

**MINISTRY OF JUSTICE
POLICE SERVICES DIVISION
BRIEFING NOTE**

PURPOSE: For **INFORMATION** for the Honourable Suzanne Anton, Attorney General and Minister of Justice.

ISSUE: Anticipated late July, 2015, announcement regarding the City of Richmond's launch of a public engagement process to consider transition from RCMP policing model to an independent police force.

SUMMARY:

- The City of Richmond has requested that the Ministry of Justice review and approve its request to transition to an independent police force.

s.13

SUGGESTED RESPONSE:

- It is the Minister's responsibility under the Police Act to ensure adequate and effective policing is in place across the province for the safety of British Columbians.
- The City of Richmond signed the RCMP Municipal Unit Agreement which ensures they have effective policing in place, as required by the Police Act, while they consider their future plans.
- It has always been an option for municipalities to consider another policing option. The Police Act allows policing alternatives which includes policing provided by the provincial force, the municipality having its own police force, or contracting with an adjacent independent police force.
- The Provincial government continues to respond to the increasingly cross-jurisdictional nature of crime by taking a leadership role in the integration of police services and working with police agencies on the consolidation and integration of services throughout the province.
- Integration helps communities stretch their policing budgets by giving their police access to sophisticated equipment and expertise, and is supported by the BC Association of Chiefs of Police, including the RCMP.

- As a member of the Lower Mainland Integrated Teams Advisory Committee, the provincial government is committed to working collaboratively with Committee members to address issues related to governance and cost sharing of integrated teams.
- The Lower Mainland Integrated Teams Advisory Committee is in the process of forming a Working Group with the mandate to develop a governance structure for Lower Mainland Integrated Teams.
- The provincial government is looking forward to participating on the Working Group and to working collaboratively with Working Group members to identify an effective governance structure for integrated teams.

BACKGROUND:

- Under the Police Act, part 2, section 3 (2) a municipality with a population of 5,000 or more persons must provide policing and law enforcement in accordance with the Act by choosing one of the three options:
 - "Establishing a municipal police department;
 - Entering into an agreement with the minister under which policing and law enforcement in the municipality will be provided by the provincial police force; or
 - With the approval of the minister, entering into an agreement with another municipality that has a municipal police department under which policing and law enforcement in the municipality will be provided by the municipal police department of that municipality."¹
- In 2007, the City of Richmond contracted Perivale and Taylor consulting to review the characteristics of a well-functioning police service.
- In 2012, the Richmond City Council requested the Vancouver Police Board to provide assistance into analyzing the transition to an independent police service, providing the Council with a detailed analysis entitled "Estimating Police Costs for the City of Richmond".
- The City of Richmond has indicated that they also proposed establishing an independent force to former Solicitor General, John Les (June 2005 to April 2008); however, he rejected the proposal on the grounds that it would create policing silos and undermine policing integration.

¹ Police Act, Part 2, Section 3 (2)

- Since meeting with Minister Suzanne Anton (the Minister) in March 2015, the City of Richmond has made known their intention to simultaneously announce at the end of July, 2015, a community consultation process, as well as release a new report, not yet shared with the Ministry of Justice.
- North Vancouver has also conducted research into studying policing alternatives but at this time has opted to maintain the Municipal Police Unit Agreement (MPUA) with the RCMP.
- For Richmond's proposal to be viable, it will need to clearly demonstrate how the new force will be fully integrated into the region, to avoid the "silo effect" as was the former Solicitor General's concern.

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- The Richmond RCMP detachment currently has 200 uniformed members, with 27 additional members posted to the Vancouver International Airport and additional members posted to Green Timbers.² Approval of Richmond's request will assist to alleviate the current RCMP vacancy pressures.
- The MPUA termination provision, stipulates that 1) the Agreement may be terminated on March 31 in any given year and that the Municipality must provide 25 months of notice prior to the date of the intended termination.
- The earliest date the City of Richmond could terminate their MPUA is March 31, 2018.

OTHER MINISTRIES IMPACTED/CONSULTED:

- None at present.

² Proposal for the Future Model for Police Services. March 2015, pg. 2

Prepared by:

Rachel Foisy
Research and Policy Analyst
Policing and Security Programs
(250) 953-3441

Recommended by:

Kimberley McLean
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Approved by:

Perry Clark
Executive Director
Policing and Security Programs
(250) 356-8146

Approved June 25, 2015 by:

Clayton Pecknold
Assistant Deputy Minister
And Director, Police Services
Policing and Security Branch
(250) 387-1100

From: Sitter, Donna GCPE:EX
To: McLean, Kimberley M JAG:EX
Subject: As discussed:
Date: Tuesday, July 7, 2015 2:37:08 PM

Spoke to Ted Townsend at Richmond. Latest is:

Report goes to Council in-camera on Monday, July 20th.

I will call him on the 21st to see if the schedule has changed. But so far the plan is:

Friday, July 24th - report will be posted on the city website and they will issue a NR and hold a briefing with key media.

Monday, July 27th - Report goes to Council. Possibly bigger media briefing at that time.

Ted says they will share materials ahead

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Prepared by:
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Recommended by:
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Approved by email, June 19, 2015

Approved by:
Sandra Sajko
Executive Director
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Executive Director
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(250) 356-8146

Approved by:
Clayton Pecknold
Assistant Deputy Minister
And Director, Police Services
Policing and Security Branch
(25) 387-1100

O'Neill, Jennifer L JAG:EX

From: McLean, Kimberley M JAG:EX
Sent: Friday, June 19, 2015 10:25 AM
To: Foisy, Rachel E JAG:EX
Subject: please shrae the bn with donna after youmake those changes and then move it along for cp aprpval.

Perry should sign off too.

O'Neill, Jennifer L JAG:EX

From: McLean, Kimberley M JAG:EX
Sent: Friday, June 19, 2015 10:24 AM
To: Foisy, Rachel E JAG:EX
Subject: DRAFT - Information-BN-Richmond Announcement vs 2 docx (2)
Attachments: DRAFT - Information-BN-Richmond Announcement vs 2 docx (2).docx

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OTHER MINISTRIES IMPACTED/CONSULTED:

- None at present.

Prepared by:

[Name] :
[Title] :
Policing and Security Programs
[Phone Number]

Approved by:

[Name]
[Title]
[Branch]
[Phone Number]

Attachment(s)

[As referenced in the Note.]

² Proposal for the Future Model for Police Services. March 2015. pg. 2

O'Neill, Jennifer L JAG:EX

From: McLean, Kimberley M JAG:EX
Sent: Friday, June 19, 2015 10:22 AM
To: Foisy, Rachel E JAG:EX
Subject: RE: Draft - Richmond BN for review

They may just have asked him..

s.13

From: Foisy, Rachel E JAG:EX
Sent: Thursday, June 18, 2015 1:41 PM
To: McLean, Kimberley M JAG:EX
Subject: Draft - Richmond BN for review

Hi Kimberley,

Have updated the Richmond BN to include the bullets from Sophie and have updated the date to reflect the anticipated end of July announcement.

There are two things still highlighted, the first being s.13 – Allison very kindly did a cliff search for me and she couldn't find anything as did Katrina – their guess is that it was likely marked as confidential and as such only a select few have access to it. Do you want me to check with Nicole? The second highlighted area was regarding s.13
s.13

I am here all week next week to work on this if you need me to.

Cheers,

Rachel Foisy

Research/ Policy Analyst

Policing and Security Branch | Ministry of Justice

10th Floor, 1001 Douglas St | PO Box 9285 Stn Prov Govt | Victoria | BC V8W 9J7

Phone: 250 953-3441

O'Neill, Jennifer L JAG:EX

From: McLean, Kimberley M JAG:EX
Sent: Tuesday, June 16, 2015 2:10 PM
To: Foisy, Rachel E JAG:EX
Subject: FW: Police Study References
Attachments: CITYHALL-#4610650-v2-Police_Study_References.DOC

For the Richmond e-file

From: Carlyle, Phyllis [<mailto:PCarlyle@richmond.ca>]
Sent: Tuesday, June 16, 2015 2:02 PM
To: McLean, Kimberley M JAG:EX
Subject: Police Study References

Hello Kimberley

When we met you requested a list of studies that the City has been referred to while examining its policing models.

Attached is an excised list and you will note from the age of some of the references that the City has been engaged in this area for some period of time. I have removed the references to your Ministry's studies, papers, etc.

Please do not attribute this information to us as it is in draft form. Rather the attachment is provided for your assistance, although no doubt you are familiar with likely all of the work.

Please let me know if I can assist further.

Phyllis

Phyllis Carlyle
General Manager Law & Community Safety
The City of Richmond 6911 No. 3 Road, Richmond, B.C. V6Y 2C1
Direct 604-276-4104

This email and its attachments are intended solely for the personal use of the individual or entity named above. Any use of this communication by an unintended recipient is prohibited. If you receive this email in error please delete this message and its attachments. Thank you for your co-operation.

Police Study References

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O'Neill, Jennifer L JAG:EX

From: McLean, Kimberley M JAG:EX
Sent: Tuesday, June 16, 2015 11:11 AM
To: Foisy, Rachel E JAG:EX
Subject: FW: governance of integrated teams

Tell me if I don't need to tell you to add this to your note on the Richmond subject.

From: Mas, Sophie B JAG:EX
Sent: Tuesday, June 16, 2015 10:16 AM
To: McLean, Kimberley M JAG:EX
Cc: Sitter, Donna GCPE:EX; Foisy, Rachel E JAG:EX; Engleder, Christal JAG:EX
Subject: RE: governance of integrated teams

Hi Kimberley:

Here are a few bullets:

- The provincial government continues to respond to the increasingly cross-jurisdictional nature of crime by taking a leadership role in the integration of police services and working with police agencies on the consolidation and integration of services throughout the province.
- Integration helps communities stretch their policing budgets by giving their police access to sophisticated equipment and expertise, and is supported by the BC Association of Chiefs of Police, including the RCMP.
- As a member of the Lower Mainland Integrated Teams Advisory Committee, the provincial government is committed to working collaboratively with Committee members to address issues related to governance and cost sharing of integrated teams.
- The Lower Mainland Integrated Teams Advisory Committee is in the process of forming a Working Group with the mandate to develop a governance structure for Lower Mainland Integrated Teams.
- The provincial government is looking forward to participating on the Working Group and to working collaboratively with Working Group members to identify an effective governance structure for integrated teams.

Christal: anything you would add or change?

Sophie

From: McLean, Kimberley M JAG:EX
Sent: Friday, June 12, 2015 3:54 PM
To: Mas, Sophie B JAG:EX
Cc: Sitter, Donna GCPE:EX; Foisy, Rachel E JAG:EX
Subject: governance of integrated teams

Hi Sophie – we are preparing notes for the Minister re Richmond's possible transition to an Independent Force. One of the key complaints of Richmond is the lack of a governance body for integrated teams. Could you please provide us with a few bullets about what is happening to change that situation, what the province has done to assist/facilitate, and next steps/timelines to completion? What should the Minister say in response to that Complaint? Many thanks, Kimberley

O'Neill, Jennifer L JAG:EX

From: McLean, Kimberley M JAG:EX
Sent: Wednesday, May 27, 2015 3:10 PM
To: Foisy, Rachel E JAG:EX
Subject: Re: DRAFT - Richmond Announcement Info BN

Super

Sent from my BlackBerry 10 smartphone on the Rogers network.

From: Foisy, Rachel E JAG:EX
Sent: Wednesday, May 27, 2015 6:01 PM
To: McLean, Kimberley M JAG:EX
Subject: RE: DRAFT - Richmond Announcement Info BN

Thanks and added the bullet re: current staffing and rcmp vacancy pressures in the version sent to Donna.

From: McLean, Kimberley M JAG:EX
Sent: Wednesday, May 27, 2015 2:16 PM
To: Foisy, Rachel E JAG:EX
Subject: Re: DRAFT - Richmond Announcement Info BN

Add something about the number of members there. And it will help alleviate rcmp vacancy pressures.

Sent from my BlackBerry 10 smartphone on the Rogers network.

From: Foisy, Rachel E JAG:EX
Sent: Wednesday, May 27, 2015 4:43 PM
To: McLean, Kimberley M JAG:EX
Subject: DRAFT - Richmond Announcement Info BN

Hi Kimberley,
Please find attached the first draft of the Richmond Announcement Info BN.
Cheers,
Rachel

O'Neill, Jennifer L JAG:EX

From: McLean, Kimberley M JAG:EX
Sent: Wednesday, May 27, 2015 1:59 PM
To: Foisy, Rachel E JAG:EX
Subject: Note
Attachments: DRAFT - Information-BN-Richmond Announcementkm.docx

Fabulous start. Merge and see my changes. I will think of other things to add but this is great start. Pls share with Donna. Tx Rachel. Well done. K

Sent from my BlackBerry 10 smartphone on the Rogers network.

**MINISTRY OF JUSTICE
POLICE SERVICES division
BRIEFING NOTE**

PURPOSE: For INFORMATION for the Honourable Suzanne Anton, Attorney General and Minister of Justice.

ISSUE: Anticipated s.13 announcement regarding the City of Richmond's s.13

SUMMARY:

- The City of Richmond has requested that the Ministry of Justice review and approve their request to transition to an Independent Police Force.

s.13

SUGGESTED RESPONSE:

- It is the Minister's responsibility under the Police Act to ensure adequate and effective policing is in place across the province for the safety of British Columbians.
- The City of Richmond signed the RCMP Municipal Unit Agreement which ensures they have effective policing in place, as required by the Police Act, while they consider their future plans.
- It has always been an option for municipalities to consider another policing option. The Police Act allows policing alternatives which includes policing provided by the provincial force, the municipality having its own police force, or contracting with an adjacent independent police force.

s.13

BACKGROUND:

- Under the Police Act, part 2, section 3 (2) a municipality with a population of 5000 or more persons must provide policing and law enforcement in accordance with the Act by choosing one of the three options:
 - Establishing a municipal police department;
 - Entering into an agreement with the minister under which policing and law enforcement in the municipality will be provided by the provincial police force;

- o With the approval of the minister, entering into an agreement with another municipality that has a municipal police department under which policing and law enforcement in the municipality will be provided by the municipal police department of that municipality."¹
- In 2007, the City of Richmond contracted Perivale and Taylor consulting to review the characteristics of a well-functioning police service.
- In 2012, the Richmond City Council requested the Vancouver Police Board to provide assistance into analyzing the transition to an independent police service, providing the Council with a detailed analysis entitled "Estimating Police Costs for the City of Richmond".

s.13

- Since meeting with Minister Anton (the Minister) in March 2015, the City of Richmond has made known their intention to simultaneously announce s.13 a community consultation process, as well as release a new report, not yet shared with the Ministry of Justice.
- North Vancouver has also conducted research into studying policing alternatives but at this time has opted to maintain the Municipal Police Unit Agreement (MPUA) with the RCMP.
- For Richmond's proposal to be viable, it will need to clearly demonstrate how the new force will be fully integrated into the region, to avoid the "silo effect" as was the Solicitor General's concern. s.13

s.13

- The MPUA termination provision, stipulates that 1) the Agreement may be terminated on March 31 in any given year and that the Municipality must provide 25 months of notice prior to the date of the intended termination.
- The earliest date the City of Richmond could terminate their MPUA is March 31, 2018.

OTHER MINISTRIES IMPACTED/CONSULTED:

- None at present.

Prepared by:
[Name] :
[Title] :
Policing and Security Programs
[Phone Number]

Approved by:
[Name]
[Title]
[Branch]
[Phone Number]

¹ Police Act, Part 2, Section 3 (2)

Cliff: XXXXXX
Date Prepared: Month XX, 201X

Attachment(s)
[As referenced in the Note.]

O'Neill, Jennifer L JAG:EX

From: McLean, Kimberley M JAG:EX
Sent: Tuesday, May 26, 2015 4:24 PM
To: Sitter, Donna GCPE:EX
Cc: Foisy, Rachel E JAG:EX
Subject: Re: Did you hear from richmond?

Thank you.

Sent from my BlackBerry 10 smartphone on the Rogers network.

From: Sitter, Donna GCPE:EX
Sent: Tuesday, May 26, 2015 6:53 PM
To: McLean, Kimberley M JAG:EX
Cc: Foisy, Rachel E JAG:EX
Subject: RE: Did you hear from richmond?

Hi - I just mentioned to Rachel that I received a message from Ted Townsend, Richmond City media relations person, saying council decided yesterday to move ahead with the initiative in June. He still doesn't have a date but figures mid-June. I'll follow up with him to see what they may be saying at the event.

From: McLean, Kimberley M JAG:EX
Sent: Tuesday, May 26, 2015 10:09 AM
To: Sitter, Donna GCPE:EX
Subject: Re: Did you hear from richmond?

Tx

Sent from my BlackBerry 10 smartphone on the Rogers network.

From: Sitter, Donna GCPE:EX
Sent: Tuesday, May 26, 2015 1:06 PM
To: McLean, Kimberley M JAG:EX
Subject: RE: Did you hear from richmond?

Not yet! I'll give him a ring soonest.

From: McLean, Kimberley M JAG:EX
Sent: Tuesday, May 26, 2015 9:59 AM
To: Sitter, Donna GCPE:EX
Subject: Did you hear from richmond?

Sent from my BlackBerry 10 smartphone on the Rogers network.

O'Neill, Jennifer L JAG:EX

From: Sitter, Donna GCPE:EX
Sent: Tuesday, May 26, 2015 3:54 PM
To: McLean, Kimberley M JAG:EX
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Sent from my BlackBerry 10 smartphone on the Rogers network.

O'Neill, Jennifer L JAG:EX

From: Sitter, Donna GCPE:EX
Sent: Tuesday, May 26, 2015 2:34 PM
To: Foisy, Rachel E JAG:EX
Subject: RE: Richmond RCMP

That'll be enough time

From: Foisy, Rachel E JAG:EX
Sent: Tuesday, May 26, 2015 1:42 PM
To: Sitter, Donna GCPE:EX
Subject: RE: Richmond RCMP

Sounds good! I have a meeting at 10:30 – not sure how long we will need?

From: Sitter, Donna GCPE:EX
Sent: Tuesday, May 26, 2015 1:24 PM
To: Foisy, Rachel E JAG:EX
Subject: Re: Richmond RCMP

Hi Rachel! Tomorrow at 10 am ok? I'm still trying to connect with the Richmond media fellow to see what happened at their council meet last night.

DS

On May 26, 2015, at 12:43 PM, "Foisy, Rachel E JAG:EX" <Rachel.Foisy@gov.bc.ca> wrote:

Hi Donna,

Kimberley has asked me to prep an info BN regarding the possible upcoming announcement on Richmond's request to form their own independent police force.

She has asked that I connect with you to work on a suggested response for the Minister and I was wondering if you would have any time this afternoon or earlier tomorrow morning to touch base?

Cheers,

Rachel