

March 3, 2022

Mayor Lyn Hall  
City of Prince George  
1100 Patricia Boulevard  
Prince George, BC V2L 3V9

Dear Mayor Hall:

**Re: Provincial Response to 2021 Resolutions**

UBCM has received the Province's response to your Council resolution(s) from 2021. Please find the enclosed resolution(s) and their provincial response(s).

All responses from the Province have been posted to the UBCM web site under Convention & Resolutions.

Please feel free to contact Jamee Justason, Resolutions and Policy Analyst, if you have any questions about this process. Tel: 604.270.8226 ext. 100 Email: [jjustason@ubcm.ca](mailto:jjustason@ubcm.ca)

Sincerely,



Councillor Laurey-Anne Roodenburg  
UBCM President

*Enclosure*

Whereas the BC Crown Counsel Policy Manual's guidelines regarding charge assessment states that unless impracticable to do so, police will lay an Information charging a person with an offence only after approval of charges by Crown Counsel has been given;

And whereas police responsibilities regarding disclosure in criminal and regulatory offence proceedings is defined in the Disclosure Memorandum of Understanding between the BC Prosecution Service, the Public Prosecution Service of Canada (BC) and all BC police agencies, Crown Counsel's responsibility in accordance with the *Crown Counsel Act*, is to "examine all relevant information and documents and, following the examination, to approve for prosecution any offence or offences that he or she considers appropriate";

And whereas the costs and hours required to prepare a fulsome disclosure before charges are approved by Crown Counsel, can result in delays in charges being laid:

Therefore be it resolved that UBCM petition the BC Prosecution Service to work with all police agencies in British Columbia to improve efficiencies in disclosure and information management practices in order to reduce delays in charges being laid for the prosecution of criminal offences.

**Convention Decision:                      Endorsed**

### Provincial Response

#### **Attorney General and Minister responsible for Housing**

*The BC Prosecution Service (BCPS) is actively working with all police agencies in British Columbia to improve efficiencies in the disclosure process and reduce delays.*

*In 2016, the BCPS undertook a comprehensive review of B.C.'s current disclosure processes with the aim of enhancing disclosure by making it more efficient and relieving the workload pressures associated with disclosure for both the BCPS and B.C. police agencies. The Comprehensive Disclosure Strategy that resulted from this review is informed by the active participation and collective experiences of members from the BCPS, the RCMP, and municipal police agencies. One of the goals of the strategy is to devise an end-to-end system that allows for the expeditious flow of disclosure materials in digital form from police investigators to the BCPS and ultimately to the accused person.*

*The Digital Evidence and Disclosure Management System will be the BCPS's core element in the end-to-end management of digital evidence, with integrations to police and BCPS databases. The project envisions a standardized digital system and uniform formatting that will facilitate the expeditious flow of digital investigative materials from BC police agencies across the province to the BCPS for charge assessment and prosecution. Currently in the configuration phase, it is anticipated that, once in place, Digital Evidence and Disclosure Management System will reduce delay in the transmission of investigative materials to the BCPS and will improve the efficiencies in disclosure and information management practices.*

*On August 17, 2020, a Memorandum of Understanding (MOU) was signed between the BCPS, the Public Prosecution Service of Canada, and all police agencies in British Columbia. The new MOU updated and clarified the responsibilities of police and prosecutors for providing disclosure in criminal and regulatory offence proceedings, laying the groundwork for making all disclosure processes digital.*

*<https://www2.gov.bc.ca/assets/gov/law-crime-and-justice/criminal-justice/prosecution-service/media-statements/2020/20-12-joint-announcement-new-disclosure-mou.pdf>*

Whereas RCMP costs are borne by local governments, as well as the provincial and federal governments;

And whereas the Municipal Police Services Agreement between BC and Canada includes costs for RCMP training;

And whereas local governments have different policing and training needs based on factors such as crime rates and patterns, population size, and cultural, social and economic circumstances;

And whereas law enforcement officers have increased needs for specialized training to safely respond to complex and challenging situations in multi-cultural urban and rural environments:

Therefore be it resolved that UBCM request that both the provincial and federal governments increase funding and training specific to the provision of mental health resources (such as Health IM app) and the development of a comprehensive training model for RCMP members that includes components applicable to a detachment's service region and/or local government.

**Convention Decision:                      Endorsed**

#### Provincial Response

##### **Ministry of Public Safety and Solicitor General**

*British Columbia continues to experience many changes that impact policing with frontline officers dealing with persons suffering from mental health, substance abuse and homelessness. The Ministry of Public Safety and Solicitor General recognizes that a public safety response is only one approach to address some of these challenges is continuing to work with community agencies and other areas of government to build partnerships and implement collaborative solutions.*

*The provision of police training in British Columbia is seen as a partnership between various stakeholders, including RCMP national and the Pacific Region Training Centre, which is responsible for the delivery of advanced training for "E" Division members. One component of providing policing is to ensure police officers receive training that is funded appropriately and equitably by all parties set out in existing agreements and that officers have the tools and resources necessary to meet the needs of the communities they serve.*

*The Director of Police Services continues to establish provincial policing standards on specific matters, including training in key areas such as Crisis Intervention and De-escalation skills, trauma-informed practice, and fair and impartial policing, among others. Police departments may decide what additional or further learning pathways are required. The intent is to standardize approaches where necessary and leave room for local operationalization as needed.*

*The Ministry is also undertaking efforts to modernize policing and public safety in British Columbia and looks forward to receiving any recommendations from the Special Committee on Reforming the Police Act related to standards, funding, training, and education as well as the role of police with respect to complex social issues including mental health and wellness.*

#### Other Response

##### **RCMP**

*As the world around us is constantly changing, police officers must be able to adapt and respond as required. For this reason, RCMP training materials are updated on a regular basis. Ensuring that we equip our officers with appropriate tools to respond safely and effectively is of the utmost importance.*

*The training of RCMP members follows a comprehensive approach, which provides national consistency and alignment, in support of operational readiness and deployment in various jurisdictions across the country. As per the Police Service Agreements, jurisdictions establish their respective policing priorities and budgets, which include in-service training.*

*In-service training provides police officers with the skills required to support their primary duty of preserving*

*and protecting life. Knowing that the primary objective of any intervention is public safety and that officer safety is essential to public safety, in-service training focusses on the skills required to safely handle the wide range of situations that can occur within a policing landscape.*

*At the national level, the RCMP has updated the Incident Management Intervention Model (IMIM) annual re-certification training and the IMIM graphic to place more emphasis on communication, crisis intervention, and de-escalation. The IMIM is the framework used by RCMP officers to assess and manage risk in all encounters with the public, whether it is verbal de-escalation or the use of an intervention option: De-escalation is the preferred result of any interaction. The IMIM is introduced in the second week at the RCMP Training Academy (Depot) and is integrated into all other relevant aspects of training for the remaining 24 weeks. After leaving Depot, annual IMIM re-certification training is mandatory for all regular members.*

*For mental health-related calls, it is important to recognize that police officers are not medical professionals and cannot diagnose individuals. However, it is also important for the police to have an understanding of mental health illnesses, including signs and symptoms of distress.*

*The RCMP is committed to working with jurisdictions that wish to invest in training and other resources, which will aid officers when responding to mental health-related calls.*

Whereas the RCMP are tasked to preserve and organize information and evidence collected in the course of their investigation, in consideration of the Crown's obligation to disclose and in recognition of the benefits of early disclosure;

And whereas in accordance with the *Crown Counsel Act*, Crown Counsel is required to "examine all relevant information and documents and, following the examination, to approve for prosecution any offence or offences that he or she considers appropriate";

And whereas the demand for, and backlog of, biological and other forensic service at the National Forensic Lab Services negatively impacts the efficiency and effectiveness of an investigation and ability to proceed with the laying of charges:

Therefore be it resolved that UBCM petition the provincial and federal governments to increase working capacity within the National Forensic Lab Services for the provision of forensic services in biology, firearms, toxicology, and trace evidence in order to better meet the necessary timelines of RCMP investigations across Canada.

**Convention Decision:**                      **Endorsed**

#### Provincial Response

##### ***Ministry of Public Safety and Solicitor General***

*The Ministry shares the concerns of municipalities that high costs and lengthy delays are not acceptable. It is important to the Ministry that British Columbia's police and law enforcement have the tools and resources to ensure our public safety through the effective conduct of investigations and the laying of charges.*

*The capacity of the National Forensic Lab Services is within the federal control, and this is an issue with impacts felt nation-wide. Along with other Provinces and Territories, British Columbia works through the national RCMP Contract Management Committee to advocate with the federal government regarding policing issues impacting British Columbians. Additionally, the Province participates in regular meetings specific to costs and service delivery for DNA forensic analysis through the FPT DNA Working Group. The ministry will continue to advocate through these venues on issues of national concern, such as the capacity of National Forensics Lab Services.*

*Municipalities are also encouraged to raise their concerns with the federal government by writing to the Federal Minister, as UBCM has done in the past.*

#### Other Response

##### ***RCMP***

*The RCMP NFLS has continued operations throughout the pandemic, and while there were implications for operations in 2020 that impacted caseload backlogs, all three sites have been operating at 100% capacity since early 2021.*

*The upward trajectory for forensic services pre-pandemic was strong and sustained. Quantitatively, the period between fiscal years 2016-2017 to 2018-2019 were represented by a 9%, 25% and 41% increase in service for toxicology, biology and firearms disciplines, respectively. These significant increases affected the ability of the program to provide timely results and court support to all clients. NFLS continues to adapt to the various disruptions and re-alignments due to the COVID-19 environment (e.g., supply chain issues, support of technical services delivered by contractors, and process delays).*

*Mitigation and modernization efforts are underway to increase efficiencies, maximize resources, and leverage available technology. For example, in toxicology, a modernization initiative due to be fully operational in the fall of 2022 will increase efficiencies in process workflow. In addition, the dedicated work of the toxicology team has the NFLS moving steadily towards the opening of two lines for the processing of drug-impaired driving cases in the spring of 2022. Efforts to add new services to the biology discipline are ongoing (e.g.,*

*adopting probabilistic genotyping software, assessing phenotyping/biogeographical ancestry, incorporating Rapid DNA processes). Other administrative mitigation measures, such as providing most court testimony virtually, have also provided marginal benefits to the operations of the program.*

*Despite these mitigation measures, the ability to manage the increased demand will continue to be challenging without additional resources.*

Whereas Provincial Crown Counsel prosecutes offences and appeals in British Columbia that arise under Canada's Criminal Code and British Columbia statutes;

And whereas collaborative approaches that address root causes of crime, such as mental illness and addictions, create effective and targeted responses by providing offenders with supports, services and ties to their community to promote rehabilitation and a crime-free lifestyle;

And whereas the provincial government, through the implementation of coordinated initiatives such as community/integrated court and addiction treatment centres, First Nation's Health Councils and Integrated Case Assessment Teams, recognizes social and economic factors and the negative effects of reliance on established measures within the mainstream justice system:

Therefore be it resolved that UBCM ask the Attorney General to improve capacity in the provincial court system by funding, province-wide, coordinated and collaborative alternatives to the court system.

**Convention Decision:                      Endorsed**

#### Provincial Response

##### **Ministry of Attorney General and Ministry of Public Safety and Solicitor General**

*Government recognizes that there is a need to move beyond the traditional justice system. Government is working with Indigenous partners, community members and other ministries to ensure increased support for vulnerable populations, including those involved in the criminal justice system because of their unmet health and housing needs.*

*Specialized courts require additional supports such as dedicated staff, supportive housing availability, addictions programs and other social services and supports to be successful. For this reason, community proposals are reviewed by a cross-government provincial advisory committee, co-chaired by the Assistant Deputy Minister for Justice Services, the Co-Chair of the First Nations Justice Council, and the Chief Judge of the Provincial Court. Decisions around implementing new courts are made by the Chief Judge of the Provincial Court, in collaboration with the ministry and other justice partners.*

*To address the overrepresentation of Indigenous people in the criminal justice system, the ministry, in partnership with the First Nations Justice Council, has opened Indigenous Justice Centres (IJC's) in Merritt, Prince George and Prince Rupert. Up to 15 centres are planned for throughout B.C. in the coming years. IJC's provide legal advice and representation for criminal and child protection matters; advocacy and support in dealing with agencies such as the police and Ministry of Children and Family Development; referrals to relevant agencies and wraparound services such as counselling or employment support; information towards better transitions from jail and integration into the community; and restorative justice options to better support and address the needs of those impacted by a crime.*

*The Ministry of Public Safety and Solicitor General (PSSG) is committed to enhancing the use of restorative justice (RJ) and has engaged with a broad range of stakeholders to promote greater collaboration and dialogue about RJ across the province and have worked to identify opportunities to enhance its use in the province.*

*PSSG has also provided support for a number of initiatives focused on enhancing RJ across BC, including supporting the development and implementation of an association for BC's community-based RJ programs. The ministry has provided funding to the Restorative Justice Association of BC to assist their efforts in providing support and advocacy for RJ programs and services across the province.*

*The ministry also continues to increase its support for RJ programming through the Civil Forfeiture Crime Prevention and Remediation Grant Program. We provided over \$1M to 33 RJ related projects through the grant program in fiscal 2020/2021 including funding for the development of a cross-sector advisory committee that will support this ministry's work in enhancing the use of RJ in BC.*

*PSSG also currently supports community-based, volunteer-driven RJ programming through the Community Accountability Program (CAP). There are currently 52 providing RJ related programming to communities across BC.*

*CAPs are eligible for annual funding of up to \$4,000 to support volunteer training and administrative expenses. CAPs have various capacity levels, with some programs using municipal funding to provide more complex and extensive RJ services.*

*Some CAPs take on offences referred by Crown counsel. The BC Prosecution Service supports the use of RJ programs in appropriate cases including in alternative measures or extrajudicial sanctions and sentencing.*