatic dial;
 - Turning off the 911 autodial feature that some mobile phones have; and
 - Not allowing small children to play with the device.

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**MINISTRY OF JUSTICE
POLICING AND SECURITY PROGRAMS BRANCH
BRIEFING NOTE**

PREPARED FOR: Honourable Shirley Bond, Minister of Justice and Attorney General
FOR INFORMATION

ISSUE: Release of the *BC Policing Plan Regional Roundtables: Summary Report*

BACKGROUND:

- The major catalyst to develop a strategic plan for policing is the commitment to do so in the *Families First Agenda for Change*. The BC Policing Plan project is also referenced in the justice reform initiatives announced on February 8, 2012.
- The BC Policing Plan is currently being built using citizen engagement and stakeholder consultation to provide communities and interested parties with opportunities to assist in defining priorities, developing solutions, and influencing the development process. The major deliverable of the initiative is a strategic plan for policing that sets out goals, targets, and performance standards for the next 3, 5, and 10 years.
- Four approaches are being utilized to collect information to build the Plan:
 - **Regional roundtables** with key stakeholders.
 - An **interactive website** with a blog to encourage citizen engagement.
 - A small number of **focus groups** with key stakeholders to develop strategies and solutions to key issues.
 - A province-wide scientific **telephone survey** of British Columbians will be conducted to establish baseline measures for issues such as confidence in police and fear of crime.
- Regional roundtables were held in nine locations between April 25 and June 14, 2012. Locations included: Victoria, Nanaimo, Prince George, Prince Rupert, Kelowna, Cranbrook, Vancouver, Surrey, and Fort St. John.
- Stakeholders invited included community safety and crime prevention organizations, First Nations, local governments, police, and representatives from Union of British Columbia Municipalities (UBCM), OPCC, IIO, BC Civil Liberties Association, Justice Institute of BC, and the Diversity Committee. In total 365 people participated in the 9 roundtables.
- Participants were asked to identify: 1) public safety issues in their community; 2) crime prevention initiatives and policing practices that have been successful; and 3) how existing practices can be enhanced (strategies).

- Summaries of each roundtable discussion were distributed to participants and posted on the project website (<http://blog.gov.bc.ca/bcpolicingplan>). Themes and issues emerging from the roundtables were used to identify focus groups which are being held in September and October 2012 to brainstorm solutions and strategies.
- An overall summary report outlining the themes from all nine roundtables is complete and prepared for release on the project blog and the Ministry website.

DISCUSSION:

- The *BC Policing Plan Regional Roundtables: Summary Report* (hereafter the *Roundtable Report*) provides a summary of the common challenges, issues and suggested solutions raised by participants in the regional roundtables.
- The *Roundtable Report* is essentially divided into four substantive sections (key challenges; policing issues and solutions; crime prevention issues and solutions; and promising practices).
- In each roundtable, participants discussed the criminal activities and public safety issues in their communities. Overall, participants identified 11 key challenges:
 - Drug and alcohol addiction
 - Gang activity and drug trafficking
 - Mental health
 - Domestic violence
 - Prostitution and human trafficking
 - Sexual abuse and sexual assault
 - Seniors' safety and potential elder abuse
 - Prolific offenders
 - Public disorder and personal safety
 - Property crime
 - Traffic and road safety
- Participants also discussed the impact that varying demographics, economies and geography have on crime and safety issues within their communities.

Policing

Overall, a key topic of discussion in many of the roundtable sessions was the desire of the participants to see the provincial government provide stronger leadership, better coordination of services, and alignment of funding with key public safety priorities.

Specifically, the topics identified with respect to policing issues fell into four broad themes:

Accountability

- The police should build stronger relationships with communities
- The current community input structures into local police governance should be reviewed and strengthened
- Police performance should be adequately measured
- Police should manage media relations more proactively
- Police require more specialized training with respect to contemporary policing issues

Funding

- A province-wide, equitable police funding formula should be developed
- Funding levels should be reflective of each level of government's responsibility

Effective and efficient policing (systemic and structural change)

- Justice system reforms should be implemented in order to increase the effectiveness and efficiency of policing
- Sufficient resources should be allocated to social service agencies dealing with mental health, addiction and homelessness in order to relieve overburdened police
- Structural changes to police service delivery models should be considered to decrease police costs
- Innovative and sustainable management of police and civilian staff should be considered to decrease policing costs
- Strategies for reducing the administrative burden on police should be developed

Collaboration and coordination

- Greater collaboration is required between the justice system and related social and health systems in order to achieve true efficiencies and benefits
- Better coordination/consultation/communication is required between levels of government with respect to policing issues
- Mental health and addiction concerns require special attention from justice and social service providers
- A more coordinated response to domestic violence is required

Crime Prevention

Participants expressed their interest in seeing the provincial government demonstrate stronger leadership through the development and implementation of a provincially-led crime prevention strategy. The identification of metrics and measures for effective, evidence-based crime prevention approaches along with the establishment of a clearing house and place for communities to share and explore best practices were identified as important features of the strategy.

Funding for crime prevention and for services to victims was also a key theme of discussion. Roundtable participants also explored the importance of local coordination, citizen engagement and the use of volunteers throughout roundtable discussions.

Specifically, discussions can be categorized into the following themes:

Leadership and coordination for crime prevention

- A provincially-led crime prevention strategy should be developed and implemented
- Local resources are required to coordinate community-based crime prevention and crime reduction efforts

Funding

- Consistent, stable and long-term funding is required for victim services and crime prevention programs
- Community programs should be supported to maintain consistent availability of services

Citizen Engagement

- Volunteers play an important role in addressing community health and safety issues and the coordination of volunteers should be enhanced
- Citizens have an important role to play in improving the safety of their communities and should be engaged

The final section of the *Roundtable Report* contains a list and discussion of current practices.

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**MINISTRY OF JUSTICE
POLICING AND SECURITY PROGRAMS BRANCH
BRIEFING NOTE**

PREPARED FOR: Honourable Shirley Bond, Minister of Justice and Attorney General
FOR INFORMATION

ISSUE: Research report on conducted energy weapon (CEW) usage by
BC Independent police agencies

BACKGROUND:

- Police Services Division (PSD) has written a research report based on an analysis of all CEW discharge reports from the independent municipal police agencies and transit police in BC in 2010 and 2011.
- This was conducted as part of implementing the Braidwood Inquiry report recommendations.
- This research will form part of the package of information presented to the Special Committee to Inquire into the Use of Conducted Energy Weapons.
- The research report is anticipated to be made public.
- On September 20, 2012, the Commission for Public Complaints (CPC) against the RCMP also released a public report on RCMP CEW usage from 2010 data.
- Many results from the CPC report are similar to the results from PSD's research.

DISCUSSION:

- Key findings from PSD's research are presented below. (All information and analysis was based on the officers' use-of-force reports.)
 - Overall, CEWs were discharged in many high-risk situations and were generally successful in resolving the incident safely.
 - There were 24 cases of CEW discharges in 2010 and 21 cases in 2011, reported by BC's independent municipal police agencies.
 - All but two of the subjects were male. The average age was 35 years old.
 - 76% of subjects were believed to be under the influence of either drugs or alcohol or both.
 - 56% of subjects were considered to be emotionally disturbed; 18% of subjects were engaging in self harm and another 9% of subjects were telling police to shoot/kill them.
 - In 71% of incidents, police officers were faced with subjects believed to be armed and/or who had a history of violence/weapon use.

Date: September 21, 2012

- o Half of all subjects were believed to be in possession of a weapon.
- o Of those subjects who were in possession of a weapon, the most common type (65%) was an edged or pointed weapon, such as a knife.
- o According to the information presented in the police report, in the large majority of cases it can be concluded that the subject was causing or imminently about to cause bodily harm. Therefore, use of the CEW was appropriate according to the new guidelines for use, introduced in 2009. In some use-of-force reports, whether the imminent bodily harm threshold was met was unclear due to a lack of recorded information.
- o Four incidents involved a CEW discharge on handcuffed subjects.
- o Over half (56%) of CEW discharge incidents involved probe mode only; 31% involved contact stun mode only and; 13% involved both probe and contact stun modes.
- o More than half of the cases (60%) involved only one cycle of the CEW; 30% involved two cycles of the CEW, and four cases (9%) involved three or four cycles of the CEW.
- o The CEW was reported to have been effective in 77% of incidents.
- o Most subjects were not reported to be injured. The most serious injuries reported were a cut to the head by one subject and a nose injury suffered by another subject. Both were due to the subject falling to the ground due to the CEW deployment. In some incidents police officers were reported to be injured by a fighting subject prior to the use of the CEW.

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Attachment: Research Report.



Ministry of Justice
Police Services Division

CEW Discharge Incidents:

An Analysis of Data from Independent Municipal Police Agencies 2010-2011

Table of Contents

Highlights	2
Methodology	3
Data Limitations	3
Overview of CEW Use by Independent Municipal Police Agencies in BC	4
Sex and Age	4
Alcohol and Drugs	4
Emotionally Disturbed Persons / Mental Health Apprehensions	5
Weapons / History of Violence	5
Categorisation of Subject Behaviour and Threshold of Use	6
CEW Use on Handcuffed Subjects	8
Mode of Discharge	9
Number of CEW Cycles	10
Effectiveness of the CEW	12
CEWs and Injuries	13
Conclusions	15
Key Terms	16
Subject Behaviour Definitions	16
National Use of Force Framework	17

Date prepared: September 2012

Highlights

This research presents a detailed analysis of police CEW discharge reports from British Columbia's independent municipal police agencies, for 2010-2011, and describes the characteristics of the subjects and the circumstances in which the CEW discharges occurred. Based on the officers' reports:

- Overall, CEWs were discharged in many high-risk situations and were generally successful in resolving the incident safely.
- There were 24 cases of CEW discharges in 2010 and 21 cases in 2011, reported by British Columbia's independent municipal police agencies.
- All but two of the subjects were male. The average age was 35 years old.
- 76% of subjects were believed to be under the influence of either drugs or alcohol or both.
- 56% of subjects were considered to be emotionally disturbed; 18% of subjects were engaging in self harm and another 9% of subjects were telling police to shoot/kill them.
- In 71% of incidents, police officers were faced with subjects believed to be armed and/or who had a history of violence/weapon use.
- Half of all subjects were believed to be in possession of a weapon.
- Of those subjects who were in possession of a weapon, the most common type (65%) was an edged or pointed weapon, such as a knife.
- According to the information presented in the police report, in the large majority of cases it can be concluded that the subject was causing or imminently about to cause bodily harm. Therefore use of the CEW was appropriate according to the new guidelines for use, introduced in 2009. In some SBOR reports, whether the imminent bodily harm threshold was met was unclear due to a lack of recorded information.
- Four incidents involved a CEW discharge on handcuffed subjects.
- Over half (56%) of CEW discharge incidents involved probe mode only; 31% involved contact stun mode only and; 13% involved both probe and contact stun modes.
- More than half of the cases (60%) involved only one cycle of the CEW; 30% involved two cycles of the CEW, and four cases (9%) involved three or four cycles of the CEW.
- The CEW was reported to have been effective in 77% of incidents.
- Most subjects were not reported to be injured. The most serious injuries reported were a cut to the head by one subject and a nose injury suffered by another subject. Both were due to the subject falling to the ground due to the CEW deployment. In some incidents police officers were reported to be injured by a fighting subject prior to the use of the CEW.

Methodology

This analysis presents data from CEW discharge reports in 2010-2011 from all independent municipal police agencies and Transit police in BC.¹

Since 2010 all police officers in BC are required to complete a standardised use-of-force report (known as the Subject Behaviour-Officer Response or SBOR report) whenever they use force that meets the threshold for reporting (i.e. when an officer uses hard physical force or a weapon, or if any force incident results in injury). All agencies use a similar reporting format. The SBOR form is comprehensive, with response options including set choices, open-ended questions and a descriptive narrative.

All CEW uses, including display only, are required to be reported. The independent municipal police agencies send copies of their SBOR reports to Police Services Division (PSD) in the Ministry of Justice. For the purpose of the current research, PSD staff reviewed and analysed the CEW discharge reports received.

SBOR reports for RCMP jurisdictions are compiled into a separate database maintained by the RCMP and submitted in spreadsheet format to PSD annually.

A separate report entitled "Trends in Police CEW Use 2007-2011" presents overall CEW data for all of BC.

Data Limitations

These data are limited to those events where an SBOR was completed by an officer and the report was forwarded to PSD. All data and analyses in the current research are based only on the information provided in the SBOR report by the officer. This is limited to the police officer's version of the use-of-force incident from their perspective.

¹ These include: Abbotsford, Central Saanich, Delta, Nelson, New Westminster, Oak Bay, Port Moody, Saanich, Vancouver, Victoria and West Vancouver Police Departments and the South Coast of BC Transportation Authority Police Service.

Overview of CEW Use by Independent Municipal Police Agencies in BC

In 2010 and 2011 there were a total of 197 reported incidents of CEW usage (including both display and discharge) by independent municipal police agencies and transit police in BC. These involved 152 cases of CEW display only, and 45 cases of CEW discharges (see Table 1).

Twenty-four of these CEW discharge incidents occurred in 2010; 21 occurred in 2011. This research presents a detailed analysis of these CEW discharge incidents.

Table 1. CEW Use by Independent Municipal Police Agencies in BC

Type of CEW Incident	2010	2011	Total CEW Use By Type
Discharge	22% (24)	23% (21)	23% (45)
Display	78% (83)	77% (69)	77% (152)
Total CEW Use By Year	100% (107)	100% (90)	100% (197)

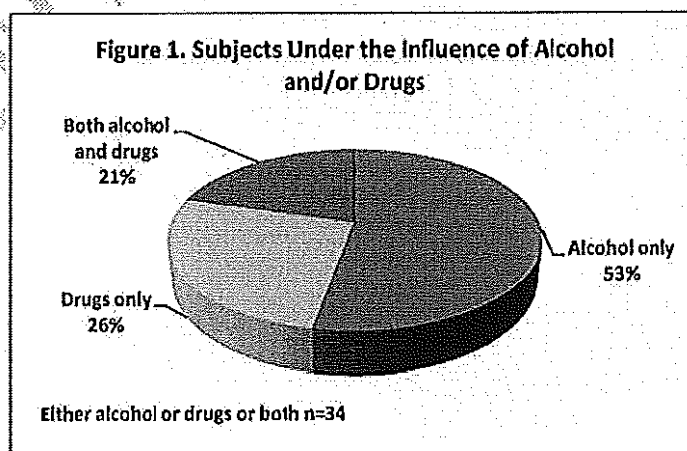
Sex and Age

All but two of the 45 incidents involved a male subject.

The average age of subjects was 35 years, with a range of 17 years² to 68 years³. For three subjects in 2011, the age was unreported.

Alcohol and Drugs

Reports indicated that 76%, or 34 subjects, were believed to be under the influence of either drugs or alcohol or both. Of those, 53%, or 18 subjects, were believed to be intoxicated with alcohol, 26% (nine subjects) were considered to be influenced by drugs, and 21% (seven subjects) were considered to be intoxicated by *both* drugs and alcohol (see Figure 1).



² In the case of the 17-year-old, the subject was reported to be repeatedly striking out and kicking at officers and threatening them while being moved to cells.

³ In the case of the 68-year-old, the man was reported to be armed with an 8-inch kitchen knife.

Emotionally Disturbed Persons / Mental Health Apprehensions

The subject was considered by the police officer to be emotionally disturbed in just over half (56%; 25) of the incidents.

In 18% (eight) of all incidents, the subject was actively engaging in self-harm. For example, two subjects had cut their wrists. One of these two subjects was attempting to slash his throat and police believed the other was about to jump out of the window. In another, the subject had stabbed himself in the stomach and was twisting the knife in his abdomen; in four cases subjects were attempting to slash their own throats or stab themselves; one subject was trying to suffocate/strangle himself.

In another 9% of cases (four), the subject was reported to be telling police to shoot or kill them.

In 11% (5 cases) of all incidents the officer reported that the subject was apprehended under the *Mental Health Act*.

Weapons / History of Violence

In nearly three-quarters (71%; 32) of incidents, police officers were faced with a subject believed to be armed or who had a history of violence/weapon use.

Half of all subjects (51%; 23) were in possession or believed to be in possession of a weapon (see Figure 2).

Of those subjects with a weapon, the most common type (85%; 15) was an edged or pointed weapon (e.g. a knife). The next most common type (17%; four incidents) was an impact or blunt weapon (e.g. a bat or a pipe). One subject was in possession of a firearm.

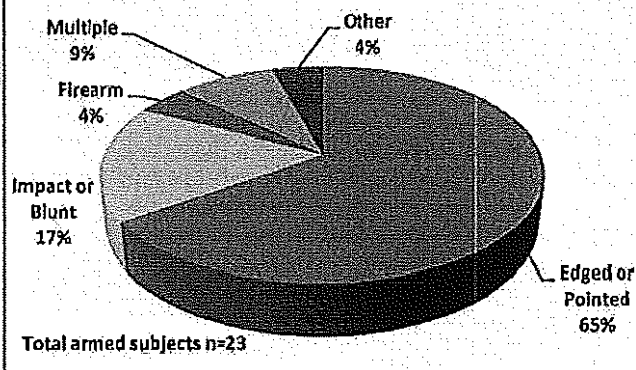
Two subjects had multiple weapons. In one case, the subject ran at police with a pair of scissors and a three-foot-long stick with nails.

The other threw a shovel and a 10" sharpener at officers and hurled objects at police with a sling shot.

One subject had a weapon that did not fall into these categories. In this incident the subject had a pen that police perceived as a potential weapon.

Of those subjects not in possession of a weapon, 41%, or nine subjects, were identified as having either a history of violence and/or a history of weapons possession.

Figure 2. Armed Subjects by Weapon Type



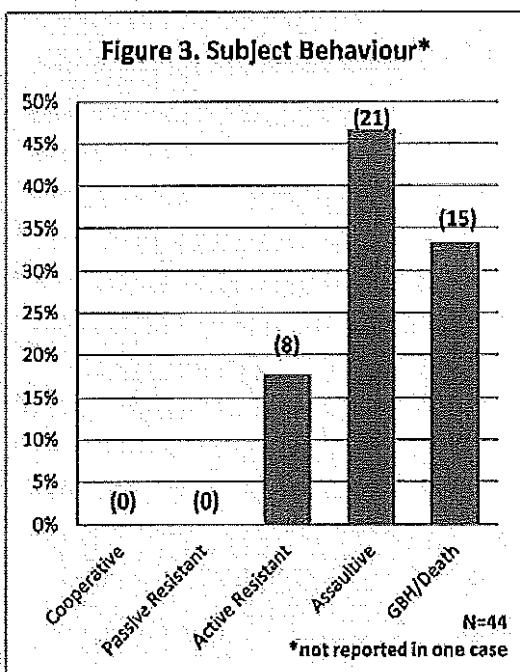
Categorisation of Subject Behaviour and Threshold of Use

All police agencies have a use-of-force model as a framework or training aid to assist officers in their use-of-force decisions and articulation. The model used by the independent agencies is the *National Use of Force Framework* (NUFF), which was developed in 2000 by a working group from the Canadian Association of Chiefs of Police (CACP). An illustration of the NUFF can be found at the end of this report.

The SBOR form contains a section asking the officer to categorise the subject behaviour at the incident according to the NUFF model. The NUFF has five categories of subject behaviour, in increasing levels of seriousness: cooperative, passive resistant, active resistant, assaultive, potential grievous bodily harm (GBH) or death. The detailed definitions of these categories can be found at the end of this report.

Subject Behaviour

As Figure 3 illustrates, 82% of subjects were categorised as either assaultive (48%; 21) or likely to cause grievous bodily harm or death (34%; 15).



18%, or eight subjects, were categorized as active resistant. Subject behaviour was not categorized in one incident.

There were a number of cases where PSD believes (based on reading the narrative) that the officer may have categorized the subject behaviour incorrectly. In all but one of these cases PSD would upgrade the subject behaviour (i.e. from active resistant to assaultive or GBH/death, or from assaultive to GBH/death). For example, in one deployment where the subject behaviour had been categorised as active resistant, the subject had ignored police commands and was reported to be moving quickly toward a crowd of people with a sword.

In one incident PSD would downgrade the subject behaviour. In this case, it was categorized as GBH, and although the subject was reported to verbally threaten grievous bodily harm, this took place in police cells where the subject was already handcuffed and, given all the

reported circumstances, it did not seem reasonable that GBH/death could result.

In the case where the subject behaviour field was not completed by the officer, PSD would classify the behaviour as grievous bodily harm. This incident involved a subject who was cutting his wrists; the subject moved his knife to his neck when police arrived.

Did CEW Discharges Meet the New Threshold for CEW Use?

In July 2009 a new threshold for the discharge of CEWs was introduced in BC. This threshold (now codified in the new *BC Provincial Policing Standards*) was developed by the Braidwood Commission on Conducted Energy Weapon Use in "Restoring Public Confidence: Restricting the Use of Conducted Energy Weapons in British Columbia" (June, 2009). The threshold requires that a subject be causing or imminently about to cause bodily harm before it is appropriate for police to discharge a CEW. In addition, officers must be satisfied that no lesser force option would be effective and that de-escalation and/or crisis intervention techniques would not be effective. Bodily harm⁴ is defined as "any hurt or injury to a person that interferes with the health or comfort of the person and that is more than merely transient or trifling in nature" (s. 2, *Criminal Code of Canada*).

PSD examined all the information recorded and described in the SBOR reports to evaluate whether CEW discharge incidents met the "imminent bodily harm" threshold. This evaluation is based solely on the police officer's version in the SBOR report.

According to the information provided by the officer, in the majority of cases the discharge of the CEW clearly met the "imminent bodily harm" threshold or higher. Examples include several incidents where a subject was actively stabbing or slashing their own body. Other subjects swung bats, pipes, a shovel, a machete or other dangerous objects. In other incidents unarmed subjects fought aggressively against police, for example by kicking and punching, in order to resist arrest.

In most of the remainder of cases, although there was a lack of detail in the narrative, it was reported that the officers were struggling or fighting with a subject who was vigorously resisting arrest or control, and sometimes there were other risk factors associated with the incident (e.g. subject known to be violent, weapon nearby, known professional fighter) which made the incident potentially more dangerous. However, more detail or much improved articulation in the SBOR report would be required in some cases to determine whether the threshold was met. There were a number of SBOR reports which had very little information in the narrative, as is required.

One case, in particular, had almost no information and, on the basis of the information provided, it was not clear that there was an imminent threat of bodily harm which was being prevented by the use of the CEW. The SBOR report had no information other than the subject had committed a criminal offence, the subject was categorised as "assaultive" and had a pen in hand (which was perceived as a potential weapon) and was running away toward/into traffic. The SBOR had no narrative; however there was a statement to refer to the report to crown counsel for the incident. As PSD does not have access to the report to crown counsel it is not known whether the additional detail provided in that report was sufficient to explain whether or not the decision to discharge the CEW was appropriate according to the new threshold of use.

Additional instruction or training in articulating and recording incidents, in particular the detail required in the narrative, would be of benefit to some officers.

⁴ "Grievous bodily harm" is a substantially higher level of injury than "bodily harm". At the level of grievous bodily harm it can be appropriate for police to use lethal force.

CEW Use on Handcuffed Subjects

In four cases subjects were already handcuffed when they received a CEW discharge. These incidents all involved contact stun use.

The *Braidwood Commission on Conducted Energy Weapon Use* did not recommend prohibiting CEW use on handcuffed persons, as there could be scenarios in which "a handcuffed or restrained subject could cause bodily harm or be imminently capable of doing so" (2009, p. 309). Such situations could include someone kicking, striking out or biting an officer.

Brief descriptions of these four incidents, based solely on the police officer's version of events in the SBOR reports follow. These are PSD summaries of the provided information.

Information from these incidents also suggests that increased training on searching prisoners could be useful. SBOR reports can be a valuable source of information generally for police agencies to identify potential areas for training.

Handcuff Deployment A, as reported in the SBOR, involved a 36-year-old male subject who had threatened to kill and decapitate a bus driver and the passengers in a bus. When officers attended the scene, the subject claimed that he was the police and that he was psychic. The subject kicked and elbowed police and threatened to kill the officers. The subject was apprehended under the *Mental Health Act* and was handcuffed. As the subject was being transported to the hospital he said he was going to light a cigarette. Officers stopped the vehicle to ensure the subject could not light any items on fire. A struggle ensued and the subject managed to pull his handcuffed arms to the front of his body, and to exit the police vehicle. The struggle continued and both an officer and the subject went to the ground on the road, with heavy traffic in both directions. It appeared that the subject had his hands around an officer's neck. The CEW operator used a contact stun to get the subject to move his hands and the police were able to gain control for a short time. Once again the subject began kicking at the officers. The CEW operator again discharged his CEW in contact stun mode and the police were able to secure the subject into the police vehicle. The subject was taken to hospital where he continued to threaten officers and hospital staff and was subsequently secured to the hospital bed with restraints.

Handcuff Deployment B, as reported in the SBOR, involved a 40-year-old male subject with a criminal record for multiple violent offences. In this particular incident the man was arrested for breach of the peace and was taken to police cells. While being escorted along a corridor and in an elevator, the man threw himself back and forth violently, banging his head repeatedly against the walls despite police efforts. Officers were thrown back and forth while attempting to control the man. During transport the man continued to have violent mood swings – varying from being co-operative to exploding with rage without warning. The subject was booked into cells. While in the cell, the subject used pieces of a blanket and mattress cover to create a noose and put his head through it and twisted until the noose tightened and the subject was near unconsciousness. These items were removed from the cell and the subject was handcuffed. He then managed, while handcuffed, to remove the drawstring from his shorts. Officers entered his cell to place him in a body cuff restraint device for his safety. The subject strongly and vigorously resisted their efforts. One officer then delivered a two to three second contact stun discharge

of a CEW to the subject's upper leg. The subject immediately became compliant and the body cuff was able to be applied.

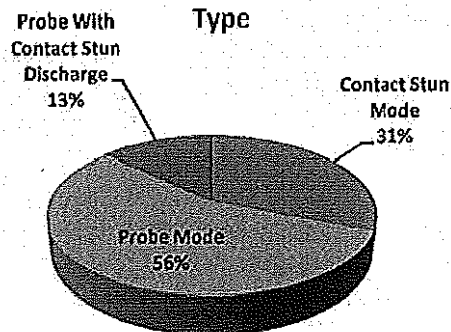
Handcuff Deployment C, as reported in the SBOR, involved a 25-year-old male subject, under the influence of alcohol, who had been taken into police custody and was fighting with police. The subject was handcuffed but managed to bring his hands to the front of his body during transport and began using his cell phone. When an officer attempted to take the phone away, the subject jumped out of the vehicle and began yelling and verbally threatening the officer. Then the subject began to kick and punch and fight with police. The officer discharged the CEW in touch stun mode to the subject's abdominal area. The subject calmed down and stopped fighting and police placed him back in the patrol car.

Handcuff Deployment D, as reported in the SBOR, involved a 17-year-old male subject who was considered to be emotionally disturbed and under the influence of alcohol. The incident occurred in police cells where the subject was assaultive, fighting with officers, trying to strike and kick them, and resisting officer attempts to conduct a search and book him into cells. The subject also verbally threatened the officers with grievous bodily harm. The CEW operator discharged a CEW in contact stun mode to the subject's buttock; at which point the subject immediately became compliant.

Mode of Discharge

Just over half of the CEW discharge incidents involved probe mode only (56%; 25), and 31%, or 14 cases, involved contact stun mode only, while another 13%, or six incidents, involved a combination of both probe and contact stun modes (see Figure 4).

Figure 4. Police CEW Discharge Incidents by Type



Number of CEW Cycles

Nearly two-thirds (60%; 26) of all incidents involved only one cycle of the CEW, while just under one-third (30%; 13) resulted in two cycles. A single incident resulted in three cycles, and 7% (three) resulted in four CEW cycles (see Table 2).

Table 2: Number of CEW cycles

Number of CEW Cycles	1 Cycle	2 Cycles	3 Cycles	4 Cycles
(N=43)*	60% (26)	30% (13)	2% (1)	7% (3)

* In two cases the number of CEW cycles was not reported.

Whenever officers discharge a CEW, they are required to re-assess the situation after each cycle of a CEW to ensure that any additional cycle is objectively reasonable based on the continuing risk of imminent bodily harm.

Brief descriptions of the four incidents where officers used more than two cycles of the CEW follow.

These descriptions are based solely on the police officer's version of events in the SBOR reports. These are PSD summaries of the provided information.

Multiple Discharge A as reported in the SBOR, occurred when police were dispatched in response to a call of a 29-year-old male subject who was stripping off his clothes, yelling, screaming, throwing rocks at cars and confronting drivers, and jumping in front of vehicles. When officers arrived on scene the subject was completely naked, yelling and screaming unintelligibly. He then lunged threateningly and repeatedly at officers, with clenched fists, raised arms, kicking, and swinging. The subject was large with a muscular build (6'2", 220 pounds), extremely agitated and not responding to any police instructions. Prior to the CEW operator arriving at the scene, attempts to subdue the subject with OC spray and a baton strike had been ineffective, and due to the grievous threat that was being posed, one officer had drawn their firearm. Police were attempting to keep their distance while trying to contain the subject. The subject then locked on to one officer and charged directly at him, arms raised with fists and yelling "shoot me". There was blood coming from a face wound that the subject had received prior to police contact.

The CEW was deployed in probe mode for one cycle. This resulted in the subject collapsing to the ground. As the officers attempted to handcuff him, the subject again start to yell, scream, thrash and kick. He was now bleeding heavily from a laceration. (It was unclear whether this was an additional cut or whether it was an aggravation of the pre-existing cut.) The subject did not comply with attempts by other officers to physically control him, and was yelling "shoot me" and thrashing and kicking. The CEW was cycled a second time. Still the officers struggled to control and handcuff the subject, who was at this point bleeding profusely and continuing to kick and grab at the officers. A third cycle was not effective in enabling the officers to get control, and as the subject continued to fight and thrash, the CEW operator believed that it was imperative the subject was not given the opportunity to get to his feet as the probes would dislodge and the situation may escalate to grievous injury potential. The subject was bleeding profusely from his head wound and the officer thought it was imperative that he was controlled immediately to ensure the subject's and everyone else's safety. The CEW was cycled a fourth time. This

enabled the officers to gain control and place the subject in handcuffs. Officers immediately applied first aid to the head injury and transported the subject to hospital.

Multiple Discharge B as reported in the SBOR, involved a male subject believed to be emotionally disturbed, under the influence of alcohol and wielding a large pipe as a weapon. The subject had just been banned from a liquor establishment and he had attempted to strike bar staff with the pipe. The subject ran from bar staff while throwing rocks at them and continuing to swing the pipe.

Police located the subject in an apparent break and enter attempt. The subject ignored police when he was advised that he was under arrest. He threw a large rock which only just missed the officers and he still held the large pipe. The CEW was deployed in probe mode. This resulted in the subject dropping the pipe. Apparently due to the bulky clothing worn by the subject, the probe discharge caused a distraction, but failed to cause complete motor dysfunction. However police were able to knock the subject to the ground. The subject continued to struggle and fight and was reaching for his waist band. Officers were concerned he had another weapon there. During the struggle, police discharged the CEW in contact stun mode three times before they were able to finally get control of the subject.

Multiple Discharge C as reported in the SBOR, involved police responding to an abandoned 911 call. Upon gaining entry into the residence, police met the 29-year-old man who was high on crack cocaine. The subject was also known to be violent and mentally unstable. The subject became combative with police and in the struggle to gain control, police discharged a CEW in probe and contact stun mode. In total, the CEW was discharged for four cycles. The subject was apprehended under the *Mental Health Act* and transported to hospital.

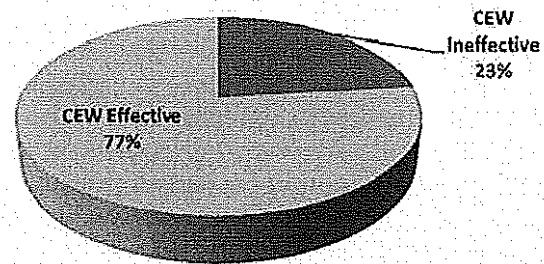
Multiple Discharge D as reported in the SBOR, involved a distraught male who had left his residence with the intent to kill himself. When police arrived, the subject said he did not want to live and that he wanted to fight the police. He ripped off his shirt, flexed his muscles, clenched his fists, bladed his stance and moved in and out from police clearly ready to fight. One officer discharged OC spray; however this was ineffective. The CEW operator discharged the CEW in probe mode, but the probes missed the subject. Another probe discharge did not have much effect due to the subject's clothing. The subject continued to repeatedly yell "kill me" while flexing his muscles. The officer discharged the CEW in contact stun mode which was successful in getting the subject to become compliant; the subject then provided police with his hands. The subject became much calmer and thanked police for their assistance. He was apprehended under the *Mental Health Act* and taken to hospital.

Effectiveness of the CEW

As Figure 5 illustrates, the CEW was reported as effective in 77%, or 33 incidents; and ineffective in 23%, or 10 incidents.

In a number of incidents where the CEW was ultimately considered effective, an initial discharge was ineffective and a subsequent cycle was required for police to gain control of the subject.

Figure 5. CEW Effectiveness*



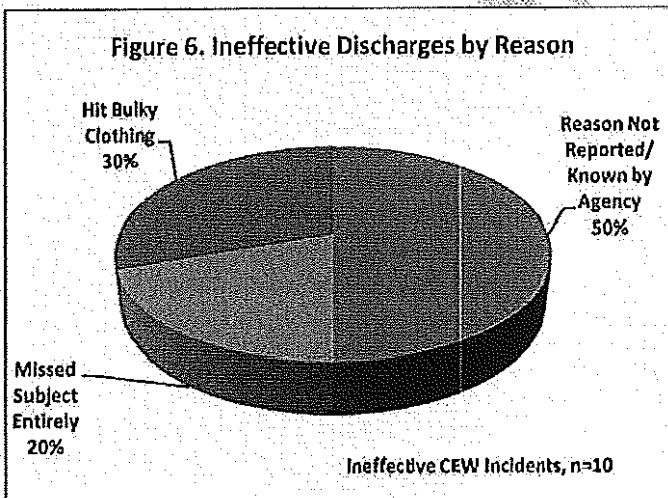
Effectiveness reported N=43

*In 2 cases CEW effectiveness was not reported

Reasons for Ineffectiveness

Police identified the reason for CEW ineffectiveness in only five of the 10 ineffective incidents (see Figure 6). The reasons were either that the CEW probes missed the subject or; the subject was wearing bulky clothing (so the person did not receive the discharge effect).

Figure 6. Ineffective Discharges by Reason



No SBOR report indicated a CEW malfunction.

CEWs and Injuries

Details on injuries were limited by the SBOR form. The SBOR form⁵ used in 2010-2011 requested information on subject injuries in terms of whether the subject was provided with medical attention, declined medical attention, had no apparent injuries, was treated/released or was transported to hospital. The form also asked whether death resulted and, whether it was unknown how the injury occurred.

In addition, with regard to probe mode discharges, the form specifically asks whether the probes broke the skin.

However, the responses regarding medical treatment can be difficult to interpret as, for example, a subject may have been transported to hospital, not for an injury, but for psychiatric treatment or a precautionary check-up. This appeared to be the case in a number of incidents. The forms do not expressly ask whether the subject or officer sustained an injury due to the CEW discharge or what the severity of any injuries was. Any conclusions about this can only be inferred from the responses to the set questions and from the narrative. It was therefore difficult to make reliable conclusions about subject injury and severity.

PSD staff reviewed the entire reports, including the narrative, for any mention of injuries and treatment. It was assumed for the purposes of this research, that if there were injuries beyond those of a minor nature, these would be noted at some point in the report. If there was no mention of injuries then it was likely that, if any injuries had been sustained, that these would have been minor in nature.

The following sections provide information on injuries that were explicitly referred to in the SBOR report. Any data and conclusions must be evaluated within this limitation. It should be noted that the SBOR reports were written by the CEW operator, and reflect the operator's knowledge at the time. These reports may not capture all injuries at an incident, or what occurred prior to the operator's arrival.

Subject Injuries

Death was not reported to have resulted in any CEW incidents in the dataset.

In 68% of all probe mode incidents (i.e. 17 of 25) subjects were reported to have had the CEW probes break their skin. This type of injury can be expected from probe discharges. In one case (7% of all contact stun mode cases) a subject was specifically reported to have sustained red marks on his back as a result of multiple contact stuns; this type of injury is distinctive to stun mode discharges.

The SBOR reports indicated no injuries related to CEW use in 96% of incidents (43), aside from probes breaking the skin, or stuns causing red marks. In one of these cases, although the subject was taken to hospital, the police report indicated an elevated heart rate as the only symptom and did not record any injuries. In another case, whether the subject was injured or not was difficult to ascertain because the

⁵ The format of the SBOR form has been revised as of 2012. Some of these revisions will improve data collection on injuries.

subject refused medical attention. However, it could be assumed that if a significant injury was present, medical assistance would not have been declined.

The SBOR reports indicated that two subjects sustained injuries directly related to the CEW discharge. Both of these subjects were injured due to falling to the ground after receiving a probe mode discharge. This could be expected if a subject falls onto a hard surface. One of these subjects had a head wound prior to police contact, and it was not completely clear whether this injury was aggravated by the fall, or if it was a new cut. The other subject was taken to hospital due to a nose injury after falling.

In a total of 24 incidents (including the two injured subjects mentioned above) police recorded that the subject was transported to hospital. In 17 of these 24 cases subjects were apparently transported for medical observation, as a safety precaution, or for mental health assessment. In the other seven incidents, police reported that the subject suffered some type of wound requiring treatment. Specifically, three subjects had wounds due to self harm; one subject had a CEW-related wound; one subject suffered both a self-inflicted and CEW-related wound; one subject presented with pre-existing wounds and; the last was injured from police dog bites and being hit by multiple beanbag rounds.

Officer Injuries

Officers were reported in the SBORs to have sustained injuries in 11%, or five, incidents. All of these injuries occurred prior to CEW discharge. In one case an officer attended hospital as a result of having been kicked in the knee by a subject. In another case, three officers were transported to hospital for minor injuries, one reporting several arm scratches and minor back pain. In a different case, one officer sustained minor bruises on both knees from attempting to gain control of a kicking subject. In one incident an officer was injured by flying glass due to the subject hurling an object through a window. Finally, one officer was knocked to the ground when a subject rammed the police car the officer was standing next to; the injuries sustained by that officer were not serious.

In an additional 13%, or six cases, police officers were reported to have been either punched, hit, bit, elbowed, knocked to the ground and/or kicked by the subject prior to CEW discharge. In half (three) of these cases the report indicated that no injury to an officer were apparent; in the other half it is unknown whether the actions resulted in any injury to police.

Conclusions

Based on the information provided in the officers' use-of-force reports, this research found that:

- Overall, CEWs were discharged in many high-risk situations and were largely successful in resolving the incident safely.
- According to the information presented in the police report, in the large majority of cases it can be concluded that the subject was causing or imminently about to cause bodily harm. Therefore use of the CEW was appropriate according to the new guidelines for use, introduced in 2009. In some SBOR reports, whether the imminent bodily harm threshold was met was unclear due to a lack of recorded information.
- The most serious injuries reported were a cut to the head by one subject and a nose injury suffered by another subject. Both were due to the subject falling to the ground after CEW deployment.

CONFIDENTIAL DRAFT

Key Terms

Conducted energy weapon:	A weapon designed to use a conducted electrical current in order to incapacitate a person or to generate compliance through pain.
Contact stun mode:	The act of firing a CEW by directly applying the muzzle to a person.
Cycle:	A cycle is equivalent to one trigger pull. When the trigger is pulled, the CEW discharges for 5 seconds unless it is interrupted. It is possible that a subject may pull away during the discharge thus not receiving the effect of the CEW discharge.
Discharge:	The act of firing a CEW in any mode against a person. There may be multiple discharges during a single deployment.
Display:	The act of pointing, aiming or showing the CEW to generate compliance without discharge.
Probe Mode:	The act of firing a CEW (fitted with a cartridge) at a person from a distance. The CEW transmits electrical pulses through the wires and into a person's body.

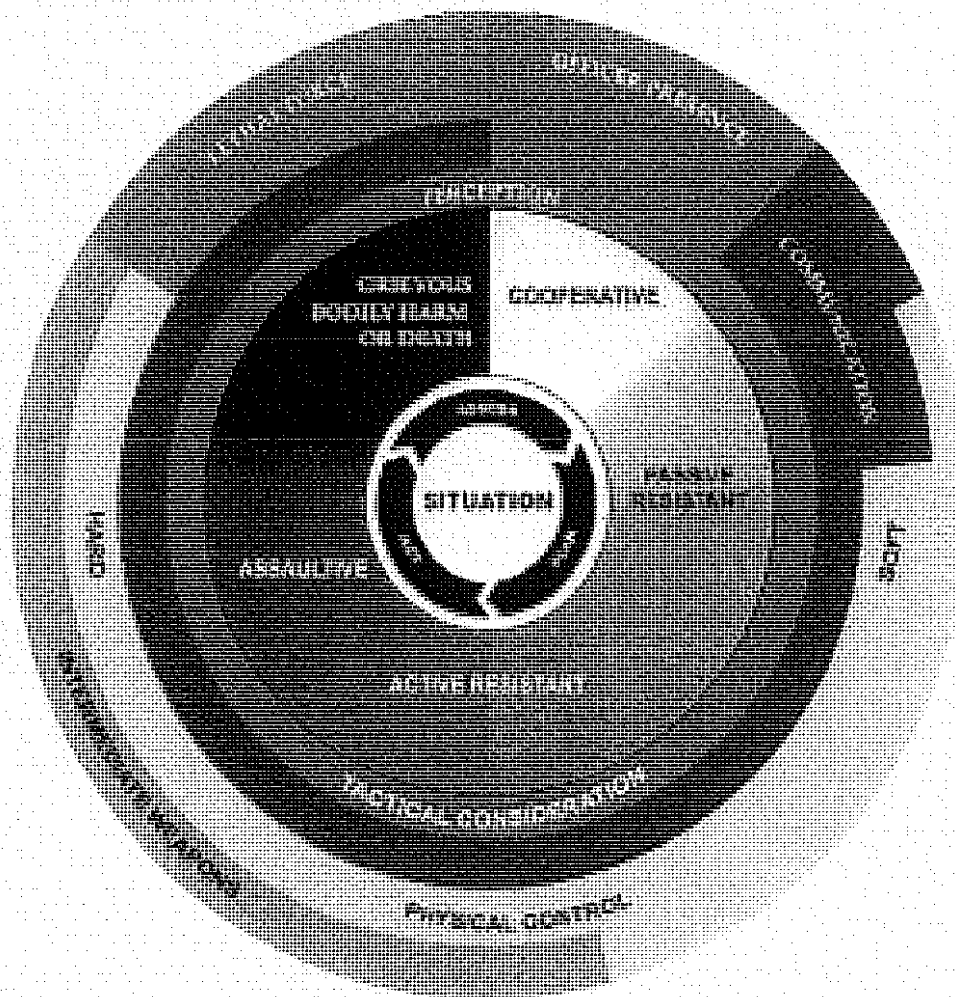
Subject Behaviour Definitions⁶

Cooperative:	The subject responds appropriately to the officer's presence, direction and control.
Passive resistant:	The subject refuses, with little or no physical action, to cooperate with the officer's lawful direction. This can assume the form of a verbal refusal or consciously contrived physical inactivity. Example would include lying prone, going limp upon contact, "sitting-in".
Active resistant:	The subject uses non-assaultive physical action, to resist, or while resisting an officer's lawful direction. Examples would include pulling away to prevent or escape control or overt movements such as walking away from an officer.
Assaultive:	The subject attempts to apply, or applies force to any person; attempts or threatens by an act or gesture, to apply force to another person, if he/she has, or causes that other person to believe upon reasonable grounds that he/she has, present ability to effect his/her purpose. Examples include kicking and punching, but may also include aggressive body language that signals intent to assault.
Grievous bodily harm/death	The subject exhibits actions that the officer reasonable believes are intended to, or likely to cause grievous bodily harm or death to any person [including him/herself]. Examples include assaults with a knife, stick or firearm, or actions that would result in serious injury to an officer or member of the public.

⁶ These definitions are taken directly from the Canadian Association of Chiefs of Police (2000). *National Use of Force Framework (NUFF)*.

National Use of Force Framework⁷

National Use of Force Framework



The officer continuously assesses the situation and acts in a reasonable manner to ensure officer and public safety.

⁷ Canadian Association of Chiefs of Police (2000). *National Use of Force Framework (NUFF)*.

**MINISTRY OF JUSTICE
POLICING AND SECURITY PROGRAMS BRANCH
POLICE SERVICES DIVISION
BRIEFING NOTE**

PREPARED FOR: Honourable Shirley Bond, Minister of Justice and Attorney General
FOR INFORMATION

ISSUE: Victoria-Esquimalt Policing Update

BACKGROUND:

- Since the provincial government announced the action plan to establish a new policing framework between Victoria and Esquimalt, Mayor Desjardins has stated the Township is willing to work with the ministry's next steps and has made that view known to media when asked.
- The lead facilitator position was announced on August 29, 2012. Mayor Desjardins expressed no concerns about Mr. Doney's selection and agreed that working through the process expediently was important to the Township.
- Mr. Doney met individually with both Mayors and Chief Administrative Officers (CAOs), the Victoria Police Chief, Victoria Police Board Member and Governance Chair David Johns the week of September 10, 2012 and the Municipal Leadership group had its first meeting the week of September 17, 2012.
- The Municipal Leadership Group along with Mr. Doney has been working collaboratively since then on the framework agreement and Mr. Doney advises progress is being made.
- Liz Watson has been secured to work with the Police Board to create an effective governance model that would establish sustainable and long term relationships and provide a new approach for municipalities to work together. Ms. Watson met and presented to the board on September 18, 2012.
- On September 21, 2012, the mayors of Esquimalt and Victoria hosted a joint news conference to publicly release the proposals obtained from the RCMP and Victoria Police Department (VicPD) in the Township of Esquimalt's RFP process conducted by the Esquimalt Advisory Panel in 2011. Following the news conference, the VicPD conducted a technical briefing with media. Both mayors announced at the news conference that they are committed to working with the provincially appointed negotiator and the province their intent to work productively toward a new policing relationship that will work for both municipalities.

NEXT STEPS:

- Mr. Doney anticipates having a draft framework agreement in place by October 8, 2012. Once received, Police Services Division (PSD) along with ADM Pecknold will review and if agreed upon, Mr. Doney will take the draft to meet with VicPD (Chief Graham and VicPD Chief Financial Officer) and after that meeting to an in camera meeting with the Victoria Police Board to review as soon as possible.
- PSD is currently conducting initial meetings with Police Board members to determine interest in re-appointment given their terms expire October 31, 2012.
- At the request of Esquimalt and Victoria, Mr. Doney and Ms. Watson, will present a governance and framework overview to both councils at a date to be determined in November 2012, as a commitment to building on the new relationship and moving forward with the agreement.

Prepared by:

Jessica Hodge
Research and Policy Analyst
Legislation Initiative and Police
Accountability
Policing and Security Programs Branch
250 387-2762

Recommended by:

Bob Cole
Senior Program Manager
Policing, Security and Law Enforcement
Infrastructure and Finance
Policing and Security Programs Branch
250 356-6676

Approved October 5, 2012 by:

Clayton Pecknold
Assistant Deputy Minister
and Director of Police Services
Policing and Security Programs Branch
250 387-1100

**MINISTRY OF JUSTICE
POLICING AND SECURITY PROGRAMS BRANCH
POLICE SERVICES DIVISION
BRIEFING NOTE**

PREPARED FOR: Honourable Shirley Bond, Minister of Justice and Attorney General
FOR INFORMATION

ISSUE: Policing First Nations within Municipal boundaries.

BACKGROUND:

- First Nations, particularly in Metro Vancouver, have encouraged housing development on reserve lands to accommodate non-native residents.
- First Nations who have municipal service agreements to provide police services to non-natives are indicating that Canada has an obligation to provide policing to non-natives that reside or have business interests on reserves.

s.16

DISCUSSION:

s.13, s.16

KEY POINTS

Responsibility for Police Services in BC

- Under the Police Act, the Province is responsible for providing police in all areas other than municipalities with populations over 5000. The financial arrangements are as follows.
 - Independent municipal police forces are funded 100% by the municipality. There are 11 in BC.
 - Municipalities with populations over 15,000 pay 90% of policing costs in direct contracts with the RCMP for a RCMP municipal force.
 - Municipalities with populations between 5,000 and 15,000 pay 70% of policing costs through direct contracts with the RCMP for a RCMP municipal force. There are 59 municipal contracts with a total force of about 3,100.
 - Municipalities with populations under 5,000 (small municipalities) and rural areas receive policing services from the provincial RCMP. Residents of these areas are subject to the Police Tax. The provincial RCMP has about 2,100 members.
- The Province has no obligation to provide general duty policing on a reserve where the reserve forms part of the municipality.
- The local government has "the legal obligation to provide and pay for the policing of the reserve; the obligation to provide policing and law enforcement is not affected by who is occupying the reserve, or the type of use to which the reserve lands are put."

- Minister Chong, as Minister of Community Services letter (attached) of January 11, 2011 to the Lower Mainland Treaty Advisory Committee advised that changes to municipal boundaries are not being considered at this time and will require consultation with First Nations and the public.
- The Ministry of Aboriginal Relations and Reconciliation (MARR) advise that they emphasize the need for robust relationships as well as workable contractual agreements with municipalities.

Recommended by:

Bob Cole
Senior Program Manager
Policing and Security Programs
Branch
250 356-6676

Recommended by:

Perry Clark
Executive Director
Policing, Security & Law Enforcement
Infrastructure & Finance
Policing and Security Programs Branch
250 356-8146

Approved by:

Clayton Pecknold
Assistant Deputy Minister
and Director of Police Services
Policing and Security Programs Branch
250 387-1100

Attachment



Ref: 148550

JAN 11 2012

His Worship Mayor Greg Moore, Chair
Metro Vancouver
4330 Kingsway
Burnaby, BC V5H 4G8

Dear Chair Moore:

I am in receipt of Metro Vancouver's letter of November 14, 2011, regarding the Lower Mainland Treaty Advisory Committee's (LMTAC) draft discussion paper, 'Voting in Local Government Elections and Referenda by Residents Living on Indian Reserves.'

This is a complex subject with implications for local governments and First Nations throughout the province, and the changes proposed in the discussion paper would have significant and far-reaching impacts. Disenfranchising citizens who live within local government service areas without their consent would be viewed by many British Columbians as undemocratic.

I understand that LMTAC is to be incorporated into Metro Vancouver's Aboriginal Relations Program. If the newly elected Metro Vancouver Board wishes to pursue the issue of voting further, I suggest an initial meeting with Ministry of Community, Sport and Cultural Development staff to discuss the matter. It is my view that such a change would require full consultation with First Nations in the region and the citizens who would be affected by the LMTAC proposal.

Thank you again for writing.

Sincerely,

Ida Chong, FCCA
Minister

Ministry of Community, Sport
and Cultural Development

Office of the Minister

Mailbag Address:
PO Box 8056 Stn Prov Govt
Victoria BC V8W 9E2

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www.gov.bc.ca/cscd

**MINISTRY OF JUSTICE
POLICING AND SECURITY PROGRAMS BRANCH
POLICE SERVICES DIVISION
BRIEFING NOTE**

PREPARED FOR: Honourable Shirley Bond, Minister of Justice and Attorney General
FOR INFORMATION

ISSUE: Police Honours, November 22, 2012

BACKGROUND:

- Police Honours, organized by Police Services Division, provides the Province an opportunity to recognize members of the RCMP, Independent Municipal Police Departments and First Nations Police Services who have performed an exemplary service to the citizens of British Columbia.
- The first Police Honours event was held in Vancouver in 1981. Since 1984 it has been held at Government House in Victoria and hosted by the Lieutenant Governor. Awards are presented for either "Valour" or "Meritorious Service".
 - Valour is the highest award for a police officer in British Columbia, and would involve an act of exceptional valour in the face of extreme hazard. Awarded to police officers who purposely took action for the benefit of others while knowing that, in doing so, they placed themselves at substantial risk of death or serious injury.
 - Meritorious Services is awarded for exemplary performance which enhances the image of police officers in British Columbia. Awarded to police officers who clearly demonstrated that they acted in a manner significantly beyond the standard normally expected.
- This year, Police Honours night will be held on Thursday, November 22nd at Government House. At the ceremony, 60 officers will receive awards – 25 recipients will receive a medal for Valour and 34 recipients will receive a medal for Meritorious Service that are presented by the Lieutenant Governor, and framed certificates that are presented by the Minister of Justice and Attorney General. As well, one retired Deputy Commissioner will receive framed certificates for Outstanding Service.

- Correspondence was sent early in the year to police agencies requesting nominations for the award presentation. The nominations were reviewed and recipients were selected by a committee comprised of representatives from the BC Association of Chiefs of Police and Police Services Division. The committee met in early August to determine this year's recipients.

DISCUSSION:

- Guests are invited to attend Police Honours night by invitation only and include the official party, award recipients and Chief Constables, the Commanding Officer of RCMP "E" Division, Chief Officers and members of the BC Association of Chiefs of Police.
- Dress is black tie.
- The Delta Police Pipe Band and the Greater Victoria Police Chorus will participate in the evening.
- Clayton Pecknold will be the Director of Ceremonies.
- An "order of proceedings" will be distributed to all officials who are participating in the ceremony after the details have been finalized later in October.

Role of the Minister of Justice and Attorney General:

- The Minister has three roles during the event:
 - The Minister, the Lieutenant Governor, the President of the BCACP and the Assistant Deputy Minister, Policing and Security Programs Branch (the official party) form a receiving line in the drawing room and are introduced to the guests. Following the receiving line, photographs of the official party and award recipients are taken.
 - The Minister and the Lieutenant Governor are asked to present the awards.
 - The Minister will be requested to make comments (between five and seven minutes) to the assembled guests.

- A member from Saanich Police Department will act as the Aide-de-Camp to the Minister for the evening.

Prepared by:

Linette Logie
Project Coordinator
Policing and Security Programs
Branch
250 356-0531

Recommended by:

Perry Clark
Executive Director
Policing, Security & Law Enforcement
Infrastructure & Finance
Policing and Security Programs Branch
250 356-8146

Approved by:

Clayton Pecknold
Assistant Deputy Minister
and Director of Police Services
Policing and Security Programs Branch
250 387-1100



EVENT REQUEST MOJ

Name of Event: Police Honours 2012

Event Date: November 22, 2012

Event Location: Victoria, Government House

Event Sponsor/Organizer: Lieutenant Governor for BC to Host this event
Police Services Division

Partners: BC Association of Chiefs of Police

Proposed Role for SG: Speaking Opportunity – Opening Remarks
Presenting recipients with certificate

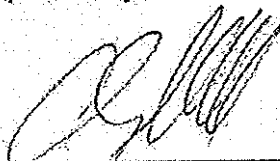
Proposed Schedule: Event start time 5:00 pm ending 10:00 pm

Audience: Senior Level Police Representatives and guests
Police Recipients and guests
Estimated 190 guests

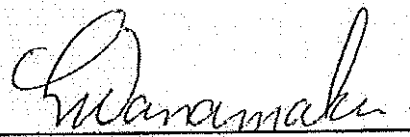
Brief Description: As attached, Order of Proceedings to follow

Contact: Linette Logie, Police Services Division, phone 250-356-0531

Approved by:



Clayton J. D. Pecknold
Assistant Deputy Minister
and Director of Police Services



Lori Wanamaker, FCA
Deputy Solicitor General and
Deputy Minister, Justice

Sent to Minister:

Copies to:

Follow-up:

**MINISTRY OF JUSTICE
POLICING AND SECURITY PROGRAMS BRANCH
BRIEFING NOTE**

PREPARED FOR: Honourable Shirley Bond, Minister of Justice and Attorney General
FOR INFORMATION

ISSUE: Public Release of British Columbia's Summary Crime Statistics for 2011

BACKGROUND:

- Each year Police Services Division is responsible for producing summary statistics of crime data collected from the Uniform Crime Reporting 2 (UCR2) Survey conducted by the Canadian Centre for Justice Statistics (CCJS), Statistics Canada. These data include volume and rates of crimes, crime severity index, persons charged, and clearance information for British Columbia and each policing jurisdiction. National data, including British Columbia statistics, was released in July of 2012 by the CCJS.
- British Columbia's summary crime statistics are available in the following five web publications:
 - *Crime Statistics in British Columbia, 2011* (Appendix A)
 - *British Columbia Crime Trends, 2002 to 2011* (Appendix B)
 - *British Columbia Policing Jurisdiction Crime Trends, 2002 to 2011* (Appendix C)
 - *Overview of Crime Data Collection in British Columbia, 2011* (Appendix D)
- *Crime Statistics in British Columbia, 2011* provides information, charts and graphs, and statistics pertaining to police reported offences, crime rates, clearance rates and the crime severity index for BC in 2011 in comparison to 2010.
- *British Columbia Crime Trends, 2002-2011* provides data pertaining to police reported offences, crime rates, clearance rates, and persons charged in BC over ten years.
- *British Columbia Policing Jurisdiction Crime Trends, 2002-2011* provides data pertaining to police reported offences by policing jurisdictions in BC over ten years.
- *Overview of Crime Data Collection in BC, 2011* provides information on how crime data is collected and presented in BC as well as important changes to crime data.

- Throughout these reports and in any follow-up discussions regarding the data presented in these reports, Police Services Division reiterates that due to a variety of factors, caution should be used in drawing comparisons of municipal crime data. Crime rates can be affected by a variety of factors and should be used to show general trends over time; year to year comparisons of crime data should be made with caution.
- Although preparation of these reports usually begins in July, various factors and shifting priorities often delay their publication until late Fall.

DISCUSSION:

- In 2011, there were a total of 360,913 *Criminal Code* offences in British Columbia. British Columbia's crime rate was the lowest in nearly 35 years at 78.9 offences per 1,000 population; down 7% from the previous year's crime rate of 84.5 and 31% less than 2002's crime rate of 115.0.
- There were 66,784 violent offences in British Columbia in 2011 or 14.6 violent offences per 1,000 population; a 7% decrease from the rate of 15.7 in 2010. There were 214,885 property offences in British Columbia in 2011 or 47.0 property offences per 1,000 population; an 8% decrease from the rate of 51.2 in 2010. There were 79,244 other offences in BC in 2011 or 17.3 other offences per 1,000 population; a 2% decrease from the rate of 17.6 in 2010.
- Among violent crimes, there were decreases in the number of robberies (-9%) and assaults (-5%), and a decrease in the number of sexual assaults (-3%). There were 4 more homicides (87) in British Columbia in 2011 in comparison to the 83 reported in 2010. The number of attempted murders also increased from 76 in 2010 to 79 in 2011.
- Declines were reported in every major property offence category from 2010 to 2011 including: arson (-14%), breaking and entering (-5%), theft (-6%) and, mischief (-8%). The number of motor vehicle theft decreased by 17% to the lowest number of offences in approximately 30 years, and a rate of 2.9 offences per 1,000 population.
- The number of drug offences increased slightly by 0.4% in 2011 to 27,027 offences. Over three quarters of these drug offences were for possession and 72% of all drug offences were cannabis related.
- The overall Crime Severity Index (CSI) in British Columbia for 2011 was 95.1; this was 7% lower than British Columbia's CSI of 102.7 the previous year but 22% higher than the national CSI of 77.6 in 2011. British Columbia's violent CSI was 94.6 in 2011; 8% lower than the previous year but 11% higher than the national violent CSI (85.3). British Columbia's non-violent CSI was 95.2 in 2011; 7% lower than the previous year but 28% higher than the national non-violent CSI (74.7).

- Police cleared 30% of all *Criminal Code* offences in 2011; just over half of all violent offences were cleared (55%), 16% of property offences were cleared and, 49% of other offences were cleared. The number of youth charged with *Criminal Code* offences decreased by 17% in 2011.

Prepared by:

Elise LaRue
Research Analyst
Police Services Division
604 660-2642

Recommended by:

Lynne McNally
Executive Director
Police Services Division
604 660-2532

Approved October 22, 2012 by:

Clayton Pecknold
Assistant Deputy Minister
and Director of Police Services
Policing and Security Programs Branch
250 387-1100

Attachments

Appendix A *Crime Statistics in British Columbia, 2011*
Appendix B *British Columbia Crime Trends, 2002 to 2011*
Appendix C *British Columbia Policing Jurisdiction Crime Trends, 2002 to 2011*
Appendix D *Overview of Crime Data Collection in British Columbia, 2011*

**MINISTRY OF JUSTICE
POLICING AND SECURITY PROGRAMS BRANCH
POLICING AND SECURITY DIVISION
BRIEFING NOTE**

PREPARED FOR: Honourable Shirley Bond, Minister of Justice and Attorney General
FOR DECISION

ISSUE: Police Services Division (PSD) to distribute results of the Public Attitude Survey 2012 (PAS) to the PSD website.

BACKGROUND:

The enhanced traffic law enforcement Memorandum of Understanding (MOU) was established in 2003. The MOU focuses on road safety priorities and dedicates police officers to target dangerous driving behaviours that contribute to motor vehicle fatalities and injuries.

PSD, as part of the program's key performance indicators, has conducted an annual provincial public attitude survey since 2006 to gain drivers' perspectives on road safety issues and the effectiveness of traffic enforcement. The survey was administered by an independent research firm on behalf of the Road Safety Unit, and was conducted between February and March of 2012.

PAS is intended to measure public awareness and support for enhanced traffic enforcement and road safety initiatives. The 2012 survey:

- Collected information from 953 respondents representing a cross-section of BC driver population.
- Was conducted to assess public perception, awareness, and support for enhanced traffic enforcement and road safety initiatives.
- Contains 22 road safety and enforcement questions, including: speeding, aggressive driving, distracted driving, red light cameras, commercial vehicles and other road safety.

Region, gender, and age quotas were set in place to ensure a sample representative of the total population in BC. Only respondents with a valid BC driver's licence were asked to complete the survey.

The Road Safety Unit uses information from the survey to conduct program analysis, inform policy development and assess how public road safety priorities align with police and government priorities.

Pages 93 through 123 redacted for the following reasons:

s.13

s.16

**MINISTRY OF JUSTICE
COMMUNITY SAFETY AND CRIME PREVENTION BRANCH
VICTIM SERVICES & CRIME PREVENTION
BRIEFING NOTE**

PREPARED FOR: Shirley Bond, Minister of Justice and Attorney General
FOR DECISION

ISSUE:

Request for decision of Community Safety and Crime Prevention Award Winners 2012

BACKGROUND:

- Since 1998, the Ministry has recognized individuals, groups and programs that have made outstanding contributions to their communities by presenting the Community Safety and Crime Prevention Awards.
- Led by the Ministry, the recipients of these awards are selected by the provincial Safe Communities Working Group based on nominees submitted by law enforcement, community groups and the general public. See attached appendix for the award recipients for 2012.
- Victim Services and Crime Prevention is hosting the 14th Annual Ministry of Justice Crime Prevention and Community Safety Awards in partnership with the BC Crime Prevention Association on Friday, November 2nd in Burnaby, BC. The event is part of BC Crime Prevention Week and includes a lunch and an awards ceremony for local award recipients.
- The Minister will attend the award ceremony to present the 2012 Ministry of Justice Community Safety and Crime Prevention awards.

DISCUSSION:

- This year, the Safe Communities Working Group selected 27 award winners and the recipient of the Anthony J. Hulme Award of Distinction which honours extraordinary lifetime contribution and commitment to crime prevention and community safety.
- The Working Group recommends Edwin Keeling as the 2012 recipient of this year's Anthony J. Hulme Award of Distinction.
 - Born in the United Kingdom, Mr. Keeling has been working in crime prevention since the 1940s, where he first joined the police service after serving in the Military.
 - In 1955, Mr. Keeling immigrated to Canada and joined a small suburban police force.
 - After a career in policing, Mr. Keeling was asked to sit on a Crime Prevention Committee by the Mayor of Ottawa where he also got involved in the Neighbourhood Block Watch Program. Mr. Keeling was instrumental in organizing a block watch program encompassing 12 city blocks and nearly 100 homes with 10 captains under his supervision.

- In the late 1980's, Mr. Keeling moved to BC and was the driving force for the New Westminster Community Policing office. As a volunteer, he spent the next three years working on the Business Watch Program and staffing the office.
- Mr. Keeling has been widely recognized for his contributions not only to his community in Sechelt but also across Canada and his previous work in the United Kingdom. He continues to promote crime prevention initiatives and his expertise to those who ask.
- He is a superb role model for the community of Sechelt and through his leadership managed to set up 30 block watch areas on the Sunshine Coast.
- At the age of 88, Mr. Keeling has been widely recognized for his contributions and continues to currently volunteer 200 hours annually and for extra special events.

RECOMMENDATION:

- That the Ministry supports the selection of the Ministry of Justice Community Safety Award Recipients 2012 (see **Appendix**)

TIMELINES:

- The decision for the awards must be retained by October 1, 2012
- The award presentation will be made during at the luncheon being held on November 2nd, 2012

APPROVED / NOT APPROVED

DATE:

Shirley Bond
Minister of Justice and Attorney General

Approved by:
Taryn Walsh
Executive Director
Victim Services and Crime Prevention
604-660-3869

Prepared by:
Dana Greening
Program Manager
Victim Services and Crime Prevention
604-660-5694

Appendix: Ministry of Justice Community Safety and Crime Prevention Award Finalists

MINISTRY OF JUSTICE COMMUNITY SAFETY AND CRIME PREVENTION AWARDS FINALISTS

Victim Services and Crime Prevention Division, MJAG

The following awards recipients have been selected by the Safe Communities Working Group

Award	Nominee and Community Served	Background
<p>Anthony J. Hulme – Award of Distinction</p> <p>This award honours a crime prevention practitioner, volunteer, or group for their extraordinary contribution and commitment to crime prevention and community safety.</p>	<p>Edwin Keeling – Pender Harbour Community Policing Office</p>	<p>Edwin Heeling – Sechelt B.C. Ed was a founding member of the Pender Harbour Community Police Office in 1995 and is the only one of the original group still active. He is a man who has worked in crime prevention since the 1940s, where he first joined the Police Service in the United Kingdom after serving in the Military. After two years he was promoted to Detective and was selected to attend Hendon Police College, which is staffed by senior officers of the New Scotland Yard.</p> <p>In 1955 Ed immigrated to Canada and joined a small suburban police force west of Toronto. In the 1970s Ed was asked to sit on a Crime Prevention Committee set up by the Mayor of Ottawa. The committee was formed and soon after realizing Ed had a background in policing, the committee involved him in the Neighbourhood Block Watch Program. Ed organized a block watch program encompassing 12 city blocks with nearly 100 homes and ten captains under his supervision.</p> <p>In the late 1980s Ed moved to BC and began volunteering with the New Westminster Community Policing office. He spent three years working on the Business Watch Program and helping to staff the office. In 1994 Ed moved to the Sunshine coast and became involved with the local Block Watch, eventually becoming coordinator and setting up 30 block watch areas between Half Moon Bay and Garden Bay. At 88 years of age, he currently volunteers 200 hours annually plus additional time for special events.</p>
<p>Kenneth M. Lemckert – Community Policing Award</p> <p>The nominee must be an individual or community group that has provided exemplary leadership in the area of community policing</p>	<p>Abeline Stewart – Director of Social Development – Gingolx Village Government</p> <p>Cst. Heather Brown and Cst. Jose Abundo – Vancouver Police Department – Vancouver B.C.</p>	<p>Abeline Stewart – Gingolx Village Government – Gingolx B.C. With the support from the Gingolx Village Government, Abeline Stewart started an evening foot patrol in the community to assist intoxicated individuals return home safely, to help prevent vandalism, and to assist at-risk youth. Abeline also organized and secured funding for a youth march in the community, which targeting at-risk youth with positive messages and provided guidance from Elders. Due to Abeline's persistence, a number of youth in Gingolx are receiving treatment for their addictions.</p> <p>Cst. Heather Brown and Cst. Jose Abundo – Vancouver Police – Vancouver, B.C. Through personal contact and communication, the neighborhood policing partnership of Constable Heather Brown and Constable Jose Abundo has played a significant role in making their community safer. The duo has a strong commitment and dedication to public safety;</p>

MINISTRY OF JUSTICE COMMUNITY SAFETY AND CRIME PREVENTION AWARDS FINALISTS
Victim Services and Crime Prevention Division, MJAG

		innovative approaches; encourages and engages others to be involved in their communities. They coordinate and respond to 'hotspot' crime problems and locations that impact neighborhood residents. They use a variety of approaches including bicycle patrols, school visits, community workshops on women's safety, crime prevention, child-proofing, gang deterrence and domestic violence awareness. Their tireless dedication, sustained effort and long term commitment to their community is second to none.
Wael T. Audi – Youth Policing Award This award recognizes police officers who have demonstrated outstanding commitment to working with youth in their community	Cst. Carrie Durocher and Cst. John Davidson – Abbotsford Police, Youth Squad – Abbotsford, B.C. S/Sgt. Grant MacDonald –Burns Lake, B.C.	Cst. Carrie Durocher and Cst. John Davidson – Abbotsford Police – Abbotsford, B.C. Constable Carrie Durocher and Constable John Davidson were instrumental in bringing together their community to address the ecstasy issue through a documentary entitled "Operation X." With grant funding from the Ministry of Justice, Cst. Durocher and Cst. Davidson created an 18 minute film that details the tragedies of the ecstasy-related deaths of two youth. Cst. Durocher and Cst. Davidson have worked tirelessly since March 2012 (often on their own time) to produce this film. Their commitment to the film has inspired hundreds of youth to take a stand against ecstasy. S/Sgt. Grant MacDonald – Burns Lake RCMP, Burns Lake, B.C. Since arriving in Burns Lake in August 2011, Staff Sergeant Grant MacDonald has demonstrated exemplary leadership. His volunteer service and continued focus on youth has resulted in a 200% increase in school visits by members of his detachment. He has been instrumental in bringing the Special Olympics to Burns Lake and in a short time the program has grown to a local executive board with community volunteers and offers sports (Winter and Summer) to athletes with disabilities. S/Sgt. MacDonald was also instrumental in bringing the Law Enforcement Torch Run in to Burns Lake in 2012. To bridge the gap between the police and the local First Nations Youth, S/Sgt. MacDonald partnered with the Lake Babine Nation Youth Centre to offer friendly competitive activities between the police and youth. To promote sportsmanship and respect, the Burns Lake RCMP purchased a trophy for the "Beat the Heat" competitions. S/Sgt. MacDonald has inspired many northern youth who are interested in law enforcement as a career through the DreamCatchers Mentoring program. He was instrumental in developing the Community Prevention and Education Continuum (CPED), which focuses on developing community partnerships for prevention and education programs for youth.
Crime Prevention & Community Safety Award – <i>Community/Group/Organization</i> The nominee must be an organization, community group or individual that has provided exemplary leadership in the area	Ending Violence Association of BC (EVA BC) – Be More Than A Bystander, Vancouver B.C.	Ending Violence Association of BC (EVA BC) – Vancouver, B.C. Ending Violence Association of BC is a provincial, non-profit organization that serves as a resource for over 230 community-based services supporting survivors of sexual assault, relationship violence, child abuse and criminal harassment. This past year EVA BC was able to create a three year public and youth awareness campaign in partnership with the BC Lions Football club focusing on the impact of men's violence against women. The "Be More Than A

MINISTRY OF JUSTICE COMMUNITY SAFETY AND CRIME PREVENTION AWARDS FINALISTS
Victim Services and Crime Prevention Division, MJAG

<p>of community safety and crime prevention. Contributions can include the development of innovative projects, key activities or initiatives, promotional activities, or the effective use of technology to promote safe communities.</p>	<p>IRAYL Outreach Program – Surrey B.C.</p>	<p>Bystander” program is breaking the silence surrounding violence against women and girls by providing tools, language and practical ideas about how to be more than a bystander, how to speak up and how to communicate that violence and abuse are not acceptable. By creating this partnership, EVA BC and the BC Lions have made history – no other football team in Canada has taken on the issue of violence against women.</p>
	<p>The John Howard Society of North Island – Delaware Youth Internet Café and KidStart Mentoring Program - Campbell River, B.C.</p>	<p>IRAYL Outreach Program – Surrey, B.C. IRAYL combines the best practices of community based partnership, relationship based street youth work and harm reduction models to provide referrals to community base resources to ensure at-risk youth are connected to positive influences. In its four years of existence, IRAYL has developed into an efficient, proactive response for youth in need of a continuum of assistance. IRAYL’s involvement in youth issues on Metro Vancouver’s multi-modal transit system has provided solutions for at-risk youth. Their ability to provide one on one interaction with youth in a non-threatening manner, allows IRAYL workers to identify the specific needs of each individual and to follow up with an action plan that is uniquely geared to meet the needs to the youth. The benefit of IRAYL’s capability to adapt to meet specific needs is recognized by police and other community service agencies.</p>
	<p>SisterWatch Project Committee – Vancouver, B.C.</p>	<p>The John Howard Society of North Island, Campbell River, B.C. The John Howard Society of North Island is a charitable non-profit agency with 25+ years of experience delivering community-based youth services. Their mission is to promote and foster safer and healthier communities by providing appropriate programs of rehabilitation, education, prevention and healing for those who need an opportunity to achieve, maintain, or regain a balance within their communities. They run a number of programs that contribute to crime prevention and community safety which include the Delaware Youth Internet Café and the KidStart Mentoring Program.</p>
		<p>SisterWatch Project Committee (SWPC) – Vancouver, B.C. The SisterWatch Project Committee is a multifaceted partnership designed to combat violence against women and to create a safe community for residents of the Downtown Eastside. The SWPC was created following the outpouring of anger and grief by the DTES community following the death of Ashley Machiskinic. In September 2010, Ashley fell to her death from the fifth floor of the Regent Hotel in the Downtown Eastside. The community’s mistrust of police investigation into Ashley’s death culminated in a protest march, with further SWPC members occupying the lobby of the police departments. This was the impetus for the creation of the SWPC in October 2010. The following projects were created from this committee: SisterWatch Tip Line, Emergency Phone Installation, Martin Tremblay Investigation, Jerome Carby Investigation, Direct Notification of High Risk Offenders, First United Church Community Action, Community Crisis</p>

MINISTRY OF JUSTICE COMMUNITY SAFETY AND CRIME PREVENTION AWARDS FINALISTS
Victim Services and Crime Prevention Division, MJAG

		Response Program, and the SisterWatch Awareness Campaign
<p>Crime Prevention & Community Safety Award – Individual</p> <p>The nominee must be in a paid or volunteer capacity working independently or on behalf of a government, police department, or community agency (may include teachers, social workers, project/program coordinators, police officers, executive directors, etc.) who has provided exemplary leadership in his/her community in the area of crime prevention and community safety. Contributions may include the development of innovative projects, key activities or initiatives, promotional activities, or the effective use of technology to promote safe communities.</p>	<p>Sgt. Donovan Tait – Nass Valley RCMP</p> <p>Cst. Kimberly Delwisch – Smithers RCMP</p> <p>Ron Shonk – Keremeos RCMP Victim Services</p>	<p>Sgt. Donovan Tait – New Aiyansh, B.C. Upon arriving in the Nass Valley detachment as the new Sergeant, Donovan Tait forged an ideal relationship between the Nisga'a citizens and the RCMP members stationed around the valley. After a number of teens in the community were charged with drug trafficking and other offences, Sgt. Tait worked with community and justice partners to establish alternative justice circles. These youth were given the opportunity to share their experiences and help repair the harm they had caused to the community. The outcome of those sessions was an improvement in relations between youth and the community and the entrenchment of alternative justice circles in New Aiyansh as an effective approach to youth justice.</p> <p>In addition to his work in New Aiyash, Sgt. Tait continues to work with neighbouring communities to assist at-risk youth.</p> <p>Cst. Kimberly Delwisch – Smithers B.C. Cst. Kimberly Delwisch has been a member of the Smithers RCMP for 15 years and has recently taken the role as the First Nations Community Policing Officer within the communities of Smithers and the Wet'suwet'en Nation. Cst. Delwisch goes above and beyond the call of duty to provide outreach to Aboriginal residents in Smithers, Moricetown and beyond. Cst. Delwisch has been critical to the successes of reaching out to youth in Smithers, especially to those struggling with alcohol and drug addiction and homelessness. Cst. Delwisch has gained respect in the community by proactively becoming involved in community functions and being a friendly face of the RCMP. Her aim is to empower Aboriginal young people to become valued members of the community by assisting in their skills development. Her recent work in establishing a girl's group for the Wet'suwet'en Nation has raised awareness for women's safety on the Highway of Tears.</p> <p>Ron Shonk – Keremeos B.C. Ron Shonk has served as the Keremeos RCMP Victim Services Coordinator since January 2009. In that same year, Ron was instrumental in the development of the "Proactive Violence Prevention Project" (PVPP), which was a community wide grassroots effort to raise awareness, and to educate and take preventative action on domestic violence, bullying, sexual assault, date rape and elder abuse. During the nearly two and a half years the project has been in operation, Ron has researched, written and submitted over 16 press releases and letters to the local weekly newspaper.</p> <p>Based on his work with abused and assaulted spouses, Ron developed the "Men Together:</p>

MINISTRY OF JUSTICE COMMUNITY SAFETY AND CRIME PREVENTION AWARDS FINALISTS
Victim Services and Crime Prevention Division, MJAG

		Saying NO to Violence Against Women and Children Initiative", which strives to capture the attention of abusers themselves, to challenge their behaviour, and to offer resources for change. The program currently serves over 100 of the Valley's male residents and workers ages 16 and over.
<p>Children or Youth Leadership Award</p> <p>The nominee can be in either a paid or non-paid position. Children or youth nominated for this category should be positive role models for other children or youth in their community; should have outstanding leadership skills; and should be actively involved in crime prevention and community safety strategies within their community.</p>	<p>Grade 6/7 Class of Sowchea Elementary School 2011/2012 – Fort St. James, B.C. Cam McCormick Principal</p> <p>Josh Eisner – Porter Street Elementary – Coquitlam, B.C.</p> <p>Squamish Community Policing Student Volunteers – Squamish RCMP – Squamish, B.C.</p>	<p>Sowchea Elementary School – Fort St. James, B.C. After the tragic death of Nolan Alexis on November 4th, 2011 in Fort St. James as a result of a motor vehicle accident, grade 6 and 7 students at Sowchen School organized the "Be Seen Be Safe" project to distribute reflective bracelets for every child in the Fort St. James, Nak'azdli, Tl'azten and Yekoochee First Nations. This initiative aims to educate and promote traffic safety in honour of Nolan's memory. Through community support the youth were able to get 2000 bracelets and posters printed and laminated. Presentations were conducted to all the schools in the area on traffic safety. Students proudly wear reflectors on their boots, ankles, wrists, arms, hats and backpacks.</p> <p>Josh Eisner – Coquitlam, B.C. Josh Eisner is a grade 4 student at Porter Street Elementary who spearheaded an anti bullying initiative for Pink Shirt Day. In 2011, Josh designed a logo, contacted companies for quotes and marketed pink shirts for sale at his school. He also led an art project with the approval of a teacher and school principal to develop cut-out wooden t-shirts that would be painted pink with saying to raise awareness about bullying. With this young man's persistence, Josh was able to find a corporate sponsor to cover the costs of the wood and a local business stepped up to supply materials.</p> <p>Josh motivated his peers and classmates to get involved. Every student at Porter Elementary had the opportunity to paint the wood t-shirts and write a positive message of them. The t-shirts were then hung of the school's fence as artwork. After the artwork was torn down by vandals, the community rallied to fix the display put the t-shirts back on the fence.</p> <p>Squamish Community Policing Student Volunteers – Squamish, B.C. The Squamish RCMP Detachment supports a small yet very active Youth Community Policing and Crime Prevention Unit. Avinash Bharti, Tarjot Bisla and Harpreet Minhas are dedicated and energetic Youth Community Policing Volunteers.</p> <p>Harpreet began volunteering for the Community Policing Unit because he and his family realized the importance of giving back to your community and he wanted to donate his time to helping people, especially those in need of assistance due to language barriers.</p> <p>After steering his life away from poor lifestyle choices, Avinash began volunteering for the Crime</p>

MINISTRY OF JUSTICE COMMUNITY SAFETY AND CRIME PREVENTION AWARDS FINALISTS

Victim Services and Crime Prevention Division, MJAG

	<p>Charlene Smith – Youth Volunteer Crime Prevention Coordinator, Roberts Creek, B.C.</p>	<p>Prevention Unit. He attended the Youth Academy and recently graduated from grade 12 with plans to study criminology in college in the Fall. He hopes one day to become an RCMP officer.</p> <p>At 15, Tarjoyt wanted to apply to become a volunteer with the Crime Prevention Unit and was told she had to be at least 16 years old. So on her 16th birthday Tarjoyt came back to the detachment with her dad so she could fill out the paperwork. She is a great role model for other young females in the community, confident, mature and kind.</p> <p>These three volunteers regularly lend their time to various crime prevention programs including Speed Watch, Cell Phone Watch, Business Link and special events. In the fall of 2011, they enthusiastically accepted the challenge of initiating a new community safety project on Distracted Driving. They were also instrumental in planning, creation and implementing an educational awareness video and oral presentation that was delivered in March 2012 at their local high school.</p> <p>Charlene Smith – Roberts Creek, B.C. When Charlene Smith was in grade 9, she witnessed a grade 12 student overdose on drugs in the middle of the street. She immediately stepped in and administered CPR, which ultimately save the youth's life. Through this experience, Charlene realized that drinking, drugs and sexual exploitation are serious issues in her community and she brainstormed what she could do to make a difference. Three years later Charlene created a crime prevention program designed to reach every student in elementary and high schools across the west coast. Charlene organized presentations by Odd Squad Productions on drug prevention and by Children of the Street Society on sexual exploitation. She also liaised with over 15 schools and canvassed her community to help raise the funds to cover the cost of travel for workshop facilitators, and she promoted the workshops to several media outlets.</p>
<p>Corporate Award</p> <p>The nominee should be a business or corporation (large or small) that has worked in partnership with others (i.e. local/provincial governments, community-based groups, etc.) by providing resources, assistance, financial support and program contributions towards crime prevention and community safety strategies in British Columbia, either locally, regionally, or province-wide.</p>	<p>BC Lions Football Club – Lions Pride, Surrey, B.C.</p>	<p>BC Lions Football Club – Surrey, B.C. For the last three years, the Lions Pride program, coordinated by the BC Lions Football Club, continues to inspire youth to be active, make positive choices and excel in their lives. This unique outreach program targets at-risk youth in making positive choices in their lives and steering clear of gang involvement. Through mentorship, school presentations and recreational activities, BC Lions players have a chance to share their life stories and challenges with youth throughout BC.</p> <p>The program runs each spring with star Lions players visiting Grade 8 to 12 students in the lower mainland as well as visiting communities like Prince George, Kelowna, Kamloops, Vanderhoof and Burns Lake. Players get an opportunity to visit these schools and share their personal journeys on how football helped them steer clear of criminal activity and lead the youth in a 45 minute activity session that highlights the importance of teamwork, commitment and</p>

MINISTRY OF JUSTICE COMMUNITY SAFETY AND CRIME PREVENTION AWARDS FINALISTS

Victim Services and Crime Prevention Division, MJAG

		<p>hard work.</p> <p>As part of the Lions Pride Initiative, a four-team flag football league for at-risk youth holds practice sessions throughout the month of April with select BC Lions players. Players are able to provide one-on-one mentoring for at-risk youth during these sessions. A tournament is then held in May that engages police, parents, and other community members. All youth selected to participate in the flag football program are provided tickets to the football season.</p>
<p>Media Award Honours an individual's commitment for actively promoting crime prevention and community safety programs either by audio, visual, and/or written methods.</p>	<p>Cst. Jagmeet Dandiwal and Cst. Harbir Sangha – Richmond RCMP</p>	<p>Cst. Jagmeet Dandiwal and Cst. Harbir Sangha, Richmond, B.C. In 2011, Constable Dandiwal and Constable Sangha undertook an initiative to engage the Punjabi and South Asian Community by making arrangements with Radio 1550 AM to appear regularly on their show to discuss their policing careers with a focus on youth gangs, bullying, identify theft, pedestrian safety and various other crime prevention related topics. This initiative strived to foster a positive image of the police as well as to provide crucial information to the general public regarding various crime prevention initiatives.</p> <p>Both members appear regularly on the radio talk show that is conducted in Punjabi and is broadcasted live to thousands of listeners in BC and parts of the United States. Their experiences offer a unique perspective to radio listeners because both members can relate to listeners, being Indian-born Punjabi, and also relate with other police members. The radio program has been very well received by the Punjabi community and helps build partnerships, generate community safety awareness and dispel police related stereotypes with in the community.</p>
<p>Volunteer Award The nominee must be in a non-paid position as a volunteer and must have demonstrated his/her commitment to their community through outstanding contributions towards crime prevention and community safety.</p>	<p>Donna Ensor – Keeping in Touch Program</p> <p>Karen Bowman – Drop it and Drive, Surrey BC</p>	<p>Donna Ensor – Victoria, B.C. Donna Ensor has been volunteering with the West Shore RCMP Community Policing Section for over 10 years. She is responsible for the Keeping in Touch (KIT) Program, volunteers with Speed Watch, and is a regular supporter of RCMP Community events. Donna currently oversees 18 volunteers by coordinating their training and scheduling and works hard to make sure the program runs efficiently. She is a volunteer that never stops giving no matter which task she is working on.</p> <p>Karen Bowman – Surrey, B.C. Karen Bowman founded "Drop it and Drive" in 2010, whose mission is to end distracted driving by making it as socially unacceptable as drinking and driving. She is a tremendous hardworking advocate and exceptional spokeswoman. Karen volunteers at least five days a week promoting "Drop it and Drive", creating and maintaining relationships, writing press releases and responding to inquiries from media and others, researching information for</p>

MINISTRY OF JUSTICE COMMUNITY SAFETY AND CRIME PREVENTION AWARDS FINALISTS
Victim Services and Crime Prevention Division, MJAG

	<p>William (Bill) Brand – Volunteer Speed Watch Supervisor</p>	<p>presentations, and maintaining a website. Her commitment, perseverance innovation and contribution are demonstrated by the many diverse ways in which she gets the message out that distracted driving is a significant risk to all on our roadways.</p> <p>William (Bill) Brand – Surrey, B.C. Bill has been volunteering at the Surrey RCMP since June 1994, and has committed more than 10,865 hours. Bill volunteers his time to the Speed Watch Program and acts as the District #1 Supervisor. He has dedicated himself to this program and volunteers Monday to Friday, often going out twice a day in order to assist in school zones when asked by parents, school officials, or police officers. Bill is the driving force behind the initiative and even when he is on holiday he always makes sure there is someone trained to cover for him. .</p>
	<p>Margo Banks – Volunteer President Citizens on Patrol – Oceanside RCMP</p>	<p>Margo Banks – Parksville, B.C. Margo is the president of the District 69 Citizens on Patrol (COPS), which is a well organized and highly motivated group comprised of 104 volunteers split over five regions. COPS work closely with the Oceanside RCMP and patrols areas and ‘hot spots’ identified by the RCMP. Margo is instrumental in motivating volunteers, organizing schedules, planning meetings, and maintaining a regular patrol route of her own. These duties alone take hundreds of hours a month but somehow she manages to find the time to manage all her activities. She is always available by phone and e-mail, liaises with ICBC and the RCMP. Margo truly cares for her community and has never looked for praise, recognition or merit for the work she does. .</p>

**MINISTRY OF JUSTICE
COMMUNITY SAFETY AND CRIME PREVENTION BRANCH
BRIEFING NOTE**

PREPARED FOR: Shirley Bond, Minister of Justice and Attorney General
FOR INFORMATION

ISSUE: For Minister's briefing on September 21, 2012 – Release of provincial Action Plan in response to Representative for Children and Youth's (RCY) Report on the Deaths of Kaitlynne, Max and Cordon Schoenborn.

BACKGROUND:

- The RCY released the report into the deaths of Kaitlynne, Max and Cordon Schoenborn on Thursday, March 1, 2012.
- In response, the Government announced the creation of a new Provincial Office of Domestic Violence (PODV) within the Ministry of Children and Family Development (MCFD) and publicly committed to developing an Action Plan addressing the report's recommendations by July 31, 2012.
- The PODV is coordinating the cross-government Action Plan with the Ministries of Justice, Children and Family Development, Health, Education and Social Development all providing input.
- The Deputy Minister's Committee has reviewed and approved the Action Plan, which is scheduled to be released the week of September 24, 2012.
- The RCY was given an advanced preview of the Action Plan at the end of July.
- The new Action Plan builds on the work of the 2010 Domestic Violence Action Plan, which included a number of initiatives including, but not limited to:
 - The establishment of a domestic violence unit in the Capital Region;
 - A comprehensive update to the provincial *Violence Against Women in Relationships* (VAWIR) policy;
 - A BC Coroners Service domestic violence death review panel;
 - The development of standardized bail conditions;
 - The development of a standardized risk assessment tool for police as well as a model domestic violence operations policy for police; and,
 - The creation of a public-facing website (www.domesticviolencebc.ca).

DISCUSSION:

- The majority of the RCY's recommendations and the corresponding government response in the new Action Plan focus on the work of MCFD and the Ministry of Health. In particular two systemic recommendations are flagged in the RCY report and Action Plan which will be addressed by these Ministries:
 - The first is to increase the focus on family-oriented practice in the adult mental health system to ensure the care and protection of children and family members;

- The second is that the provincial government develop a strategy to improve supports and services to individuals and families impacted by domestic violence.
- In response to the first systemic recommendation, MCFD and the Ministry of Health will work together to develop protocols, including screening tools, risk assessments, information sharing and referral processes for staff within both systems. In response to the second systemic recommendation, the PODV has been established and tasked with coordinating government-wide plans on domestic violence.
- In contrast, the Ministry of Justice's contribution to the Action Plan focuses on Recommendation 7 of the RCY's report. Recommendation 7 urges the Ministry to "develop and implement a plan to improve legal processes related to domestic violence cases and successful prosecution of such cases."
- The Ministry is proposing a number of new initiatives/next steps that will be included in the PODV-led Action Plan:

RCY Recommendation	Ministry Response as outlined in Action Plan
7.1 – Establishment of a Specialized Domestic Violence Court.	The Ministry will determine next steps regarding domestic violence courts upon review of the <i>BC Justice Reform Initiative</i> report released by Geoffrey Cowper, QC.
7.2 – Full implementation of the <i>Family Law Act</i> as soon as possible.	<p>The new <i>Family Law Act</i> will come into force on March 18, 2013. The Ministry is undertaking a number of initiatives to support implementation including:</p> <ul style="list-style-type: none"> • Changing the court rules to support the <i>Family Law Act</i>. • Developing resource materials to support the legal community and public in preparing for the transition to the <i>Family Law Act</i> • Collaborating with organizations such as JIBC and CLEBC to support the development of training on the <i>Family Law Act</i> for lawyers and other family practitioners including family justice counsellors • Consulting with stakeholders with respect to the regulations that will be required to support the <i>Family Law Act</i> • Completing the regulations prior to the implementation of the <i>Family Law Act</i> with the intention of bringing the regulations into force at the same time
7.3 – Priority for matters involving family violence, including timely investigation, prosecution, sentencing and holding offenders to account for breaches of orders.	<p>The Ministry has committed to a number of new initiatives/next steps in the areas of policy, training and cross-sector coordination to respond to the RCY report.</p> <p>Specific actions include:</p> <ul style="list-style-type: none"> • Criminal Justice Branch has introduced an enhanced flagging system in JUSTIN that will improve

<p>AND</p> <p>7.4 – Effective monitoring and timely enforcement of orders relating to domestic violence by police, bail supervisors, and other officials.</p>	<p>identification of files involving child victims for the purpose of proactive case management.</p> <ul style="list-style-type: none"> • Policing and Security Programs Branch is developing a follow-up online police training course entitled <i>Assessing Risk and Safety Planning in Domestic Violence Investigations</i>. • Criminal Justice Branch is preparing further domestic violence training at the Fall Crown counsel conference and will develop and present webinar training specific to the findings in the RCY report <i>Honouring Kaitlynne, Max and Cordon</i> (2012) for crown counsel • Community Safety and Crime Prevention Branch is implementing its new online <i>Domestic Violence Safety Planning</i> training for frontline victim support workers. In 2012/13, 2,500 seats are being made available. • Local VAWIR/domestic violence committees that received civil forfeiture funds are required to report back to the Ministry on their progress by December 31, 2012. The Ministry will review these status reports.
Tele-bail	<p>The Ministry has committed to a review of the concerns related to the tele-bail process in BC. The review will inform a proposal with possible options for improvements to tele-bail for consideration that will be completed by May 31, 2013.</p>

NEXT STEPS:

- The PODV is preparing to release the Action Plan the week of September 24th.
- A Ministerial briefing is scheduled for September 21st.
- Branch staff will work with Government Communications and Public Engagement (GCPE) staff as required in the lead up to the release of the Action Plan.
- Part 2 of the Ministry's White Paper is scheduled to include a discussion of specialized courts, including domestic violence courts, as well as linkages to the activities identified in the Action Plan.

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**MINISTRY OF JUSTICE
Office of the Superintendent of Motor Vehicles
DECISION NOTE**

PREPARED FOR: The Honourable Shirley Bond
Minister of Justice and Attorney General
FOR DECISION

ISSUE:

Approval for an impact assessment on a new Graduated Licensing Program for Motorcyclists (GLP-M).

BACKGROUND:

Motorcyclists are significantly over-represented in road trauma statistics. In British Columbia, motorcycles are estimated to make up less than 3 per cent of insured vehicles, yet motorcycles are involved in approximately 10 per cent of road fatalities. While 4-wheeled vehicle fatalities decrease, motorcycle fatalities are continuing to trend upwards as is the overall use of this vehicle type on BC roads.

In 2009-2010, the Province initiated consultations with a number of stakeholders on proposed changes to reduce motorcycle injuries and fatalities. In May of 2012, the Minister of Justice committed to move forward with a graduated licensing program for new motorcyclists. In making this commitment, the Minister announced that the Office of the Superintendent of Motor Vehicles (OSMV) would be carrying out an expedited stakeholder consultation on the Province's plans to enhance motorcycle safety in British Columbia.

The objectives of this consultation were to update stakeholders on how the proposed changes have evolved and taken into account input from previous consultations, and to gain further stakeholder feedback.

DISCUSSION:

Consultation – Overview

The proposals put forward to stakeholders include changes to the Province's two motorcycle licensing streams:

- Class 6L licenses – rider holds a previous licence (i.e., car)
- Class 8 licenses – motorcycle licence is rider's first licence (current GLP)

See Attachment 1 for current class 6L/8 licensing models.

Class 6 GLP (rider holds a previous licence)

The consultation model included licensing restrictions intended to create a safer learning environment for new riders to learn (see Attachment 2, Table 1). Proposed restrictions included:

1. 18 Month GLP-M
2. Zero Alcohol Tolerance
3. 60kph Maximum
4. Daylight Hours Only
5. No Passenger Restriction
6. Supervisor Requirement
7. Supervisor Age Increased from 19 to 25
8. Horsepower Restriction

Class 8 GLP (Rider's First Licence)

The current class 8 GLP is a three year process, which takes into account the rider's unique learning needs as both a new motorcyclist and a new road user. Changes proposed to this licence stream include power restrictions and a novice stage passenger restriction. Currently, there is a 6 month Class 8 GLP (first time licensee) time reduction for completion of certified training.

Feedback

OSMV gathered stakeholder feedback during consultation sessions and through written submissions. See Attachment 3 for list of stakeholders and feedback summary. Responses to the proposals varied, but the following key themes emerged.

1. Training and Curriculum

Most stakeholders strongly supported GLP-M for new motorcyclists, but a wide range of opinions were expressed about how that program should be designed. Some stakeholders were concerned that raising the standards for acquiring a motorcycle licence would result in more unlicensed riders and lost revenue to the motorcycle industries. However, other stakeholders stressed the importance of a long GLP-M to maximize the proven safety benefits.

There was unanimous agreement that the skills required to operate a motorcycle, coupled with the serious consequences of a crash, justify a strong focus on training. All stakeholders agreed that any new licensing scheme should strongly promote rider training. While research supporting the safety benefits of training is mixed, this is likely due to methodological problems inherent to this research, low quality of available data, and a lack of uniform training across schools and jurisdictions.

A model built on training incentives is likely to be supported by the stakeholders involved as it clearly reflects their input. Also, if new riders are properly trained to be

safe riders, then fewer restrictions are required in the GLP-M period to minimize motorcycle deaths and serious injuries. s.13

Currently half of all current training schools are certified to provide the Motorcycle Skills Assessment (MSA) test and in-class training program. ICBC, who oversees driver training standards, is currently consulting with industry on improvements to the MSA test and associated training. The Province began working with subject matter experts in creating province-wide curriculum standards for *on-road* training in 2010. s.13

2. GLP-M Exit Test

The OSMV consulted on a model where a new rider moved from the novice stage to fully licensed after a set period of time (i.e., with only one road test, which is unlike the class 7 [car] GLP model which has 2 road tests). There was strong feedback among stakeholders that without an exit test, the novice stage may not be as effective.

s.16, s.17

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RECOMMENDATION:

s.13

APPROVED / NOT APPROVED

DATE:

The Honourable Shirley Bond
Minister of Justice

Approved by:
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OSMV
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Prepared by:
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Attachment(s)

Attachment 1

Table 1: Current Class 6L Motorcycle Licensing Model (Non-GLP)

Restrictions	Learner Stage		Fully Licensed
Expires	1 year		5 Years
Entry Requirement	Knowledge Test	MST	Road Test
Minimum Duration	14 Days	30 days	X
98HP Max	X	X	X
19 Year Old Licensed Supervisor	✓	X	X
0 BAC	✓	X	X
60kph	✓	X	X
Daylight	✓	✓	X
No Passenger	✓	✓	X

Table 2: Current Class 8 Motorcycle Licensing Model (GLP)

Restrictions	Learner Stage		Novice Stage	Fully Licensed
Min Time	12 Months		18-24 Months	N/A
Expires	2 year		5 Years	5 Years
Entry Requirement	Knowledge Test	MST	Road Test	Road Test
Minimum Duration	30 Days	12 Months	18-24 Months	X
No Electronic Devices	✓	✓	✓	
25 Year Old Licensed Supervisor	✓	X	X	X
0 BAC	✓	✓	✓	X
L/N Signs	✓	✓	✓	
60kph	✓	X	X	X
Daylight	✓	✓	X	X
No Passengers	✓	✓	X	X

Attachment 2: GLP-M Models Taken to Stakeholders

Table 1: Consultation Version Class 6L

LEARNER STAGE Proposed: Minimum 6 Months				Pass Class 6 road test	NOVICE STAGE Proposed <u>1 year</u> (Sunset date)
Entry Requirements	Pre-Motorcycle Skills Test (MST) Restrictions	Motorcycle Skills Test	Post-Motorcycle Skills Test (MST) Restrictions		Novice / Probationary Stage Restrictions
<ul style="list-style-type: none"> Must hold a non-GLP licence Vision screening Class 6 knowledge test 	<ul style="list-style-type: none"> 60 km/h restriction No passengers Daylight hours only Ride with a qualified supervisor who is <u>age 25 or older with a fully privileged Class 6 licence.</u> <u>0 BAC rider</u> <u>L sign</u> <u>98 horse power restriction</u> 	MST after minimum <u>30 days</u>	<ul style="list-style-type: none"> Speed restriction lifted Supervisor restriction lifted No passengers Daylight hours only <u>0 BAC rider</u> <u>L sign</u> <u>98 horse power restriction</u> 		<ul style="list-style-type: none"> <u>0 BAC rider</u> <u>N sign</u> <u>98 horse power restriction</u>

Table 2: Consultation Version Class 8

LEARNER STAGE: Minimum 12 months				Pass Class 8 road test	NOVICE STAGE: 2 years	Pass Class 6 road test
Entry Requirements	Pre-Motorcycle Skills Test (MST) Restrictions	Motorcycle Skills Test (MST)	Post-Motorcycle Skills Test (MST) Restrictions		Novice / Probationary Stage Restrictions	
<ul style="list-style-type: none"> Vision screening Class 6 knowledge test 	<ul style="list-style-type: none"> 60 km/h No passengers Daylight hours only 0 BAC rider L sign No electronic devices Ride with a qualified supervisor who is age 25 or older <u>with a fully privileged class 6 licence.</u> <u>98 horse power restriction</u> 	MST after minimum 30 days	<ul style="list-style-type: none"> Speed restriction lifted Supervisor restriction lifted No passengers Daylight hours only 0 BAC rider L sign No electronic devices <u>98 horse power restriction</u> 		<ul style="list-style-type: none"> 0 BAC rider N sign <u>No passengers (sunset 1 year after beginning Novice Stage)</u> <u>98 horse power restriction</u> 	

Pages 144 through 146 redacted for the following reasons:

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Attachment 5 - Motorcycle Licensing Restrictions: Road Safety Considerations

1. 18 Month GLP for Experienced Road Users

- BC Coroners Service conducted a death review panel into motorcycle fatalities and found rider inexperience was a high contributing factor. Ensuring this experience is gained under safe restrictions is a key principle of a GLP.

2. Zero Alcohol Tolerance

- The *BC Coroners Service Death Review Panel: Motorcycle Fatalities* found that alcohol and/or drug use was the most frequently cited factor contributing to motorcycle crashes, followed by speed.

3. 60kph Maximum

- Speed is the second leading factor in motorcycle collisions. The effects of a crash increase exponentially with increased speed, and likewise decrease with lowered speed.

4. Daylight Hours Only

- The low visibility of motorcycles is a leading factor in motorcycle crashes with other vehicles.

5. No Passenger Restriction

- A passenger can drastically disrupt the balance of a motorcycle causing the operator to lose control, especially at low speeds.

6. Supervisor Requirement

- A supervisor with a full class 6 licence must be in line of sight of the learner at all times. This is intended to provide feedback to the learner to help with skills development. There have been concerns raised about this requirement given the potential risks a supervisor may introduce to the situation.

7. Supervisor Age Increased from 19 to 25

- Findings reveal that the part of the brain responsible for risk management and decision-making is not fully developed until age 25.
- For higher risk younger riders, this helps encourage the use of a supervisor that is not in the same peer group as the rider.
- Supervisor restrictions are lifted when training is taken from an ICBC-certified school.

8. Horsepower Restriction

- Research has shown that risk of fatal collision increases with motorcycle performance regardless of the operator's age.
- While no measure alone will eradicate collisions, countries with learner motorcycle performance restrictions for new riders also boast among the lowest fatality rates.