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ASSOCIATION TO THE NATIONAL INQUIRY INTO MISSING AND MURDERED  
INDIGENOUS WOMEN AND GIRLS

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## **Executive Summary**

1. In this final submission, the British Columbia Civil Liberties Association (“BCCLA”) provides recommendations related to police policies and practices to the National Inquiry into Missing and Murdered Indigenous Women and Girls.
2. Our analysis and recommendations focus on three main areas that are vital to improving police policies and practices in relation to Indigenous women and girls: policing without bias, police accountability and complaint mechanisms, and community relations. A number of additional recommendations are also included that we believe would improve policing systems.
3. The complete set of our recommendations are the following:

### **Policing without Bias**

- That police agencies work with data scientists to develop appropriate metrics to evaluate bias in policing and mandate the gathering of all data required to achieve that goal.
- Provide a meaningful mechanism of review of the preliminary finding of the cause of death by a coroner or pathologist.
- That police agencies review and update their manuals and policies to identify and replace terminology that could promote bias.

### **Police Accountability and Complaint Mechanisms**

- Building on the research contained in the Tulloch Report supporting civilian investigation, civilian investigation models should be evaluated as to whether they increase the trust of community (especially Indigenous women and girls). If data supports such a finding, increase the use of this model so that more communities may benefit.

- That police agencies and their oversight bodies cooperate with Indigenous communities to ensure that complaint processes are culturally appropriate, accessible, and can accommodate the unique needs of Indigenous women and girls.
- Police policies about major case management methodologies should make the independent file assessment mandatory. Language used in the relevant policy should reflect the obligatory nature of the independent file assessment.
- Family members and/or friends of a missing or deceased person should be provided with comprehensive and accessible information about police policies and practices to facilitate accountability. People should be informed about independent file reviews and how they fit into case management protocols, so that they would know to query whether it has taken place.
- Ensure that documents and records produced and in the custody of associations of chiefs of police that relate to their public police functions fall within the scope of access to information legislation.

### **Community Relations**

- That sharing of personal information without individual consent be based on evidence that such disclosure would not create an additional barrier to Indigenous women and girls accessing services.
- That the continuance of the HUB model be contingent on the production of empirical evidence as to whether it is more beneficial than detrimental.
- Establish hitchhiking intervention policies that prioritize the safety of Indigenous women and girls over the investigation of non-violent crimes. Publicize these policies so that Indigenous women and girls know that accepting rides from police will not put them at risk of being criminally charged or investigated.

- Re-evaluate the system of limited duration posts with a view to exploring means to incentivize and support police officers staying in remote communities for longer periods of time.

### **Additional Improvements to Policing Systems**

- That new police training be contingent upon evidence that such training is effective.
- Ensure that legislated police service standards and appropriate resources apply to all Indigenous communities.
- Evaluate the results of existing third-party reporting systems with a view to having other jurisdictions adopt the model if evidence supports its expansion.

## **Introduction: BCCLA**

4. The BCCLA's mandate is to preserve, defend, maintain and extend civil liberties and human rights in Canada. As Canada's oldest active civil liberties association, the BCCLA has a long history of work in police accountability and civilian oversight, in particular with respect to police practices and relationships with Indigenous peoples and communities.
5. The BCCLA has significant expertise in British Columbia's police agencies and the legislation under which they operate. The work that the BCCLA has done regarding police accountability, both directly with complainants and with oversight agencies, include the following:
  - We sit on the BC Ministry of Public Safety's Advisory Committee on Provincial Policing Standards.
  - After conducting workshops throughout rural, interior, and northern areas in British Columbia, we authored *Small Town Justice: A report on the RCMP in Northern and Rural British Columbia* in March 2011. This report catalogued the recurring issues with police accountability and civilian oversight that were mentioned repeatedly in different jurisdictions.
  - We are an original member of The Coalition on Murdered and Missing Indigenous Women and Girls which came together in response to the Missing Women Commission of Inquiry in British Columbia overseen by Commissioner Wally Oppal and we participate in the Legal Strategy Coalition on Violence against Indigenous Women, a national coalition of advocacy groups.
  - We have done extensive advocacy, often in collaboration with the Union of BC Indian Chiefs, on allegations of racial bias in policing, police abuse in custody, and the excessive use of force affecting Indigenous individuals.

- We have been participants in the Frank Paul Inquiry, the Braidwood Inquiry, and the Josiah Wood, Q.C., Review of the Police Complaint Process in British Columbia.
  - We have worked with community-based organizations, police and health authorities to advocate for the implementation of the recommendations of the Frank Paul Inquiry and several BC Coroner's inquests to lobby for the establishment of sobering centres as a harm reduction and safety measure.
6. This final submission is restricted to the subject matter of policing and is particularly focused on the evidence from the Part II institutional hearings about Police Policies and Practices.

## **Policing without Bias**

7. At the institutional hearings on police policies and practices, there was extensive testimony about bias in policing and about attempts by police agencies to ensure that their members operate according to principles of bias-free policing. Although bias can occur in relation to a variety of characteristics about an individual, our submissions are related specifically to bias about race and gender.
8. Based on the evidence provided, the BCCLA has three primary areas of recommendation in the sphere of bias-free policing. The first is about the extent to which agencies can empirically measure whether their members are policing without bias. The second relates to a mechanism to review the findings of a coroner or pathologist as to cause of death, in case their determination has been coloured by assumptions about alcohol and drug use. The third recommendation is about the language used in police policies and their capacity to contribute to bias towards Indigenous women and girls.

### Evaluation of Policing without Bias

9. While an express mandate against bias in policing is laudable, it is of limited effect if merely aspirational. In order to evaluate whether police are indeed meeting this crucial policy objective, relevant information must be collected and analyzed.
10. In the context of the RCMP, the evidence indicates that the agency is currently unable to objectively measure the effect of their bias-free policing policy's effectiveness. RCMP Commissioner Lucki testified that any data derived from RCMP databases about perceived ethnic identities of people that the RCMP interacts with could be skewed because employees have the discretion of whether or not to complete a box on the appropriate form about race.<sup>1</sup>

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<sup>1</sup> Transcript Evidence Brenda Lucki, Regina, Panel I: "Recruitment, Training & Policing in Indigenous Communities," Public Transcript Part II Volume VI, Exhibit code: P02P02P01, at Page 277, lines 5-9.

11. A policing institution cannot measure the presence or absence of racial bias without data. Mandatory recording is essential to evaluate a bias-free policing policy.
12. Police should be collecting data in a way that best supports an evaluation of Bias-Free Policing. For instance, a drop down menu may standardize racial categories to enhance the quality of the data upon which an evaluation of bias-free policing could be conducted.

### *Recommendation*

13. That police agencies work with data scientists to develop appropriate metrics to evaluate bias in policing, and mandate the gathering of all data required to achieve that goal.

### Ingestion of Drugs and Alcohol and their Role in Death Investigations

14. An aspect of concern in relation to bias is the presence of alcohol, medications and/or other drugs in a deceased person, or around the scene of their death. The potential for the police to mischaracterize the factors leading to death in such a context is a common theme amongst family members of murdered Indigenous women and girls.
15. Evidence was provided that RCMP policies address the presence of these substances at the scene of a death.<sup>2</sup> While we appreciate that police policies may require officers not to draw conclusions about an investigation until sufficient evidence is gathered to assist in determining the cause of death,<sup>3</sup> we remain concerned about the lack of directives about how to view the ingestion of drugs or alcohol by a victim in relation to the investigation of that crime.
16. In the BCCLA's cross examination of Deputy Commissioner Butterworth-Carr, we asked how the presence of these substances in or near the deceased factors into the investigation of the death and as an example we referenced deaths that involve women falling from tall

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<sup>2</sup> Part II Institutional Hearings, Police Policies and Practices, Exhibit 109, RCMP Operational Manual, Chapter 41.3 "Human Deaths" at 2.2.1.

<sup>3</sup> Part II Institutional Hearings, Police Policies and Practices, Exhibit 109, RCMP Operational Manual, Chapter 41.3 "Human Deaths" at 2.1.8.

buildings.<sup>4</sup> Ours was a generic scenario, however it appears that incidents of highly suspect deaths of this type misattributed as “accidental” are shockingly common. Several Counsel and other parties in attendance told us that they assumed we were referring to a case they knew of from their jurisdiction, illustrating just how wide-spread this problem is.

17. Deputy Commissioner Butterworth-Carr testified that the determination of a cause of death is made by a coroner or pathologist, and the investigation of the death as accidental, suicide, or suspicious is at the discretion of police.<sup>5</sup>
18. The BCCLA is concerned about predeterminations or assumptions made based on the decedent’s Indigeneity and stereotyping of their community and such biases of the police colouring the investigation of the cause of death by the coroner or pathologist. Alternatively, the coroner or pathologist may be biased in their investigation, regardless of whether they have been influenced by police or not.
19. The Commission has heard about how rich and resourceful the knowledge of family members is to an investigation into the death of an Indigenous woman or girl. From the totality of the evidence submitted at the police hearings, it is unclear whether there are mechanisms available to these community members to have the determination made by a coroner or pathologist meaningfully reviewed.

### *Recommendation*

20. Provide a meaningful mechanism of review of the preliminary finding of the cause of death by a coroner or pathologist.

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<sup>4</sup> Transcript Evidence Brenda Butterworth-Carr, Regina, Panel III: “Investigative Policies and Practices,” Public Transcript Part II Volume IX, Exhibit code: P02P02P0401, at Page 328, lines 18-24.

<sup>5</sup> Transcript Evidence Brenda Butterworth-Carr, Regina, Panel III: “Investigative Policies and Practices,” Public Transcript Part II Volume IX, Exhibit code: P02P02P0401, at Page 329, lines 1-14.

### Language Used in Policies May Contribute to Bias

21. Even a cursory review of police materials that were entered into evidence reveals that the language used could contribute to bias by police. For example, describing a lifestyle as “high-risk” emphasizes the voluntariness of engaging in the lifestyle, as opposed to using the characterization of “at-risk”, which emphasizes that a person may not be exercising choice and might not necessarily have much agency in the circumstances.

### *Recommendation*

22. That police agencies review and update their manuals and policies to identify and replace terminology that could promote bias.

## **Police Accountability and Complaint Mechanisms**

23. Extensive testimony was provided about the fractured trust between Indigenous people and police agencies. Effective oversight models used to review allegations of police misconduct are integral to building and maintaining a culture of trust between police and community. The process used to resolve complaints against the police can therefore be instrumental in healing this relationship.

### Self-Investigation vs. Civilian Investigation

24. The evidence at the institutional police hearings consistently underscored the lack of trust that Indigenous women have in oversight models in which police agencies investigate complaints lodged against their own members.
25. To increase the trust of the community in police, and especially that of Indigenous women and girls, police oversight models could transition from self-investigation to civilian investigation (for allegations of serious misconduct at the very least). There are pronounced calls and proposals for such a shift to enhance accountability.<sup>6</sup>
26. The BCCLA acknowledges that complete civilianization of police oversight models cannot be achieved instantaneously. Where feasible, however, pilot projects should be initiated with a view to expanding successful models of civilian investigation of police until it is the norm.

### *Recommendation*

27. Building on the research contained in the Tulloch Report supporting civilian investigation, civilian investigation models should be evaluated as to whether they increase the trust of community (especially Indigenous women and girls). If data supports such a finding, increase the use of this model so that more communities may benefit.

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<sup>6</sup> The Honourable Micheal H. Tulloch, Report of the Independent Police Oversight Review, Queen's Printer for Ontario, 2017, Recommendation 4.14, available online at [https://www.attorneygeneral.jus.gov.on.ca/english/about/pubs/police\\_oversight\\_review/](https://www.attorneygeneral.jus.gov.on.ca/english/about/pubs/police_oversight_review/)

### Culturally Appropriate and Accessible Complaint Resolution Mechanisms

28. Complaint processes must be accessible to all members of the public. Yet, due to historic events and present realities, it has been found that some members of Indigenous communities perceive the voluntary engagement with the state by making a complaint against the police a “very difficult and unattractive option.”<sup>7</sup> Evidence provided at the hearings did not indicate whether any of the Indigenous-related initiatives of the various police agencies in Canada have evaluated the extent to which Indigenous community members—and more specifically, Indigenous women and girls—access police complaint procedures.
29. To maximize trust between police and the community, police oversight should be culturally appropriate for a given community. Indigenous groups should be consulted to ensure that whatever oversight model applies in their jurisdiction is culturally appropriate for them. Such consultation could begin with the Indigenous groups or representatives that various police agencies already partner with.
30. Even if the oversight model is culturally appropriate, however, a gendered lens must also be used to ensure that the model meets the unique needs of women and girls in the community.
31. Ideally, the process used to resolve complaints against police by Indigenous women and girls would reflect and incorporate principles of Indigenous justice. In her testimony, RCMP Commissioner Brenda Lucki affirmed the willingness and ability of the RCMP to accommodate Indigenous-centred complaint resolution models. As an example, Commissioner Lucki’s testimony provided that an informal resolution process to settle a

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<sup>7</sup> The Honourable Micheal H. Tulloch, Report of the Independent Police Oversight Review, Queen’s Printer for Ontario, 2017, 7.200, paragraph 24, available online at [https://www.attorneygeneral.jus.gov.on.ca/english/about/pubs/police\\_oversight\\_review/](https://www.attorneygeneral.jus.gov.on.ca/english/about/pubs/police_oversight_review/)

complaint against officers alleged to have made racist comments on social media had recently been undertaken.<sup>8</sup>

32. The BCCLA is currently collaborating with the Office of the Wet'suwet'en to develop a distinct Wet'suwet'en and Gitksan restorative justice process for the resolution of informal complaints of police misconduct. Lessons learned from this current project can benefit the development of a framework for the alternate resolution of police complaints in other Indigenous communities.

### *Recommendation*

33. That police agencies and their oversight bodies cooperate with Indigenous communities to ensure that complaints processes are culturally appropriate, accessible, and can accommodate the unique needs of Indigenous women and girls.

### Accountability under the Major Case Management Model

34. The BCCLA supports the adoption by police agencies of the major case management model, an improvement to policing systems that was called for by former Justice Oppal in his report of the Missing Women Commission of Inquiry in British Columbia.
35. The operational aspects of a major case management framework are important in the context of missing and murdered Indigenous women and girls, as missing and murdered persons trigger the use of this investigatory tool.
36. Major case management, according to the RCMP:

[...] is a methodology for managing major cases that provides accountability, clear goals and objectives, planning, and allocation of resources and control over the speed, flow, and direction of the investigation.<sup>9</sup>

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<sup>8</sup> Transcript Evidence Brenda Lucki, Regina, Panel I: "Recruitment, Training & Policing in Indigenous Communities," Public Transcript Part II Volume VI, Exhibit code: P02P02P01, at Page 279, lines 1-9.

<sup>9</sup> Part II Institutional Hearings, Police Policies and Practices, Exhibit 101, RCMP Operational Manual, Chapter 25.3 "Major Case Management" directive at 1.2.

37. The accountability in the major case management model is partially grounded in the independent file assessment of a case by an experienced major case investigator who is not involved in the investigation.<sup>10</sup> The RCMP policy provides that under their model, the team commander “should” submit cases for independent file assessment “when necessary.”<sup>11</sup> RCMP Deputy Commissioner Butterworth-Carr testified that in E Division, there is always an independent file assessment.<sup>12</sup>
38. Deputy Commissioner Butterworth-Carr also testified that family members and friends of missing or deceased persons have to ask to find out whether an independent file assessment has been launched in relation to a case.<sup>13</sup> It is unclear how these concerned people would be aware of major case management procedures to know that this is a question that could be asked. One cannot ask about something that they have no knowledge of.
39. Deputy Commissioner Butterworth-Carr further testified that there is accountability for the RCMP under the major case management model in that a finding of neglect of duty could result in serious disciplinary infractions. However, a complaint of neglect of duty could not be lodged unless a member of the public knows that misconduct has occurred. People cannot complain about suspected misconduct if they are unaware of what proper conduct is.
40. As with our submission about the police complaints process being adapted to the needs of a demographic that is already distrustful of police, we are concerned about the barriers to

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<sup>10</sup> Part II Institutional Hearings, Police Policies and Practices, Exhibit 101, RCMP Operational Manual, Chapter 25.3 “Major Case Management” directive at 10.3.

<sup>11</sup> Part II Institutional Hearings, Police Policies and Practices, Exhibit 101, RCMP Operational Manual, Chapter 25.3 “Major Case Management” directive at 10.2.

<sup>12</sup> Transcript Evidence Brenda Butterworth-Carr, Regina, Panel III: “Investigative Policies and Practices,” Public Transcript Part II Volume IX, Exhibit code: P02P02P0401, at Page 332, lines 5-6.

<sup>13</sup> Transcript Evidence Brenda Butterworth-Carr, Regina, Panel III: “Investigative Policies and Practices,” Public Transcript Part II Volume IX, Exhibit code: P02P02P0401, at Page 333, lines 3 and 6-8.

family members or friends of the missing and murdered to question the police or to make complaints against them in the context of major case management.

41. If there is no civilian investigation mechanism, or the police investigators are from a very small detachment, some people will likely choose not to make a complaint to the very people that are charged with investigating the disappearance or death of their loved one.

### *Recommendations*

42. Police policies about major case management methodologies should make the independent file assessment mandatory. Language used in the relevant policy should reflect the obligatory nature of the independent file assessment.
43. Family members and/or friends of a missing or deceased person should be provided with comprehensive and accessible information about police policies and practices to facilitate accountability. People should be informed about independent file reviews and how they fit into case management protocols, so that they would know to query whether it has taken place.
  - As an example, the family guide used by the RCMP<sup>14</sup> could clarify for family and community what mechanisms exist if they want an independent file review or think that the investigators haven't met standards (i.e. neglect of duty). This information should be presented in a pamphlet that is required to be given to families.

### Transparency of Associations of Chiefs of Police

44. There are many associations across Canadian jurisdictions made up of police chiefs. These associations develop and lobby for policy and law reform in many areas, including with respect to police standards and services, and yet they lack transparency because they are not subject to access to information legislation.

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<sup>14</sup> Part II Institutional Hearings, Police Policies and Practices, Exhibit 110, Family Guide: Support for Families of Homicide Victims or Missing Persons where Foul Play is Suspected.

45. As an example of the influence that these associations can have on public policy, the past President of the Canadian Association of Chiefs of Police, Chief Clive Weighill, was called upon as a witness at the police hearings and he provided evidence as to the association's work regarding missing and murdered Indigenous women and girls.<sup>15</sup>
46. In the cross-examination of Chief Clive Weighill, he testified that the public has no means of accessing the information that is developed and maintained by the Canadian Association of Chiefs of Police.<sup>16</sup>
47. The BCCLA submits that it is in the public interest to expand access to information legislation in all jurisdictions to cover associations of police chiefs as they are currently configured to do an extensive amount of work with respect to their public role as police. For a more extensive discussion of this point, see BC's Information and Privacy Commissioner's recommendation that the provincial law be reformed after finding that the decision-making process of such associations "should, as a matter of public policy, be transparent, and transparency flows from access."<sup>17</sup>

### *Recommendation*

48. Ensure that documents and records produced and in the custody of associations of chiefs of police that relate to their public police functions fall within the scope of access to information legislation.

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<sup>15</sup> Part II Institutional Hearings, Police Policies and Practices, Exhibits 53-57.

<sup>16</sup> Transcript Evidence Clive Weighill, Regina, Panel II: "Developing and Fostering Relationships with Indigenous Communities, Families and Survivors of Violence," Public Transcript Part II Volume VIII, Exhibit code: P02P02P0301, Page 333 at lines 13-14.

<sup>17</sup> Office of the Information and Privacy Commissioner for British Columbia, 2014, Page 5, available online at <https://www.oipc.bc.ca/public-comments/1627>.

## Community Relations

49. Police agencies need to have the trust of the community that they serve in order to properly discharge their function. And yet, as the Honourable Michael H. Tulloch wrote in the Report of the Independent Police Oversight Review, “[t]he systemic under- and over-policing of Indigenous peoples historically and today has caused a deep sense of mistrust and stigmatization in Indigenous communities.”<sup>18</sup>
50. The BCCLA has a series of recommendations based on the evidence solicited at the police hearings. These recommendations are intended to increase the trust that Indigenous women and girls have in the agencies mandated to protect their safety, and to ensure that current policies and practices are not further eroding community relations.

## Inter-Agency Information Sharing

51. The BCCLA appreciates that there is much support for public agencies to share personal information amongst one another to better serve Indigenous women and girls.
52. The HUB model of policing is a current example of this approach to service delivery. Witnesses Daniel Bellegards and Chief Clive Weighill each provided testimony that was very supportive of the HUB model. This approach, in which personal information about an individual is shared across many government agencies without their consent, raises obvious concerns about trust. The BCCLA was troubled to hear evidence that concerns as minor as school truancy can trigger a police visit under the HUB model.<sup>19</sup> Time constraints at the hearings left little opportunity to explore the HUB model and its impact on community relations.

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<sup>18</sup> The Honourable Micheal H. Tulloch, Report of the Independent Police Oversight Review, Queen’s Printer for Ontario, 2017, 10.220, paragraph 23, available online at [https://www.attorneygeneral.jus.gov.on.ca/english/about/pubs/police\\_oversight\\_review/](https://www.attorneygeneral.jus.gov.on.ca/english/about/pubs/police_oversight_review/)

<sup>19</sup> Transcript Evidence Clive Weighill, Regina, Panel II: “Developing and Fostering Relationships with Indigenous Communities, Families and Survivors of Violence,” Public Transcript Part II Volume VIII, Exhibit code: P02P02P0301, Page 365 at lines 14-25 and Page 366 at lines 1-10.

53. A key principle of privacy law is that personal information only be used by an agency for the purpose for which it was collected. Further, it should generally only be shared with another entity if the individual about whom it relates provides consent to that disclosure or disclosure is part of a shared service or program. We note that where there are exigent circumstances, privacy legislation enables personal information to be shared without the need to obtain such consent.
54. The BCCLA cautions that the disclosure of personal information without the knowledge and consent of an individual could be very detrimental to community relations and further hinder the willingness of Indigenous woman and girls to access public services. The ability to trust service providers with personal information is essential to their effectiveness.

#### *Recommendation*

55. That sharing of personal information without individual consent be based on evidence that such disclosure would not create an additional barrier to Indigenous women and girls accessing services.
56. That the continuance of the HUB model be contingent on the production of empirical evidence as to whether it is more beneficial than detrimental.

#### Prioritizing the Safety of Indigenous Women and Girls over the Investigation of Non-Violent Crimes

57. We know not least from the number of Indigenous women that have gone missing along British Columbia's "Highway of Tears" that precarious travel methods such as hitchhiking can greatly undermine the safety of women and girls.
58. Safe travel options for Indigenous women and girls in western Canada have been drastically reduced with the recent withdrawal of the Greyhound passenger bus service from Manitoba westward (except for the Seattle–Vancouver route).

59. The evidence before the Commission was that where operationally feasible, RCMP officers have been stopping to pick up hitchhiking women and girls who meet a certain victim profile since specific recommendations were made in 2005.<sup>20</sup>
60. The BCCLA has two concerns with respect to this issue. One is that some police officers themselves may be a risk to the safety of women and girls. We are aware of allegations of abuse of women and girls by some police officers and in this regard, we have advocated, for example, for the BC Independent Investigations Office's mandate to extend to investigating sexual assault complaints.
61. Our second concern is about the policy that guides police actions with respect to hitchhiking women and girls. We agree with RCMP Commissioner Lucki who testified that "people who are running from the law wouldn't necessarily want to be picked up by the law voluntarily."<sup>21</sup> We submit that women and girls who have no choice but to travel so perilously would likely feel safer accepting rides from the police if it was clear that there would be no risk of charges being laid against them.

### *Recommendation*

62. Establish hitchhiking intervention policies that prioritize the safety of Indigenous women and girls over the investigation of non-violent crimes. Publicize these policies so that Indigenous women and girls know that accepting rides from police will not put them at risk of being criminally charged or investigated.

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<sup>20</sup> Part II Institutional Hearings, Police Policies and Practices, Exhibit 7, Report "Working Together to End Violence against Indigenous Women and Girls—National Scan of RCMP Initiatives," at page 10.

<sup>21</sup> Transcript Evidence Brenda Lucki, Regina, Panel I: "Recruitment, Training & Policing in Indigenous Communities," Public Transcript Part II Volume VI, Exhibit code: P02P02P01, at Page 282, lines 7-10.

### Limited Duration Posts

63. A recurring theme in the testimony of many witnesses was that limited duration posts for police in northern and remote communities can frustrate the development and maintenance of good community relations.
64. The BCCLA appreciates the hardship faced by many officers in remote postings. We also acknowledge that transitioning to a model of policing remote communities that involves postings of longer duration requires extensive resources and the development of innovative policies and practices. Despite these obstacles, we submit that reviewing the existing model of limited duration posts with a view of improving relations in remote Indigenous communities is a worthy investment.

### *Recommendation*

65. Re-evaluate the system of limited duration posts with a view to exploring means to incentivize and support police officers staying in remote communities for longer periods of time.

## **Additional Improvements to Policing Systems**

66. In this section we will provide a brief analyses and related recommendations that arise from a diverse set of issues that arose throughout the police hearings. The underlying objective of each recommendation is to enhance police systems more generally.

### Training

67. The hearings saw many calls for increased training for police. These calls for more training are calls for the dire state of police and Indigenous relations to be improved, but we caution that every dollar spent on training is one less dollar spent on another endeavor, and thus efficacy is key.
68. As such, we believe it is essential to ensure that any increased training is based on evidence that it is effective in improving policing. Our concern is that scarce resources could be spent on training that simply amounts to checking off boxes for professional development and does not in fact improve police practices in relation to Indigenous women and girls.

### *Recommendation*

69. That new police training be contingent upon evidence that such training is effective.

### Minimum Service Standards

70. In the testimony provided by witnesses Daniel Bellegarde and Jean-Pierre Larose, the Commission heard that there are major inequities between the policing services provided to some Indigenous communities and those enjoyed by the rest of the public. For example, legislated policing standards do not apply to Indigenous-run police agencies in Ontario. In northern Quebec, many communities do not benefit from 24 hour police services.
71. The BCCLA submits that this inequity in policing standards is not only detrimental to community relations but also exacerbates the threats that Indigenous women and girls face.

*Recommendation*

72. Ensure that legislated police service standards and appropriate resources apply to all Indigenous communities.

Third Party Reporting

73. At the police hearings RCMP Commissioner Lucki testified that the RCMP is evaluating a mechanism to enable a third-party to report sexual assault to police. The Commission also heard that the third-party reporting model is currently available in Manitoba and Nunavut through a legislative mechanism.
74. The BCCLA submits that enabling third-parties to report sexual assaults is an innovative mechanism that has the potential to benefit the safety and security of Indigenous women and girls.

*Recommendation*

75. Evaluate the results of existing third-party reporting systems with a view to having other jurisdictions adopt the model if evidence supports its expansion.

All of which is respectfully submitted,



Micheal Vonn, Policy Director



Meghan McDermott, Counsel (Policy)

BC Civil Liberties Association<sup>22</sup>

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<sup>22</sup> The BCCLA would also like to acknowledge the assistance of articling student Latoya Farrell in the production of this written submission.