



# City of Richmond

## Report to Committee

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**To:** Community Safety Committee **Date:** March 26, 2013  
**From:** Phyllis L. Carlyle **File:**  
General Manager, Law & Community Safety  
**Re:** **White Paper- Justice Reform and the BC Policing and Community Safety Plan**

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### Staff Recommendation

That the report titled "White Paper: Justice Reform and the BC Policing and Community Safety Plan" from the General Manager of Law and Community Safety, dated March 26, 2013, be received for information.

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General Manager, Law & Community Safety  
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<i>REPORT CONCURRENCE</i>	
REVIEWED BY DIRECTORS	INITIALS: 
REVIEWED BY CAO	INITIALS: 

## Staff Report

### Origin

This report provides a high level overview of the Province's *White Paper on Justice Reform Part One: A Modern, Transparent Justice System* (White Paper Part 1), and the recently released *White Paper on Justice Reform, Part Two: A Timely Balanced Justice System* (White Paper Part 2) and the *BC Policing and Community Safety Plan* (the Plan). The Province has provided the opportunity for input into the BC Policing Plan.

This report addresses Council Term Goal 1: *To ensure Richmond remains a safe and desirable community to live, work and play in, through the delivery of effective public safety services that are targeted to the City's specific needs and priorities*, as well as Priority 1.6: *Completion of a thorough analysis of the various policing models available, to ensure that the best model is in place to meet City needs and priorities.*

### Analysis

#### White Paper Part 1

In October 2012, the Province released White Paper Part 1.

In the words of the Honourable Shirley Bond, Minister of Justice and Attorney General:

*"Part One lays the foundation for achieving successful reform and is focused on creating a new model of transparent governance and reducing delays through the use of evidence-based approaches."*<sup>1</sup>

She explains that the goal is to *"transform our justice system into one that is truly transparent, timely and balanced"*.<sup>2</sup> These three principles guide the 10 action items outlined in White Paper Part 1 (Attachment 1).

#### White Paper Part 2

As the Honourable Shirley Bond, Minister of Justice, states:

*"Part Two presents innovated solutions that allow us to begin work immediately on meaningful changes to the system within the resources we currently have available to us. It also presents intended reforms that we know are needed in our system if we are to achieve our visionary goals. We are committed to implement all of the reforms we have put forward in this plan, but some will take longer than others and will be fully implemented as additional funding becomes available."*

White Paper Part 2 identifies 5 key themes that form the basis of reform in all areas of the justice system, and within these themes presents seven action items to achieve these goals. An executive summary is set out in Attachment 2.

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<sup>1</sup> page 2 White Paper Part 1

<sup>2</sup> *ibid*

The five key themes are:

1. *focus on early assistance to citizens*
2. *deliver citizen-focused services*
3. *focus on smart choices at the start to ensure the most direct route is taken to reach solutions at the outset*
4. *value integrated and collaborative approaches to the way it serves citizens*
5. *justice programs are continued and new reform projects undertaken by using evidence-based practices*

The seven action items are:

1. advance family justice reform
2. transform dispute resolution
3. improve early criminal processes
4. undertake public safety reform
5. protect marginalized women
6. respond to domestic violence
7. require the use of evidence-based approaches

## **BC Policing and Community Safety Plan**

The draft Plan was released in February 2013 to provide a long term strategic plan for policing in BC, is organized around 5 themes, and identifies 16 action items. The Plan was stated to be informed by the recommendations made by Commissioner Oppal in his report *Forsaken: The Report of the Missing Women Commission of Inquiry*.

### **Theme 1: Rational and Equitable**

The plan concludes that many stakeholders who participated in the engagement process to obtain feedback for the development of the Plan felt the current model of funding and delivery of policing services was unfair or inequitable. There was also no consensus among the stakeholders on regionalization and many expressed concern over the growing costs of policing.

***ACTION ITEMS:** the Ministry of Justice will work in collaboration and consultation with local governments, other key stakeholders and a committee of external experts to:*

- a) *Define and clarify policing responsibilities at the federal, provincial, and municipal government levels;*
- b) *Consider models of service delivery ranging from further integration to the regional delivery of services, while retaining local community-focused policing; and*

- c) *Develop options for funding/financing models that reflect each level of government's policing responsibility and distributes costs accordingly.*

***ACTION ITEMS:*** *The Ministry of Justice will develop a public safety model including existing and new categories of law enforcement personnel to provide cost-effective services in support of policing.*

***ACTION ITEMS:*** *In consultation with First Nations, police, the Ministry of Aboriginal Relations and Reconciliation, local governments and the federal government, the Ministry of Justice will reform the service delivery framework of the First Nations Policing Program in British Columbia.*

## **Theme 2: Accountable**

During the consultation, communities expressed a greater desire to be involved in defining their policing priorities and providing meaningful input into how police services are delivered.

***ACTION ITEMS:*** *The Ministry of Justice will:*

- a) *Ensure that British Columbia communities have meaningful opportunities for significant input into local policing.*
- b) *Review the current police board structure, function and training, and make enhancements and improvements where necessary.*
- c) *Conduct a study to examine the practices and policies of police agencies related to ensuring bias-free policing and where required, conduct audits.*
- d) *Continue to develop provincial policing standards (priority development to standards consistent with those recommended in the MWCI REPORT related to: the investigation of missing persons; complex investigations involving serious crimes (including electronic Major Case Management solutions); and cooperation and coordination amongst police agencies).*

## **Theme 3: Collaborative**

Participants in the development of the Plan felt greater collaboration and coordination was required between the justice system and related social and health systems.

***ACTION ITEMS:*** *The Ministry of Justice will*

- a) *Work with stakeholders to develop strategies to: support crime prevention efforts; support province-led crime reduction initiatives; and support further development of civil/administrative law community safety strategies*
- b) *Review anti-gang initiatives within the province and elsewhere, increase coordination, and enhance at-risk youth programs.*
- c) *Strike a cross-government Working Group to review models of multi-agency collaboration that may be feasible in British Columbia. The ministry will also review existing legislation and policies to identify potential barriers to information sharing among agencies.*

**Theme 4: Protection of Vulnerable Persons**

Participants in the engagement process wanted police to put greater effort into establish relationship/outreach to groups representing marginalized or at risk community members.

***ACTION ITEMS:** The Ministry of Justice will*

- a) *Ensure the delivery of cultural awareness and sensitivity training for all police officers in BC, consistent with the recommendations in the MWCI REPORT*
- b) *Work with stakeholders to promote best practices and expand successful policing strategies such as integrated police/health initiatives across the province and conduct a study to examine contact between police officers and persons with a mental illness and or addictions to develop resource –efficient and effective strategies for these interactions.*
- c) *Evaluate possible missing persons legislation and a statutory provision on the legal duty to warn, consistent with the recommendations in the MWCI REPORT.*

**Theme 5: Effective**

In the MWCI Report, Commissioner Oppal indicated that it was important to ensure real time information is accessible to law enforcement agencies to allow them to better respond to investigations. Commissioner Oppal recommended that the provincial government move expeditiously to implement a regional Real Time Intelligence Crime Centre as well as a standardized Major Case Management system for police across the province.

The BC Policing Plan identifies a need to establish consistent standardized performance measures for policing. *“No single data currently exists which can be used to measure key aspects of police performance across the province.”*<sup>3</sup>

The Plan concludes that legislative reform may also be necessary to support community based policing, as well as appropriate governance structures to all for more effective and flexible governance models.

***ACTION ITEMS:** The Ministry of Justice will*

- a) *Support the implementation of a regional Real Time Intelligence Centre (RTIC) scalable to the province as a whole.*
- b) *Work with key stakeholders and academics to develop a performance management framework for policing and enhance the quality and availability of police data.*

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<sup>3</sup> Policing Plan page 5.

- c) *Conduct a comprehensive review of the Police Act to assess its relevance in today's complex policing environment.*

As policing is only one integral part of the justice system, together the White Paper (Parts 1 and 2) and the Plan are intended to assist in modernizing the overall justice system.

The Plan recognizes the increasing complexity, resourcing and governance challenges facing policing in BC. There are a number of action items within the Plan that will impact the City, but the Plan is at a high level such that financial impacts and operational opportunities are challenging to define at this time.

For example, the Plan does not contain a detailed resourcing analysis for the action items but rather states high level objectives with aggressive timeframes. The Province has already completed one of the stated objectives for 2013 by introducing the Community Safety Act.

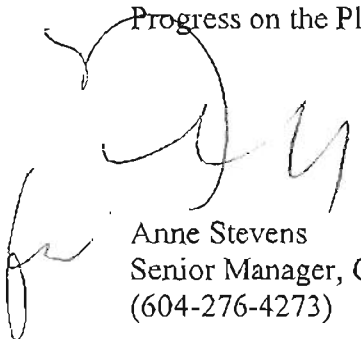
The Plan sets out target completion dates for each of the action items with all but 8 items completed by the end of 2015. At present, due to the pending provincial election and the opportunity for additional public input, the future of the Plan and its implementation may require re-examination.

#### **Financial Impact**

There is no identified financial impact at this time.

#### **Conclusion**

The Plan is currently in a draft form, and the Province continues to seek input from stakeholders. Consequently, as the consultative process is open, the final form of the Plan is not finalized. Progress on the Plan will continue to be monitored.



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## Synopsis of Action Items from White Paper Part 1

1. **Justice and Public Safety Council:** creation of a Justice and Public Safety Council within the Ministry of Justice that will be responsible for setting the strategic direction and vision for the justice system, and for leading the change that is necessary to achieve that vision.
2. **An Annual Justice and Public Safety Plan:** The Council will be responsible for developing an annual Justice and Public Safety Plan including an annual performance report on delivery of the Plan. In the Plan, the Council will set goals for the justice system overseeing measurement and public reporting on the performance of the system. The Plan will also link justice system reform initiatives to strategy, including adherence to appropriate standards of project management, evaluation and cost containment.
3. **A regular Justice Summit:** Government will promote meaningful engagement between key justice system participants by holding a regular Justice Summit meeting.
4. **Greater Transparency and Better Administrative Tools:** The Government will propose legislative changes to create greater transparency, managerial authority, and overall accountability within the justice system.
5. **Transformation of Justice Information Systems.** There needs to be a transformation of information management and accompanying technology supports serving civil, family, administrative and criminal processes.
6. **A Justice Business Intelligence System.** “Business intelligence” is that analysis of system data to aid in management, operations and strategy. The report comments that the business intelligence of the justice system is still at an early stage and cannot yet be relied upon to inform strategic decision-making or to deliver empirical support for management choices. It adds that it is time to bring other stakeholders and justice participants outside government, such as municipalities, into discussion of how best to build this management tool and share in its benefits.<sup>4</sup>
7. **Improved Ability to Track and Control System Costs.** This is aimed at achieving greater knowledge of and control over justice system costs. This will in turn lead to improved resource planning, effective communication with funding bodies, understanding the resource impacts of system reforms, and for understanding the financial implications of systems trans.
8. **Public, Evidence-based Performance Management.** In order to develop a cohesive, responsive framework for justice system performance management, four conditions must be met:
  - a) identify a limited number of specific performance measures with established targets which should make sense to the citizens on whose behalf the justice system exists.
  - b) they should represent in clear terms what it is that the system is intended to deliver. these targets must be measurable.

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<sup>4</sup> p. 14 ibid

- c) outcomes must be monitored and reported to all levels of government, and to the public, in a clear manner
  - d) performance results must be used by justice leaders in making current and future strategic decisions and resource deployments.
9. **Collaborating on Efficient Case Management.** Immediate action to reduce the case backlog. Supporting a modern system of court scheduling. Developing consistent Crown file ownership.
10. **Greater Efficiency in Routine Practices.** Employee-led grassroots re-engineering of work practices (rather than top-down management approaches) through lean process improvement methodology has significant potential.



## Executive Summary

Our justice system must be modernized and reformed in a way that meets the needs of British Columbians. In October 2012, government released *White Paper, Part One: A Modern, Transparent Justice System*, which presented an overall vision for justice reform and outlined a plan to create a transparent justice system that is capable of delivering timely, well-balanced services. *White Paper, Part Two: A Timely and Balanced Justice System* expands this reform plan to present a number of short-term and long-term steps that will provide innovative, front-line operations and services to the public in all areas of the law. These steps will put our reform goals into action and make our vision for a timely and balanced system into a reality. *Part Two* contains a combination of concrete action items that will begin immediately as well as visionary ideas for change that will be implemented over the long-term as funding becomes available.

*Part Two* identifies five key themes that form the basis of reform in all areas of the justice system, and within these themes, it presents seven action items to achieve our goals. Our system must focus on *early assistance to citizens* to ensure people receive the information, advice, and guidance they need to make early, informed decisions about their circumstances. In family law, government plans to implement a new Justice Access Centre in Victoria in 2013 and, in the future, expand services to rural and remote communities using technology. These centres involve collaboration with other justice agencies and provide services such as early assessment, information, legal advice, and referrals.

The justice system must deliver *citizen-focused services*. For example, in civil and administrative law, government will shift disputes from the court system and deliver services in ways that meet the needs of the people that use the system. Government is currently working to establish the Civil Resolution Tribunal, which will provide an alternative to court for people seeking to resolve small claims and most strata property disputes. The tribunal will encourage people to use a broad range of dispute resolution

tools, including email, phone, and video, to resolve disputes as early and efficiently as possible.

Our system must focus on *smart choices at the start* to ensure the most direct route is taken to reach solutions at the outset. It is well-known that the best way to reduce re-offending is to assess the risk to re-offend and match interventions accordingly. Government will act to share evidence-based information about risk assessment practices with police, Crown counsel, defence counsel, the judiciary, and other key justice system participants. This initiative will focus on making sure that offenders receive the right intervention at the right time with the goal of reducing behaviour which leads them to re-offend.

The justice system must value *integrated and collaborative approaches* to the way it serves citizens. One of the conclusions of the Missing Women Commission of Inquiry Report is that fragmentation of policing and ineffective coordination between police forces and agencies contributed to the failure of missing women investigations. Government will engage in a process with stakeholders to consider models for delivery of police services, ranging from further integration to the regional delivery of services, while retaining local community-focused policing.

As justice programs are continued and new reform projects undertaken, they must be implemented *based on what works* by using evidence-based practices. Government will establish and implement sustainable evaluation standards that are applicable to all justice reform projects, undertake data analysis to better understand system trends, and apply new approaches if research demonstrates the success of these programs and processes.

Moving forward, government will work to implement the commitments made in *White Paper, Part One* and *Part Two* and will engage with justice system participants to ensure ongoing coordination and collaboration on reform initiatives. Government will also continue efforts to keep the public informed about the progress we make on our goals for a more transparent, timely, and balanced justice system.