

Esquimalt Police Department Review



Ministry of Public Safety and Solicitor General
Policing and Community Safety Branch
Police Services Division
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INTRODUCTION

At the request of the Solicitor General, Police Services Division (PSD), Policing and Community Safety Branch, Ministry of Public Safety and Solicitor General, undertook a review of police/management processes at the Esquimalt Police Department (EPD) between February and April of 2002.

Authority to conduct the review is established in Section 42 of the *Police Act* as follows:

42 (1) The director must, on request of the minister, and the director may, on the director's own initiative or on request of a council or board, study, investigate and prepare a report on matters concerning policing, law enforcement and crime prevention in British Columbia or in a designated area of British Columbia.

Impetus for the review was threefold:

1. Media coverage around the controversial decision to split the police and fire services of the EPD revealed ongoing labour/management problems at the department.
2. Correspondence received by the ministry from the EPD police union requesting a leadership review.
3. Routine follow up to the findings of the 1997 British Columbia Police Commission (BCPC) audit of the EPD.

The Director of Police Services Division tasked two PSD staff members and contracted with Inspector John McMillan (retired, Vancouver Police Department) to conduct a review of police/management relations at the EPD.

The overall mandate of the review was to ensure that the citizens of Esquimalt receive effective and adequate police services. The purposes of the review were twofold: to identify outstanding issues around the functioning of the EPD; and, to make recommendations to facilitate, where possible, improvements in police/management relations.

The review team did not revisit the arguments put forth by both the proponents and opponents of the decision to split police and fire services in Esquimalt. Nor was an audit conducted of the department to measure compliance with all requirements of the *Provincial Standards for Municipal Police Departments in British Columbia*. Instead, the terms of reference for the review were narrowed to focus on the working relationships between the major stakeholders that govern or deliver police services to the Municipality of Esquimalt. These stakeholders

include the Esquimalt police board, the senior police managers of the EPD, the Esquimalt police union, sworn members, and civilian staff of the EPD.

Purpose and Structure of this Report

The purpose of this report is to present the findings of PSD's review of police/management processes at the EPD.

This report contains four sections:

Part 1 – Background information and examination of previous studies and reviews of the EPD.

Part 2 – Methodology.

Part 3 – Presentation of findings and analysis.

Part 4 – Recommendations.

PART 1 – BACKGROUND AND CONTEXT

In order to more fully understand the issues confronting the EPD at this time, it is important to briefly outline the history and structure of the department, to review the findings of previous reports that have examined the functioning of the department, and to briefly consider the context in which this review took place.

BACKGROUND

The Esquimalt Police/Fire Department

Brief History

According to the official Esquimalt Police/Fire Department website¹, the department was established in 1912, the same year as the municipality was incorporated. Since its inception, the department has provided the dual services of policing and fire fighting. Until 1950 the members of the department functioned as either police officers or firefighters. Increased unionization following the Second World War placed pressure on the Esquimalt Council to separate the police and fire functions. In response, the Esquimalt Council instituted a fully amalgamated department in which officers were trained in both fire protection and policing. The establishment of a single police union in 1957 reinforced the dual capacity of the department.

As indicated in the official Esquimalt Police/Fire Department website, and confirmed by various documents contained in BCPC and PSD files, the dual capacity of the EPD has long been an issue of contention. Archived documents indicate that the debate around the split of police and fire services has been ongoing since the inception of the department and has been the subject of many reports starting at least as early as 1967. The final chapter was written on January 29, 2001, when the Esquimalt Municipal Council and the Esquimalt Police Board jointly announced that police and fire services within the municipality would be separated. On April 23, 2002, the City of Victoria announced an agreement in principle for Victoria firefighters to take over firefighting services in Esquimalt.

Structure

Management of the EPD is provided by the Chief Constable, Deputy Police Chief and Deputy Fire Chief. Both the Chief Constable and Deputy Police Chief are executive officers and are excluded from the EPD police union. The Deputy Police Chief is the Officer in charge of Operations and acts as the disciplinary authority for the department. The Deputy Fire Chief is classified as a “Staff

¹ www.mun.esquimalt.b.c.ca/Police/History/history.htm

Sergeant” under the Collective Agreement between the Esquimalt Police Board and the Esquimalt Police Union. He is responsible for the day-to-day operations of the fire service.

The department is comprised of five platoons in addition to a number of special sections. Each platoon has both a Fire Sergeant (designated as F1) and a Police Sergeant (P1) as well as between five and seven constables assigned to each platoon. One member from each platoon is dedicated to the fire service and reports directly to the Fire Sergeant. The remaining platoon members report to the Police Sergeant. They are assigned to the patrol section and provide fire services when required. All members of the EPD are trained as both police officers and firefighters. Members are trained as police officers at the Justice Institute of British Columbia (JIBC) and receive in-house fire training at the EPD as well as ongoing JIBC Fire Academy courses.

In addition to the patrol section, the EPD also has a General Investigation Section (GIS), Street Crimes Unit (SCU) and Community Police Unit (CPU). In total, there are eight police officers assigned to the special sections, including one Sergeant, two Corporals and five constables. Two EPD officers are seconded to other assignments in the province (the JIBC and the Organized Crime Agency of British Columbia).

The department prides itself on the level of service provided to the citizens of Esquimalt. The EPD operates on the credo that “no call is too small” for response from the department. Due in part to the small size of the jurisdiction (Esquimalt has approximately 17,000 residents and is 2.44 square miles), the EPD is able to provide a high level of service to the community.

Overview of Previous Esquimalt Police/Fire Department Reports

Between 1979 and 2000 a number of reports were completed concerning the functioning of the EPD. Most of the reports occurred as a routine function of the BCPC audit process. Others (such as the 20/20 Insight and Rippon reports) were undertaken in direct response to recommendations put forth by BCPC auditors.

What follows is a brief overview of the pertinent findings and recommendations made in these reports. While these reports discussed many issues, this analysis focuses on the findings most directly related to the current issues confronting the EPD today.

1979 – Section 7 – B.C. Police Act Task Force, Esquimalt Police/Fire Department (conducted by the BCPC).

Comments contained within this report by BCPC auditors reveal that many of the issues identified as problems today took root in an atmosphere of discontent and dysfunction that was apparent as early as 1979.

Selected comments from the 1979 Section 7 Report:

- “Communication within the police department seems to be suffering. For instance, we found no planned meetings or discussions within the administration of the police department, nor with operational personnel. Orders are put forth from senior administrators with no follow-up action to confirm those orders have been followed. Because this is a small department it is assumed that internal communication is good because members often are in contact with one another; however this does not necessarily develop good internal communication.” (page 8)
- “It is the opinion of the task force that the Police Board has not met its responsibility. Suffice to say that if our observations of inadequacies in the department are valid, then those shortcomings should, in fact, have been discovered by the Board.” (page 9)
- “The Esquimalt Police Association must take some responsibility for failing to establish better lines of communication between themselves and their employer, the Esquimalt Police Board ...To ensure the delivery of a good policing service in the community, it is essential that the police board, police administration and police association co-operate in the development of procedures and policy on an ongoing basis.” (page 9)

1984 – Audit – Esquimalt Municipal Police Department, Section 5, Police Act (conducted by the BCPC).

The findings from the 1984 audit revealed that many of the problems identified in previous studies had not been solved and some areas appeared to have worsened.

Selected comments from the 1984 BCPC Audit:

- “In recent years the history of labour relations has left a lot to be desired. While most of the problems in the past related to the dual police/fire function, the harmony anticipated from the ‘agreement’ of June, 1980 has not materialized.” (page 15)

- “The audit members perceived the Police Board as being convinced they should rigorously resist all requests for improvements or benefits by the police members and maintain an arm’s length relationship with the union.” (page 15)
- “The members ... [seemed] convinced that they were not appreciated by the Board and as a result believed all meetings and negotiations would be clouded in hostility.” (page 16)
- “The most significant deficiency findings related to the area of supervision. There is a clear indication that supervisors (NCOs) as a group, are functioning at a less than acceptable level in the areas of leadership, direction and control.” (page 2)
- “Inconsistent supervision is bound to have a negative impact on efficiency and effectiveness within the organization. This situation is further complicated by evidence of an apparent lack of trust of supervisors by management.” (page 11)
- “It was found that most employees had limited knowledge of the police priorities set by senior management. There is a clear need for increased input and involvement by all members in setting priorities and developing strategies (action plans) to enhance their achievement. Participation at all levels should result in increased understanding and commitment.” (page 3)
- “Recommendations:
 - That every reasonable effort be made to improve labour relations.
 - That periodic meetings take place between the Police Board, Senior Management and the Union Executive to improve dialogue.
 - That the Police Board consider a more flexible approach and be more inclined to recognize the positive contributions of the department as a whole.
 - That the Union Executive be encouraged to adopt a more professional approach and demonstrate that they are willing to discuss and compromise in appropriate circumstances.” (page 16)

1991 – *Esquimalt Police Department, Inspection Report (conducted by the BCPC)*

The recommendations and findings of this inspection were more positive with respect to leadership and morale issues, compared to other audits conducted at EPD before and after this inspection.

Selected comments from the 1991 BCPC Inspection Report:

- “Discipline: The general perception of the members of the Department, both civilian and sworn, was that discipline was inconsistent and lax.” (page 6)

- “Morale: There were wide ranging comments on morale. However, morale can be considered generally good to excellent.” (page 6)
- “Labour Relations: Labour Relations are considered to be good. The Union Executive has free and open access to the Chief Constable and most difficulties are normally handled at that level.” (page 6)
- “Training: All members considered that the training was adequate. However, there was concern and lack of understanding as to how the selection process and timing of the courses worked.” (page 6)
- “Performance Appraisal: This is universally regarded as poor. Some members have never had an appraisal, others, had had them irregularly...” (page 6)
- “Staff Development: This was an area of concern amongst all members interviewed. All officers stated that they had never had a career development or staff development interview with an Executive Officer of the Police Department.” (page 7)

1998 – Esquimalt Police Department, Section 42 Audit, Issues Report (conducted by the BCPC)

The 1998 audit was conducted by the BCPC during the spring and summer of 1997. Originally a full audit of the department had been planned; however, difficulties were encountered in the assessment of the EPD’s policy and procedural manual. Consequently, an interim report, known as the “Issues Report”, was released in early 1998 with a follow-up report addressing the policies and procedures produced in 1999.

Some of the major issues identified in the 1998 audit were:

- Morale
- Career development and training
- Performance evaluation
- Communication
- Supervision
- Workplace harassment
- Discipline
- Ethics
- Leadership

Selected comments from the 1998 BCPC Section 42 Audit Report:

- “Though all evidence is anecdotal and the audit team is not charged with providing resolution to positive or negative information provided by anyone in the department there is one conclusion of which we are certain. The working culture of the EPD is extremely unhealthy.” (page 10)
- “Employee dedication and commitment to the department is undermined by perceptions of favouritism, apathy and internal politics.” (page 10)
- “The problems that exist in the Esquimalt department are not unique but the degree to which they exist is readily apparent and damaging. The literature of policing is filled with accounts of internal friction, unhealthy organizational cultures, unsatisfied career goals, unappreciated employees and the like ...The audit team believes that the perceived problems of the EPD are indisputable and must be addressed.” (page 10)
- “It is not the responsibility of the Police Commission to implement improvements in the organizational culture. The responsibility falls to the Police Board and to the EPD. A significant barrier to implementing change may be the subculture inspiring the EPD organizational culture.” (page 10)
- “Throughout the audit, concerns of favouritism, inconsistent discipline, unethical behaviours, and a lack of clearly stated goals were related to the audit team. Department morale is indicative of the poor working climate resulting from these concerns. The audit team examined the possibility of views being projected by a small, disgruntled group but found the frequency of these comments ruled this out. This leads the audit team to believe that perceptions and concerns should be addressed.” (page 32)
- “Opportunity for Improvement #34. That the Esquimalt Police Board cause leadership practices within the EPD to be reviewed.” (page 34)

1998 – 20/20 Insight – Organizational Survey, Special Confidential Report for Esquimalt Police/Fire Department (conducted by Thomas-Blaney Consulting Services)

1999 – 20/20 Insight – Special Confidential Report for Esquimalt Police/Fire Department (conducted by Results Performance Management, Inc.)

These reports were commissioned by the EPD as a consequence of the findings of the 1998 BCPC Audit Report. Both reports were based on organizational surveys conducted at the department. These reports are largely comprised of a series of charts illustrating the findings from the survey. Although little written

analyses of the findings were evident in the reports, the following statements were made in the 1998 document:

- “RESULTS: According to the ratings, the organization does several things well: for example, having an Open Door policy, communicating pertinent information in a timely fashion, having good working relationships between police, fire and civilian components of the organization, working with a Community Policing Philosophy, and making fair and equitable decisions.”
- “There are concerns about the Performance Appraisal system, having clear direction from the Police Board, giving appropriate direction and supervision to people needing development, expecting and rewarding high ethical behavior, having adequate resource deployment in the office, providing adequate training and training that is supportive of staff members’ professional development goals.”

Comments from participants in both the 1998 and 1999 surveys identified a number of problems revealed in earlier reports concerning the EPD.

1999/2000 – *Quality of Working Life Initiatives, Esquimalt Police & Fire Department* (conducted by Tom Rippon).

This study was commissioned as a consequence of the findings of the 20/20 Insight reports in which some problems with gender issues had been identified. Quality of Working Life (QWL) is defined as incorporating “the physical, psychological, emotional and spiritual health of employees. It is based on a sense of self-esteem, opportunity for personal and professional growth, safety for self and others, and a social support network.” QWL assessments took place in the department and included a survey and meetings with individuals and platoons.

The study identified three “nexus points” of concern for the department: trust, delegation and communication.

Selected comments from the Quality of Working Life Report:

- “Two sources were identified that decreased QWL. One was the negative behavior of a select few individuals and the second was organization-motivated policies, procedures and operating practices...Integral to resolution is a renewed sense of trust.” (page 2)
- Employees of the Esquimalt Police Department “seek the opportunity to become involved in the decision-making process and the delegation of authority. To this extent, they feel frustrated because they perceive unfairness in the decision process that affects their QWL. Key to this perception is a sense of a lack of trust.” (page 4)

- QWL initiatives that management can take include: “Communicate with personnel on an informal basis. There is an appreciation that in the past there may have been some favoritism. As a result, senior management has elected not to associate with personnel on an informal basis, such as coffee breaks. Equal positive response of associating with members will improve QWL better than equal negative response of not associating with any member.” (page 9)
- “There is a perception that trust has been eroded and the only means left to resolve problems and conflicts, however small, is through formal adversarial union/management avenues. Without trust all else fails...” (page 13)

CONTEXT

As revealed in the review of previous reports concerning the EPD, a number of problems have plagued the department for many years. In short, these issues include leadership, communication, labour-management relations, as well as concerns around discipline, ethics and favouritism. Even though the EPD has worked hard over the past number of years to resolve issues around discipline, ethics and favouritism, a recent escalation in contentious labour-management relations within the department has occurred, contributing to the request for this review to be conducted. It is important to note that the difficulties in labour-management relations currently being experienced in the EPD are not occurring in a vacuum. In fact, the evolving nature of the relationship between contemporary police associations and police leaders has recently been a topic of discussion among the Canadian Police Association, the Canadian Association of Police Boards, and the Canadian Association of Chiefs of Police.

A number of studies have explored the scope of labour-relations issues and the changing nature of the relationship between police boards and their employees. What follows are selected passages from two reports that have addressed these issues; one report provides a national perspective, while the other focuses on the BC experience. These passages are provided here to inform the presentation of the findings and analyses in Part 3.

2001 – *Strategic Human Resources Analysis of Public Policing in Canada*, The Canadian Association of Chiefs of Police and the Canadian Police Association (conducted by PricewaterhouseCoopers)

- “In a period of significant change, conflicts are more likely to arise when there is relatively little communication or consultation on the most appropriate measures an organization might adopt to cope...” (page 87)

- “While the specific issues of concern to labour have varied over time, the quality of labour management relations depends heavily on their ability to resolve whatever issues arise to the mutual satisfaction of both parties. Many interviewees cited poor communication as the biggest contribution to adversarial labour relations. Some police services have implemented specific measures designed to improve communications between labour and management. The most notable example is the establishment of a forum for communications in which the parties can discuss and potentially resolve issues of mutual concern outside of the formal collective bargaining process.” (pages 87-88)
- “Merely establishing a communications link or forum is not enough, however, when the nature of the communication is not likely to result in a solution that resolves the issues to the satisfaction of both parties. With its para-military heritage and the battlefield expectation of unquestioned obeying of orders often extending to even less dangerous circumstances, police services have been relatively slow to move to more joint and consultative methods of decision making. Concerns over “who is running this police service” betray something of an antiquated view that labour relations is a power struggle in which one or the other side is the dominant maker of decisions.” (page 88)

1994 – *Closing the Gap, Policing and the Community*, Commission of Inquiry, Policing in British Columbia (conducted by the Honourable Mr. Justice Wallace T. Oppal)

- “Police officers surveyed by the Inquiry frequently expressed unhappiness with board members’ insensitivity to the working lives of the police. This was illustrated through a variety of circumstances. The most frequent complaint was the aloofness and remoteness of police board members.” (page B-77)
- “Some police respondents regarded the police board as too secretive. Union officers did not think that their police boards were being entirely forthcoming. The union would have liked the police board to open up the books and share information. The union thought that it always had to fight, even for reasonable demands.” (page B-77)

PART 2 – METHODOLOGY

Three major sources of information were identified for the purposes of conducting the EPD police/management review: interviews, questionnaires and a review of documentation. All tools were developed by PSD staff in consultation with the contractor, reference to the *Provincial Standards for Municipal Police Departments in British Columbia*, examination of existing documentation concerning the EPD, and an evaluation of previous audits conducted by the BCPC.

Interviews

At the request of PSD, the current Chief Constable provided the review team with a list of all members of the department (including a list of those on secondment and those who had recently left the employment of the EPD) and of present and past members of the police board.

Interviewees were chosen on the basis of a stratified random sample. Some individuals (such as the Chief Constable, Deputy Police Chief, Deputy Fire Chief, Sergeants, and current police board members) were chosen for an interview based on the position that they held with respect to the department. The remaining interviewees were selected randomly for inclusion in the interview sessions.

A total of 52 interview subjects participated in the review. Overall, 35 interviews with sworn members, nine interviews with past or current police board members, six interviews with civilian staff and two interviews with police managers were conducted. An opportunity to participate in the review process was extended to those individuals not selected for a formal interview.

The interviews consisted mainly of a series of open-ended questions, although some scaled questions were included. Unique sets of questions were used according to the group to which the interviewee belonged, i.e., sworn member, police board member, police manager, and EPD union executive. Interview questions covered a range of questions including, for example, strategic planning, communication, performance evaluation, morale, senior management, police union, police board, and working relationships.

One interview was conducted via email while the other interviews were physically conducted at the police department, generally in the main boardroom. One review team member conducted the interview, while the other team members recorded the responses. Two methods of recording the interviews were utilized to ensure the integrity of the findings (i.e., typing the substance of the responses into a laptop computer and handwriting notes from the interviews).

Interviewees were guaranteed that their responses would be anonymous, but not confidential. In other words, although interview participants are not identified by name within this report, their response are aggregated and discussed by the group to which the interviewee belonged. The responses from the interviewees are described in the findings below as follows:

- *Police managers*: Includes the current Chief and Deputy Police Chief. Notably, although the Deputy Fire Chief would intuitively be included in the police manager category, his classification as “Staff Sergeant” is under the jurisdiction of the Collective Agreement between the Esquimalt Police Board and the Esquimalt Police Union. Consequently, the Deputy Fire Chief’s responses are included in the category of sworn members.
- *Sworn members*: Includes all sworn members interviewed who are not police managers.
- *Civilian staff*: Includes all civilian staff interviewed.
- *Police Board members*: Includes all current and past members of the Esquimalt police board interviewed.

Questionnaires

Questionnaires were distributed to each of the five platoons and special unit sections. Generally, the review team distributed the questionnaires at shift change and collected them upon completion.

Of the sworn members available to complete a questionnaire, 37 did so. Some questionnaires could not be completed due to vacation time, maternity leave or secondments.

The questionnaire consisted of 30 questions covering a variety of topics such as morale and job satisfaction, leadership, organizational planning, structure and staffing initiatives, and discipline/harassment.

Other Sources of Information

In addition to the interviews and questionnaires, the review team also examined a number of other sources of information including the following:

- Previous audits of the EPD conducted by the BCPC.
- EPD Police Board Minutes (January 1998 – March 2002).
- In-camera EPD Police Board Minutes (January 1998 – February 2002).

➤ Documentation provided by the EPD:

- *Esquimalt Police/Fire Department, Five Year Strategic Plan, 2000 – 2004*
- *Appendix “A” – Vision, Mission, Values that Guide*
- *Appendix “B” – Training Mission and Objectives*
- *Appendix “C” – Training Plan*
- *Appendix “D” – Technology Plan*
- *Employee Performance Appraisal Forms, Esquimalt Police Department*
- *Esquimalt Police Department, 2001 Goals and Objectives*
- *Esquimalt Police Department, 2000 Goals and Objectives*
- *Esquimalt Police Department, Section 42 Audit, Opportunities for Improvement – Action Plan*
- *Collective Agreement between the Esquimalt Police Board and the Esquimalt Police Union*
- *Correspondence between the Chair of the Police Board and the EPD Police Union concerning Esquimalt Police and Fire Morale*
- *Email correspondence between sworn members and the EPD Police Board (via the Chief Constable)*
- *20/20 Insight – Organizational Survey (October 1998), by Cheryl Blaney, President, Thomas-Blaney Consulting Services*
- *20/20 Insight – Organizational Survey (October 1999), by Cheryl Blaney, President, Results Performance Management Inc.*
- *Quality of Working Life Initiatives, Esquimalt Police/Fire Department, Executive Summary, by Tom Rippon*

➤ Documentation provided by the Esquimalt Police Union:

- *Various correspondence between the Esquimalt Police Union and the Chair of the Esquimalt Police Board and/or Police Board Members*
- *Various correspondence between the Esquimalt Police Union and the current Chief Constable and/or Deputy Police Chief*

➤ Documentation received from other sources:

- *Esquimalt Police and Fire Department: Strategic Plan Working Group Action Plan, by Ingrid Pipke, May 1, 1996*
- *Press clippings*
- *Community Information, Separation of Police/Fire Services, Corporation of the Township of Esquimalt, January 29, 2001*
- *Fire Protection Community Update, Township of Esquimalt, July 2001*
- *Community Information: Separation of Police/Fire Services, Corporation of the Township of Esquimalt, January 29, 2001*
- *Media Release, The Esquimalt Council and Police Board Announce the Separation of the Municipality’s Police and Fire Services, February 2, 2001*

- *Final Report: Separation of Police/Fire Services Study, Township of Esquimalt*, by IAO Municipal Consulting Services, October 20, 2001
 - *Report of Citizens Openness Committee, Esquimalt Police/Fire Services Review*
 - Employee Agreement between the Esquimalt Municipal Police Board and Deputy Chief Constable Grant Smith, December 1, 2001 to November 30, 2006
 - Employee Agreement between the Esquimalt Municipal Police Board and Chief Constable Norm Simmons, January 1, 2001 to August 31, 2003
- Telephone interview with Tom Rippon.
- Telephone interview with Cheryl Blaney.
- Brief review of the Esquimalt Police Department policy and procedures manual and its compliance with the *Provincial Standards for Municipal Police Departments in British Columbia*.

The review team conducted the interviews and distributed the questionnaires at the EPD during February and March 2002, over a six-week period. Collection and analysis of other information was ongoing during February and March and continued through April 2002.

The results of the interviews, questionnaires and other sources of information have been incorporated into the discussion of findings and analysis contained in Part 3.

PART 3 – FINDINGS AND ANALYSIS

The purpose of this section of the report is to describe and discuss the issues revealed during the review. Only those issues that the review team considered to be major in scope are discussed below. These issues include leadership, morale, communication and workplace harassment.

During the interview and questionnaire process, respondents provided a large amount of information and expressed many ideas, opinions and feelings to the review team. Even though a number of documents were provided to the review team, much of the information collected involved personal perceptions and anecdotal evidence. It was not the role of the review team to judge the veracity of the information provided; rather, much of the analysis focused on identifying consistent responses and impressions. It is important to stress that the findings outlined below are largely based on the views of the respondents as expressed to the review team. The most significant finding of the review was the consistency of the responses provided. The review team believes that this finding is a reflection of the strongly entrenched positions held by the various respondent groups (i.e., the sworn members, police managers and police board members).

Due to the nature of the review, some concern was expressed to the review team that the findings would be influenced by the comments of a few disgruntled employees. The review team was also cognizant of the fact that feelings were running high at the time the study was conducted due to the controversy surrounding the police/fire split. Nevertheless, the results of the review clearly indicated a large consensus of views with respect to the major issues identified below. Moreover, the review team believes that the overall findings are of sufficient concern to prompt the recommendations contained in Part 4 of this report.

Leadership

It is important to note that this review is not solely a “leadership review” of the current police managers of the EPD, a misconception that was repeatedly conveyed to the review team and reported in the local media. From the outset of the study the review team interpreted the issue of leadership broadly. As such, all bodies that govern or lead policing at the EPD were included in the analysis of leadership. These bodies included the current police managers, the EPD police board and the EPD police union. It was fundamental to the integrity of the review that all groups were asked similar questions and subjected to equal scrutiny.

The Leaders

For the purposes of this report, the police managers include the current Chief Constable and the current Deputy Police Chief. As previously discussed, the Deputy Fire Chief is not included in this discussion largely because his position is classified as a “Staff Sergeant” under the Collective Agreement.

The current Chief Constable

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The current Deputy Police Chief

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In addition to being the department’s disciplinary authority, the Deputy Police Chief is responsible for operations, human resources, and assisting with the development of the department budget. He is also responsible for strategic planning and developing the goals and objectives for the department in consultation with the Chief Constable and the police board.

The current and past police board members interviewed for the purposes of this report came from a variety of backgrounds. All indicated a genuine interest in their community and police department. Five of the police board members had attended training sessions provided by the BCPC (and by Police Services Division subsequent to revisions to the *Police Act*). With the exception of one board member, all stated that they had a clear understanding of their roles and responsibilities as police board members.

At the time of the review, the EPD police board had only three members, as two had recently resigned. It is important to note that the findings discussed below do not necessarily apply to all board members as the EPD police board had undergone a significant turnover of members during the past few years.

The EPD police union is well established within the department. Meetings are regularly scheduled and attended. The union executive includes the positions of President, Vice President, Secretary and Treasurer. The current union president has been in his position since January of 2000. He replaced a long serving president who retired from the police department.

Interview and Questionnaire Results

All interviewees were asked a series of questions with respect to the leadership provided by the police managers, the police board and the EPD union executive.

Interview results revealed that the current police board members were confident in the leadership provided by the current Chief Constable and the Deputy Police Chief. They also believed that the sworn membership was satisfied with the leadership provided by the current Chief during the time he was Deputy Police Chief and Acting Chief Constable.

Interview results revealed that both police managers were highly confident in the leadership provided by both the present and past members of the EPD police board.

Notably, both the police board and police manager interview results indicated that many of these interviewees

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In contrast to the interview findings for the police board members, results from the sworn member interviewees

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However, the majority of sworn members and civilian members felt that their union provided strong leadership and was responsive to the needs of the membership.

The disparities in the findings for the police board/police managers and the sworn member interview groups are illustrative of the overall differences of opinion apparent between these groups that were revealed throughout the review.

The questionnaires contained a number of inquiries concerning the Chief Constable, the police board and the police union. It is important to note that the questionnaires were only circulated to sworn members and therefore the findings are based on that respondent group.

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The questionnaire circulated to the sworn members during the course of the review process did not contain any specific questions with respect to the Deputy Police Chief. Consequently, no questionnaire data are available.

Review Team Observations

Despite the findings of previous reviews of the EPD in which trust was identified as an issue,

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s.22 The apparent lack of a formalized “introduction” for board members to the department may have contributed to this situation. It may also in part be attributed to the fact that some police board members did not attend police board training or that the training itself was insufficient.

In February 1999, an email sent from the EPD police board stated that the board “needs to maintain an arms-length relationship with the employees of the Police/Fire Department. We therefore must decline invitations from individual members...for such things as Christmas celebrations, lunch, drinks, etc. We are happy as Board Members to attend all official group functions...” The email was interpreted by the sworn members as meaning that they should not have any contact with the police board. The fact that the email was sent from the Chief Constable rather than directly from the police board heightened the response from the membership. The negative force of the email on the sworn members’ perception of the police board cannot be overstated.

The EPD police board did not agree to a request from the EPD union to meet without the presence of the Chief Constable and the Deputy Police Chief. As a consequence, the view of the sworn members that the board relied solely on the Chief Constable for its information was reinforced. Some police board

interviewees stated that they did not agree to meet with the EPD union separate from the police managers because they believed that the union wanted to meet to discuss issues around the police/fire split. The board did not realize that the request from the union signalled a major problem within the department; consequently, the board missed an opportunity to speak to EPD union directly.

The police board did not act on the recommendation put forth in the 1997 BCPC audit to have the leadership practices within the EPD reviewed. Many police board members believed that the leadership review had been accomplished through the appointment of new police managers, others noted that there had been few complaints about the leadership of the department until the police/fire split was underway. Regardless, the 1997 BCPC audit recommendation was not followed and the department has not benefited from this oversight.

Interview results indicated that the police board members believed that the sworn membership of the department had been kept fully informed by the Chief Constable – to the extent that they could be – of the activities of the police board. It became apparent during the course of the review that this may not have always been the case. For example, during the interview sessions it was evident that sworn members had not been officially informed of the recent departure of two of the police board members.

A review of the documentation revealed that the EPD union attempted to bring its concerns forward to the police board. However, it has not regularly attended police board meetings during the recent past. The review team believes that the union executive needed to ensure that an observer was present at the police board meetings, notwithstanding the fact that portions of the meetings were often conducted in-camera.

Interview results with union executive members revealed that there is a perception amongst many (but not all) that when a new Chief Constable is recruited most of the problems the EPD is currently experiencing will be resolved. The review team believes this is a narrow view of the situation. Difficulties between the police managers and the EPD union have long been present, as illustrated in the findings from previous reports concerning the department.

Review Team Conclusions

According to most of its membership, the EPD provides excellent service to the community; as such, the Chief Constable and the Deputy Police Chief deserve credit for this achievement. Moreover, both police managers should be commended for the respect and trust they elicit from the current EPD police board.

The review team is of the opinion that the police managers appear to have managed the EPD budget well and have succeeded in many respects in bringing

a higher level of professionalism to the department through measures addressing discipline, ethics, performance appraisals, favouritism and recognition. In particular, the Deputy Police Chief has brought the department forward through his attention to strategic planning and policy development.

Despite these successes, however, the review team identified a number of outstanding issues around the leadership provided by the police managers:

- The s.22 has an arm's length relationship with his members and has been unable to foster an atmosphere of trust and respect.
- The s.22 decisions in the operational areas of the department were often questioned by the membership.
- The s.22 appears to have tried to resolve outstanding problems through strategic planning and goal setting for the department. While the review team acknowledges the importance of these management tools, it is of the opinion that the department required more management direction on a day-to-day basis.
- s.22 appeared to blame, at least in part, the department's low morale and obvious discord on the controversy surrounding the police/fire split. It is the opinion of the review team that the problems at the department ran deeper than the police/fire split and required more decisive and clear action from the police managers.

The review team believes that the culture of the EPD, revealed through the series of reports discussed above, has contributed to the current difficulties the police managers are experiencing. s.22

s.22

The EPD police board has undergone a great deal of change in the past number of years. Members have come and gone and the issues have become more complex and controversial, particularly around police/fire split. Police board members in BC are given some training upon appointment, but the training may not be sufficient to cope with the current state of labour-management relations prevalent in many police forces today.

The review team is of the opinion that while the board believed it has done the "right things" for the membership, it has not consistently consulted with others outside of the police executive. In some respects, it appears that the negative fall out from the police/fire split has served to reinforce the perception that the board members should have little contact with the members. The review team

concludes that this has served to further entrench the “us versus them” mentality that is so pervasive at this time in the EPD.

The increasing adversarial relationship between the police managers/police board and the EPD union has coloured all issues raised following the announcement of the police/fire split. The perception by some interviewees that the union has exercised too much power and control over issues in the past has contributed to the current situation.

The very public and increasingly hostile fight over the police/fire split has not served the EPD union well. The review team concludes that while the union justified its actions based on the argument that the union only wanted a fair hearing of all the issues involved, it contributed to politicizing the controversy and helped to create an adversarial relationship between the membership and the police managers/police board.

Morale

Interview and Questionnaire Results

Police managers, police board members and civilian interviewees were asked during the interview sessions about morale at the EPD. All seemed to be aware that morale at the EPD was low. Many interviewees attributed this situation to the controversy around the police/fire split.

The questionnaires contained a number of inquiries concerning morale within the department. It is important to note that the questionnaires were only circulated to sworn members and therefore the findings are based on that respondent group. The questionnaire results confirmed the interview findings.

Review Team Observations

Morale is extremely low at the EPD. The review team believes that this is a consequence of a combination of the lack of confidence in the leadership of the department, poor communication (particularly around the police/fire split) and historical issues (“baggage”) that continue to play themselves out during periods of high stress in the department.

In recent years the police managers have attempted to boost morale through such actions as new dress uniforms, recognition awards, formal presentations and regimental mess dinners. Unfortunately, these initiatives have not always been successful. The review team is of the opinion that many of the police managers and police board members do not recognize the depth of the morale problem in the department. Some interviewees believed that the morale problem stemmed from the police/fire split. The review team believes that the split exacerbated already low levels of morale within the department.

Review Team Conclusions

A review of previous reports concerning the EPD revealed that low morale has often been an issue for the department. This is true of many police forces and is not unique to the EPD. However, the lack of morale reported by sworn member interviewees was remarkable and disturbing.

The review team concludes that there is little evidence to suggest that morale within the department will improve under the current management structure.

Communication

Interview Results

All interviewees were asked during the interview sessions about communication at the EPD. Sworn member interviewees all noted a lack of communication from both the police managers and the police board. In contrast, most police board members and police managers were confident that pertinent information was communicated to the sworn members in a timely and appropriate fashion.

Review Team Observations

Communication problems between the membership and its police leadership have long been documented at the EPD. The current police managers largely communicate with their members through email messages. On occasion a larger strategic planning meeting is held, but rarely does the department meet as a whole or by platoon with the Chief and Deputy Police Chief to discuss outstanding issues.

Perhaps the clearest example of communication difficulties within the department was apparent in the management of the information around the police/fire split. Interview results reveal that sworn members were angered by the manner in which the split was communicated. Notwithstanding the need for confidentiality in the discussions around police/fire split process, more communication from the police managers and the police board was warranted, if only to inform the sworn members of the reasons why they could not be provided with more detailed information.

Review Team Conclusions

Previous reports concerning the EPD reveal that communication has also long been a problem for the department. The review team concludes that the lack of communication at the EPD at this time has contributed to the difficulties the department is currently experiencing.

Ethics and Workplace Harassment

Interview and Questionnaire Results

Interview and questionnaire results revealed that for a significant portion of the EPD membership, harassment – particularly sexual harassment – is an ongoing problem. Questionnaire data revealed that s.22 of 37 sworn members had been the victims of harassment in the department. s.22

s.22

Interview results reveal that some s.22 members do not believe that the department will ensure that their complaints of sexual harassment will be properly investigated. Distrust in the ability of the department to handle the incidents discretely was most often cited as the reason why s.22 members did not officially report the occurrences of harassment.

Review Team Observations

Despite a sexual harassment policy, some interviewees reported allegations of inappropriate sexual behaviour. Extensive interview data was collected during the course of the review on the topic of general harassment (in the form of graffiti and inappropriate comments), sexual harassment (largely issues of touching and propositions), and ethical standards. It was revealed that the department had attempted to address some of these concerns through a course in ethics provided to department members, and the development of a substantial harassment policy. Many interviewees reported that the ethical standards of the department have improved greatly over the last number of years. However, reports from interviewees indicated that for some members, sexual harassment continues to occur and is often not reported.

Review Team Conclusions

The review team concludes that disturbing reports of sexual harassment, and the lack of trust in the department to deal discretely and appropriately with the incidents, has contributed to low morale for many female officers. Similar to many of the other major issues discussed in this report, these types of inappropriate behaviours have historically been present at the EPD.

Overall Review Team Conclusions

The current police managers and police board have implemented a number of changes within the EPD to address deficiencies identified in previous BCPC audits and consultants' reports. These include measures around strategic planning, performance evaluations, discipline, recognition, systems initiatives, and equipment. Some of the changes have proved beneficial to the department and were met with general acceptance by the members. Other measures, however, were met with less success and continue to present problems for the department.

The current police administration has attempted to bring the EPD to a higher level of professionalism. However, the manner in which the police managers and the police board communicated change did not improve what was already a difficult work environment. As a consequence, the morale of sworn members decreased, police managers and police board members became increasingly distanced from the sworn members, and other counterproductive behaviours, long prevalent at the EPD, became more deeply entrenched. Difficulties in labour-management relations around the police/fire split continue in the department and are likely to continue until the process is completed.

The review team concludes that the EPD has evolved into a poisonous work environment that cannot recover from the impact of the problems it is currently facing.

PART 4 – RECOMMENDATION

Major Recommendation: *That the Esquimalt Police Department is amalgamated with the Victoria Police Department.*