



February 10, 2020  
Ref: 563149

Honourable Mike Farnworth,  
Minister of Public Safety  
and Solicitor General  
Room 128  
Parliament Buildings  
Victoria BC V8W 9L5

Dear Honourable Mike Farnworth:

I write pursuant to section 40(1)(e)(iii) of the *Police Act* to provide my recommendation to you on the establishment of a municipal police department governed by a municipal police board under section 23 of the Act.

As you are aware, the Provincial Municipal Policing Transition Study Committee (the Study Committee) was established in August 2019 under section 42(1) of the *Police Act* (the *Act*) to further study and assess various aspects of the City of Surrey's (Surrey) intended policing transition. The Study Committee was chaired by the Honourable Wally Oppal QC and was comprised of representatives from the Policing and Security Branch (PSB) and Surrey, as well as subject matter experts in local government, finance, municipal policing and the provincial police service. The Study Committee also engaged with senior leadership of RCMP "E" Division.

The Study Committee was divided into various working groups with each group being asked to study and consider the following topics related to the transition of a municipality from policing by the RCMP to a newly established independent municipal police department:

- Pensions and Collective Agreements;
- Recruitment;
- Training;
- Information Management/Information Technology;
- Investigative File Continuity; and
- A business analysis of the impact to policing in the region and across BC.

.../2

The Study Committee completed its work on December 23, 2019. The resulting report divided into eleven chapters, six of which correspond with the foregoing topics, was submitted by Chairperson Oppal to me on January 16, 2020 (the Report). Pursuant to section 42(3) of the *Act*, please find enclosed a copy of the Report.

I have had the opportunity to review the Report which summarizes the key issues identified by the Study Committee relating to the transition of policing responsibilities in Surrey from the current model under a Municipal Police Unit Agreement (MPUA) with contracted policing services provided by the Royal Canadian Mounted Police (RCMP), to a new municipal police department – the Surrey Police Department (SPD).

The Report provides commentary on the steps necessary to ensure that, should a policing transition occur, that transition will be orderly, effective and will proceed with due regard for the importance of maintaining public safety throughout the process. It is important to note that other issues related to the establishment and operation of an independent police department were outside the scope of the Study Committee's work but, in some cases, were noted in the Report to provide context and clarification. As well, given the unprecedented nature of a transition of this magnitude, it was impossible for the Study Committee to identify and predict every possible contingency that might arise during a transition, and key assumptions had to be made. As such, each chapter within the Report includes a section summarizing the key assumptions that the Study Committee made related to that area of study.

The Study Committee has proposed a phased integration transition model, utilizing an integrated command structure as the method by which public safety would be best maintained as Surrey transitions from a municipality policed by the RCMP to one policed by an independent police department. The Integrated Command Structure would be composed of the Chief Constable of the Surrey Police Department and the Officer in Charge (OIC) of the Surrey RCMP. The Integrated Command Structure would work under governance provided by the Surrey Police Board while preserving the role and authorities of the RCMP.

The proposed model relies heavily on a collaborative approach between the new Surrey Police Department (SPD) and the RCMP. It is anticipated that both parties will find mutual benefit in this approach in that it will facilitate the transition to the SPD while ensuring continuity in the delivery of policing services to the community.

.../3



To facilitate this model, a multi-lateral Memorandum of Understanding would be required to formalize agreements between the SPD, the RCMP, the Province and the Government of Canada (at a minimum). Agreements with other key stakeholders and partners may also be required to support the proposed Integrated Transition Model.

Further, the transition timelines and assumed risks set out in the Report are based on available information and are subject to change by the Board and the Chief Constable as matters progress. To that end, it is proposed that an Integrated Transition Model would be implemented from 2020 – 2022.

Although the proposed model is ambitious, it can be successfully implemented if the assumptions outlined in the Report can be confirmed. However, managing the operational and implementation risks associated with the establishment of the SPD is the responsibility of the Board and was outside of the scope of the Study. Such risks were identified to assist the Board. Many of the key risks to the proposed approach are external to the transition project itself and relate to decisions and actions that must be taken by other parties and stakeholders.

For the SPD to be successful in recruiting in-service officers, it is important that there is clarity on the nature of pensions and the terms and conditions of employment for sworn members and officers, as outlined in a collective agreement. A Pension Transfer Agreement is in place which addresses many of the concerns that have been raised by prospective applicants to the SPD, including members of the RCMP who may wish to join the new Department. This Pension Transfer Agreement between the Municipal Pension Plan and the RCMP Pension Plan will provide certainty for these RCMP members.

The Study Committee anticipates no major impediments related to pensions for members transferring to the SPD from other municipal departments, as the SPD will be a member of the Municipal Pension Plan Group 5 (to which all municipal police departments belong). In December 2019, the Municipal Pension Plan Board of Trustees approved Group 5 status for the City which will be transferred to the Surrey Police Department once established. The British Columbia Police Association (BCPA) has confirmed its intent to establish a Surrey Police Union (SPU) to represent sworn employees of the Department.

To establish and initiate the recruiting process, a Board with a Chief Constable would put in place a Transition Recruiting Unit comprised of experienced police members with investigative and ideally recruiting backgrounds. These officers would be supported by the Human Resources Department of the City of Surrey.

.../4

A comprehensive recruitment outreach communications campaign is planned to generate interest in the SPD and manage applications for sworn positions in the new Department.

While there is still outstanding information to be gathered and confirmed regarding IM/IT, and there are outstanding risks associated with implementation of the necessary infrastructure, services and applications, progress has been made and early indications are that outstanding issues can be resolved. A cross-agency IM/IT team is in place to collaborate on solutions to outstanding questions about IM/IT.

The need to confirm the feasibility and establishment of partnerships with the RCMP, and the Government of Canada (Shared Services Canada) to support this IM/IT work cannot be overstated.

The business impacts created as a result of the change to the policing model in Surrey identifies the Province, the City of Surrey, the SPD, the RCMP and the Federal Government among other key partners who will need to consider and resolve to address the impacts to policing in BC arising as a result of the transition. In particular, the importance for both land-based First Nations and Indigenous communities living off-reserve with regards to their needs for policing services.

In addition, important considerations relating to the need for legal agreements including changes or addenda that may be required to the MPSA, PPSA, MPUA, Memoranda of Understanding and other formal and informal agreements between key organizations, will need to be assessed.

As previously identified, while the establishment of the SPD is ambitious, it is achievable if assumptions and risks contained within the Report can be successfully addressed and managed. I strongly support the proposed Integrated Transition Model as the basis, subject to further refinement and confirmation by the Board and the Chief Constable and through collaboration with other partners.

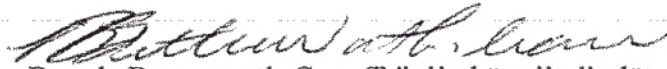
Once established, the Surrey Police Board and the Surrey Police Department will be subject to oversight by the Director, who has the statutory responsibility to superintend policing throughout BC. This responsibility is relevant throughout any stage of a policing model transition and operations of a municipal police department. The Director will communicate all expectations of the Board for the establishment of a police department, once the Board has been established.

.../5

Honourable Mike Farnworth  
Page 5

Consequently, in accordance with my function under s. 40(1)(e)(iii) of the *Act*, I am recommending that you grant the approval to the City of Surrey contemplated under section 23 of the *Act*.

Take Care,



Brenda Butterworth-Carr; Tr'injà shär njit dintlät  
Assistant Deputy Minister  
And Director of Police Services  
Policing and Security Branch