

Surrey Police Transition

Highlights:

- The Opposition has raised concerns about costs while acknowledging this is a city decision.
- On June 29, the appointment of seven Surrey Police Board members was announced. They join Mayor McCallum, who is the chair, and one member appointed by the City.
- On June 28, media reported on polling commissioned by the National Police Federation which suggested concern about the transition has increased. The poll was conducted in late April and framed the transition in relation to COVID-19 pressures.

Main message:

- My top priority is ensuring the safety and security of people in British Columbia.
- That's why our government has invested in public safety and crime prevention programs that target guns and gangs in Surrey—and all around BC.
- We've also worked with the Mayor and Council in Surrey, who are ultimately responsible for policing within their city.
- Two years ago, they voted unanimously to end their contract with the RCMP and transition to a municipal police force.
- We've always said the decision was Surrey's to make.
- The law in BC is clear: municipalities with populations over 5,000 people are responsible for decisions about police services in their communities.

- And the Opposition have acknowledged that this decision is up to the municipality. MLAs from Surrey-South and Surrey-White Rock wrote a FaceBook post: “

Copyright

Copyright

(July 6th)

- Our responsibility is to ensure any change is done in a way that prioritizes public safety.
- That’s what we’ve done and will continue to do.

If asked about increased policing costs

- To be clear: municipal policing is ultimately a municipal responsibility.
- And therefore, costs of municipal services are addressed by the municipalities.
- The member may want to take up their question with the city – which they’ve acknowledged is responsible for the decision.

Background:

- The next step in the transition will be for the board to hire a chief constable before beginning to hire officers. McCallum has noted he expects a significant period of overlap between the RCMP and the new force during transition.
- Full paragraph of the July 6th FaceBook post from MLAs from Surrey-South and Surrey-White Rock:
 - “We don’t want to comment on the merits of a municipal force over the RCMP or vice versa. We do want to say thank you to the men and women in uniform that keep us safe and contribute so much to our community. We respect that this is by statute, a municipal decision to move forward.”
 - Comments on costs of the transition: “... one thing is certain — it’s going to be a costly exercise. Not only for the city but for the province, too.”
- On July 3rd, Surrey Liberal MP Ken Hardie called for either a referendum or a ballot question in the next civic election saying, “We haven't seen evidence that we will be better off. That's the key thing. That said, if we are too far along the road and we're going to end up with a Surrey police service, we should absolutely make sure that that service receives the public endorsement and support.”
- The President of the National Police Federation called on the province to do a feasibility study to best ensure the safety of people who live in Surrey (June 29th).
- In the fall of 2018, Mayor Mayor McCallum notified BC of the city’s intention to terminate their contract with the RCMP.
- In August 2019, the Minister and Mayor released a joint statement stating the City of Surrey was given the green-light to establish Surrey’s municipal police department and announced a joint transition committee, chaired by the former AG Wally Oppal, to ensure key issues are addressed and details in place to facilitate an orderly transition.
- In late December 2019, the committee submitted its report to the Director of Police Services for review and recommendation after which Minister Farnworth granted approval for the creation of a municipal police board – the next step in Surrey’s plan to transition to its own police force.
- In late February 2020, Minister Farnworth gave the City of Surrey approval to move to the next phase of setting up a municipal police force, saying he was

confident key aspects of the transition plan that required more detail had been thoroughly considered.

- The City of Surrey funds 843 police officers (90% paid by the City, 10% paid by the federal government) and employs 300 municipal workers at the Surrey.

Silver Alerts

Highlights:

- The Opposition may ask why government members no longer support a “Silver Alert” system to help locate missing seniors.
- Minister Farnworth and Minister Robinson both supported Silver Alert systems in opposition. Robinson proposed a private member’s bill that was not passed.

Main message:

- I understand how hard it is for families who have lost a loved one after they go missing.
- The safe and speedy locating of seniors who suffer from Alzheimer’s, dementia or other cognitive disabilities, who wander from their care providers, is important to us.
- As with any cases of missing persons, we’re always looking for innovative ways to improve and broaden our search efforts.
- That said, both the police and the Alzheimer Society of Canada have expressed concerns with how effective a Silver Alert system would be.
- Wandering is a common occurrence among those with forms of dementia, and the Alzheimer Society of BC has a number of resources to help families and caregivers protect those affected.

Background:

- The family of a missing Delta senior with dementia who was later found dead started a petition to create a silver alert system in B.C. to help find vulnerable seniors.
- Minister's Farnworth and Robinson both supported Silver Alert systems when in Opposition. Minister Robinson proposed a private member's bill that was not passed.
- Police have expressed concerns that a distinct Silver Alert program may desensitize the public to Amber Alerts given the number of cases fitting Silver Alert criteria would be considerable.
- The Alzheimer Society of Canada has said they aren't endorsing a Silver Alert system due to a lack of robust evidence.
- Ontario took steps to implement a 'Silver Advisory' system but abandoned it due to a wide range of stakeholders seeking similar advisories. Ontario subsequently re-aligned its efforts on developing a Wandering Prevention Program focused on risk awareness and safety planning for families.

Cannabis Rollout

Highlights:

- The Opposition has been critical of the government's legal cannabis rollout.
- They have focused on the process for licensing private stores, the number that have opened, as well as whether unlicensed dispensaries would continue to operate across B.C. and on First Nation land.
- There continues to be media coverage of raids and enforcement activities by the CSU on unlicensed dispensaries – particularly in Victoria and Vancouver.

Main Message:

- We continue to make progress in reducing unlicensed cannabis production while supporting the economic development of the licensed sector.
- In 2019, the value generated by licensed cannabis producers in B.C. increased by \$600 million, while unlicensed production decreased by 20%.
- We have now issued **258 private cannabis retail licenses**, opened **17 public cannabis stores**, and expect more to open in the coming months.
- In recent months, B.C. has had the fastest retail sales growth of any province in Canada. In April 2020, nearly **\$20 million** in legal cannabis was sold in B.C.
- Earlier this month, we launched the **Cannabis Production Regulatory Navigator** – a step-by-step online guide to help simplify and streamline the licensing process for Indigenous, small-scale and craft producers.

- We also launched a new Selling-it-Right mandatory online training program to better support cannabis workers, and we removed the requirement for frosted windows in licensed stores to provide greater flexibility.
- Our government supports the development of a robust, diverse and sustainable cannabis industry, with an approach that balances economic development with public health and safety, as well as community interests.

If asked about increased enforcement:

- Most of the actions taken by police have been to educate and raise awareness.
- But we have always been clear that enforcement would increase as more licensed retail locations opened.
- It's only fair to cannabis businesses that played by the rules that we start to act against those who haven't.

If asked about enforcement on First Nations land:

- B.C.'s cannabis laws apply across the province, including on reserve and treaty settlement lands.
- CSU has made several visits to unlicensed retailers on reserve lands, and we continue to work collaboratively with Indigenous nations to respond to the needs and interests of communities.

If asked about sales and revenues:

- A year and a half into federal legalization, we are making significant progress in establishing a well-regulated legal retail and distribution system.
- We have the second highest number of legal cannabis retail stores in Canada with nearly 250 authorized retailers across B.C.
- Our legal cannabis prices are the second lowest in the country.
- And in recent months, B.C. has had the fastest retail sales growth of any province in Canada.
- For example, this April, gross wholesale sales totalled **nearly \$20 million**.
- Some of this retail sales and revenues growth are a result of the rollout of cannabis 2.0 products (edibles, extracts and topicals).

If asked about lack of BC-produced cannabis on the market:

- British Columbia is world-famous for our high-quality “BC Bud” product.
- That’s why we are taking a number of actions to increase the supply of BC-produced cannabis.
- This includes launching the Cannabis Production Regulatory Navigator to help prospective cannabis cultivators and processors enter the legal market.
- We also launched a \$675,000 pilot project in the Kootenays to help small scale producers overcome the barriers to operating in the legal economy.

Background:

- As of June 29th, 2020, the LCRB has issued **258 private cannabis retail licences** – and more licences will be issued in the coming months.
- Last fiscal year, there were 642,000 purchases through the BC Cannabis online store.
- There are currently **17 public BC Cannabis Stores** operating across the province and another 7 coming soon.
- After changes were made to the cannabis licencing process last summer, British Columbia turned a corner on licensing and revenue.
- In August, we saw a significant increase in the number of licensed private cannabis retailers and the fastest month-over-month retail revenue growth in the country.
- As more legal cannabis stores open, enforcement activities by the Community Safety Unit (CSU) on unlicensed operations has increased.
- As of July 2nd, 2020, **276 unlicensed locations had received educational visits** from the CSU and 42 locations had enforcement actions taken – including products seized.
- Government is also taking a number of actions to increase the supply of B.C. produced cannabis - including a new Cannabis Production Regulatory Navigator to help cannabis producers enter the legal market, and a \$675,000 pilot project in the Kootenays to help small scale producers overcome the barriers to operating in the legal economy.

Police Reform & Mental Health

Highlights:

- On July 28, the MLAs for Kamloops introduced a petition calling for the hours for the CAR 40 service in Kamloops to be extended beyond business hours.
- The Car 40 team consists of a dedicated psychiatric nurse trained in psychiatric crisis intervention alongside an RCMP officer.
- Prince George city council is also voting on a motion to extend their cars' hours.

Main message:

- Everyone deserves to be treated fairly by the police, and to receive the healthcare they need.
- For many Black, Indigenous and other people of colour, that hasn't always been the case.
- In 2018, we produced a toolkit for police agencies and health authorities to guide them in working together to address the needs of people with mental health issues.
- We launched pilots with police forces in Abbotsford, Vernon and Vancouver where police are connecting people with substance use challenges to healthcare instead of the criminal justice system.
- But after many years of a broken mental health care system and that work falling to police, there is much more to do.
- B.C.'s Police Act is outdated and out of step with our government's approach on important issues—including systemic racism, harm reduction and mental health.

- That's why we've struck an all-party committee to engage with communities and experts on how the 45-year-old Police Act can be modernized.
- There are a number of different ways police and mental health and substance use service providers work together right now to support people:
 - Mobile Crisis Response Services, like the Car programs in Kamloops, Surrey, Prince George and Vancouver
 - Police partnerships with local case management and outreach teams (ex/ ACT Teams)
 - Mental Health Liaison Officers
- The review of the Police Act will include looking at the best ways to improve mental health service delivery to people in crisis.
- That work is getting underway now.
- We all agree that more mental health resources are needed.
- We're going to be listening to communities' feedback and welcome people's ideas about how we can combat systemic racism and improve how we respond to people in crisis.

Police Reform

Highlights:

- The police killing of George Floyd has launched a movement to “defund” or reform the police in the United States and around the world.
- Activists are calling on governments to reallocate some of the money provided to police forces to community-based social services and preventative public safety initiatives.

Main message:

- Everyone deserves to be treated fairly by the police.
- Our government acknowledges that for many Black, Indigenous and other people of colour, that hasn't always been the case.
- Ensuring the police are held accountable to the highest standards for fair and unbiased conduct is crucial to maintaining public trust. That's why we:
 - Passed legislation last year to strengthen the Independent Investigation Office's capacity and improve the quality and timeliness of its investigations.
 - Introduced new binding standards on police stops – or ‘street checks’ – to promote unbiased policing. Under the new standards, police are not permitted to make arbitrary stops or ones based on race.
- But we know more work can and must be accomplished.

- B.C.'s Police Act is outdated and out of step with our government's approach and our work with police services on important issues—including harm reduction and mental health.
- That's why we plan to strike an all-party committee to engage with communities and experts on how the 45-year-old act can be modernized to reflect today's challenges and opportunities for delivering police services.
- It will have a specific focus on systemic racism.
- We will be tabling a motion to strike this committee and I will look forward to seeing its recommendations.

If asked about body cameras:

- We welcome discussions with our federal and local partners on tools to enhance police accountability—including the possible use of body cameras.
- This is a complicated issue. As many advocates have noted, the use of body cameras might improve accountability, but they don't solve issues of systemic racism.
- We must also take concerns around procurement, information storage, and privacy seriously as we consider the path forward.

COVID - Ombudsperson Report on MOs

Highlights:

- On May 15, 2020 the Ombudsperson for B.C. wrote to the Minister of Public Safety and Solicitor General challenging certain COVID-related orders issued under Section 10 of the Emergency Program Act.
- The Ombudsperson is expected to issue a report that will conclude that certain orders exceed the Minister's legal authority and would be unlawful.

Main message:

- In B.C. we've worked hard to flatten the curve.
- Our government took swift action to support British Columbians, guided by the advice of Dr. Henry and public health advice every step of the way.
- We took a balanced approach – never implementing a strict lockdown or the heavy-handed enforcement we saw in other jurisdictions.
- We also worked across the aisle with the opposition parties, including them in major decisions and providing regular briefings.
- In these difficult times, we used powers available to us under the emergency legislation to address the pandemic's effect on the lives of British Columbians.
- As we communicated to the Ombudsperson, we were working on legislation that clarifies how Ministerial Orders are made during this crisis.
- We have now introduced that legislation and look forward to debating—and passing—the *COVID-19 Transition Act*.

Background:

- On May 15, 2020 the Ombudsperson for British Columbia wrote to the Minister of Public Safety and Solicitor General – who is responsible for the declaration of Provincial States of Emergency (PSOE) – challenging certain orders issued under Section 10 of the Emergency Program Act (EPA).
- The office of the Ombudsperson reviewed the orders made by the minister under the EPA and identified several orders that purported to amend or suspend the operation of other legislation.
- They are concerned that such orders were not authorized by the EPA. Given the far-reaching effects of the orders, and the fundamental importance of the rule of law to our system of government, they investigated whether the orders were authorized by the EPA and, if they were, whether they were made in accordance with appropriate safeguards and principles of good administration.
- The Ombudsperson asserts his concern that certain orders triggered under the Provincial State of Emergency place limits on various administrative tribunals and local governments that exceed the Minister’s legal authority and would be deemed unlawful.
- He notes that “if the minister does not have legal authority under the Emergency Program Act to issue an order amending or suspending the statutes of the province, or to sub-delegate to others the power to amend or suspend laws” then the legislature must pass the relevant laws to “safeguard the democratic process” or to amend the EPA to confer the necessary authority on the minister.
- The Solicitor General and Attorney General advised the Ombudsperson in a letter dated May 20, 2020 that this legislation was under development and invited the Ombudsperson to provide input. That invitation was not taken up.