

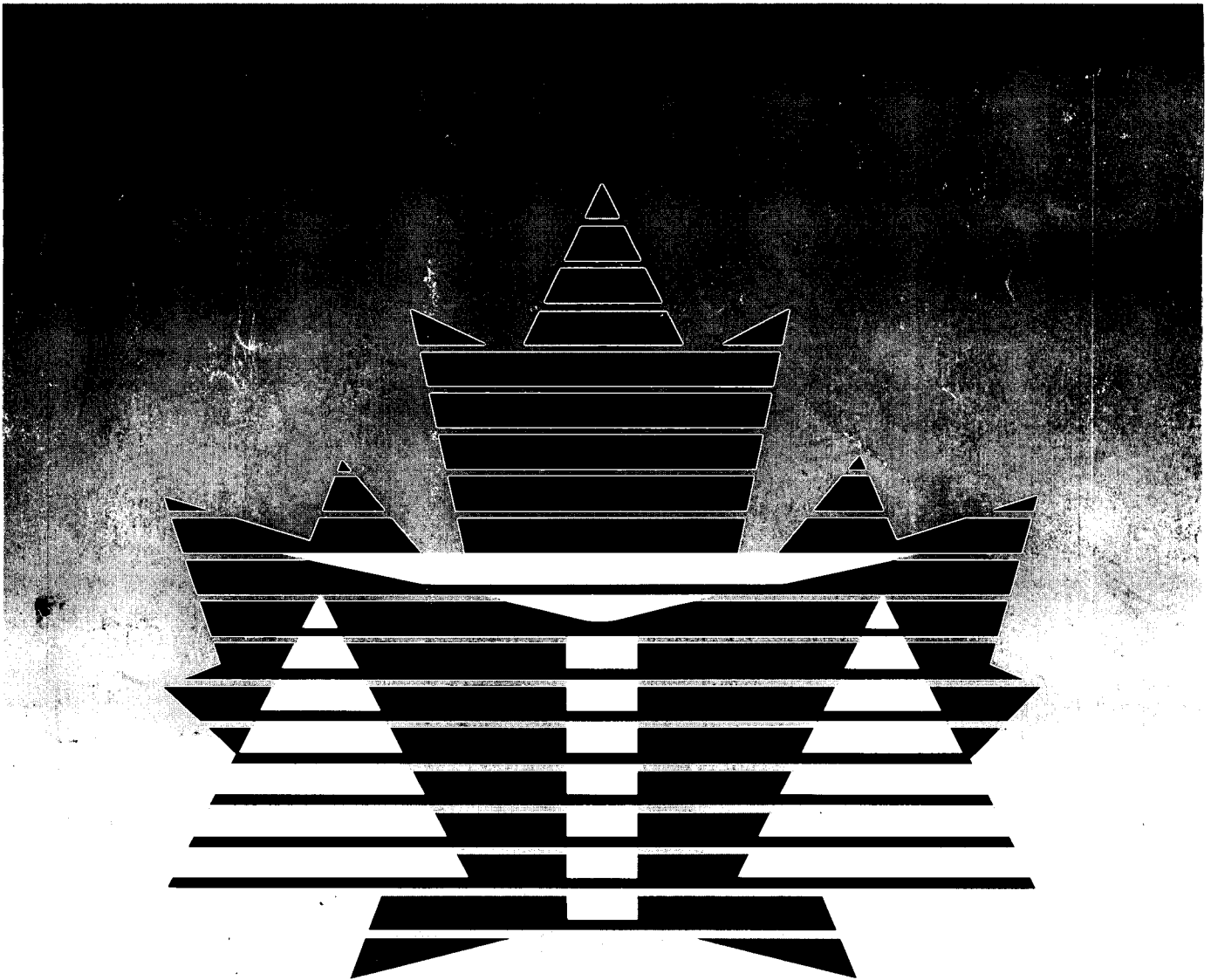
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Policing in Canada

1990

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Policing in Canada

1990

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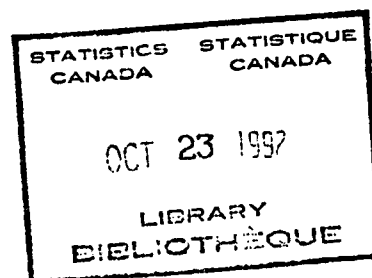
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Preface

The Canadian Centre for Justice Statistics is the focal point of a federal-provincial initiative. Its purpose is to develop Canada's system of justice statistics and information in order to support the administration of justice in Canada, and to ensure that accurate information regarding the nature and extent of crime and the administration of justice is available to the Canadian public.

The Policing Services (formerly Law Enforcement) Program of the Centre is responsible for producing statistics on criminal offences reported to the police and for information on the expenditures and personnel administration of police forces in Canada. The information is provided by accredited police and other law enforcement agencies. This publication, the second in a series of occasional publications, is primarily qualitative in nature and is meant to complement the more statistics-oriented Policing Services Program annual releases. Plans are to update this publication approximately every five years.

This revised version of Policing in Canada was prepared by Daisy Locke, Lucie Ogradnick and Lisa Salhany, Policing Services Program. Inquiries concerning the content of the publication should be addressed to Information and Client Services, Canadian Centre for Justice Statistics, Statistics Canada, 19th Floor, R.H. Coats Building, Tunney's Pasture, Ottawa, Ontario, K1A 0T6. Telephone (613) 951-9023 or 1-800-387-2231, facsimile number (613) 951-6615.

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INTRODUCTION

Policing in Canada

The Canadian Constitution provides for a system of sharing policing responsibilities between the three levels of government: federal, provincial/territorial and municipal. The Royal Canadian Mounted Police (RCMP), through the Ministry of the Solicitor General, is the primary federal law enforcement agency responsible for the enforcement of most federal laws. The Canadian Security and Intelligence Service (also part of the Ministry of the Solicitor General) has, as part of its mandate, the responsibility for collecting information on activities that are reasonably suspected of constituting threats to the security of Canada. Its activities, though, are not part of what is normally thought of as constituting "policing", but are highly specialized intelligence activities. As such, statistics pertaining to CSIS are not collected. Other federal departments have statutory responsibility to administer legislation such as the Income Tax, Customs and Excise Acts although these are more regulatory in nature. In addition, the federal government assumes a limited role in a number of quasi-public policing services, such as Ports Canada Police and the Canadian National Railway Police.

Administration of justice in the provinces, including enforcement of the Criminal Code and provincial statutes, is part of the powers and duties delegated to the provincial/territorial governments. All provinces and territories, except Quebec and Ontario, have entered into contracts with the RCMP to enforce criminal and provincial laws and territorial ordinances under the direction of the respective ministers of justice, attorneys general or solicitors general. The Ontario Provincial Police (OPP) and Quebec Provincial Police (QPP) provide provincial policing services to their respective provinces, while the Royal Newfoundland Constabulary shares provincial policing duties in Newfoundland and Labrador with the RCMP.

Legislation in most of the provinces/territories makes it mandatory for cities and towns to maintain their own police force once that city or town reaches a certain population (this population limit can range from 500 to 5,000 persons depending on the province). Municipalities are usually given the option of creating their own municipal police department, contracting for the services of the RCMP, contracting for the services of the provincial police force (eg. RCMP, OPP, QPP, or entering into an agreement with neighbouring municipalities for the operation of a regional police force. Municipalities whose population is less than that prescribed by the aforementioned "limit" usually have the option of maintaining their own force or, as is normally the case, being policed by the provincial police force as "rural" policing.

Organization of Report

This publication provides an overview of the Canadian policing environment to complement the more statistically oriented reports produced by the Policing Services Program of the Canadian Centre for Justice Statistics. Specifically, the objective of this report is to summarize the complex and unique structures of policing services that exist in each of the provinces and territories in order to

provide an overview of the policing systems in place across the country. As policing is a dynamic process, this publication will be produced on an "occasional" basis, with updates approximately every five years.

Imminent changes are anticipated in the role and organization of policing in the future. Not only is the composition of police forces in Canada changing through employment equity, but the population to be served is changing as well. With the aging of the Canadian population and the transformation of the family structure, policing is moving towards becoming more proactive rather than reactive. The emphasis has necessarily changed to "policing services" rather than merely law enforcement. The vision of policing in the future includes a partnership between the community and the police and increased accountability by the police to the community.

These processes of change are just beginning. It is hoped that in the next issue of this publication, "Policing in Canada", more information will be available on these topics.

This report is organized in three parts. Part I deals with federal jurisdiction over policing services. Included in this section is an overview of federal responsibilities and a description of the Royal Canadian Mounted Police, the Canadian Security Intelligence Service, Ports Canada Police and CN and CP Railway Police (although CP Police are privately operated).

Part II examines provincial jurisdiction over policing, including municipal police departments. Each province and territory is examined in detail with respect to historical legislation and the evolution of current day police structures. As well descriptions of provincial policing, municipal policing, aboriginal policing, funding to municipalities, training, and related police services including private investigators and security services, firearms control and commercial vehicle enforcement (when the information was available) are given.

Part III of the report describes Aboriginal Policing and how it is integrated into the overall policing structure in place in Canada. Included in this section is a description of the major types of Aboriginal Police, an overview of how each type came into being, and a comparison of the powers and jurisdictions of each type.

Coverage

This report covers all public sector police forces in the country that are comprised of fully sworn peace officers. This includes the RCMP, the Canadian Security Intelligence Service (although its personnel do not have peace officer status), Ports Canada Police, CN and CP Railway Police, Ontario Provincial Police, Quebec Provincial Police, Royal Newfoundland Constabulary and all municipal/regional police departments. The following types of police are excluded from this report: military police; various federal government departments employing Special Constables with authority to enforce specific

federal statutes such as the Income Tax, Customs, Excise, Immigration, Fisheries and Wildlife Acts; various provincial agencies responsible for enforcement of specific provincial statutes, but whose officers have only limited enforcement and jurisdictional authority; and the Alberta Highway Patrol, whose members are not fully-sworn police officers.

Statistical Summary

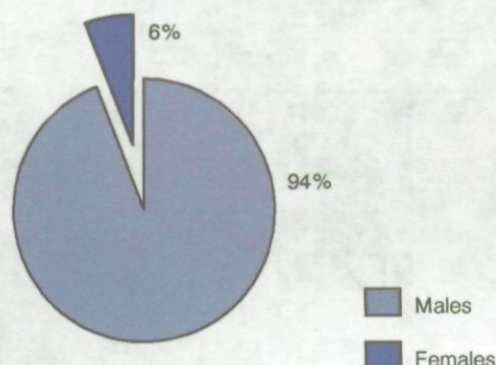
In Canada, in 1990, there were 56,034 fully-sworn police officers. These officers were dispersed among 397 municipal police departments (not counting the 191 RCMP municipal police contract forces), the RCMP, the Ontario Provincial Police, the Quebec Provincial Police and the Royal Newfoundland Constabulary. Among police officers in Canada in 1990, 52,461 (94%) were male and 3,573 (6%) were female (see Figure 1). The five largest forces in the country accounted for 60% of all officers:

| | |
|---|------|
| RCMP (including provincial and municipal contracts) | -26% |
| Metro Toronto Community Police Department | -10% |
| Montreal Urban Community Police Department | -8% |
| Ontario Provincial Police | -8% |
| Quebec Provincial Police | -8% |

Municipal police (including RCMP and OPP contract policing) accounted for 62% of total police officers in the country (see Figure 2). The RCMP performed municipal policing services under contract to 32% of municipalities

Figure 1

Gender Breakdown of Police Officers, Canada, 1990

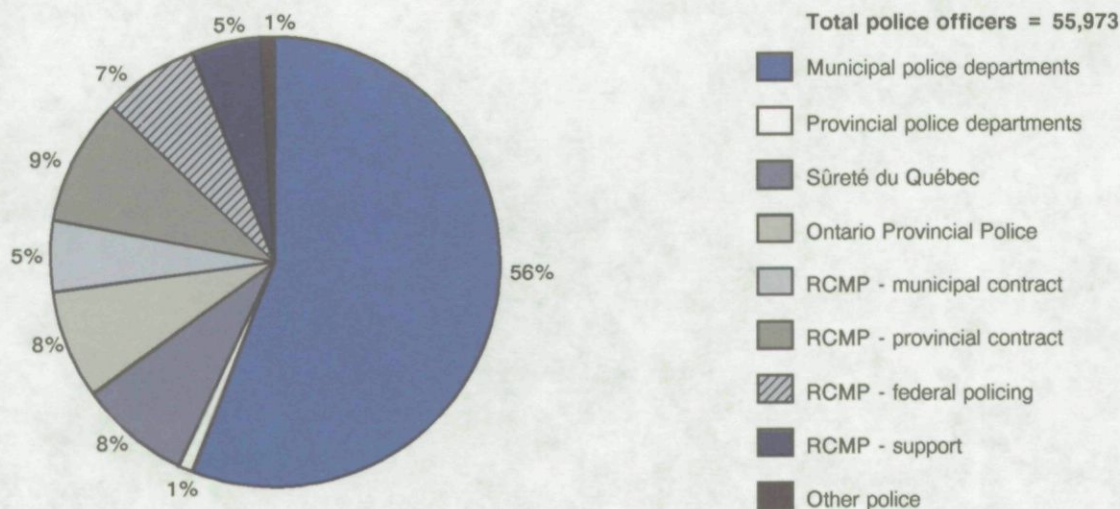


Source: Police Administration Statistics Annual Survey, 1990

operating police forces in the country. However, as a percentage of total municipal police officers, the RCMP accounted for just 9% (see Figure 3). This is due to the fact that the RCMP tends to be under contract to police smaller municipalities.

Figure 2

Distribution of Police officers, by Type of Police Force, Canada, 1990

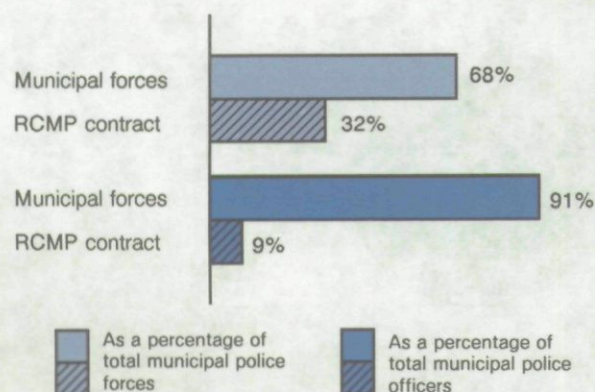


1 RCMP Support includes 1,430 officers stationed at "HQ" in Ottawa and 134 officers stationed at the Training Academy in Saskatchewan.

Source: Police Administration Statistics Annual Survey, 1990.

Figure 3

Municipal Policing, by Type of Municipal Force, Canada, 1990

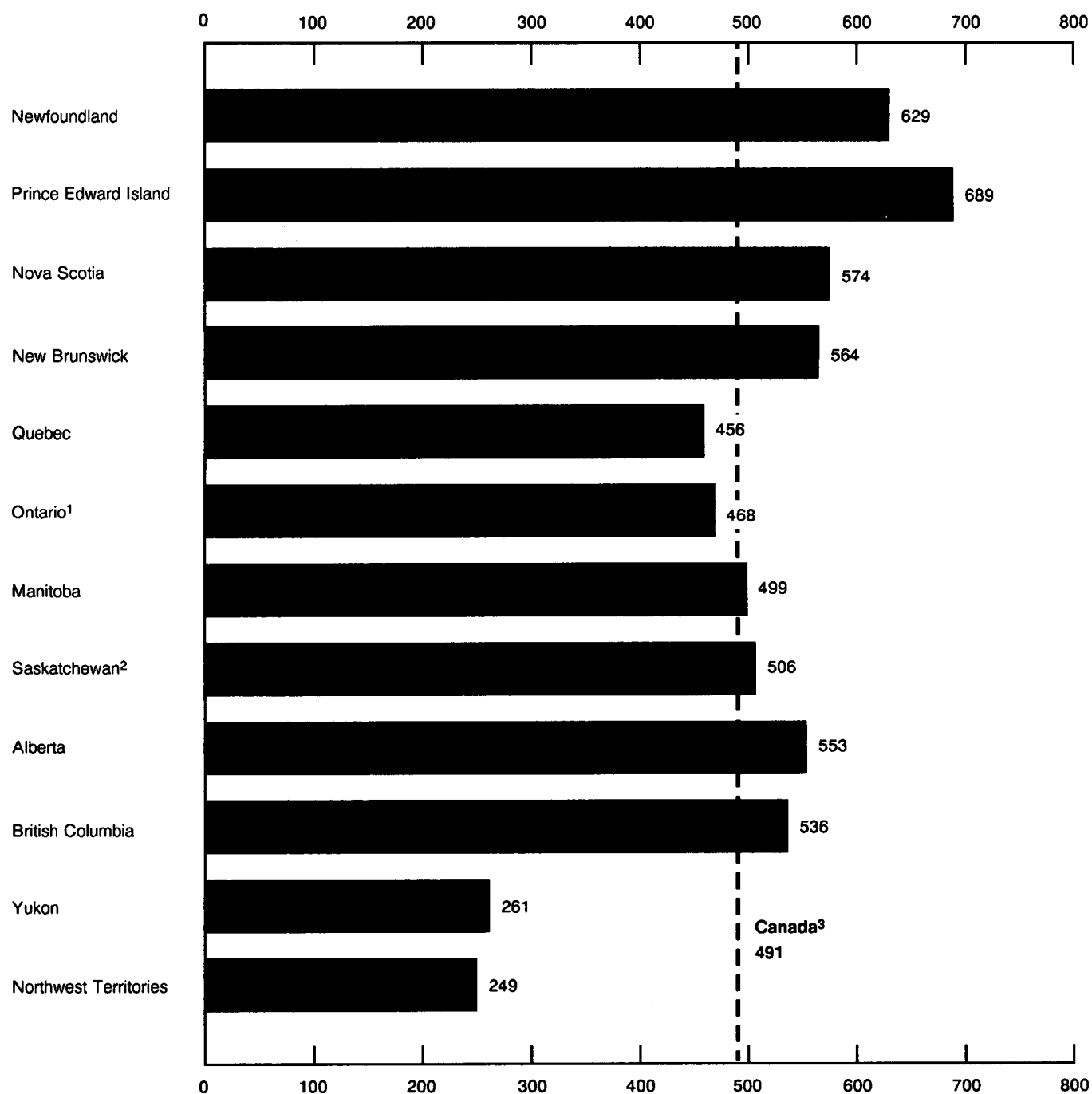


Source: *Police Administration Statistics Annual Survey, 1990*

Figure 4 shows the population for each full-time police officer, by province. The shorter the bar, the more police officers there are per capita in the province. For example, in Quebec there is one officer for every 464 persons, while in Prince Edward Island there is one officer for every 689 persons. This rate is not a sole indicator of the availability of police services which are affected by a host of geographic, economic, and policy contributions. Rather, it is a means of trying to put the number of police officers into perspective relative to the population. The calculation of the number of officers includes all municipal, provincial and federal police, as well as Ports Canada Police, CN and CP Railway Police. However, two RCMP divisions have not been included: the Training Academy in Regina and "HQ" (Headquarters) in Ottawa. As the personnel in these two divisions do not pertain specifically to the province in which they reside, the inclusion of officers from these divisions in provincial totals would have over-stated police strength in both Ontario and Saskatchewan. The population figures used in this calculation are postcensal estimates from Demography Division, Statistics Canada.

Figure 4

Population for Each Full-time Police Officer, by Province, 1990



Source: Police Administration Statistics Annual Survey, 1990.

¹ Excludes police personnel from "HQ".

² Excludes police personnel from the RCMP Training Academy.

³ Excludes police personnel from "HQ" in Ontario and the RCMP Training Academy in Saskatchewan.

FEDERAL JURISDICTION

Overview

Responsibility for federal policing, originally within the scope of the Department of Justice, has been the responsibility of the Ministry of the Solicitor General since its creation in 1968. Four agencies make up the Ministry: the Royal Canadian Mounted Police (RCMP), the Correctional Service of Canada, the National Parole Board and the Canadian Security Intelligence Service (CSIS). In addition, a Secretariat provides advice to the Solicitor General on policing, corrections, national security and Ministry policy. As well there are several monitoring agencies which include the External Review Committee, the RCMP Public Complaints Commission, and the Correctional Investigator.

The RCMP is responsible for enforcing a broad range of federal statutes, furnishing provincial policing services to eight provinces and the territories, and municipal policing

services to almost 200 municipalities across the country (except in Ontario and Quebec). The RCMP employs almost 15,000 police officers. CSIS has responsibilities previously exercised by the security service division of the RCMP. The activities of CSIS do not represent "policing" in its usual sense, but involve highly specialized intelligence activities.

The federal government also assumes a limited role in a number of policing arrangements which are essentially quasi-public policing services. The Ports Canada police and the CN Railway police are two such examples. In addition, other federal departments have statutory responsibility to administer legislation such as the *Income Tax, Customs, Excise, Immigration, Fisheries and Wildlife Acts*. The agencies responsible for enforcement of these statutes are not included in this report.

ROYAL CANADIAN MOUNTED POLICE

History

While the **Mounted Police Force**, established according to the 1845 *Act for the Better Preservation of the Peace, and the Prevention of Riots and Violent Outrages at and near Public Works, While in Progress of Construction* was technically Canada's first federal police force, the legislation placed specific emphasis on the temporariness of the Force. As suggested by the title of the aforementioned statute, the primary duty of the Mounted Police Force was to calm disquiet among workers employed in the construction of public works, such as the St. Lawrence and Welland Canals. This legislation was also relied upon by the federal government, following the burning of the Parliament buildings in Montreal in 1849, to establish the **Mounted Constabulary Police Force** to put down riots in protest of the Rebellion Losses Bill.

Initiating what was to become a full-scale abandonment of the local constable system of policing in the Dominion, Parliament, shortly after Confederation, enacted the *Act Respecting Police of Canada*. The new legislation called for the formation of the Dominion Police which would be closely regulated by the central government and would be operating throughout the Dominion enforcing only federal statutes.

In 1873, Parliament passed the *Act Respecting the Administration of Justice, and for the Establishment of a Police Force in the Northwest Territories*, creating the **North West Mounted Police Force (NWMP)**. The force was charged with enforcing all laws in what was then known as the North West Territories (currently the central prairies and the Yukon and Northwest Territories), lands that the Dominion had recently purchased from the Hudson's Bay Company.

For the next fifty years, the NWMP Force experienced a number of changes. Most changes, like the name change to the Royal North West Mounted Police (RNWMP) of 1904, were fairly insignificant, but there were also a few very major changes. One was the RNWMP's assumption of provincial policing duties in the newly established provinces of Alberta and Saskatchewan in 1905. The West, however, began developing extremely rapidly and by the late 1910's both Saskatchewan and Alberta had established their own provincial police forces, leaving the RNWMP to perform functions increasingly

similar to those of its sister force in the East, the Dominion Police. Consequently, Parliament enacted the *Northwest Mounted Police Act Amendment Act* in 1919, which merged the Dominion Police with the RNWMP to form the **Royal Canadian Mounted Police (RCMP)**, which has operated as Canada's federal police force ever since.

Wholly adopting the legislation previously governing the RNWMP, the RCMP was given the mandate to enforce all of the laws and ordinances of the Yukon and the Northwest Territories and to enforce, throughout the whole of the country, all federal laws (with the exception of the Criminal Code). The jurisdiction of the RCMP remained as such until the Depression began in the late 1920's. Commencing with Saskatchewan in 1928 and then with Alberta, Manitoba, Nova Scotia, New Brunswick and Prince Edward Island in 1932, the RCMP assumed responsibility for provincial policing in each of the aforementioned provinces.

Since most provinces had incorporated provisions into their provincial policing legislation enabling municipalities to engage the services of the provincial forces to police their jurisdictions, individual municipalities were now quite frequently empowered to contract with the federal government for the services of the RCMP. Such municipal policing agreements can take two forms:

1. a municipality might contract directly with the federal government, this is called a direct policing agreement; or
2. a municipality might contract with the provincial government for the services of the provincial police force, which happened to be the RCMP, and this process is called umbrella or extended policing.

Subsequently, provisions were incorporated into the *RCMP Act* in 1940 governing provincial and municipal policing agreements. Abandoning their provincial police forces in 1950, British Columbia and Newfoundland opted for the services of the RCMP under contract, leaving the Ontario Provincial Police force and the Quebec Police Force as the only provincial police forces in the country (however, the Royal Newfoundland Constabulary shares provincial policing with the RCMP in Newfoundland and Labrador).

Mandate

The RCMP has a mandate to enforce Canadian laws, prevent crime and maintain peace, order and security. Specifically, the RCMP works to:

1. prevent and detect offenses against Federal Statutes;
2. prevent, detect and investigate crime and maintain law and order in provinces, territories and municipalities under contract; and
3. provide investigative and protective services to protected persons, other federal departments and agencies.

The RCMP also assists, upon request, all Canadian law enforcement agencies by providing services relating to specialized police training and research, forensic laboratories, identification and information.

The RCMP Act of 1959 provides the legal basis upon which the Force is organized. Authority and accountability for executing the requirements of the RCMP Act rests with the Commissioner, supported by the Deputy Commissioner and divisional commanding officers.

Organizationally, the RCMP provides services located within 13 divisions, 52 subdivisions and 723 detachments across the country. Including the 675 cadets at the Training Academy in Regina, Saskatchewan, there were 15,333 RCMP officers in Canada in 1990, 1,274 of whom were female (8%).

Organization

The RCMP is organized into five activities:

1. Operations;
2. Protective;
3. Law Enforcement Services;
4. Corporate Management; and
5. Administrative.

The Operations Activity includes a wide variety of law enforcement programs in support of federal, provincial/territorial and municipal governments. Assistance and co-operation with accredited police agencies and services to the general public are provided. Programs within the Operations Activity are diverse in nature involving all aspects of law enforcement at local, national and international levels. Strategies, policies and plans are developed and directed which provide guidance regarding delivery of services. This Activity is the focal point on a nation-wide basis, for the co-ordination and evaluation of criminal operations and criminal intelligence gathering.

The Protective Activity encompasses the protective policing functions of the RCMP which includes providing security for certain government dignitaries, government

property, internationally protected persons and their residence, and major events. This Activity includes coordinating VIP visits, conducting security inspections and surveys of physical installations and providing consultations for officials regarding security requirements. The Activity also ensures that the RCMP complies with appropriate legislation and guidelines with respect to the collection, storage, use and disclosure of information relating to internal security and reliability of personnel screening methods.

The Law Enforcement Services Activity provides technical expertise and operational support to all accredited Canadian law enforcement agencies and specialized institutions within the criminal justice system. The services provided include the development and maintenance of a comprehensive program of information management (i.e. data and voice communications) which support the operational activities of the RCMP and the Canadian police community. Forensic laboratory and identification services are made available to Canadian police agencies, government agencies and the judiciary. Air services are operated throughout Canada to assist RCMP members on operational police duties. Additionally, this Activity provides legally trained personnel who carry out a number of functions including RCMP representation in service court proceedings, discharge and demotion hearings.

The Corporate Management Activity includes the management of strategic and corporate planning, corporate policy design, financial planning and program evaluation. Responsiveness and accountability is ensured by the co-ordination of communications, public affairs, information access, ministerial liaison and external review and appeals. Corporate Management was established to allow the RCMP to respond more effectively to the needs of government and the demands of emerging public policy issues, as well as responding to information demands of the public, the media and Parliament.

The Administration Activity encompasses the organization and management of the department's human resources. It maintains an internal administrative policy function and service in relation to training, staffing and personnel, health, material, language and organizational issues. These issues pertain to members of the RCMP as well as public service employees employed by the organization. In addition, the Administration Activity is responsible for the management of property, material, transport and food related services.

Community Policing

The Community Policing program is used by the RCMP to present pro-active policing to the community. Programs are designed to deal with communities on an educational and awareness level that serves to reduce or remove potential crime/social problems.

A brief summary, provided by the Commissioner of the RCMP, of major initiatives recently undertaken by the RCMP includes:

1. Victims Services;
2. Police Venturing;
3. Services for the Elderly;
4. Family Violence; and
5. the RCMP Summer Student Program.

The RCMP has always recognized youth as a valuable community resource. To reinforce this commitment, the RCMP, in co-operation with the Scouts of Canada, is undertaking the development of a venturing program. The program will provide young people between the ages of 14 and 17 with an insight into law enforcement or other areas of the criminal justice system, while providing the RCMP with the opportunity to stay in tune with the lifestyles of young adults and to have a positive influence on their thoughts and actions.

The RCMP developed and distributed comprehensive education and awareness programs addressing seniors' concerns (ie. fraud). The RCMP approach is both to increase seniors' awareness and participation in the community, as well as to reduce the economic victimization and the fear of victimization the elderly are experiencing. Research has also begun examining the issue of "Elder Abuse". This is being done in conjunction with the Family Violence Initiative.

The RCMP is participating with the Ministry of the Solicitor General on a multi-agency departmental task force to address family violence. This initiative encompasses a variety of issues including criminal and anti-social behaviour, encompassing spousal abuse, physical and sexual abuse of children, and the abuse, neglect and exploitation of the elderly. The RCMP will focus on improved police response to family violence by the development and implementation of training and sensitization programs for police officers and management, public awareness, protocols to link relevant criminal justice and social agencies and improved police-based victim service programs.

The RCMP provides a Summer Student Program for students to obtain a hands-on policing experience. Fifty-eight students were employed at RCMP detachments across Canada in 1990. This program introduces law students to the "other side" of the law, i.e., that of the police and criminal justice system.

Employment Equity

Although the RCMP is exempt from Employment Equity legislation, it is committed to employment equity initiatives within the direction of Treasury Board's Personnel Management Manual.

The RCMP is committed to the principle that it should reflect the diverse population of Canada to ensure effective police/community relations, effective delivery of police

services and long term success in achieving the common goals of maintaining social peace, law and order.

The RCMP has undertaken employment equity measures necessary to ensure that all individuals are treated in a fair and equitable manner in recruitment, hiring, training, development, evaluation and promotion. It will undertake special measures and accommodate differences in order to remove barriers and eliminate systemic discrimination.

The following initiatives are representative of the RCMP's commitment towards employment equity:

1. community input through the establishment of advisory committees;
2. the introduction of an Aboriginal and Community Policing Directorate, a Multicultural Liaison Branch, the National Recruiting team for target groups and an employment equity analyst;
3. adaptation of recruitment/promotion/retention to cultural diversity; and
4. cultural accommodation to uniform dress standards.

To help realize these goals, through the Self-Identification Program and PARADE (Personnel Administration Research and Development System, an automated service operated by the Director of Personnel to assist in the administration of personnel records), statistics can be gathered as to the numbers of women, aboriginal persons, persons with disabilities and persons who are of a visible minority by salary range of each rank/sub-group, numbers of new engagements, promotions and discharges. Participation is voluntary, but the response rate has been at 88%.

Policing in the Future

In 1990 the RCMP Commissioner approved nine major initiatives which form the direction of the RCMP for the future. These initiatives cover most aspects of police services and confirm the RCMP's commitment to meeting the current policing needs of Canadians in an everchanging environment.

These initiatives are:

1. Community Policing

This is a method for delivering all aspects of police services and involves the community as a partnership in identifying policing needs and assisting in solving problems; this process is supported by the establishment of Community Advisory Groups.

Community advisory groups are being formed to promote the interchange of ideas and co-operation between the community and the police. This spirit of "partnership" is fostering an interaction that ensures both the community and the police are attuned to local policing needs, at the same time demonstrating the RCMP's commitment to provide a community policing service.

2. Policing for the Elderly

This will ensure that the special needs of seniors are addressed as Canadian society progressively grows older. This initiative will focus on crime prevention programs and the involvement of seniors who are ready, willing and able to participate as volunteers in many policing programs.

3. Aboriginal Policing Services

These will involve more Aboriginal Canadians in the policing of their communities through an affirmative hiring program and will involve community groups in the determination of the local police services required. (A further description of RCMP programs concerning Aboriginal Policing may be found in the chapter titled Policing Arrangements for First Nation Communities in Canada).

4. Policing Services for Visible Minorities

These will focus on the provision of culturally sensitive policing for minorities. These will be accomplished by reducing the barriers that prevent the recruitment of minorities into the RCMP and the expansion of cultural awareness training for current police personnel. The creation of citizen advisory groups within ethnic communities will be a priority.

5. Enhancement of Federal Law Enforcement

This includes defining RCMP responsibilities under the numerous federal statutes and an increased emphasis on providing effective services to client departments.

6. Enhanced Traffic Law Enforcement

Through increased awareness programs and traffic enforcement, this initiative will attempt to reduce the number of impaired drivers, increase seatbelt usage, and reduce the number of hazardous traffic offences in the provinces and territories policed by the RCMP.

7. Drug Enforcement

This is a flexible, multi-faceted approach to suppress the use of illicit drugs in Canada. The approach covers all aspects from drug awareness programs in schools and communities to the training of foreign police officers to assist in international investigations. Such variety in strategy allows the program to adjust to changing international and national trends in drug enforcement.

8. Human Resource Management Plan

It will ensure that the RCMP's most valuable resource, its personnel, are well trained, well qualified and suited for the type of duties they are performing. Personnel will have greater input into their career path and the type and location of their posting to ensure that their personal needs and the needs of the organization are being met, resulting in optimum performance.

9. Streamlining of Operational Reporting: Paper Burden Reduction

This involves the automation of operational reporting systems thus providing investigators more available time to perform investigations. Increasing demands for statistical and other types of information necessitates the development of technology to permit the collection of this information without increasing the office time for operational police officers. This new technology will link existing systems and reduce the number of times the information must be loaded into computer systems.

Training

A total of 500 regular member recruits, of which 384 were male and 116 were female graduated from the Training Academy during the 1989-90 fiscal year. In addition, 12 modified troops, three of which were trained in the French language, two aboriginal special constable troops, two troops of re-entry members and 50 members of the RCMP Band graduated from the Academy.

A total of 13,522 candidates attended divisional courses nationally. These courses covered topics such as: investigation training, traffic law enforcement, multiculturalism, accident investigation and breathalyzer training. Furthermore, refresher training is available in the form of audio-video cassettes to keep members up-to-date in areas such as the transportation of dangerous goods.

The Dwyer Hill Training Centre became operational during the 1989-90 fiscal period. It is a firearms and tactical centre for continuous training of the Special Emergency Response Team (SERT), and for the centralized training of Division Emergency Response Teams (ERT).

CANADIAN SECURITY INTELLIGENCE SERVICE

Introduction

The Canadian Security Intelligence Service (CSIS) came into existence in July 1984, by an act of the Canadian Parliament which, in effect, transferred the responsibility for security intelligence in Canada from the Royal Canadian Mounted Police to the newly created Service.

The CSIS Act defines the primary duties and functions of CSIS and provides the guiding principles by which the Service conducts its operations and measures its effectiveness. The Act is broad enough to permit adequate intelligence activities, but it sets limits in order to respect the civil rights and liberties of Canadian citizens.

The primary purpose of the Service is to collect and analyze information and intelligence on activities that are reasonably suspected of constituting threats to the security of Canada, and to report this intelligence to the government. Service employees, however, do not possess peace officer status. Therefore, they do not have powers of arrest and seizure.

The Mandate of CSIS

There are four basic categories of activity which constitute threats to the security of Canada and they form the basis of the primary mandate for CSIS as legislatively outlined in the Act.

1. Espionage and Sabotage

Acts of espionage include the unauthorized attempts to obtain sensitive government assets for a foreign power related to Canada's political, economic, scientific or military affairs. Acts of sabotage include attempts to damage or destroy vital equipment or installations. If any acts of espionage or sabotage are directed against Canada or are detrimental to Canada's interests they constitute threats to the security of Canada.

2. Foreign-Influenced Activities

Foreign governments, political groups or other foreign organizations may try to interfere with or manipulate Canadian political life in a clandestine or deceptive manner, or threaten individuals in pursuit of their own hostile interests.

3. Political Violence and Terrorism

Political violence and terrorism includes actual violence or threats of violence that are politically motivated which may be used as attempts to force governments to act in a certain way. Hostage-taking, kidnapping, bomb threats or assassinations are examples of violent actions that have been used to force political responses.

Terrorism within Canada may be intended to achieve a political objective in Canada, but it may also be intended to affect political affairs in another country. Canada participates in a number of international agreements to provide intelligence on such activities.

4. Subversion

Subversion is defined as any activity directed toward undermining, by covert, unlawful acts, the constitutionally established system of government in Canada.

However, the definition of security threats included in the CSIS Act precludes CSIS from investigating lawful advocacy, protest or dissent, unless carried on in conjunction with any of the activities listed above.

In addition, the Service is mandated with two other functions which are also of importance. These are:

1. Security Screening

Along with investigating the above four types of threat to Canadian security, CSIS is also required to carry out investigations leading to security assessments on individuals whose positions entail access to classified material. CSIS also provides security assessments of individuals in the area of citizenship or immigration.

2. Foreign Intelligence

As part of international obligations, the Service may, if requested, assist either the Secretary of State for External Affairs or the Minister of National Defense in the collection of foreign intelligence. It is important to note that this type of activity is sanctioned only in Canada, against non-Canadians or non-Canadian corporations and ministerial approval is necessary if such action is to be taken.

Independent Review of CSIS

The *CSIS Act* created two unique entities which legislatively provide for review of the Service. The first of these is the Security Intelligence Review Committee. This Committee is composed of five members of the Privy Council who are not serving members of Parliament. The role of this Committee is to review appealed security clearance decisions, investigate complaints and review the Solicitor General's policy directions to CSIS and carry out

specific enquiries. The Committee reports to the Solicitor General periodically and its annual report is tabled in Parliament by the Solicitor General. The second entity is an Inspector General appointed by the Governor-in-Council. The Inspector General provides a review of the operational activities of CSIS and conducts research at the request of the Security Intelligence Review Committee or the Solicitor General. In effect, the Review Committee reports to Parliament whereas, the Inspector General advises the government.

PORTS CANADA POLICE

History

In 1843, the River Police were established in Quebec City and Montreal. They were to maintain law and order on the wharves and enforce the Quarantine Law and Regulations during the major immigration period at the end of the 19th Century.

Throughout the 1900's the number of harbour police increased as more national ports were built to facilitate the country's import and export trade. In 1936, Parliament enacted the *National Harbours Board Act* which established the National Harbours Board as a Crown Corporation to administer, manage and control Canada's major ports.

In 1968, because of problems with law and order in the ports, the National Harbours Board Police were changed from separate port police forces and unified into one Force. The *Canada Ports Corporation Act* replaced the *National Harbours Board Act* in February 1983 creating the Canada Ports Corporation. While this Act gave the ports more autonomy over their own affairs, there were no changes in the provisions for providing police services.

Mandate

The Ports Canada Police Service is integrated in the Canadian Police Community with detachments at the ports of Sept-Îles, St. John's, Halifax, Saint John, Quebec, Montreal and Vancouver with Headquarters in Ottawa.

The other Ports Canada ports are served by Headquarters. At some ports, security guards perform gate control and other duties which are fully integrated with police operations and function under their command.

The Ports Canada Police Service is structured to respond to, and coordinate, port and interport police security operations including investigation, criminal intelligence, crime prevention methods, physical security techniques, national security responsibilities and emergency planning measures. It has the capability, resources and established liaison to coordinate its activities with the entire police network in Canada and internationally with other police forces around the world, including Interpol.

Furthermore, the Ports Canada Police has joined the newly established National Safe Boating Council which provides an opportunity for cooperation with many public and private sector member organizations in a strategy aimed at increasing boating safety awareness and skill.

Headquarters provides the direction, standards, guidelines, training and coordination required of a national police service. It operates an audit program to maintain the Service's efficiency and effectiveness.

Authority

Police constables appointed under the *Canada Ports Corporation Act*, have the authority and responsibilities of any peace officer under the Criminal Code and as such are responsible to the provincial Attorneys General. Constables have jurisdiction on any Ports Canada local Harbour Corporation property and any area within 25 miles of such property.

In 1990, there were 136 fully-sworn police officers employed across the country with Ports Canada, all of whom were male.

Accountability

A Police Committee created by the Canada Ports Corporation and consisting of eight members is mandated to provide the Corporation's Board of Directors with advice concerning all questions related to the maintenance of a suitable and effective law enforcement Service, including examination of rules, regulations and bylaws established with a view to implementing a national Protective Services Program. In addition, the Committee examines and advises about the organization, efficiency and administration of police and security services, related financial arrangements, training and police ethics.

Training

Training standards for Ports Canada Police personnel meet or surpass the requirements of provincial police commissions. All candidates must be graduates of a recognized police academy. Further training is also provided by various institutions including the Canadian Police College, provincial police academies, RCMP and municipal police training programs. As well, the National Office provides specialized training including courses on police response to dangerous goods incidences and response and crisis management techniques for landward and seaward emergencies.

Departmental policy requires that police personnel undergo firearms qualifications annually.

RAILWAY POLICE

Introduction

As with Canadian harbours, the policing of railway property in Canada originated as a responsibility of the individual municipality in which the property was situated. By the early 1910's, however, it had become quite evident (especially at the Canadian Pacific (CP) Railway terminals in Vancouver) that local police forces were unable to control crime against railway property. Consequently, the *Railway Act* was amended, enabling railway companies, as of January 1, 1918, to seek the appointment of persons to act as police constables on and along their property. Constables so appointed are charged with the preservation of the peace and security of persons and property: on the railway; on the trains, roads, wharfs, quays, warehouses and other property belonging to the company; and in all places within one-quarter mile of the railway. Even though the constables are hired by the railway company, they are sworn police officers who obtain their authority from the *Railway Act* and the *Criminal Code of Canada* and their first responsibility, when conducting a police investigation, is to the Canadian justice system and thus they act completely independent of the railway company.

Both the government owned Canadian National (CN) and the privately owned Canadian Pacific Railway companies, Canada's major railway firms, maintain their own highly organized policing networks.

These officers are empowered to enforce all laws within their jurisdictions, which includes both criminal and provincial laws. The statutes they enforce most often are the *Criminal Code*, *Young Offenders Act*, *Narcotic Control Act*, *Food and Drugs Act*, *Trespass to Property*, *All Terrain Vehicles Act*, *Liquor License* and *Railway Act*. The Railway Police have full powers of Search and Seizure under the statutes they enforce.

Although the railway police deal with a wide variety of criminal activity, their efforts are centered on thefts of goods in transit, theft of company property, fraud and mischief.

In 1989 the *Railway Safety Act* was introduced which amended the *Criminal Code* to include railway operations and equipment under the dangerous and impairment provisions. The railway police now have legal authority to enforce drug and alcohol abuse on the railway.

CN Police

Until the 200 privately owned railways were amalgamated into the Canadian National Railway, each railroad had its own police force. In 1923 the Canadian

National Investigation Department was organized. It was known as the Investigation Department until 1971 when it was renamed CN Police.

Today, the CN Police, with a total force of 255 fully sworn constables, operates five regional offices across the country which see to security and investigatory matters. The System's Headquarters is in Montreal.

Organization

The Chief of CN Police is responsible for providing a viable, protective and investigative organization adapted to meet CN Railways requirements.

Deputy Chiefs are in charge of CN Police activities with a Superintendent responsible for each railway region. They are, in turn, assisted by Inspectors who are in charge of strategic locations along the railway lines. Uniformed and plain clothes Special Agents are located in various points served by CN across Canada.

Accountability

Members of this department are responsible to the Chief of Police only and under no circumstances do they take direction in police related matters from company management. The Chief of the Department reports to the Senior Vice-President and Chief Operating Officer of the Company.

The Canadian Railway Office of Arbitration, the official body responsible for the final decision in employee-company labour grievances is available, if necessary.

Affiliations

The CN Police work closely with other policing services organizations including Canada Customs and most Provincial Criminal Intelligence bureaus. Senior officers of the Department are members of the Canadian and Provincial Chiefs of Police Associations. They are also members of the International Association of Chiefs of Police. Some past Directors of Investigation were also Presidents of Provincial Police and Fire Chiefs Associations and Presidents of The Chief Constables' Association of Canada.

Training

In 1986, CN Police started an annual basic training program at the Canada Transport Training Institute in Cornwall, Ontario. This is a 6-week program taught by qualified I.T. (Instructional Techniques) instructors with accreditations by Provincial or Canadian Police Colleges. Specialists, police officers and other professionals from law enforcement disciplines are also brought in on an "as required" basis. Study sessions have included: Bomb threats, Multiculturalism, Dangerous Commodities and Prohibited and restricted weapons. CN Police management personnel attend the Executive and Senior Development Programs at the Canadian Police College in Ottawa. Firearms training is provided at the recruit level and continues throughout their career. All members must qualify with their service weapon on a yearly basis.

Community Relations

CN Police believe education is the key to prevention and that railway safety must be made a public priority. "Operation Lifesaver" is a continent-wide safety awareness program. CN Police officers visit schools to bring their railway safety messages to young people. As well as public information campaigns, Operation Lifesaver also includes simulated disasters such as train collision exercises.

Canadian Pacific Department of Investigation

Canadian Pacific (CP) began operating its transcontinental trains in the early 1880's. Shortly thereafter CP instituted their own Railway Police.

Through its Canadian Pacific Department of Investigation, the Canadian Pacific network ensures the protection of its property and security of its personnel and passengers. With its headquarters in Montreal, the Canadian Pacific Department of Investigation maintains three regional offices, charged with administering its 227 member force.

Accountability

CP Police have a Police Code of Conduct and members are subject to its disciplinary procedures. There is also the Canadian Railway Office of Arbitration, the official body responsible for the final decision in employee-company labour grievances. The members of CP's

Department of Investigation report to the chief only and do not take direction in police related matters from company management. The Chief of the CP Department of Investigation reports only to the Chairman, Chief Executive Officer of CP Rail.

Affiliations

Senior officers are members of the Canadian and Provincial Chiefs of Police Associations and there are also members of the International Association of Chiefs of Police among them.

Training

All members of the CP Department of Investigation undergo a six week basic training course at the CP facility in Winnipeg. All instructors used by the Department are qualified through the Canadian Police College's Instructional Techniques course. Specialists are brought in on an "as required" basis, and may be Police Officers or professionals from other law enforcement disciplines. After the six weeks, the recruits spend eight weeks at a detachment with a designated training officer. All Constables are required to return to Winnipeg every four years for a two week Senior Constables course. Furthermore, courses are taken at the Canadian Police College in Ottawa, at provincial police academies, and through other police departments' in-service training programs. Officers are required to take both the Senior Police Administration and Executive Development Course at the Canadian Police College. Senior management attend many of the executive workshops offered by the Canadian Police College.

Firearms training is provided at the recruit level and continues throughout the members' career. All members must qualify twice each year with their service weapon. Shotguns are available as required and suitable training provided.

Community Relations

The CP Department of Investigations has a railway safety program and visits schools across the country warning thousands of children each year about the dangers and penalties associated with playing on railway property.

PROVINCIAL/TERRITORIAL AUTHORITY

Overview

The *British North America Act* of 1867 conferred upon the provinces authority over the administration of provincial justice. Governmental Ministries were eventually established in all provinces to oversee the administration of justice, with policing being an integral component. In addition to the federal government, Alberta, Ontario, Quebec, Nova Scotia and New Brunswick have each created a new Ministry (Ministry of the Solicitor General) overseeing policing and correctional services in their respective provinces.

Provincial authority with respect to policing includes the enforcement of provincial statutes, municipal by-laws and provisions of the Criminal Code. Most provinces established provincial police forces around the turn of the century in order to police the areas of the province not covered by municipal police forces. While every province has at one point in time operated its own provincial police force, only Ontario and Quebec continue to do so (the Royal Newfoundland Constabulary shares provincial policing responsibilities with the RCMP in Newfoundland).

The remaining provinces, beginning with Saskatchewan in 1928, have opted to disband their provincial forces in favour of contracting with the federal government for the services of the RCMP. The Yukon and Northwest Territories have always been policed by the RCMP.

As described in the Introduction to this report, most provinces make it mandatory for cities and towns to maintain their own police force once that city or town reaches a certain population (usually ranging from 500 to 5000 persons). Municipalities are usually given the option of creating their own police department, contracting for the services of the RCMP, contracting for the services of the provincial police force (e.g., RCMP, OPP, QPF), or entering into an agreement with a neighbouring municipality for the operation of a regional police force. Municipalities whose population is less than that prescribed by the above mentioned limit, usually have the option of maintaining their own force or, as is normally the case, being policed by the provincial police force as "rural" policing.

The organization of provincial/territorial and municipal police forces usually consists of an operational and administrative division. The operational division provides

direct police services through crime prevention, investigation and crime detection. This division is normally further divided into field services (patrol units) and criminal investigation units. In urban areas, the units may be further divided into traffic and specialization investigation sections. The administrative division furnishes support services, including personnel training, recruitment, finance, material management, records, communications and identification. Civilian staff hired by the police force often provide much of the administrative division's manpower.

All of the provinces except Newfoundland, Prince Edward Island and Manitoba have enacted Police Acts during the 1970's, governing policing at both the municipal and provincial levels. The three remaining provinces currently have more than one piece of legislation pertaining to municipal and provincial policing.

Legislation pertaining to the establishment of municipal police forces is fairly extensive, with such forces being established pursuant to the provincial *Police Acts*, statutes relating to the municipalities in general, and, in some cases, the individual charters of cities. Municipal police forces were originally under the jurisdiction of municipal councils. Provincial authorities began instituting legislation compelling the establishment of municipal boards of police commissioners to distance police forces from the political nature of councils. Municipal police boards are usually independent of municipal councils and generally oversee police personnel, police-community relations, labour relations and budget preparation.

In order to establish a uniform standard of policing within a province, most provinces enacted legislation during the 1960's and 1970's which allowed for the establishment of provincial police commissions. At present, all provinces except Newfoundland, Prince Edward Island and Alberta operate provincial police commissions. However, Alberta's Director of Law Enforcement and the Alberta Law Enforcement Review Board perform functions similar to provincial police commissions. While commissions vary considerably in size, membership and organization, their legislative mandates are quite similar in providing for crime prevention and police-community relations, establishing uniform standards for all police forces, maintaining efficient policing services through research and evaluations, investigating complaints against police officers as well as overseeing internal disciplinary matters.

NEWFOUNDLAND AND LABRADOR

Population June 1, 1990: 573,400

Current Police Legislation

- *Royal Newfoundland Constabulary Act* (a new Constabulary Act has been proposed which includes provision for a Public Complaints Commission for the RNC)
- *The Agreement for Policing of the Province Act*
- *The Municipalities Act*
- *The Newfoundland Company of Rangers Act* (this Act is no longer applicable and will soon be repealed when the statutes are revised)

Provincial Responsibility

Department of Justice

Breakdown of Population Served

| | |
|---------------------------------|------|
| Royal Newfoundland Constabulary | 35% |
| Royal Canadian Mounted Police | 65% |
| | 100% |

Provincial Policing

RCMP (under contract since 1950)

Other Policing

Ports Canada Police
CN Railway Police

Police Strength, 1990

| Type of police | Number of police officers |
|---------------------------------|---------------------------|
| Royal Newfoundland Constabulary | 368 |
| RCMP - provincial contract | 412 |
| RCMP - federal policing | 86 |
| RCMP - support** | 38 |
| Ports Canada Police | 4 |
| CN Railway Police | 3 |
| TOTAL | 911 |

** Includes Canadian Police Services and Administration

Introduction

Policing in Newfoundland is distinctive from other provinces for two reasons. First, Newfoundland is one of only three provinces (the others being Manitoba and Prince Edward Island) not to have overhauled and consolidated its policing legislation into a single, comprehensive Police Act. Second, Newfoundland is the only province to operate two provincial police forces simultaneously: the RCMP and the Royal Newfoundland Constabulary.

Policing in Newfoundland is currently governed by the following Statutes:

- *The Royal Newfoundland Constabulary Act*; This Act is being reviewed and a new Constabulary Act is proposed which contains provisions for the establishment and operation of a Police Complaints Commission.
- *The Agreement for the Policing of the Province Act*;
- *The Municipalities Act*;

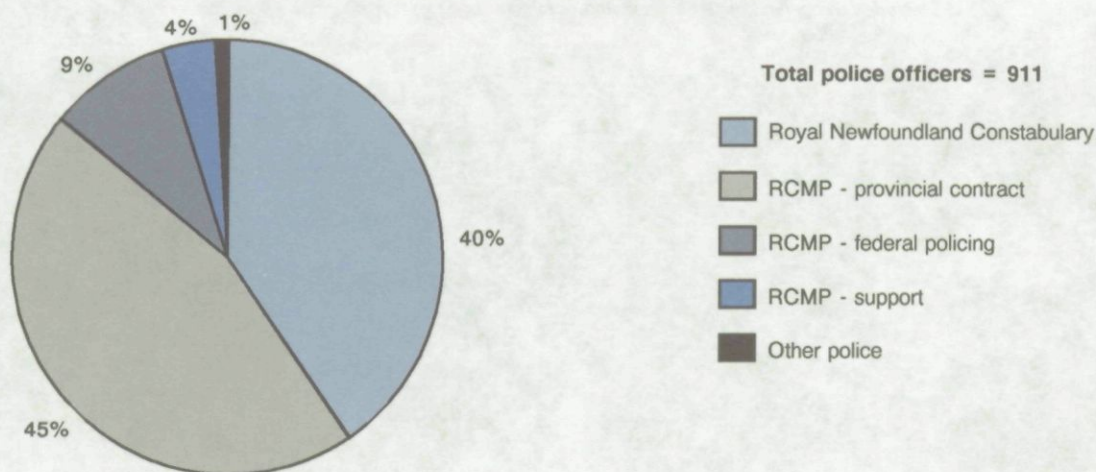
- *The Newfoundland Company of Rangers Act*. This Act will soon be repealed when the statutes are revised.

The Royal Newfoundland Constabulary originated under the control of the Lieutenant-Governor-in-Council. The current *Royal Newfoundland Constabulary Act*, however, has relieved the Lieutenant-Governor of this responsibility and placed the Minister of Justice in charge of the general control and management of the force. While the appointment of the Chief of Police and other members of the force has remained within the jurisdiction of the Lieutenant-Governor-in-Council, the current Act enables the Lieutenant-Governor to delegate his powers of appointment to the Chief of Police.

Responsibility for policing in the Province of Newfoundland rests with the Department of Justice. The administration of gun control and private security guards falls under the Licensing Division of the Department of Justice. The Province currently has no Provincial Police Commission, however, the establishment of such a commission is under consideration by the Department and the proposed new Royal Newfoundland Constabulary Act has provision for the establishment of the Complaints Commission.

Figure 5

Distribution of Police Officers, by Type of Police Force, Newfoundland and Labrador, 1990



Source: *Police Administration Statistics Annual Survey, 1990.*

Provincial Policing

While all of the provinces, at some point in time, have experimented with their own provincial police force, Newfoundland has the further distinction of being the only province to operate two provincial forces at the same time. Provided for in the 1872 Act to Organize and Maintain an Efficient Constabulary Force and for the Appointment of Special Constables in the Colony, the Constabulary Force of Newfoundland became Newfoundland's first official provincial force. For over 60 years, the Constabulary alone was responsible for provincial policing within Newfoundland. In 1935, however, a second provincial force, the Newfoundland Company of Rangers, was established. It was vested with responsibilities and powers almost identical to those exercised by the Constabulary. Any confusion that might have existed regarding the forces' respective jurisdictions was laid to rest shortly after the Second World War, when the constabulary's jurisdiction was confined to law enforcement within the City of St. John's. Even though the Newfoundland Constabulary, for all intents and purposes, was reduced to the status of a municipal police force, it remained under the direct authority of the Lieutenant-Governor-in-Council and was entirely independent of municipal council.

As a result, provincial policing duties with respect to the remainder of Newfoundland fell upon and remained the responsibility of the Newfoundland Rangers until 1950, when Newfoundland, having recently entered into Confederation, joined British Columbia in being the last two provinces (excluding Ontario and Quebec) to abandon their provincial forces in favour of contracting with the Government of Canada for the services of the RCMP. The Royal Newfoundland Constabulary, today, is truly a provincial force serving the St. John's and surrounding areas including the Northeast Avalon Peninsula and Labrador West including Labrador City, Churchill Falls and Wabush and the city of Corner Brook on the Province's West Coast.

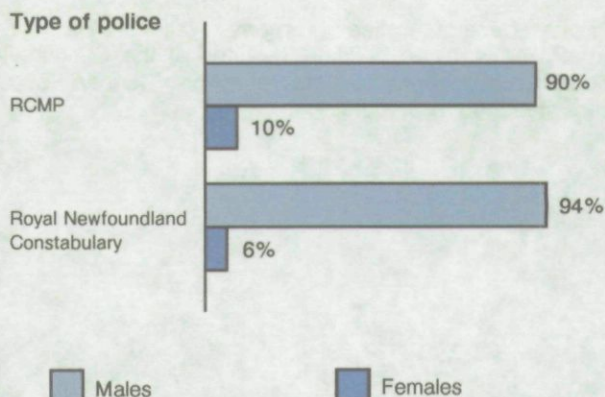
In addition to its federal responsibilities, the RCMP has entered into an agreement with the provincial government to assume provincial policing duties throughout all parts of the province, with the exception of the City of St. John's, the Northeast Avalon Peninsula, Corner Brook, and the Labrador West area. Policing in these areas of the Province is provided by the Royal Newfoundland Constabulary, which employed 368 police officers in 1990, 22 (6%) of whom were female. The combined RCMP federal and provincial policing strength in the same year was 536 police officers, 51 (10%) of whom were female.

Municipal Policing

Newfoundland's first municipal policing legislation, following her entrance into Confederation, appeared in the Local Government Amendment Act of 1954. This Act, amended in 1956 and again in 1958, granted council the authority to make arrangements with the provincial government for the services of the Constabulary Force of Newfoundland, or subject to the approval of the Lieutenant Governor-in-Council, to make arrangements with the

Figure 6

Gender Breakdown of Police Officers, by Type of Police Force, Newfoundland and Labrador, 1990



Source: *Police Administration Statistics Annual Survey, 1990*

provincial government for "providing, maintaining and operating a gaol in the municipality and for maintaining and caring for prisoners arrested in the municipality or charged with or convicted of committing offenses within or outside the municipality".

In 1979, the Local Government Act was repealed and replaced with the present Municipalities Act. There was, however, no change with respect to municipal policing in Newfoundland and those provisions governing municipal policing contained in the Local Government Act were wholly incorporated into the new legislation. As previously mentioned, Corner Brook is now a part of the jurisdiction policed by the Royal Newfoundland Constabulary. They assumed this responsibility from the RCMP who were, prior to 1985, under contract to the Province on behalf of the City.

Provincial Funding to Municipalities

All municipal policing costs in Newfoundland are paid for by the Province, with the Constabulary providing policing services to most municipalities.

Other Police Forces and Related Services

Aboriginal Policing

In Newfoundland there was one Native Special Constable under the RCMP 3(b) program who has now become a regular constable. There were also 4 Band Constables in Newfoundland in 1991.

Other Police Forces

CN Railway Police provide policing of railway property, with a staff of 3 officers in 1990. The discontinuance of railway service in the Province has resulted in a major reduction of officers. There is currently one officer in St. John's, Grand Falls and Corner Brook for a total of 3 officers, 9 less than in 1985.

Ports Canada Police (formerly National Harbours Board Police) provide policing services at the St. John's harbour. In 1990 there was a staff of 4 Ports Canada Police officers stationed in St. John's.

Provincial Police Commission

A Police Public Complaints Commission, to deal with complaints against officers of the Royal Newfoundland Constabulary is being considered by the Government. A decision on its establishment is likely to be forthcoming early in 1992.

Training

The Government provides for training of members of the Royal Newfoundland Constabulary through such means as in-service training and special arrangements for the use of the Atlantic Police Academy in Charlottetown, the Canadian Police College in Ottawa and other training institutes.

PRINCE EDWARD ISLAND

Population June 1, 1990: 130,300

Current Police Legislation

- *Police Act 1940*
- *Municipalities Act, 1983*

Provincial Responsibility

Department of Justice and Attorney-General

Related Police Services

Atlantic Police Academy in Charlottetown

Breakdown of Population Served

| | |
|------------------------------|------|
| Municipal police departments | 22% |
| RCMP municipal contract | 9% |
| RCMP provincial contract | 69% |
| | 100% |

Provincial Policing

RCMP (under contract since 1932)

Municipal Policing

5 municipal police forces
4 RCMP contract police forces

Police Strength, 1990

| Type of police | Number of police officers |
|------------------------------|---------------------------|
| Municipal police departments | 66 |
| RCMP - municipal contract | 13 |
| RCMP - provincial contract | 81 |
| RCMP - federal policing | 17 |
| RCMP - support** | 12 |
| TOTAL | 189 |

** Includes Canadian Police Services and Administration

Number of Municipal Police Forces, by Type of Force and Size of Force, 1990

| Size of force (No. of officers) | Police department | RCMP contract | Total |
|---------------------------------|-------------------|---------------|----------|
| 1 - 5 | 3 | 4 | 7 |
| 6 - 10 | - | - | - |
| 11 - 20 | 1 | - | 1 |
| 21 - 50 | 1 | - | 1 |
| 51 - 100 | - | - | - |
| > 100 | - | - | - |
| TOTAL | 5 | 4 | 9 |

Introduction

Policing in Prince Edward Island is currently the responsibility of the Minister of Justice through the Department of Justice and Attorney General. At present, the RCMP provides provincial policing pursuant to a provincial/federal agreement. The RCMP is also under contract to four municipalities to act as municipal police. For Prince Edward Island, there were 123 RCMP police officers in 1990 (including support, federal, provincial and municipal departments), 11 (9%) of whom were female. In addition, there are five municipal police departments.

The regulation of municipal policing in Prince Edward Island is the exclusive domain of Municipal Councils; while a form of a municipal police board exists, its powers are restricted to disciplinary matters. There is no Provincial Police Commission in the province.

Administration of gun control rests with the Director of the Consumer Services Division of the Department of Justice as Chief Provincial Firearms Officer. A Firearms Officer assists in the administration of the gun control statutes. Previously the Legal Services Division was responsible for gun control.

The *Private Investigators and Security Guards Act* was proclaimed in 1988. As of that date, all security guards and private investigation firms must be licensed in the province. Prince Edward Island, like the majority of the provinces during the 1970's, enacted an all-encompassing *Police Act* in 1977. This Statute, however, has never been proclaimed into force. Consequently, the *Municipalities Act*, 1983 regulates municipal policing, while the *Police Act* of 1940, with only slight revisions, governs provincial policing.

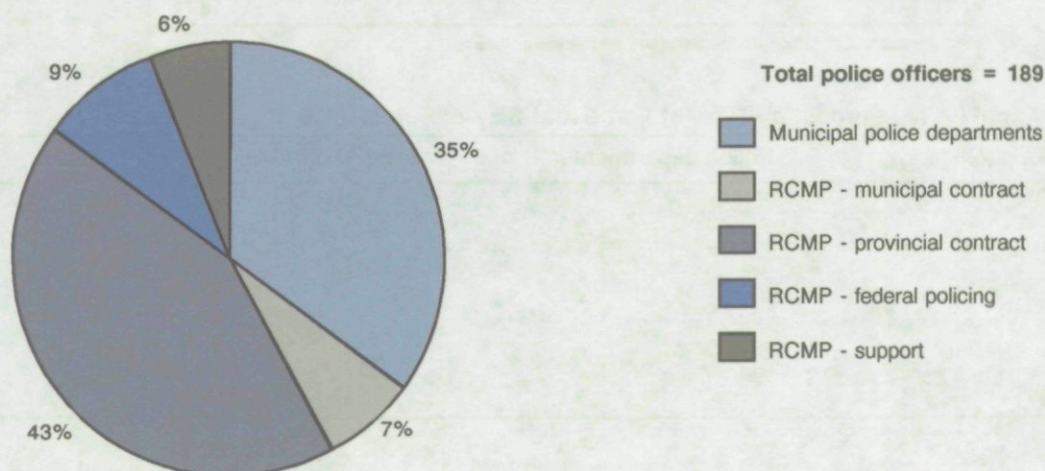
Provincial Policing

Legislation particularly concerned with provincial policing did not appear in Prince Edward Island until 1930, when the *Act Respecting a Provincial Police Force* was passed, creating the Prince Edward Island Provincial Police Force. In existence for only two years, the Force was disbanded in 1932 and replaced with the RCMP under contract to the province.

In 1940 the Prince Edward Island legislature enacted a *Police Act*, incorporating the *Royal Canadian Mounted Police Act* and the *Provincial Police Force Act* into a single document. It is a slightly amended version of the *Police Act*, 1940 which currently governs provincial policing in Prince Edward Island.

Figure 7

Distribution of Police Officers, by Type of Police Force, Prince Edward Island, 1990



Source: *Police Administration Statistics Annual Survey, 1990.*

Municipal Policing

Enacted in 1889, the *Constables and Fence Viewers Act* marked the Prince Edward Island legislature's first attempt at regulating policing within the province. As with the other Maritime provinces, responsibility over local policing in Prince Edward Island gradually shifted to individual municipalities during the early 1900's. The *Town Act* and *Village Service Act* vested municipal councils with absolute control over policing carried out within their borders. In 1983, the *Municipalities Act* repealed the earlier Acts.

Figure 8

Gender Breakdown of Police Officers, by Type of Police Force, Prince Edward Island, 1990



Source: *Police Administration Statistics Annual Survey, 1990*

Municipalities in Prince Edward Island not wishing to create their own force may enter into an agreement with another municipality for a joint police force, or contract for the services of the RCMP, either directly with the federal government or via an agreement with the provincial government. In 1990 there were five municipal police departments with a police strength of 66 officers, one of whom was a female. There were four RCMP contract municipalities with a police strength of 13 officers.

Provincial Grants to Municipalities

There are no specific municipal grants tied to police services, as all provincial funding takes the form of unconditional grants. Municipalities do receive court-imposed fines arising out of violations that occur in their jurisdiction if they operate their own police force or if they have a RCMP contract police force.

Figure 9

Municipal Policing, by Type of Municipal Force, Prince Edward Island, 1990



Source: *Police Administration Statistics Annual Survey, 1990*

Other Police Forces and Related Services

Aboriginal Policing

In Prince Edward Island there was one Native Special Constable under the RCMP 3(b) program who has now become a regular constable under the Aboriginal Constable program. There was also one Band Constable in Prince Edward Island in 1991.

Provincial Police Commission

There is no Provincial Police Commission currently in Prince Edward Island, although the *Police Act of 1977* (which has not yet been proclaimed into force) provides for the creation of a Provincial Police Commission.

Training Programs

Police in the Province, particularly municipal police, take advantage of training opportunities at the Canadian Police College in Ottawa for in-service training and the Atlantic Police Academy in Charlottetown for both in-service and recruit training. The Academy began training in both official languages in February 1971. The Atlantic Police Academy Advisory Council, with representatives from the four provinces gives direction to curriculum and programming and identifies the needs of the constituents. The provinces contribute to the operation of the Atlantic Police Academy based on the number of police officers attending courses during the year.

Gun Control

Firearms Acquisition Certificates are issued by the various municipal police departments and all RCMP detachments in Prince Edward Island. Business permits for dealers are issued by the Chief Provincial Firearms Officer who also serves as the Director of the Consumer Services Division of the Department of Justice. All gun dealers are subject to an annual inspection for the purposes of inspecting record keeping and security measures. In 1990, there were 28 businesses licensed to sell firearms and eleven businesses licensed to sell ammunition only. As well, 708 Firearms Acquisition Certificates were issued and 739 firearms purchased by the public in Prince Edward Island.

Private Investigators and Security Guards

The Private Investigators and Security Guards Act proclaimed in 1988 included detailed regulations to be followed. All security guards and private investigation firms must be licensed. All firms must obtain comprehensive general liability insurance in the amount of \$500,000 or more as a condition of licensing. In addition, security guard firms must obtain a fidelity bond in an amount of \$10,000. Each individual security guard and private investigator must be licensed. Licensees are issued a photo identification form of license which they must carry when on duty and produce for inspection when requested to do so by a member of the public. All license applicants are screened for criminal records. In 1990, 145 individuals were licensed. Each security guard firm must obtain approval from the Minister of Justice for the style, pattern and colour of the uniform worn by its employees.

NOVA SCOTIA

Population June 1, 1990: 894,200

Current Police Legislation

– *Police Act*, R.S.N.S. 1989 c. 348

Provincial Policing

RCMP (under contract since 1932)

Provincial Responsibility

Department of the Solicitor General

Municipal Policing

26 municipal police forces

10 RCMP contract police forces

Related Police Services

Nova Scotia Police Commission

Other Policing

Ports Canada Police

CN Railway Police

Breakdown of Population Served

| | |
|------------------------------|------|
| Municipal police departments | 38% |
| RCMP municipal contract | 4% |
| RCMP provincial contract | 58% |
| | 100% |

Police Strength, 1990

| Type of police | Number of police officers |
|------------------------------|---------------------------|
| Municipal police departments | 744 |
| RCMP – municipal contract | 64 |
| RCMP – provincial contract | 514 |
| RCMP – federal policing | 139 |
| RCMP – support** | 57 |
| Ports Canada | 19 |
| CN Police | 22 |
| TOTAL | 1,559 |

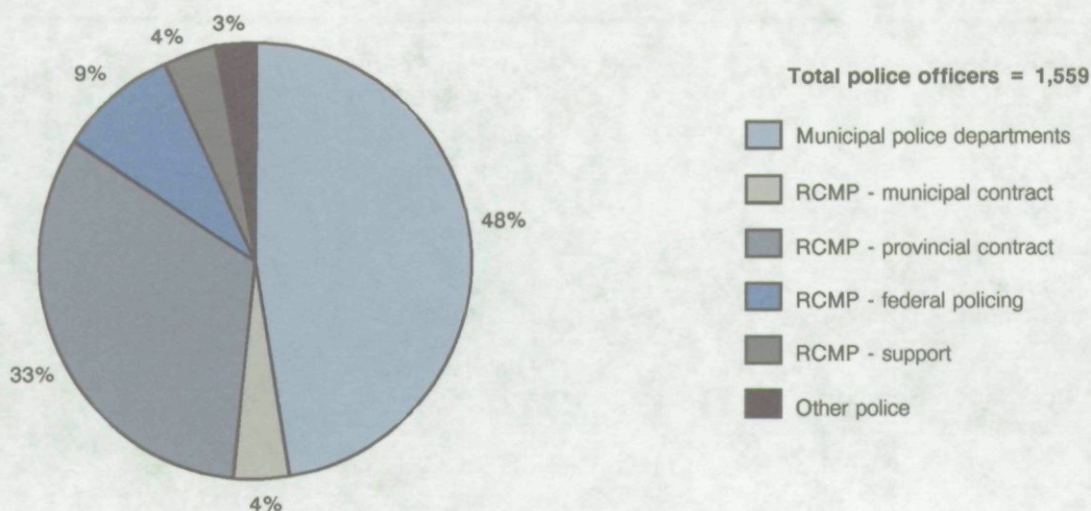
** Includes Canadian Police Services and Administration

Number of Municipal Police Forces, by Type of Force and Size of Force, 1990

| Size of force (No. of officers) | Police department | RCMP contract | Total |
|---------------------------------|-------------------|---------------|-----------|
| 1 - 5 | 6 | 4 | 10 |
| 6 - 10 | 7 | 5 | 12 |
| 11 - 20 | 7 | 1 | 8 |
| 21 - 50 | 3 | – | 3 |
| 51 - 100 | 1 | – | 1 |
| > 100 | 2 | – | 2 |
| TOTAL | 26 | 10 | 36 |

Figure 10

Distribution of Police Officers, by Type of Police Force, Nova Scotia, 1990



Source: Police Administration Statistics Annual Survey, 1990.

Introduction

Responsibility for policing in Nova Scotia rests with the Department of Solicitor General. At present the RCMP is under contract to the province to act as the provincial police force, and under contract to provide municipal police services in ten municipalities. In addition, in 1990, there were 26 municipal police departments in operation in the province.

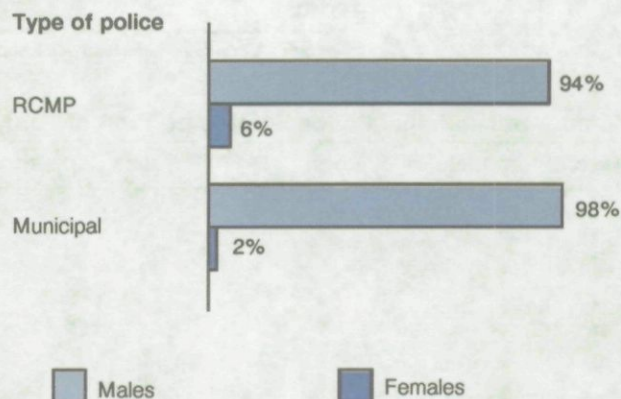
Municipal policing in Nova Scotia is regulated by boards of police commissioners. The Nova Scotia Police Commission was established in 1976. In addition to assisting and coordinating police services of all municipal forces across the provinces, the Commission has responsibility for licensing and regulating the private security industry. The Commission also appoints special constables and By-law enforcement officers.

Provincial Policing

From its origin in 1884, policing in Nova Scotia has undergone a number of fundamental policy changes. Enacted in 1899, the *Act Respecting Provincial Constables* has the distinction of being Nova Scotia's first piece of legislation to expressly address the issue of provincial policing. By virtue of this Act, Nova Scotia's Governor-in-council obtained authority with respect to provincial constables.

Figure 11

Gender Breakdown of Police Officers, by Type of Police Force, Nova Scotia, 1990



Source: Police Administration Statistics Annual Survey, 1990

The Nova Scotia Provincial Police Force operated from the spring of 1930 until April 1, 1932, at which time the RCMP took over their present role as the Provincial Police in Nova Scotia. In 1990, there were 41 RCMP rural detachments in addition to Division Headquarters in Halifax. These detachments provide policing services to 58% of the Province's population. In 1990, for Nova Scotia there were 774 RCMP officers (including those performing support, federal, provincial and municipal policing duties), 45 (6%) of whom were female.

Under the *Police Act*, amended in 1985, proclaimed in 1988, the Solicitor General may order an investigation into any matter relating to policing and law enforcement in the province.

Municipal policing

Municipal councils in Nova Scotia gained control over policing within their boundaries for the first time in 1884, with the enactment of the *Special Constables and Preserving Order Act*. In 1900, the Constables Act incorporated municipal and provincial policing legislation into a single document. A 1945 amendment enabled municipalities to contract with the provincial government for the services of the Provincial Police Force which, by this time, had been replaced by the RCMP.

There are no population limits over which it is mandatory for a municipality to operate its own force in Nova Scotia.

The *Police Act* prescribes a number of means by which a municipality can fulfil its mandate to maintain law and order within its boundaries and provide an adequate policing service:

1. the municipality could establish its own police force;
2. the municipality could enter into an agreement with the federal government (a municipal contract);
3. the municipality could enter into an agreement with the provincial government (an extended police services contract);
4. the municipality could enter into an agreement with another municipality; or
5. the municipality could operate a joint police force with one or more municipalities.

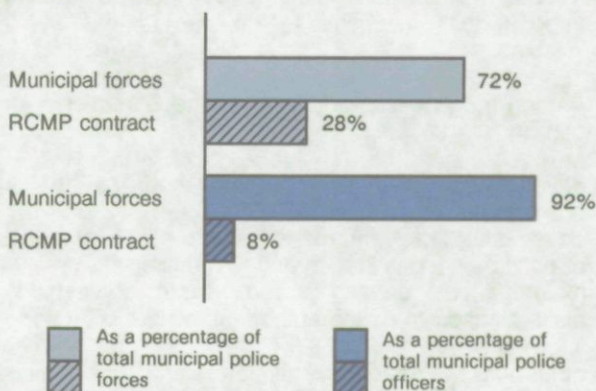
In 1990, there were 26 municipal police departments with a police strength of 744 police officers (17 (2%) of whom were female) and ten RCMP contract municipal forces with a police strength of 64 officers.

Provincial Grants to Municipalities

Funding to assist municipalities in the delivery of policing services is provided indirectly by the provincial government through all-inclusive grants to municipalities. The province also contributes towards the cost of municipal police training.

Figure 12

Municipal Policing, by Type of Municipal Force, Nova Scotia, 1990



Source: *Police Administration Statistics Annual Survey, 1990*

Other Police Forces and Related Services

Aboriginal Policing

There are currently three distinct arrangements for the provision of Indian-specific policing on reserves:

1. Band Constables (seven constables employed on two reserves);
2. RCMP 3(b) officers (seven officers employed on four reserves); and
3. municipal agreements whereby the Department of Indian Affairs and Northern Development funds municipal police departments to provide policing services to adjacent reserves (two officers provide policing services to two reserves).

The Union of Nova Scotia Indians has indicated its desire to establish a Micmac regional police force in Cape Breton. This process is being supported by the federal and provincial governments through the Tripartite Forum.

Other Police Forces

The CN Police provide policing of railway property, with a strength of 22 officers in 1990.

Ports Canada Police (formerly National Harbour Board Police) provide policing services within the Halifax harbour. In 1990 there was a staff of 19 police officers stationed in Halifax.

Provincial Police Commission

The Nova Scotia Police Commission was established in 1976. It consists of three members holding office for such terms as determined by the Governor-in-Council, who is responsible for establishing the duties to be performed by the Commission. Likewise, the Solicitor General may prescribe further functions to be carried out by the Commission.

Among the powers and duties of the Commission are the following:

1. development and approval of municipal training programs;
2. development of programs to provide public awareness of police functions, duties and responsibilities;
3. maintenance of a statistics and research service;
4. dissemination to police authorities of law enforcement information;
5. determine the adequacy, efficiency and effectiveness of police services in the municipality;
6. provide investigative and administrative support to the Police Review Board; and
7. conduct investigations and inquiries in accordance with the *Police Act*.

Board of Police Commissioners

Under the 1988 amendments to the *Police Act*, every municipality which appoints a municipal police force must provide for a board of police commissioners. This board must consist of not fewer than two nor more than six persons appointed by the municipal council and one person appointed by the Solicitor General. The function of the board relates to the administrative direction, organization and policy required to maintain an efficient and adequate police force. The board, however, does not exercise jurisdiction relating to complaints, discipline or personnel conduct except in respect of the chief officer of the municipal police force.

Police Review Board

Under the terms of the *Police Act* the Police Review Board was created, composed of three members and three alternates appointed by the Governor-in-Council. The role of the Police Review Board is to conduct hearings into public complaints against the police and matters of internal discipline regarding the conduct of police officers. Complaints respecting the police force generally, or the conduct of a member of the force (other than the chief of police) is referred first to the chief officer. Complaints regarding the chief officer are referred to the board of police commissioners. Complaints not resolved at the initial level are referred to the investigative branch of the Police Commission. Matters remaining unresolved at this level are referred to the Police Review Board. A review board hearing respecting a complaint is open to the public, while a hearing with respect to an internal discipline matter is not.

Training Programs

The Atlantic Police Academy serves as the primary training institution to which Nova Scotia's municipal police forces send their recruits for basic training. Although the Atlantic Police Academy provides in-service training at its facility in Charlottetown, Prince Edward Island, in-service training is being increasingly provided on a regional basis within the province, through a co-operative effort between the Academy and the Nova Scotia Police Commission. In addition, some municipal departments provide their own specialized training.

Gun Control

Gun Control is the responsibility of the Chief Firearms Officer who reports to the Deputy Solicitor General.

NEW BRUNSWICK

Population June 1, 1990: 723,200

Current Police Legislation

– *Police Act, 1977*

Provincial Responsibility

Department of the Solicitor General

Provincial Policing

RCMP (under contract since 1932)

Municipal Policing

23 municipal police forces

2 regional police forces

12 RCMP contract police forces

Related Police Services

New Brunswick Police Commission

Other Policing

Ports Canada Police

CN and CP Railway Police

Breakdown of Population Served

| | |
|------------------------------|------|
| Municipal police departments | 42% |
| RCMP municipal contract | 8% |
| RCMP provincial contract | 50% |
| | 100% |

Police Strength, 1990

| Type of police | Number of police officers |
|------------------------------|---------------------------|
| Municipal police departments | 663 |
| RCMP – municipal contract | 78 |
| RCMP – provincial contract | 388 |
| RCMP – federal policing | 72 |
| RCMP – support** | 50 |
| Ports Canada Police | 12 |
| CN Railway Police | 15 |
| CP Railway Police | 4 |
| TOTAL | 1,282 |

** Includes Canadian Police Services and Administration

Number of Municipal Police Forces, by Type of Force and Size of Force, 1990

| Size of force (No. of officers) | Police department | RCMP contract | Total |
|---------------------------------|-------------------|---------------|-----------|
| 1 - 5 | 6 | 9 | 15 |
| 6 - 10 | 3 | - | 3 |
| 11 - 20 | 10 | 3 | 13 |
| 21 - 50 | 3 | - | 3 |
| 51 - 100 | 1 | - | 1 |
| > 100 | 2 | - | 2 |
| TOTAL | 25 | 12 | 37 |

Introduction

In 1988 the Department of the Solicitor General was created in New Brunswick. Responsibility for the delivery of policing services in the province was transferred from the Department of Justice to this new department. The licensing of private investigators and security guards in New Brunswick lies within the responsibilities of the Executive Director of the Policing Services Division of the Department of the Solicitor General. Administration of gun control rests with the Chief Provincial Firearms Officer. Currently, policing at both the municipal and provincial levels is governed by the *Police Act, 1977*.

The Policing Services Division is also responsible for the administration of provincial RCMP contracts. By virtue of federal/provincial and federal/municipal agreements, the RCMP serves as the provincial police force throughout the Province, and as municipal police in a number of communities.

Authority over municipal policing in New Brunswick rests primarily with municipal councils at the municipal level (boards of police commissioners are optional). Financial assistance to municipalities to help offset the costs of policing is distributed by the provincial government through unconditional grants.

Provincial Policing

The origin of provincial policing in New Brunswick can be traced to the 1898 *Act Respecting the Appointment of*

Provincial Constables. Provincial policing remained governed by this statute until 1927, when the **New Brunswick Provincial Police Force** was established. Due to severe economic times the New Brunswick Provincial Police Force ceased existence in 1932, when the Province entered into an agreement with the Government of Canada for the services of the RCMP. Since 1932, provincial policing in New Brunswick has been performed continuously by the RCMP under contract. In 1990, there were 510 RCMP officers performing federal, provincial and support policing duties across the province. Including the 78 RCMP officers performing municipal policing duties, there were 588 RCMP officers for New Brunswick, 42 (7%) of whom were female.

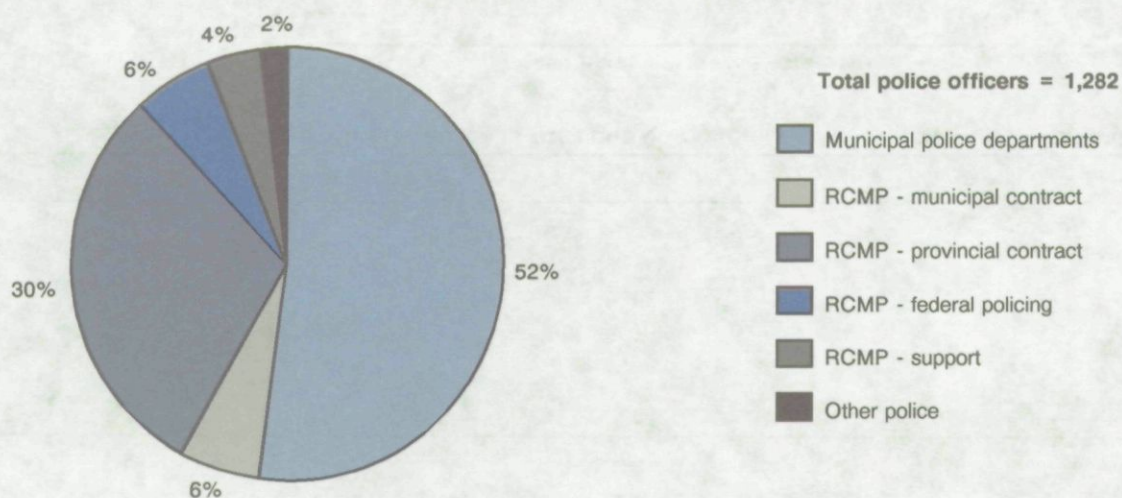
The New Brunswick Highway Patrol was instituted in 1980 but was disbanded in 1989. The duties and responsibilities of general traffic law enforcement, accident investigation, analysis and reconstruction of major accidents and criminal offences relating to the use of motor vehicles as well as commercial vehicles law enforcement were returned to the RCMP.

Municipal policing

Prior to 1977, the *Municipalities Act* was the sole provincial legislation which made reference to policing. The current *Police Act* stipulates that every municipality is responsible for providing and maintaining adequate police services within such municipality. However, there are four alternatives available to those municipalities who do not want to establish their own force.

Figure 13

Distribution of Police Officers, by Type of Police Force, New Brunswick, 1990



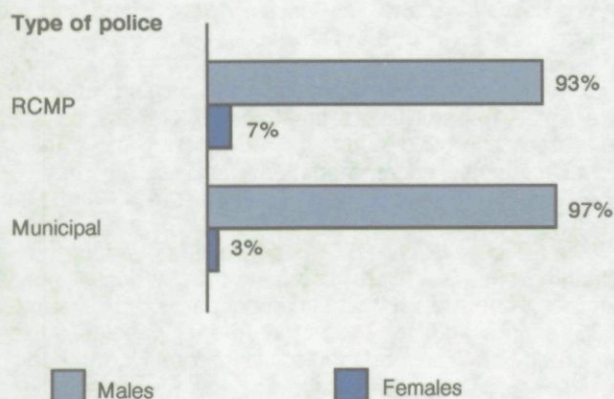
Source: *Police Administration Statistics Annual Survey, 1990*.

In 1990, in New Brunswick, 23 municipalities had their own police force. The others used one of the four alternatives:

1. Twelve had a direct contract with the federal government for the RCMP to act as their municipal police force;
2. 68 municipalities, each with a population of 2,500 or less, discharged their responsibility by using the RCMP under the "umbrella" clause of the general policing agreement between the governments of Canada and New Brunswick (the municipalities are able to pay the province to be policed by the RCMP and in turn the province pays the federal government);
3. two municipalities had entered an agreement with a neighbouring municipality for the services of its police force; and
4. with the approval of the Solicitor General, two regional police forces had been formed, BNPP (which serves Beresford, Nigadoo, Petit-Rocher and Pointe Verte) and Rothesay Regional Police Force (which serves Quispamsis, Rothesay, East Riverdale-Kinghurst, Fairvale, Gondola Point and Renforth).

Figure 14

Gender Breakdown of Police Officers, by Type of Police Force, New Brunswick, 1990

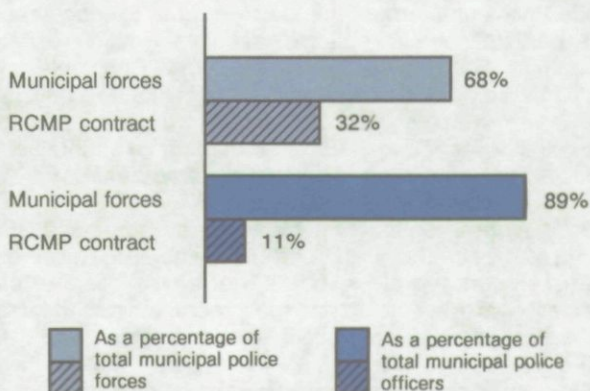


Source: Police Administration Statistics Annual Survey, 1990

The 23 municipal police forces and two regional police forces accounted for a police strength of 663 officers, 19 (3%) of whom were female. The RCMP, under contract, provided municipal policing services to the twelve municipalities with a strength of 78 officers.

Figure 15

Municipal Policing, by Type of Municipal Force, New Brunswick, 1990



Source: Police Administration Statistics Annual Survey, 1990

Provincial Funding to Municipalities

The Government of New Brunswick makes a grant in an amount equal to fifty percent of all fines generated from Criminal Code and provincial offences to municipalities on a per capita basis. These grants are issued by the Policing Services Branch and enable municipalities to offset some of the basic costs incurred in operating a police force.

Furthermore, in 1986, the province of New Brunswick established the Municipal Police Assistance Fund which the Department of the Solicitor General administers through a Municipal Policing Services Co-ordinator and an Advisory Committee. The fund consists of twenty-five percent of provincial statute and criminal code revenue generated by municipal police forces and municipalities who have contracted directly with the RCMP. It is used to provide assistance for special police needs not available through normal funding sources. Particular attention is given to augmenting smaller municipal police forces and upgrading the level of policing in the province.

Other Police Forces and Related Services

Aboriginal Policing

Aboriginal people represent approximately one percent of the population of New Brunswick. There are fifteen reserves which are policed by the RCMP with the exception of the St. Mary's Reserve which is policed by the Fredericton Police Force.

In conjunction with the RCMP are the Supernumerary Special Band Constables. There are 19 Band Constables on 9 of the 15 reserves policed by the RCMP. Although the Band Constables are appointed pursuant to the *RCMP Act*, they are not statutorily classified as members of the force. The Band is responsible for hiring, remunerating, and directing the Band Constables. This structure is intended to complement the RCMP and to encourage band participation in policing services within reserve boundaries. But the authority of Band Constables is effectively limited to administration of internal policing matters of reserve interest. Therefore, the primary responsibility for the general enforcement of federal and provincial laws continues to be assumed by the RCMP.

Indigenous regular members are employed for policing on both the Big Cove and Tobique Reserves. These members are classified as regular members of the force and are subject to the recruitment, training, qualifications and remuneration standards which apply to non-indigenous members of the force. They have complete policing powers and while most of their time is spent on the reserves they are in no way restricted to policing those particular areas.

To foster positive interaction between the force and the band, the non-commissioned-officer-in-charge of each detachment regularly attends Band Council meetings and each detachment has appointed a member who acts as a liaison between the band and the detachment. As well, the Commanding Officer of "J" Division regularly visits provincial reserves and the Officer in Charge of Criminal Operations meets annually with the President of the Union of New Brunswick Indians to identify and discuss policing issues.

St. Mary's reserve is serviced by the Fredericton City Police. There is an agreement between the city of Fredericton and the Federal Department of Indian Affairs and Northern Development (DIAND) under which the costs of municipal policing of the reserve, as well as other essential services, is paid by DIAND. In return, the municipality agrees to recruit and train a specific number of aboriginal people. The three current members, like the RCMP indigenous regular members, are classified as regular members of the force who must comply with the criteria of qualifications set forth in the provincial *Police Act*. Aboriginal police officers have the same city-wide authority as any member of the municipal police force.

Other Police Forces

Ports Canada Police provide policing services at the St. John Harbour, with a strength of 12 officers in 1990.

CN and CP Railway Police provide policing of railway property. CN has 15 officers stationed in New Brunswick and CP has 4.

Provincial Police Commissions

In 1977, the New Brunswick Police Commission was established to act as an overseer of police operations within the Province and to respond to public concerns

about policing. The *Police Act* placed a major operational responsibility on the Police Commission and also authorized the Commission to receive, investigate and hold hearings into citizen complaints of a general or specific nature concerning police operations.

In 1986, the New Brunswick Police Commission was re-organized. The responsibility of the Commission is now limited to responding to citizen complaints, and investigation and enquiry into any matter concerning municipal policing. During 1988-89, all operational responsibilities for policing previously held by the Police Commission were transferred to the Policing Services Division of the provincial Ministry of the Solicitor General.

Boards of Police Commissioners

In New Brunswick, the *Police Act* makes provision for a board of police commissioners but only the municipality of Saint John has elected to establish a board. The other municipalities, except for those policed by a regional force, have their municipal council governing the police force.

The municipalities of Quispamsis, Rothesay, East Riverside-Kinghurst, Fairvale, Gondola Point, and Renforth have a Regional Board of Police commissioners as do Beresford, Nigadoo, Petit-Rocher and Pointe Verte (BNPP).

Training Programs

The Policing Services Division is responsible for the coordination of all municipal police force training with the Atlantic Police Academy in Prince Edward Island and the Canadian Police College in Ottawa.

In order to encourage in-service training of police officers, the Department of the Solicitor General will pay the cost of approved courses. For those officers taking training courses, accommodations and travel may be funded through the Municipal Police Assistance Fund.

The Policing Services Division provides various types of training. Seminars are conducted to acquaint police officers with new legislation and procedures. For example, seminars were held for law enforcement agencies on the New Brunswick Transportation of Dangerous Goods Act.

Gun Control

The Chief Provincial Firearms Officer is responsible to the Executive Director of Policing Services for the operation of the Gun Control Program. This involves controlling the purchase and sale of all firearms in the province; the processing of firearms and/or ammunition dealers' applications for licences; and the issuing of firearms acquisition certificates. Operationally, the system of firearms administration in New Brunswick is unique in Canada in that the processing of all applications is centralized at the office of the Chief Provincial Firearms Officer.

In 1989-90 there were 326 licensed firearms dealers and 289 licensed ammunition dealers in the province. The Chief Provincial Firearms Officer issued 7,611 firearms acquisition certificates.

Private Investigators and Security Services

The Executive Director of Policing Services is responsible for the administration and supervision of enforcement procedures of the Private Investigators and Security Services Act. Licenses were issued to 76 security service agencies and 1,671 security services licenses were issued to security guards, private investigators, security consultants and burglar alarm agents during the 1989-90 fiscal year in New Brunswick.

Commercial Vehicle Enforcement

Prior to the disbandment of the New Brunswick Highway Patrol (NBHP) in 1989, mobile commercial vehicle weight enforcement was carried out by the Highway Patrol while permanent weigh scales were the responsibility of the Department of Transportation. In early 1989, with the disbandment of the Highway Patrol, the Government of New Brunswick merged the Commercial Vehicle Enforcement Branch with the Policing Services Division of the Department of the Solicitor General. The Branch consists of a mobile weigh scale component, a permanent weigh scale component and a national safety code component. The Branch employs 75 enforcement officers. These officers have peace officer status for the purpose of enforcement of the Provincial statutes for which they are responsible. However, all policy, regulatory and administrative responsibilities including the setting of closed/restricted road regulations, vehicle weight and size limits, equipment regulations, use of special permits and the National Safety Code program management remains the responsibility of the Department of Transportation.

QUEBEC

Population June 1, 1990: 6,769,000

Current Police Legislation

- *Police Act* (RSQ, c. P-13)

amended in 1990 by:

- *An Act Respecting Police Organization* (RSQ, c.O-8.1) and
- *An Act Amending the Act Respecting Police Organization* (SQ, 1990, c. 27)

Provincial Policing

Sûreté du Québec

Related Police Services

Police Ethics Commissioner
Police Ethics Committee
Quebec Police Institute (Training)

Breakdown of Population Served

| | |
|------------------------------|------|
| Municipal police departments | 75% |
| Sûreté du Québec | 25% |
| | 100% |

Police Responsibility

Minister of Public Security

Municipal Policing

160 municipal police forces
1 "regional" police force (Montreal Urban Community Police Department)

Other Policing

Ports Canada Police
CN and CP Railway Police

Police Strength, 1990

| Type of police | Number of police officers |
|---------------------------------|---------------------------|
| Municipal police departments | 4,564 |
| Montreal Urban Community police | 4,457 |
| Sûreté du Québec | 4,396 |
| RCMP - federal policing | 912 |
| RCMP - support** | 322 |
| Ports Canada Police | 63 |
| CN Railway Police | 68 |
| CP Railway Police | 69 |
| TOTAL | 14,851 |

** Includes Canadian Police Services and Administration

Number of Municipal Police Forces by Size of Force, 1990

| Size of force (No. of officers) | Number of police departments |
|---------------------------------|------------------------------|
| 1 - 5 | 32 |
| 6 - 10 | 31 |
| 11 - 20 | 41 |
| 21 - 50 | 35 |
| 51 - 100 | 11 |
| > 100 | 10 |
| TOTAL | 160* |

* Three other police forces only have part-time police officers.

Introduction

Administration of policing services in the province of Quebec falls within the mandate of every municipality as concerns the establishment and upkeep of municipal police forces and of the Minister of Public Security as concerns the Sûreté du Québec.

In general, the minister develops and proposes to the government policies relative to the safeguarding of public safety, prevention of crime, and implementation and improvement of crime detection and prevention methods.

More particularly, the minister's duties consist, in police and security matters, of ensuring or monitoring the implementation of policing-related legislation, supporting and promoting co-ordination of policing activities, and maintaining a management information system that makes it possible to gauge the crime situation and the effectiveness of police action.

In Quebec, policing at both provincial and municipal levels is governed by the Police Act (RSQ, c. P-13). The Sûreté du Québec supplies provincial policing with, in 1990, a strength of 4,396 officers, 90 (2%) of whom are female. The municipalities operate 160 police forces with a combined strength of 4,564 permanent, full-time officers. As well, in the 29 municipalities that form the Montreal Urban Community policing is provided by the 4,457 officers of the MUC Police Department, the only "regional" police force in the province. Combined, all the municipal forces and the MUC Police department have 513 female police officers (6%).

In 1990, 12 Quebec municipalities had agreements with a neighbouring municipality authorizing the latter's police force to operate on their territory.

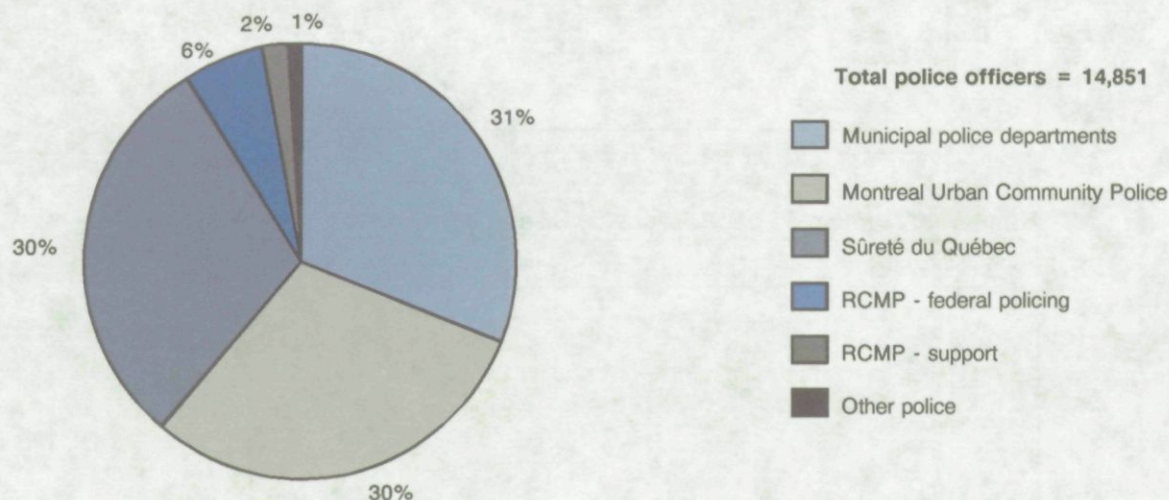
Provincial Policing

In 1870, Quebec regulated its police services with the *Quebec Police Act*. In 1940, an Act was passed by the Government of Quebec dealing with the Provincial Police Force and the Liquor Police Force. This Act renamed the force the "Sûreté provinciale du Québec", and divided the province into two police districts; the Montreal district, comprising the surrounding judicial districts; and the Quebec district, with headquarters in the city of Quebec, comprising all other judicial districts. The Act further provided for the establishment of an entirely new type of police, the Liquor Police, whose duties were to prevent and investigate violations of liquor laws.

Quebec passed the *Provincial Police Force Act* in 1961 which again restructured the province's police services. This Act provided for the establishment in Montreal of the Quebec Police School subject to the authority of the Director-General of the Quebec Provincial Police Force. Although the school was intended for the training of the provincial force, municipal police forces were permitted to use it on conditions agreed upon by the Attorney-General and the municipalities concerned. The Act also abolished the Liquor Police, thus provincial policing was once again the sole responsibility of the Sûreté provinciale du Québec.

Figure 16

Distribution of Police Officers, by Type of Police Force, Quebec, 1990



Source: Police Administration Statistics Annual Survey, 1990.

In 1968, the Quebec government passed a new *Police Act* covering both provincial and municipal police forces. It was by this Act that the *Sûreté du Québec* was constituted. The Quebec Police Commission was also established at this time. Its mandate is to promote crime prevention and the efficiency of police service in Quebec. The Commission has the power to make by-laws determining the level of education, police training and other qualifications required of Force members and establishing rules of ethics. The Commission's by-laws are subject to the Lieutenant-Governor's approval.

The *Sûreté du Québec* is directed by the Director General, who commands and administers the *Sûreté*, with the assistance of six directors. The Director General oversees the six services described below.

The Service juridique provides specialized legal advice, to ensure that police officers' rights are protected and to provide them with legal assistance.

The Service de la vérification et du contrôle de gestion conducts independent assessments of the effectiveness, efficiency and cost-effectiveness of the internal managerial policies, practices and controls in force.

The Service des affaires publiques is responsible for informing the public of the activities and programs of the *Sûreté du Québec*, disseminating information and maintaining good relations with the media.

As of 1990, the *Sûreté du Québec* is made up of six main Directorates, which have the mission of supporting the *Sûreté* in carrying out its mandate.

The Direction des ressources humaines develops and maintains specialized services related to employment equity, staffing, work force management and control, staff relations and discipline, training, remuneration and benefits, occupational health and safety, employee assistance and internal communications.

The Direction des ressources financières is responsible for activities related to the budgetary cycle, the control and recording of revenues and receipts, financial analysis, and the design, development and implementation of financial policies and internal controls.

The Direction des ressources matérielles is responsible for supply management, realty, vehicle fleet, telecommunications and printing and reproduction activities.

The Direction de la surveillance du territoire has line authority over districts regarding police missions, in conjunction with the operational authority given to the various directorates. This directorate develops and maintains specialized services related to emergency measures, tactical interventions, road safety, community relations, crime prevention and traffic accidents, aboriginal police, permits, building security and the management of operational files.

The Direction des enquêtes criminelles et des supports techniques develops and maintains specialized services and has operational authority regarding criminal investigations, criminal intelligence, suppression of organized crime, security investigations and security intelligence, morality, drugs and narcotics, gambling, liquor control legislation, physical surveillance, electronic surveillance, criminal identification, polygraph tests and hypnosis.

The Direction de la planification et de la technologie provides the *Sûreté du Québec* with the professional and technical expertise required to improve the management of its resources. It makes proposals for future policies, conducts organizational studies and analyses to update organizational plans, and designs and develops streamlined work systems, methods and procedures and computerized management systems.

To accomplish its mandate within Quebec, the *Sûreté du Québec* has 108 police stations, spread out over nine districts. The *Sûreté du Québec* serves 100% of the population of Quebec, 25% of whom have no other protection than that provided by the *Sûreté*. District police are directed by a commander, who reports directly to the Deputy Director General for Surveillance du territoire; the commander is responsible for carrying out the *Sûreté's* mandate within his or her jurisdiction.

Municipal policing

In Quebec, every municipality must ensure that its territory is encompassed within the jurisdiction of a police force. This provision is set out in the *Police Act* (RSQ, c. P-13, section 64) which was recently amended by the government of Quebec by three items of legislation.

Municipalities in Quebec may establish by by-law their own police force, or may enter into an agreement with a neighbouring municipality to have the latter's forces operate on their territory. Conversely, they may rely on legislative provision allowing the *Sûreté du Québec* or the police force of the neighbouring municipality to operate in their area other than by agreement. However, every municipality with a population of 5,000 or more **must** either establish its own force or enter into an agreement in conformity with the legislative provisions.

Every municipality is empowered to pass by-laws providing for the organization, equipment and maintenance of a police force, and the discipline of its members; prescribing the duties and responsibilities of force members and the penalties for violating the disciplinary by-laws; providing for the imposition of penalties, including dismissal or fine, upon any member of the police force who accepts or demands, directly or indirectly, any sum of money, favour or alcoholic beverage as consideration for the exercise of influence or for an act or omission in the discharge of his duties; determining the places where the members of the police force may reside, classifying them, specifying the ranks that may be assigned to them and prescribing the inspections to which they shall be subject.

Provincial Funding to Municipalities

Financial responsibility for municipal policing throughout Quebec rests entirely with the individual municipality; there are no cost-sharing programs in place.

Other Police Forces and Related Services

Other Police Forces

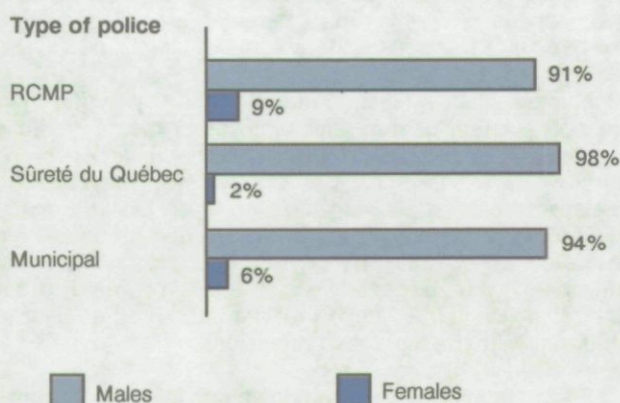
Ports Canada Police provide policing of the harbours in Quebec City and Montreal and on their own properties with a total strength of 63 officers.

CN and CP Railway Police provide policing of their respective properties. Canadian National has 68 officers in Quebec and Canadian Pacific 69.

The Royal Canadian Mounted Police, as a federal body, provides the same services in Quebec as elsewhere in Canada with a strength of 1,234 officers. Of these officers, 116 are female (9%). As in Ontario, the RCMP does not enter into agreements for either municipal or provincial duties.

Figure 17

Gender Breakdown of Police Officers, by Type of Police Force, Quebec, 1990



Source: *Police Administration Statistics Annual Survey, 1990*

Police Ethics Commissioner/Committee

In September 1990, Quebec appointed a Police Ethics Commissioner whose mandate is to "receive and examine any complaint lodged against a police officer" (RSQ, c. O-8.1, section 36).

The commissioner may then attempt to achieve conciliation between complainant and police officer and thus settle the complaint, or, may decide to hold an investigation to enable him/her to establish whether there is a case for citation to the Police Ethics Committee.

Concurrently Quebec established the Police Ethics Committee, which has exclusive jurisdiction to: 1) hear and dispose of any citation in matters of police ethics; and 2) review any decision of the Commissioner... (RSQ, c. O-8.1, section 89).

The creation of these two authorities followed the abolition of the Quebec Police Commission on September 1, 1990 and the adoption by the government of Quebec of a Police Ethics code which determines the duties and standards of conduct of police officers in their relations with the public. This code applies to every member of the Sûreté du Québec, the MUC Police Force and any other municipal police force, and special constables.

The other duties that were part of the Police Commission's mandate were transferred to the Minister of Public Security.

Boards of Police Commissioners

There are no municipal police boards in existence in the Province. Responsibility for municipal policing primarily rests with municipal councils at the local level and with the Minister of Public Security at the provincial level.

Training Programs

Among the provisions of the *Police Act* of 1968 was the establishment of the Quebec Police Institute which is administered by the Ministère de la Justice. Its mandate is to provide police training and refresher courses for cadets and members of the Quebec Police Force, although municipal police cadets and officers may also attend the Institute. In addition, all new police officers must attend and graduate from the Institute. The Police Institute is managed by a board of directors consisting of the Attorney-General and no more than six other persons appointed by the government.

In Quebec, the backgrounds of prospective police officers are of two types:

- 1) Some prospective police officers take the two-year Police Science program at a CEGEP (a community college), followed by 15 weeks of basic police training at the Quebec Police Institute. After basic training, graduates receive a Diploma of Collegial Studies (DCS) in Police Science and a basic training diploma from the Institute.

- 2) Other prospective police officers, known as "conventionnels", who do not have previous training in police science, must obtain a job offer from a police force, and then take 15 weeks of introductory training at a CEGEP and 15 weeks of basic police training at the Police Institute. Graduates receive an Attestation of Collegial Studies (ACS) in Police Science and a basic training diploma from the Quebec Police Institute.

The Police Institute also offers continuing training for regular officers through a wide range of specialized courses for patrol officers, investigators and junior managers. Also part of the program is a university certificate awarded in conjunction with the Université du Québec à Trois-Rivières.

ONTARIO

Population June 1, 1990: 9,743,300

Current Police Legislation

-Police Services Act, 1990

Provincial Responsibility

Ministry of the Solicitor General

Related Police Services

Ontario Civilian Commission on Police Services

Ontario Police College

Metro Toronto Police College

Provincial Police Academy

Breakdown of Population Served

Municipal police departments 84%

Ontario Provincial Police 16%

100%

Provincial Policing

Ontario Provincial Police (since 1909)

Municipal Policing

108 municipal police departments

9 regional municipal police departments

13 OPP municipal contract police forces (Not including dual function provincial municipal contract locations)

Other Policing

Ports Canada Police

CN and CP Railway Police

Police Strength, 1990

| Type of police | Number of police officers |
|--------------------------------------|---------------------------|
| Municipal police departments | 14,442 |
| OPP – municipal contract | 201 |
| OPP – provincial policing | 4,343 |
| RCMP – federal policing ¹ | 1,571 |
| RCMP – support ^{**} | 128 |
| CN Railway Police | 75 |
| CP Railway Police | 73 |
| TOTAL | 20,833 |

¹ RCMP figure excludes "HQ" Division

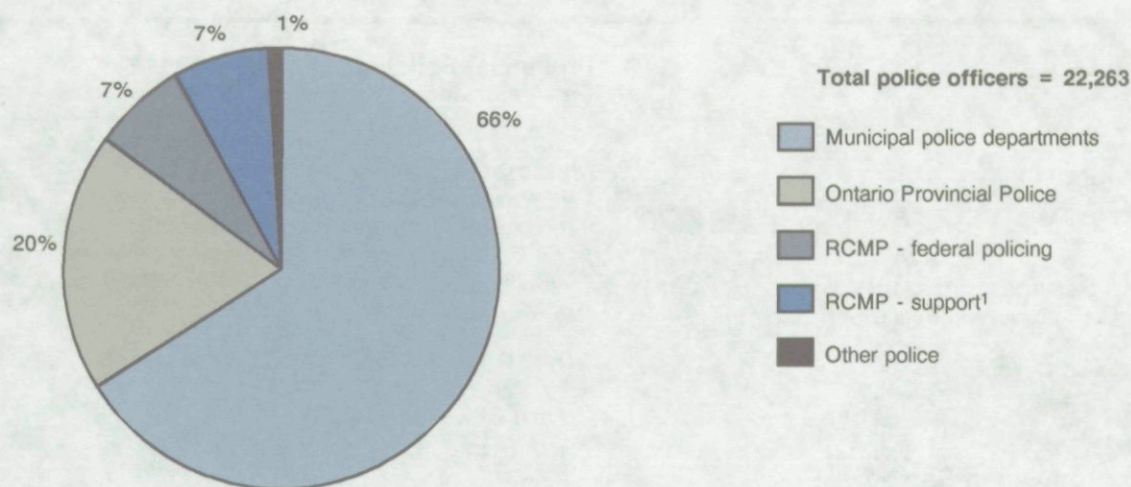
^{**} Includes Canadian Police Services and Administration

Number of Municipal Police Forces, by Size of Force and Type of Force, 1990

| Size of force (No. of Officers) | Police department | OPP Contract | Total |
|---------------------------------|-------------------|--------------|------------|
| 1 - 5 | 21 | 5 | 26 |
| 6 - 10 | 27 | 4 | 31 |
| 11 - 20 | 22 | 1 | 23 |
| 21 - 50 | 18 | 2 | 20 |
| 51 - 100 | 8 | 1 | 9 |
| > 100 | 21 | – | 21 |
| TOTAL | 117 | 13 | 130 |

Figure 18

Distribution of Police Officers, by Type of Police Force, Ontario, 1990



¹ RCMP support includes 1,430 officers stationed at "HQ" in Ottawa.

Source: Police Administration Statistics Annual Survey, 1990.

Introduction

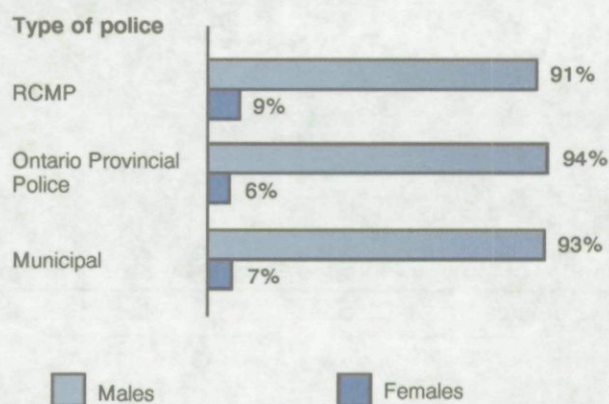
In 1946, Ontario became the first province to integrate its municipal and provincial policing legislation into a single document known as the *Police Act*. In December 1990, a new *Police Services Act* was proclaimed. This was the most comprehensive review of Ontario policing legislation in more than 40 years. The *Act* is administered by the Ministry of the Solicitor General. This ministry was added to the Ontario government in 1972, to assume, among other things, responsibility over policing in the province.

Responsibility for policing the areas of Ontario not having a municipal police agency, as well as for certain highways within the province, rests with the Ontario Provincial Police (OPP), one of only two provincial forces in Canada exercising exclusive authority over provincial policing.

Under Section 27 of the *Police Services Act*, municipal policing in Ontario is regulated by a police services board for every municipality that maintains a police force. Financial assistance is provided in Ontario by the provincial government to municipalities by a grant based on numbers of households. One option available to municipalities not wishing to create their own municipal police force is to contract with the provincial government to have policing responsibilities assumed by the Ontario Provincial Police. In 1990, 13 such agreements existed. In addition, there were 108 municipal police departments and 9 regional police forces. Together, these departments and forces had a combined strength of 14,442 officers in 1990. Of these officers, 1,012 (7%) were female.

Figure 19

Gender Breakdown of Police Officers, by Type of Police Force, Ontario, 1990



Source: Police Administration Statistics Annual Survey, 1990

The Office of the Fire Marshall, the Office of the Chief Coroner, the Centre for Forensic Sciences and the Forensic Pathology Branch of the Ministry all assist Ontario police in the performance of their duties.

The licensing of private investigators and security guards is managed by the Support Services Division of the OPP. Firearms acquisition and licensing is managed mainly by this Division, as well.

Legislation

The philosophy of the *Police Services Act* is embodied in a Declaration of Principles. These six principles provide the basis for policing in Ontario, and embody the fundamental requirements of every police service in the province:

1. to ensure the safety and security of all persons and property in Ontario;
2. to safeguard rights guaranteed by the Canadian Charter of Rights and Freedoms and the Human Rights Code;
3. to encourage cooperation between the providers of police services and the communities they serve;
4. to respect and demonstrate sensitivity for victims of crime;
5. to be sensitive to the pluralistic, multiracial and multicultural character of Ontario society; and
6. to ensure that police agencies are representative of the communities they serve.

The *Police Services Act* has mandates which include:

1. municipal police services boards in every municipality which maintains a police service;
2. a province-wide public complaints system;
3. an Ontario Civilian Commission on Police Services to enforce policing standards across the province;
4. a clear definition of the role and responsibilities of chiefs of police, police officers and local police services boards;
5. a Special Investigations Unit to investigate serious injuries and deaths that may have resulted from alleged criminal offences committed by police officers;
6. legislative recognition of the position of First Nations Constable for policing of Aboriginal communities;
7. higher mandatory education and enhanced training for police officers;
8. mandatory employment equity for all Ontario police services; and
9. a mandatory procedure for the disposal of firearms which come into police possession.

Provincial Policing

The origin of provincial policing in Ontario can be traced to an 1877 Act which authorized the Lieutenant-Governor-in-Council to appoint persons to be Provincial Constables. This Act governed provincial policing in Ontario until 1909 when the **Ontario Provincial Police Force** was established by an Order-in-Council signed by the Lieutenant-Governor-in-Council.

While the *Police Act, 1946* repealed all other previous policing legislation those provisions relating to the Ontario Provincial Police Force remained fundamentally unaltered. In one new provision, the Attorney-General gained responsibility for all employees and members of the Force.

The next change to provincial policing came in 1961, when the Ontario Police Commission was created. While retaining general control and administration of the Force, the Commissioner of the Force was now subject to the direction of the Ontario Police Commission as approved by the Attorney-General. The Commission was further empowered to hold inquiries into the conduct of any employee or member of the Force. Policing is currently governed by the *Policing Services Act*. As mentioned in the introduction to this section, the Ministry of the Solicitor-General is responsible for policing services in Ontario.

In addition to providing policing services to those areas not having a municipal police agency, the OPP is specifically charged with maintaining a traffic patrol in respect to certain highways and maintaining specialized investigative and enforcement capabilities to assist municipal police agencies, the coroner's service and other government ministries. There were 4,544 OPP officers in 1990, 268 (6%) of whom were female.

Municipal Policing

As in the other provinces, policing in Ontario originated within the exclusive jurisdiction of the judiciary. By the 1800's, however, municipal police forces governed directly by municipal councils in every respect had become the norm. Interpreted by some as an expression of the provincial governments's disaffection for the political character which such forces had taken on, the *Municipal Institutions of Upper Canada Act* was enacted in 1858, providing for the establishment of Canada's first municipal police boards.

An amendment to the *Police Act* was passed in 1965, enabling two or more municipalities having police forces to enter into an agreement for their amalgamation. Since 1965, regional policing has become a major component of the municipal policing structure. Regional police forces currently exist in the following regional municipalities: Durham, Haldimand-Norfolk, Halton, Hamilton-Wentworth, Niagara, Peel, Sudbury, Waterloo and York.

The *Police Services Act, 1990* stipulates that every city and town is responsible for the policing of and maintenance of law and order in the municipality and for establishing and maintaining an adequate police force. Nevertheless, the Lieutenant-Governor-in-Council may exempt any town whose population is less than 5,000 persons from the responsibility of establishing a municipal police force.

Provincial Funding to Municipalities

The 1946 *Police Act* contained rather extensive provisions outlining the system of distributing funds by the provincial government to assist in municipal law enforcement. Municipal policing is currently funded through a grant based on the number of households in a municipality. The Ministry is currently reviewing municipal policing costs to ensure financial equity in the financing of police across Ontario.

Other Police Forces and Related Services

Aboriginal Policing

Effective November 1, 1989, the Indian and Municipal Policing Branch of the OPP changed its name to First Nations and Contract Policing Branch. This branch is responsible for the administration and coordination of the First Nations Constable and Contract Policing Programs. Responsibilities include the recruitment of personnel and purchase of specialized equipment required for the First Nation detachments, and the monitoring and coordination of the delivery of policing services to nineteen contract municipalities in Ontario.

For the first time in Ontario, legislation provides for the creation of the position of First Nations Constable. Under the *Police Services Act*, the OPP Commissioner, with the approval of the Ontario Civilian Commission on Police Services and the band council, where applicable, may appoint First Nations Constables to perform specified duties as police officers. The position of First Nations Constable has been created to ensure that police services are representative of the people they serve. There were 139 First Nations Constables in 1990.

In 1990, Six Nations Territory became the first to maintain a stand alone police service and an additional police complement was added to the Akwesasne Police Service, another territory working towards self-policing arrangements.

For further information on Aboriginal policing in Ontario, please see the chapter on Policing Arrangements for First Nation Communities in Canada.

Other Police Forces

CN and CP Railway Police provide policing of railway property. There were 75 CN officers and 73 CP officers in 1990.

The RCMP, as a federal body, provides the same services in Ontario as in other provinces and territories. In 1990 there were 1,699 RCMP officers in Ontario, excluding 2,239 stationed with "HQ" Division. Of the 1,699, 184 (11%) were female. Of the 2,239 stationed with "HQ" Division, 157 (7%) were female. As in Quebec, the RCMP does not enter into agreements for either municipal or provincial duties in Ontario.

Ontario Civilian Commission on Police Services

The Ontario Civilian Commission on Police Services (OCCPS) was created under the new *Police Services Act* in 1990. The OCCPS performs the quasi-judicial functions of the former Ontario Police Commission. The responsibilities of the OCCPS are set out in Part II of the *Police Services Act*. The Commission is comprised of not fewer than three and not more than nine members appointed by the Lieutenant-Governor-in-Council.

The OCCPS is responsible for ensuring high standards of conduct and performance in policing services. The Commission is authorized to take action if it determines that a police service board or a police force has "flagrantly or repeatedly" failed to comply with prescribed policing standards.

When a board or a municipal police force has failed to meet these standards, the commission may suspend or remove from office the chief of police, one or more members of the board, or the entire board; disband the police force and require the OPP to provide police services for the municipality; and appoint an administrator to perform specified functions related to police services. The Commission may also impose sanction for failure to meet employment equity requirements.

The Commission may also conduct investigations on police matters, and hear appeals from police officers on disciplinary matters, other than those arising from the complaints process.

Police Services Boards

The *Municipal Institutions of Upper Canada Act* of 1858 provided for the establishment of Canada's first municipal police boards. Many amendments to this Act regarding the composition of police boards were made previous to 1946, incorporating provincial and municipal policing legislation into a single document. The *Police Act* of 1946 once again altered the composition of municipal police boards. Boards were now to consist of the head of municipal council, a Judge of any County or District Court designated by the Lieutenant-Governor-in-Council and a Magistrate or Crown Attorney selected by the Lieutenant-Governor-in-Council. They were known as Boards of Commissioners of Police.

Reacting to concern over the possible conflict of interest inherent in having a member of the judiciary serve on the police board in the same jurisdiction in which he serves as a Judge, the requirement that members of the judiciary be selected from the local judiciary was dropped in 1979.

Boards of Commissioners of Police, under the *Police Services Act*, are now known as police services boards. The Act requires that police services boards (with the exception of boards in regional municipalities) be mandatory in all municipalities that maintain a police force. For municipalities under 25,000 population the boards

consist of the head of the municipal council and two persons appointed by the Lieutenant-Governor-in-Council. For municipalities with over 25,000 population the head of the municipal council, a person appointed by resolution of the council and three persons appointed by the Lieutenant-Governor-in-Council are required.

One feature which differentiates regional policing from regular municipal policing in Ontario is the type of police boards maintained in each system. While police boards normally consist of three to five members, depending on the size of the municipality, those boards overseeing regional police forces are always comprised of five members, including two members appointed by Regional Council and three members appointed by the Lieutenant-Governor-in-Council. The only regional municipality to deviate from this model is the Municipality of Metropolitan Toronto, whose board consists of the Chairman of the Metropolitan Council, one other member of the Metropolitan Council and three persons appointed by the Lieutenant-Governor-in-Council.

Municipal police services boards provide civilian involvement in police services. Boards also provide an independent, civilian body to assume responsibility for ensuring the highest standards of policing in a community.

The new Act strengthens the role of boards by authorizing them, in consultation with the chief of police, to set objectives and policies for policing; to monitor the administration of the public complaints system, and the performance of the chief of police; and to establish an employment equity plan for each police service.

Public Complaints

The *Police Services Act* establishes a province-wide system to handle complaints from the public about the conduct of police officers. If a complaint cannot be resolved locally to the satisfaction of the complainant, it can now be reviewed by an independent, civilian agency headed by a civilian Police Complaints Commissioner. The system is administered by the Ministry of the Attorney

General. It provides for a uniform provincial system so that anyone can register a complaint about a police officer, have the complaint investigated and receive a response.

Employment Equity

The *Police Services Act* requires every police service to establish an action plan to achieve the equitable representation of racial minorities, aboriginal people, women and persons with disabilities. The overall goal of these provisions is to ensure fair and equitable employment opportunities.

Regulations under the Act will establish the requirements for employment equity plans. These plans must include goals for the composition of police services, and the elimination of employment barriers. Compositional requirements will be unique to each police service and are dependant on local community representation of the prescribed groups.

Training

The Ontario Police College in Aylmer, operated by the provincial Ministry of the Solicitor-General provides potential candidates of the OPP and municipal forces with basic police training which includes 12 months of field training with an existing force. In addition to basic police training, the College offers a wide variety of retraining and highly specialized courses.

The Metro Toronto Police College operates a recruiting program for potential members of the Metropolitan Toronto Police Force. The Toronto Police College works closely with the Ontario Police College, often supplementing its courses with those taught at the Ontario Police College.

The Provincial Police Academy in Brampton offers a variety of courses in order to provide the highest quality training for the Ontario Provincial Police.

MANITOBA

Population June 1, 1990: 1,091,600

Current Police Legislation

- *Provincial Police Act*, C.C.S.M. C.P.150
 - *Municipal Act*, C.C.S.M. C.M.225
- Charters of Brandon and Winnipeg

Provincial Policing

RCMP (under contract since 1932)

Municipal Policing

10 municipal police services
24 RCMP - municipal contracts
3 RCMP - municipal sub-contracts
19 extension policing service agreements

Provincial Responsibility

Department of Justice

Related Police Services

Manitoba Police Commission
Law Enforcement Review Agency

Other Policing

Ports Canada Police
CN and CP Railway Police

Breakdown of Population Served

| | |
|------------------------------|------|
| Municipal police departments | 63% |
| RCMP municipal contract | 10% |
| RCMP provincial contract | 27% |
| | 100% |

Police Strength, 1990

| Type of police | Number of police officers |
|----------------------------|---------------------------|
| Municipal police services | 1,227 |
| RCMP - municipal contract | 165 |
| RCMP - provincial contract | 525 |
| RCMP - federal policing | 173 |
| RCMP - support** | 50 |
| CN Railway Police | 23 |
| CP Railway Police | 23 |
| TOTAL | 2,186 |

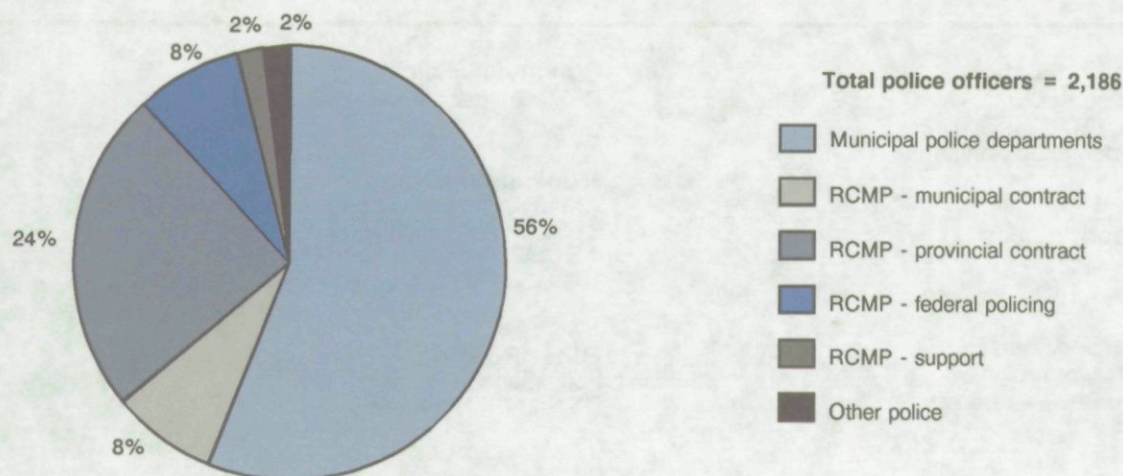
** Includes Canadian Police Services and Administration

Number of Municipal Police Forces, by Size of Force and Type of Force, 1990

| Size of force (No. of officers) | Police department | RCMP contract | Total |
|---------------------------------|-------------------|---------------|-----------|
| 1 - 5 | 5 | 16 | 21 |
| 6 - 10 | 2 | 3 | 5 |
| 11 - 20 | - | 4 | 4 |
| 21 - 50 | 1 | 1 | 2 |
| 51 - 100 | 1 | - | 1 |
| > 100 | 1 | - | 1 |
| TOTAL | 10 | 24 | 34 |

Figure 20

Distribution of Police Officers, by Type of Police Force, Manitoba, 1990



Source: Police Administration Statistics Annual Survey, 1990.

Introduction

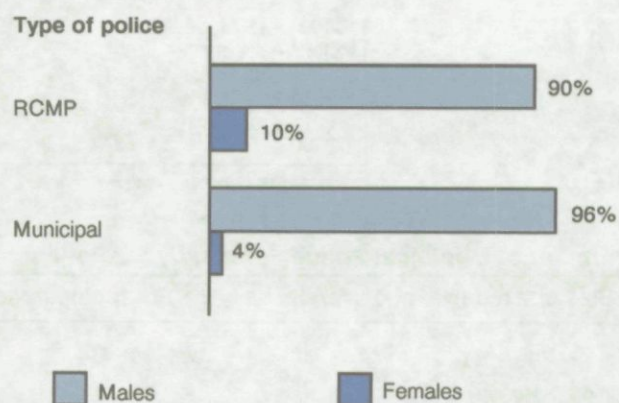
Policing in Manitoba, one of only three provinces not to have enacted an all encompassing *Police Act* (the others being Newfoundland and Prince Edward Island), is currently governed by the *Provincial Police Act, 1970*, the *Municipal Act, 1970* and the *Charters of Brandon and Winnipeg*. Primarily concerned with policing matters, the Law Enforcement Services Branch of the Department of Justice operates in conjunction with the Manitoba Police Commission coordinating certain programs. Included among the responsibilities of the Law Enforcement Services Branch are the areas of crime prevention, systems analysis (dealing with such issues as Aboriginal self-government and establishing levels/standards of policing), security guards and private investigators, the firearms control program, the RCMP contract, and the administration of the Manitoba Police Commission and Law Enforcement Review Agency (primarily providing resources to each of these agencies).

Currently provincial policing and a considerable amount of municipal policing in Manitoba are performed by the RCMP under contract. In total, there were 913 RCMP officers performing federal, provincial, municipal and support policing duties in Manitoba in 1990, 91 of whom were female (10%). In addition to the 24 municipalities under RCMP contract in 1990, there were 10 municipal police departments in operation. The police strength of these 10 municipal departments was 1,227 police officers, 50 of whom were female (4%).

For the most part, municipal policing in Manitoba is under the authority of municipal councils at the local level and by the Manitoba Police Commission and Law

Figure 21

Gender Breakdown of Police Officers, by Type of Police Force, Manitoba, 1990



Source: Police Administration Statistics Annual Survey, 1990

Enforcement Review Agency (a group which hears public complaints against members of municipal police forces). Financial assistance for municipal policing is furnished by the provincial government (up to a maximum of \$150,000) in the form of a police services grant based upon a system of per capita levies.

Provincial Policing

In 1870, the Constables Act was enacted in Manitoba. It provided for the appointment of "provincial" police (i.e., police officers empowered to act throughout the whole of the province). The Act gave the Lieutenant-governor-in-Council absolute authority over the provincial police officers.

This statute remained in force until 1920, when the Manitoba Legislature passed the current Provincial Police Act, officially establishing the Manitoba Provincial Police Force.

Provincial policing in Manitoba underwent its next significant alteration in 1932 when the Manitoba Provincial Police Force, along with the provincial police forces of New Brunswick, Nova Scotia, Prince Edward Island and Alberta, was disbanded in favour of contracting with the Government of Canada for the services of the RCMP. Consequently, a fairly major amendment governing such agreements has been added to the Provincial Police Act.

Municipal Policing

As is the case in most of the provinces, municipal councils in Manitoba obtained exclusive authority over local policing toward the end of the 19th Century. The *Municipal Institutions Act* in 1886 required all incorporated municipalities to establish their own police forces. Current municipal policing legislation in Manitoba is, for the most part, identical to that introduced in Manitoba's early years as a province. The *Municipal Act of 1970*, for example, stipulates that every city, town, suburban municipality and village whose population is 750 persons or more must establish a municipal police force (through one of three

options explained below), even though the municipal police force need not consist of more than one person. However, every village having a population of less than 750 persons and every rural municipality has the option of establishing a municipal police force.

The *Municipal Act, 1970* also identifies a number of means by which a municipality may discharge its responsibility for providing efficient policing within its boundaries. A municipality not wishing to establish its own force and whose population does not exceed 5,000 persons has the option of entering into an agreement with any other municipality for the services of its police force. Such a municipality also has the option of entering into an agreement for the services of the RCMP. RCMP contracts for municipalities with populations of less than 1,500 persons are drafted by the Director of Law Enforcement Services and are signed by the Attorney-General and municipal authorities. These agreements are part of the general contract signed between the Government of Canada and the Attorney-General for Manitoba, with the RCMP providing all services, including the cost of capital expenditures. Municipalities with populations ranging from 1,500 to 5,000 persons wishing to obtain the services of the RCMP must now contract directly with the province of Manitoba. These municipal sub-contracts are signed by the Attorney-General for Manitoba and municipal authorities. While under contract these municipalities must provide their own resources for capital expenditures. By implication, municipalities with populations exceeding 5,000 persons must establish their own force, or contract for RCMP services directly with the Government of Canada. Such contracts are signed by the Solicitor General of Canada, the Attorney-General for Manitoba and municipal authorities.

Provincial Funding to Municipalities

Before April 1985, funding for municipal policing by the province was a responsibility of the Department of the Attorney-General. After this date, the Department of Rural Development became responsible for provincial funding for municipal policing.

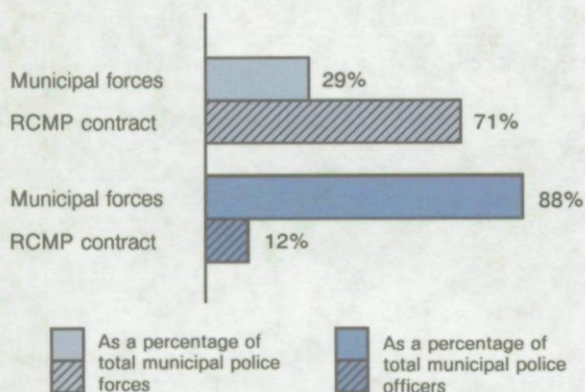
In October 1991, a police services levy of \$5.00 per capita was introduced to those municipalities, towns, villages and local government districts which previously paid a police services levy calculated at 1/2 mill on equalized assessment.

The proceeds of this enhanced police services levy will be paid out in the form of police services grants to municipal corporations providing primary police protection either through RCMP contract or through a municipal police force.

The only exception to the above is the Dakota Ojibway Tribal Council police force which receives a set grant of \$150,000 per annum. This is a conditional grant to the extent that funds may only be used against operating costs.

Figure 22

Municipal Policing, by Type of Municipal Force, Manitoba, 1990



Source: *Police Administration Statistics Annual Survey, 1990*

Other Police Forces and Related Services

Aboriginal Policing

Aboriginal and Reserve Policing is an important part of Manitoba's policing structure. There are a total of 60 Reserves in Manitoba. Forty-five of these are policed by 64 Band Constables who have limited authority. In addition 8 Reserves belong to the Dakota Ojibway Tribal Council (D.O.T.C.). The D.O.T.C. established their own policing program in 1977 to reduce the involvement of their residents in the criminal justice system and to promote the concept of "aboriginal people policing aboriginal people". By 1983 this program had grown to include a Police Chief, a Deputy chief, 23 Constables and two administrative staff which remains at its current level of personnel.

The RCMP are the primary enforcement body of Aboriginal people in Manitoba and provide varying degrees of service to the 53 Reserves where policing programs are in place. The remaining 7 Reserves rely entirely on the RCMP for policing. To enhance this service the RCMP employs 30 regular members with aboriginal backgrounds who are jointly funded by the federal and provincial governments under the Option 3(b) program. These 30 positions were previously called Native Special Constables but in 1990 became regular RCMP members.

Other Police Forces

CN and CP Railway Police provide policing of railway property. There were 23 officers with the CN Police and 23 officers with the CP Police in 1990.

Provincial Police Commission

The Manitoba Police Commission has been in existence since 1971. The objectives of the commission are to assist in maintaining and improving police effectiveness and efficiency by reviewing reports on municipal policing and providing advice, guidance and information on policy matters relating to police, policing, and on crime prevention to municipal police authorities throughout the province; to help maintain and improve municipal police services by promoting good relations between the police and the communities they serve; and to help maintain and improve police effectiveness and credibility by hearing appeals on public complaints and matters of police department discipline.

The Commission is composed of at least five persons appointed by the provincial government. One member is designated as Chairperson and another as Vice-Chairperson.

Municipal Police Commissions

In contrast to policing legislation in place in other provinces, Manitoba's legislation makes only brief mention of municipal or local police boards. By implication, municipal councils in those municipalities which have their own police force exercise absolute authority over the local police board or committee, subject to an appellate jurisdiction conferred upon the Manitoba Police Commission.

In practice, however, there are relatively few such boards in existence. In recent years, both the cities of Winnipeg and Brandon have abolished their municipal police boards. In Winnipeg, for instance, appeals from internal discipline (other than in the context of Law Enforcement Review Agency complaints) are heard by the City of Winnipeg Board of Commissioners, while in Brandon such appeals are directed to the City Manager.

The Provincial Police Act, which establishes the appellate jurisdiction of the Manitoba Police Commission, includes in its definition of local police commissions the Dakota Ojibway Tribal Council Police Commission, which governs the special force created to provide many of the policing responsibilities on member reserves of the Dakota Ojibway Tribal Council.

Law Enforcement Review Agency

The Law Enforcement Review Act allows the Agency to receive, resolve and, if necessary, adjudicate citizen complaints concerning municipally employed peace officers. The Review Board comprises no fewer than 7 persons who are appointed by the Lieutenant-Governor-in-Council. The presiding officer and deputy must be members of the Law Society with a minimum of five years experience at the Bar. The Board must also include two persons who are or were peace officers.

Training Programs

The Manitoba Police Commission makes recommendations to the Attorney-General regarding training standards and programs and may assist in the development of education at the post-secondary level.

In addition, the Commission co-ordinates the allotment of positions for specialized courses at the Canadian Police College in Ottawa. It also organizes special training programs, such as the training of Aboriginal constables in the Community Constable Program and Band Constable Programs.

Crime Prevention and Police-Community Relations

The Manitoba Police Commission is actively involved in crime prevention and police-community relations. It coordinates the Integrated Committee on Prevention Strategies which is composed of representatives from the R.C.M.P., Winnipeg Police Department, Brandon City Police, Manitoba Police Commission, Canadian Armed Forces Military Police, 7-Eleven Food Stores, CP Railway Police, CN Railway Police, Department of Northern Affairs-Community Constable Program, Winnipeg International Airport Security, Convention Centre Security and Solicitor General Canada.

The Commission also organizes crime prevention presentations and displays. The Officer Ollie (a public relations police mascot) program has given performances at schools, isolated Aboriginal reserves and Hutterite communities.

The Crime Prevention Coordinator makes presentations to special interest groups such as farmers (range patrol), business persons (business security, cheque and credit card frauds, armed robbery), home owners (home security, Neighbourhood Watch, Manitoba Home Protection Program) and senior citizens (personal security and freedom from fear of crime).

As well, the Manitoba Police Commission operates a 28-foot mobile crime prevention trailer which aids in disseminating information throughout the province.

SASKATCHEWAN

Population June 1, 1990: 999,500

Current Police Legislation

– *Police Act*, 1990

Provincial Policing

RCMP (under contract since 1928)

Provincial Responsibility

Department of Justice

Municipal Policing

19 municipal police forces

37 RCMP contract police forces

Related Police Services

Saskatchewan Police Commission

Saskatchewan Police College

Other Policing

CN and CP Railway Police

Breakdown of Population Served

| | |
|------------------------------|--------------|
| Municipal police departments | 46% |
| RCMP municipal contract | 15% |
| RCMP provincial contract | 38% |
| | <u>100%*</u> |

* *Total does not add up due to rounding.*

Police Strength, 1990

| Type of police | Number of police officers |
|------------------------------|---------------------------|
| Municipal police departments | 879 |
| RCMP – municipal contract | 215 |
| RCMP – provincial contract | 684 |
| RCMP – federal policing | 124 |
| RCMP – support** | 63 |
| CN Railway Police | 4 |
| CP Railway Police | 7 |
| TOTAL | 1,976 |

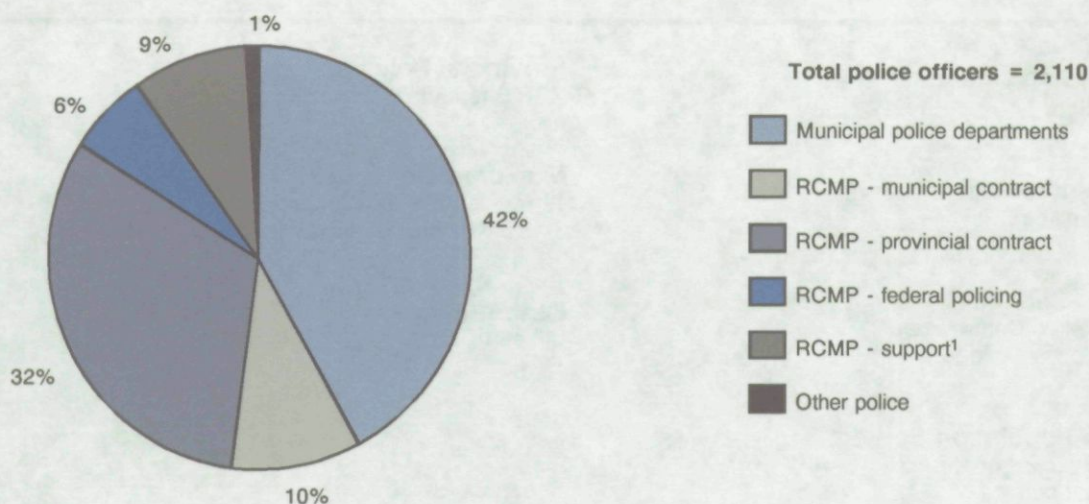
** *Includes Canadian Police Services and Administration*

Number of Municipal Police Forces, by Type of Force and Size of Force, 1990

| Size of force (No. of officers) | Police department | RCMP contract | Total |
|---------------------------------|-------------------|---------------|-----------|
| 1 - 5 | 13 | 28 | 41 |
| 6 - 10 | – | 4 | 4 |
| 11 - 20 | 2 | 2 | 4 |
| 21 - 50 | – | 3 | 3 |
| 51 - 100 | 2 | – | 2 |
| > 100 | 2 | – | 2 |
| TOTAL | 19 | 37 | 56 |

Figure 23

Distribution of Police Officers, by Type of Police Force, Saskatchewan, 1990



¹ RCMP - support includes 134 officers stationed at the Training Academy in Regina.

Source: Police Administration Statistics Annual Survey, 1990.

Introduction

The *Police Act, 1990* provides legislative authority for municipal and provincial policing in Saskatchewan. The Act is administered by Saskatchewan Justice and the Saskatchewan Police Commission.

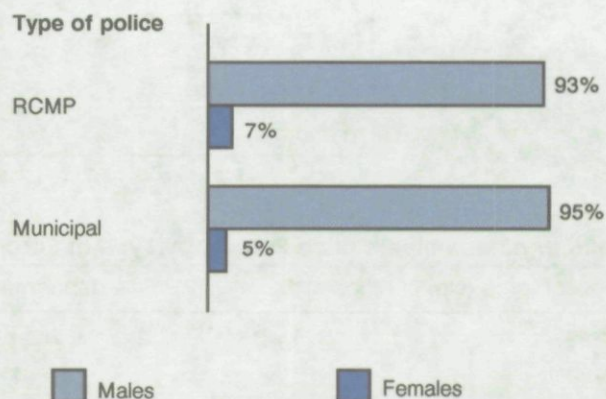
The RCMP provides federal, provincial, municipal and support policing services in Saskatchewan. In total, 1,086 RCMP officers perform these duties. Of these officers, 74 are female (7%). Nineteen cities, towns and villages have their own police departments. These departments have 879 officers, 47 of whom are female (5%).

Provincial Policing

When joining Confederation, the Government of Saskatchewan entered into an agreement with the Dominion Government for the Royal North West Mounted Police (RNWMP) to act as the provincial police force. In 1911, an Order in Council authorized creation of the Secret Service to enforce the *Liquor Licensing Act*. The RNWMP contract was not renewed, and another Order in Council expanded the Secret Service to form the Saskatchewan Provincial Police force on January 1, 1917. In 1928, the Saskatchewan Provincial Police was disbanded and a new contract was signed with the federal government for the RCMP to resume jurisdiction as the provincial police force. The RCMP have continued to provide provincial police service under a series of contracts to this day.

Figure 24

Gender Breakdown of Police Officers, by Type of Police Force, Saskatchewan, 1990



Source: Police Administration Statistics Annual Survey, 1990

Saskatchewan enacted the *Constable Act* in 1906, vesting exclusive authority over provincial policing with the Lieutenant-Governor. Provincial policing in Saskatchewan remained governed by the *Constable Act* until 1920, when the *Saskatchewan Provincial Police Act* was passed. The *Saskatchewan Provincial Police Act* brought in a unique system of sharing the responsibility for provincial policing between Saskatchewan's Lieutenant Governor-in-Council and the Attorney General. Apart from one amendment in 1928, which enabled the Lieutenant Governor-in-Council of Saskatchewan to authorize the Attorney General on behalf of the province to make arrangements with the government of Canada for the services of the RCMP, and a second in 1965 which conferred similar powers upon municipalities, the *Saskatchewan Provincial Police Act* was virtually unchanged for almost 55 years. In the early 1970's, policing in Saskatchewan was completely overhauled and a new Police Act was passed in 1974. The Act was extensively revised in 1990.

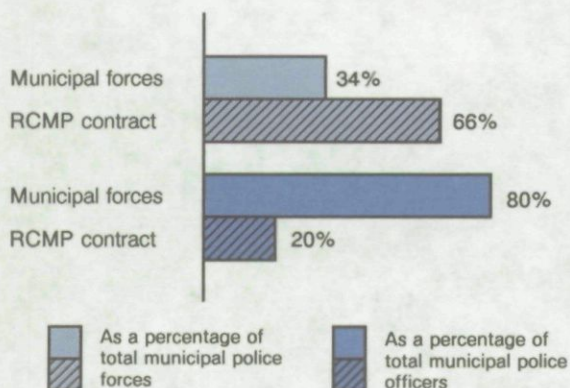
The provincial police service (currently the RCMP on contract) is responsible for providing policing services in rural municipalities within the meaning of the *Rural Municipality Act, 1989*; for municipalities with populations of less than 500 persons and the Northern Saskatchewan Administration District.

Municipal Policing

The *Police Act, 1990* requires cities, towns and villages of at least 500 population to provide policing service. Communities up to 20,000 population can contract for RCMP services or form their own police departments. Cities over 20,000 must operate their own police departments.

Figure 25

Municipal Policing, by Type of Municipal Force, Saskatchewan, 1990



Source: *Police Administration Statistics Annual Survey, 1990*

The province subcontracts RCMP provincial policing services through Extended Policing Agreements to 89 towns and villages with populations between 500 and 1,500.

Thirty-seven cities and towns with populations over 1,500 are policed by the RCMP under agreements between the Government of Canada and the respective municipality, subject to the approval of the provincial Lieutenant Governor-in-Council.

Nineteen cities, towns and villages have their own municipal police departments.

The *Police Act, 1990* proclaimed for January 1, 1992 provides for independent disciplinary hearings. The Act assigns responsibility for budgeting, planning, setting priorities and collective bargaining to local boards and responsibility for appointments, termination, discipline, day-to-day management and law enforcement to the police chiefs. The Act is designed to encourage remedial discipline and to support movement from the "paramilitary" toward a "corporate" police model more conducive for community policing.

Provincial Funding to Municipalities

The government of Saskatchewan provides unconditional grants to municipalities that have police costs but the grants are not specifically earmarked for policing.

Other Police Forces and Related Services

Aboriginal Policing

Through a separate federal/provincial agreement, the RCMP provides 35 aboriginal constables to supplement provincial policing services to Indian Reserves in Saskatchewan. Status Indians are recruited and trained by the RCMP for posting to detachments having significant aboriginal populations. The RCMP has established six satellite policing units at Red Earth/Shoal Lake, Little Pine/Poundmaker, Sandy Lake, Dillon, Stanley Mission and Thunderchild. These units are each staffed with two members of aboriginal ancestry who live on the respective reserves and report to the nearest detachment. The RCMP also have an additional nine aboriginal constable positions within the provincial police establishment which are staffed with non-status aboriginal persons to service non-status and Metis communities.

Other Police Forces

CN and CP Railway Police provide policing of railway property. There were four CN police officers and seven CP police officers in Saskatchewan in 1990.

Provincial Police Commission

The Saskatchewan Police Commission is responsible for overseeing municipal policing in Saskatchewan. Commission members are appointed by the Lieutenant Governor-in-Council. The *Police Act, 1990* expands the commission from three to five members who can be appointed for a maximum of two successive terms of three years each.

The Minister of Justice shares responsibility with the commission for promoting the preservation of peace and the prevention of crime as well as improving the efficiency of police services and police relationships with communities within Saskatchewan.

Municipal Boards of Police Commissioners

Unless exempted by the Minister of Justice, urban municipalities with populations over 5,000 persons must establish a Board of Police Commissioners, consisting of at least three and not more than five members appointed annually by the municipal council. The membership is to include the Mayor and one member of council where the board consists of more than three members. Municipal council are responsible for approval of police budgets. Where no RCMP contract exists, the board is responsible for establishing and maintaining a police force.

Boards in municipalities contracting for the services of the RCMP determine the number of RCMP personnel employed in the municipality and act as an advisory body to the member in charge of the local RCMP detachment.

Training

The Saskatchewan Police Commission operates the Saskatchewan Police College, which provides training for the municipal police forces in the province. The college is located on the University of Regina campus. Courses are offered for all levels of personnel from recruit to senior management. Recruit training involves 16 weeks of classes, followed by three months of practical field training with selected field training officers.

Firearms Control

The Firearms Control Program is administered by Saskatchewan Justice and the local police. All business permits for sale of firearms and ammunition are issued by the Chief Provincial Firearms Officer (CPFO). Firearm acquisition certificates are issued by the city police in Estavan, Moose Jaw, Prince Albert, Regina, Saskatoon and Weyburn while the CPFO issues certificates for the remainder of the province.

Private Investigators and Security Guards

Saskatchewan Justice administers the *Private Investigators and Security Guards Act* which requires the licensing of all firms and individuals involved in the business of private investigation or, providing security for persons or property. The intent of the Act is to provide integrity in the industry and to ensure the public is protected by screening and licensing of both employers and employees.

ALBERTA

Population June 1, 1990: 2,471,600

Current Police Legislation

– *Police Act, 1988*

Provincial Policing

RCMP (under contract since 1932)

Provincial Responsibility

Solicitor General

Municipal Policing

10 municipal police services

61 RCMP – contract police services

Related Police Services

Law Enforcement Review Board

Law Enforcement Division of Alberta

Department of the Solicitor General

Other Police Services

CN and CP Railway Police

Breakdown of Population Served

| | |
|------------------------------|-------------|
| Municipal police departments | 58% |
| RCMP municipal contract | 20% |
| RCMP provincial contract | 22% |
| | <u>100%</u> |

Police Strength, 1990

| Type of police | Number of police officers |
|----------------------------|---------------------------|
| Municipal police services | 2,529 |
| RCMP – municipal contract | 587 |
| RCMP – provincial contract | 909 |
| RCMP – federal policing | 307 |
| RCMP – support** | 90 |
| CN Railway Police | 21 |
| CP Railway Police | 25 |
| TOTAL | 4,468 |

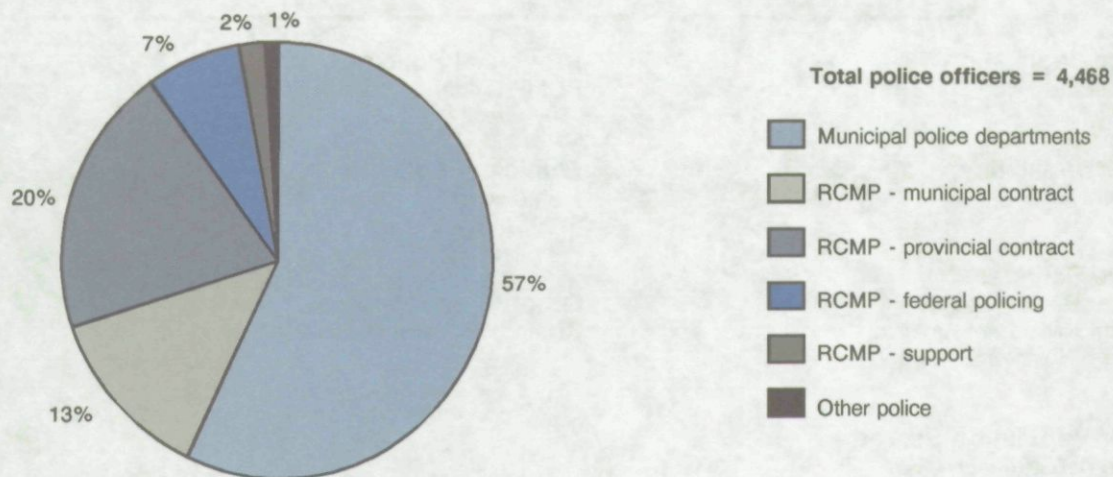
** Includes Canadian Police Services and Administration

Number of Municipal Police Forces, by Size of Force and Type of Force, 1990

| Size of force (No. of officers) | Police department | RCMP contract | Total |
|---------------------------------|-------------------|---------------|-----------|
| 1 - 5 | – | 27 | 27 |
| 6 - 10 | 5 | 23 | 28 |
| 11 - 20 | 1 | 6 | 7 |
| 21 - 50 | – | 4 | 4 |
| 51 - 100 | 1 | 1 | 2 |
| > 100 | 3 | – | 3 |
| TOTAL | 10 | 61 | 71 |

Figure 26

Distribution of Police Officers, by Type of Police Force, Alberta, 1990



Source: Police Administration Statistics Annual Survey, 1990.

Introduction

In Alberta, rural policing is provided by the RCMP under a contract between the federal and provincial governments. Urban areas are policed either by an independent municipal police service or by the RCMP under a contract between the municipality and the federal government for RCMP services. There are nine municipalities with their own police service and one tribal police service. Together, they had a combined strength of 2,529 officers in 1990. Of these officers, 151 were female (6%). The RCMP provided municipal policing in 61 urban municipalities with a strength of 587 officers. Including the RCMP officers performing federal, provincial and support duties there were 1,893 officers in Alberta in 1990. Of these officers, 141 were female (7%).

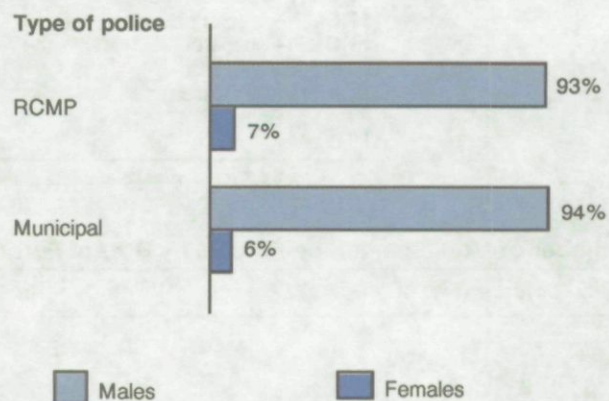
Legislation

The Alberta legislature passed the first Police Act in 1917. The Act was rewritten in 1953, 1971, 1973 and 1988. The Law Enforcement Division of the Alberta Solicitor General administers the Police Act. This Division also oversees the licensing of private investigators and security guards and administers the licensing of firearms.

The current Police act was proclaimed on July 21, 1988. Following is a summary of the major changes brought about by the new Act.

Figure 27

Gender Breakdown of Police Officers, by Type of Police Force, Alberta, 1990



Source: Police Administration Statistics Annual Survey, 1990

1. Requirement to provide for Policing

Cities, towns and villages with a population above 2,500 must provide for their own policing. Previously the population threshold had been 1,500.

Rural municipalities and small towns continue to be policed by the RCMP under the Provincial Policing Agreement, however they now may choose to provide their own policing through the same options available to the urban municipalities with a population over 2,500.

2. Options for Policing

Previously municipalities had only two options when required to provide for their own policing: an RCMP contract or a municipal police service. Five options now exist:

- a) RCMP contract;
- b) a municipal police service;
- c) a regional police service;
- d) a contract with another municipality for policing; and
- e) a cost sharing agreement with the province for policing by the provincial RCMP.

3. Roles of Municipal Councils, Police Commissions and Chiefs of Police

The new Police Act clarifies the roles of municipal councils, police commissions and police chiefs. The council approves the total budget; the commission administers it. The commission establishes policies that are implemented by the chief of police. The chief of police is responsible to the commission for the performance of his duties as the chief executive officer of the police service.

4. Public Accountability of Police

The Law Enforcement Review Board is responsible for monitoring complaint handling by the police. It also hears appeals from citizens dissatisfied with the police resolution of their complaints and from police officers subject to discipline. The Board has the power to inquire into any matter concerning policing, either on its own initiative or at the direction of the Solicitor General.

The 1988 Police Act also gives municipal police commissions the power to inquire into the administration of the police service or the conduct of police officers. They may not inquire into particular police investigations.

The new Act provides a formal mechanism for the handling of public complaints concerning police policies, procedures and practices and levels of service.

Provincial Policing

The Royal North West Mounted Police policed the territory that was to become Alberta, an arrangement that continued after provincial status was granted in 1905. When this service was withdrawn in 1917 because of federal manpower shortages, the Alberta Provincial Police was created. This force remained in operation until 1932

when the RCMP again took over provincial policing under a federal-provincial contract. This contract has since been continually renewed and modified. Under the contract, the RCMP is responsible for policing all rural areas of the province including towns and villages whose population is under 2,500. A new 20 year agreement between the province and federal government is pending signature.

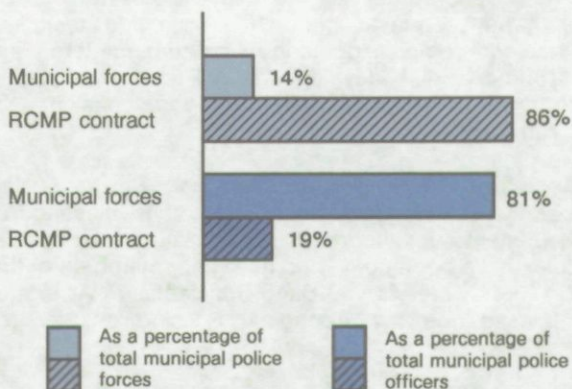
Municipal Policing

Alberta's first Police Act simply stated that "a municipal police force consisting of one or more municipal constables who shall be British subjects shall be maintained in every municipality by and at the expense of the municipality". It was not until 1971 that the Police Act specified a population figure identifying municipalities required to provide for their own policing.

Providing an alternative for those municipalities not wishing to create their own police force, an agreement was reached in 1931 by which municipalities could contract with the Province for the employment of the provincial police service to police their municipality. Since 1972 the legislation has allowed municipalities to contract directly with the federal government.

Figure 28

Municipal Policing, by Type of Municipal Force, Alberta, 1990



Source: *Police Administration Statistics Annual Survey, 1990*

Provincial Funding to Municipalities

In 1971 the Alberta Police Commission recognized the financial difficulties of smaller municipalities in meeting policing costs. Assistance came in the form of unconditional per capita grants to all municipalities providing for their own policing, either by contract or an independent police service. There are also several special purpose grants outlined below:

1. A building grant to help municipalities in the construction or the renovation of police facilities.
2. A phase-in grant to provide 5 years of assistance to municipalities that are assuming responsibility for their own policing as their population crosses the 2,500 threshold. Under this grant they are reimbursed 60% of the manpower cost in the first year, 40% in the second and 25% in each of the remaining three years.
3. A training grant to assist smaller police services provide specialized police training. Up to 50% of the training costs may be subsidized.
4. The summer village subsidy provides up to \$500 per month from May 15 to November 15 to help summer villages employ a special constable to assist in law enforcement during those busy months.
5. A liquor control subsidy reimburses those municipalities who detain intoxicated persons in the municipality's own detention facility.

Other Police Forces and Related Services

Aboriginal Policing

The Law Enforcement Division works with the RCMP provincial police service and with the leaders of aboriginal communities to improve policing services to meet the specific needs of aboriginal people. On May 1, 1987, the Louis Bull Band established a fully-empowered police service. When requested the RCMP provide technical assistance for complex or serious policing matters. The Blood Tribe has also developed a police service that is working towards assuming full policing responsibility in their community.

The RCMP Native Special Constable Program, also known as the 3(b) Program, had 49 positions, stationed in 26 detachments in Alberta in 1991. All these special constables have been converted to regular members of the RCMP. There were also 60 Band Constables in Alberta in 1991. (please see the Aboriginal Policing chapter for further details)

Other Police Forces

Both the CN and CP railway police operate on railway property in Alberta. In 1990, there were 21 CN police officers in Alberta and 25 CP police officers.

Provincial Governing Bodies

In 1971 the legislature created the Alberta Police Commission. After two years the Law Enforcement Division of the Alberta Solicitor General and the Law Enforcement Review Board together replaced the provincial Commission. This coincided with the establishment of a new government department, the

Alberta Solicitor General. The primary responsibilities of this new department were for policing, corrections, motor vehicle administration and liquor control.

The Lieutenant-Governor-in-Council appoints members to the Law Enforcement Review Board, a quasi-autonomous non-governmental agency. Members serve for three year renewable terms. The chairperson of the Board must be a member of the bar; presently the Board has three members, although more are allowed. The Board has three main functions:

1. Monitoring the handling of public complaints through monthly reports submitted by the municipal police commission;
2. Hearing appeals by citizens who are dissatisfied with the resolution of their complaints by the chief of police; and
3. Hearing appeals by police officers concerning disciplinary actions taken against them.

In addition the Board has the power to inquire into any matter concerning policing, on its own initiative or at the direction of the Solicitor General.

The Solicitor General appoints the Director of Law Enforcement under the Public Service act, making him directly responsible to the political authority, unlike the board. The Law Enforcement Division is responsible for the following:

1. monitoring police services to ensure that adequate and effective policing is maintained both municipally and provincially;
2. developing and promoting crime prevention programs;
3. developing and promoting programs to enhance professional police practices, standards and training;
4. assisting in the co-ordination of policing services;
5. consulting with and advising councils, commissions, policing committees, chiefs of police and employers of special constables on matters relating to police and policing; and
6. developing and managing programs and statistical records and conducting research studies in respect of offences and enforcement practices.

Local Governing Bodies

In 1934, provincial legislation established Alberta's first municipal police commission in Calgary. Edmonton followed suit a few years later. In other municipalities the town council was directly responsible for policing. The 1971 Police Act made municipal police commissions mandatory in municipalities with populations over 5,000 and optional in smaller municipalities. The 1973 Police Act required all urban municipalities over 1,500 to establish a police commission although this was amended in 1980 making a commission optional for municipalities policed under contract. The 1988 Police Act requires a police commission for all municipalities with an independent police service. Municipalities policed under contract have the option of forming a policing committee.

Police commissions comprise from three to twelve members appointed by council for a term of three years that can be renewed. Members of council or municipal employees can be appointed to a commission, but they must form a minority and cannot serve as chairperson. The Police Act places the responsibility for governing the police on the commission. It establishes policies, issues instructions to the chief of police and supervises the chief of police in his duties. It administers the police budget, while council establishes only the total amount. The commission appoints police officers, a power often delegated to the chief of police. It also appoints the chief of police, subject to ratification of council. The Police Act also grants the commission power to conduct investigations into the police service or actions of police officers.

A police committee established in a municipality that is policed under a contract has less power and responsibility. Its duties are primarily to oversee the administration of the contract although it also can serve as a liaison between the local community and the police officer in charge of the RCMP detachment.

Training Programs

Calgary and Edmonton conduct their own recruit training programs. The Solicitor General Staff College offers recruit training to smaller police services. Community colleges in various locations provide law enforcement training that meets many of the basic training needs of the mid size police services. Calgary, Edmonton, RCMP "K" Division and the Solicitor General Staff College conduct a variety of ongoing training programs open to all police services in the province.

BRITISH COLUMBIA

Population June 1, 1990: 3,126,600

Current Police Legislation

- *Police Act*, 1988

Provincial Policing

RCMP (under contract since 1950)

Provincial Responsibility

Ministry of the Attorney General

Municipal Policing

12 municipal police services

43 RCMP - contract police forces

Related Police Services

British Columbia Police Commission

British Columbia Police Academy

Other Policing

Ports Canada Police

CN and CP Railway Police

Breakdown of Population Served

Municipal police departments 29%

RCMP municipal contract 49%

RCMP provincial contract 22%

100%

Police Strength, 1990

| Type of police | Number of police officers |
|----------------------------|---------------------------|
| Municipal police services | 1,822 |
| RCMP - municipal contract | 1,913 |
| RCMP - provincial contract | 1,228 |
| RCMP - federal policing | 613 |
| RCMP - support** | 178 |
| Ports Canada | 38 |
| CN Railway Police | 20 |
| CP Railway Police | 26 |
| TOTAL | 5,838 |

** Includes Canadian Police Services and Administration

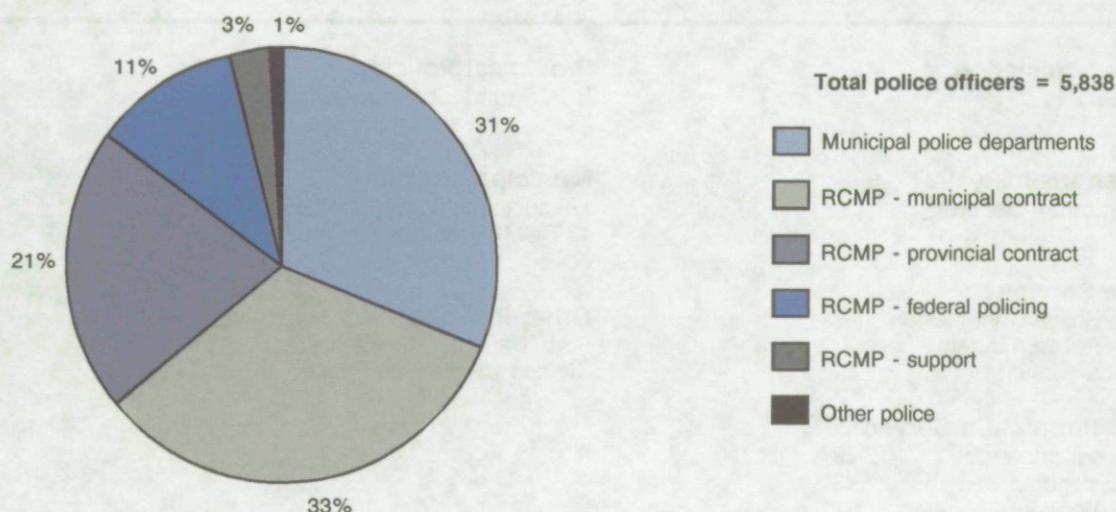
Note: Data for RCMP municipal and provincial contracts are actual figures and will, therefore, vary from those figures used by the province which are authorized figures.

Number of Municipal Police Forces, by Size of Force and Type of Force, 1990

| Size of force (No. of officers) | Police department | RCMP contract | Total |
|---------------------------------|-------------------|---------------|-----------|
| 1 - 5 | - | 1 | 1 |
| 6 - 10 | - | 5 | 5 |
| 11 - 20 | 2 | 11 | 13 |
| 21 - 50 | 3 | 13 | 16 |
| 51 - 100 | 2 | 9 | 11 |
| > 100 | 5 | 4 | 9 |
| TOTAL | 12 | 43 | 55 |

Figure 29

Distribution of Police Officers, by Type of Police Force, British Columbia, 1990



Source: *Police Administration Statistics Annual Survey, 1990.*

Introduction

The administration of policing in British Columbia is the responsibility of the Police Services Branch of the Ministry of the Attorney General and the B.C. Police Commission. For three years, 1989-1991, the Ministry of the Solicitor General had responsibility for policing, but the two ministries have amalgamated and the Ministry of the Attorney General is once again responsible for policing services in British Columbia.

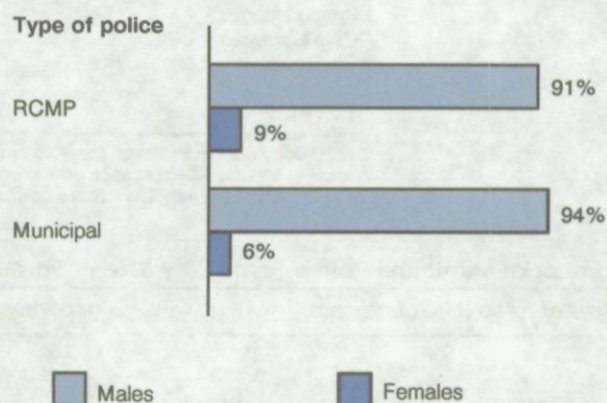
The RCMP, under contract, provides provincial policing services to all unincorporated areas and all municipalities under 5,000 population, and municipal policing services to 43 municipalities with a population over 5,000. In addition, the RCMP extends provincial policing services, on a fee for services basis, to eight municipalities whose population exceeds 5,000. In all, there were 3,932 RCMP officers in the Province in 1990, including those performing federal policing duties. Of these officers, 349 (9%) were female.

The twelve municipalities operating their own police forces had an actual strength totalling 1,822 sworn members in 1990. Of these, 109 (6%) were female. Municipal police forces in British Columbia are governed at the municipal level by municipal police boards (mandatory only for municipalities with their own force), and at the provincial level by the Attorney General (Police Services Branch) and the British Columbia Police Commission.

Only the twelve cities in British Columbia with independent municipal police forces receive direct grants.

Figure 30

Gender Breakdown of Police Officers, by Type of Police Force, British Columbia, 1990



Source: *Police Administration Statistics Annual Survey, 1990*

Provincial Policing

The *Act Respecting Police Constables* of 1880 was British Columbia's first statute to specifically address the issue of provincial policing. By virtue of this Act the

Lieutenant-Governor-in-Council acquired exclusive authority over regular members of the British Columbia Police Force. An amendment to the Police and Prisons Regulation Act in 1923 placed responsibility for the administration of policing with the Department of the Attorney-General.

In 1950 British Columbia disbanded the provincial police force and contracted with the federal government for the services of the RCMP.

The RCMP provided provincial policing services under contract to the Province with a strength of 1,228 officers in 1990 (including the eight "extended" contracts with municipalities with a population over 5,000).

In 1981, the Police Services Branch of the Ministry of the Attorney General was established. This Branch consists of four divisions reporting directly to the Assistant Deputy Minister of Police Services. These are:

1. Policing Policy and Programs Division

This division recommends policy on a wide variety of policing issues, and also administers the RCMP Provincial and Municipal Policing Agreements. It collects and disseminates data on police forces and on the incidence of crime in policing jurisdictions throughout the Province. It also develops, implements and monitors a number of police-based programs such as Victim Assistance, the Special Provincial Constable Program and the Provincial Auxiliary/Reserve Police Program.

2. Coordinated Law Enforcement Unit

The Coordinated Law Enforcement Unit (CLEU) is a provincial agency mandated to combat organized and major crime. It is comprised of permanent Joint Forces Operations (JFOs) made up of seconded RCMP and municipal police personnel, and a Policy Analysis Division made up of civilian provincial government employees. The JFOs carry out investigations of organized and major crime which extend beyond the jurisdiction and normal capabilities of the participating municipalities. Policy Analysis Division provides clerical, administrative, analytical, technical, and systems support for the Joint Forces Operations; timely, high quality policy advice to government on the prevention and control of organized crime; and liaison and coordination with police and regulatory agencies.

3. Provincial Emergency Program

This program co-ordinates the government's response to emergencies or disasters. The public safety mandate is met by the development and maintenance of emergency preparedness programs, response and recovery plans, and preparations necessary to prevent or minimize human suffering and property damage caused by either natural or man-made emergencies.

4. The Security Programs Division

This division is responsible for the administration of the Criminal Code provisions for the control of firearms and the control and management of the private security industry. The administration of the firearms provisions includes inspecting annually all firearm and ammunition dealers, annually licensing all firearms businesses (800), the management of the Firearms Acquisition Certificate program (23,000 annually) and consulting on the issuance of permits to convey, carry and store restricted firearms. In addition, the Division receives and disposes of 1,000 firearms annually.

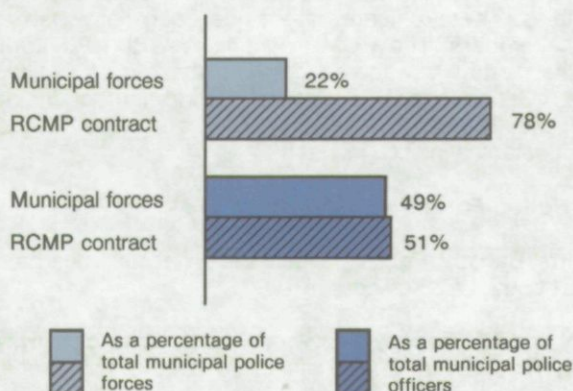
The control and management of the private security industry includes the original approval and annual licensing of all security employees (8,000 annual applications) and the original approval and annual licensing for security businesses (1,100 annual applications). The approval process includes both security checks for previous criminal activities as well as broader controls related to the integrity of both employees and businesses and, where appropriate, the verification of trade qualification requirements.

Municipal Policing

The origin of municipal policing in British Columbia can be traced to the very first Municipality Act passed by the provincial legislature in 1872. In 1906 a new Act was passed which allowed municipalities to enter into an agreement with the Lieutenant-Governor-in-Council to have municipal policing responsibilities assumed by the Provincial Force.

Figure 31

Municipal Policing, by Type of Municipal Force, British Columbia, 1990



Source: *Police Administration Statistics Annual Survey, 1990*

In British Columbia all municipalities with populations over 5,000 persons must provide their own policing; either with a municipal force or by contracting for the services of the RCMP. In 1990, there were twelve municipalities operating their own police force and 43 under municipal contracts with the RCMP. In addition, eight municipalities whose population exceeded 5,000 persons were under an "extended" RCMP contract. In other words, rather than contracting directly with the RCMP for municipal services, these municipalities have chosen to be included in the policing contract entered into by the provincial government. The services are supplied on a fee for service basis and the municipalities must reimburse the province for the police services they receive from the RCMP.

Provincial Funding to Municipalities

In British Columbia there are independent policing equalization grants. Each of the twelve self-policed cities in British Columbia receive a grant which equals **either** the federal contribution to RCMP municipal police costs, **or** the cost of policing the first 5,000 population, whichever is less. Grants totalling \$5.31 million were distributed to the twelve self-policed municipalities for the first time in fiscal year 1989/90. The grant funds are included in the budget allocations of the Ministry of Municipal Affairs, Recreation and Housing, but are managed by the Police Services Branch of the Ministry of the Attorney General. The purpose of these grants is to reduce the inequities in the distribution of police costs among local taxpayers. Specifically, this grant will reduce the disparities between the twelve municipalities which pay 100% of their police costs and the 51 municipalities which cost share their police costs with the federal government.

Other Police Forces and Related Services

Aboriginal Policing

The RCMP Native Special Constable Program began in the Province in 1975 with a strength of six positions. In 1991 there were 47 (authorized) Native Special Constables. These officers have since been converted to regular members. The RCMP administered the Program, while the costs were shared between the Ministry of the Attorney General and the Federal Department of Indian Affairs and Northern Development. There were also 6 Band Constables in B.C. in 1991.

Other Police Forces

Ports Canada Police policed the Vancouver harbour with a strength of 38 officers in 1990.

CN and CP Railway Police provide policing of railway property. There were 20 CN officers and 26 CP officers in 1990.

Provincial Police Commission

The *Police Act, 1974* established the British Columbia Police Commission to ensure a high standard of police service in the province, and to ensure accountability of the police to the public.

The Commission carries out research studies and special projects related to policing; it helps develop policing standards and audits the administration and operations of the municipal departments; it assists in the formulation of educational and training standards and promotes harmonious relations between the police and the public. The Commission is the final appellate body in matters of discipline of members of municipal police departments and is responsible for the administration of complaints about the conduct of these members. It also hears appeals under the *Private Investigators and Security Agencies Act*.

The five members of the Commission are appointed by the Lieutenant-Governor-in-Council. They are not police personnel and as such the Commission is viewed as a citizen's body.

On July 1, 1989 the *Police Act* was amended. These amendments were designed to strengthen the Commission's investigative and enquiry powers and ensure that complaints made by members of the public about the conduct of municipal police officers are handled promptly and impartially. Thus, a member of the Commission is now appointed as a Complaint Commissioner who ensures that the complaints process is carried out fairly, efficiently, and effectively for all parties concerned.

RCMP Public Complaints Commission

The *Royal Canadian Mounted Police Act* was amended to establish the RCMP Public Complaints Commission. Previously the responsibility for receiving, reviewing and inquiring into complaints about the conduct of members of the R.C.M.P. had been shared between the British Columbia Attorney General's office and the federal Solicitor General's ministry.

Municipal Police Boards

Where policing is provided by a municipal police department, that police force is governed by a municipal police board. The duties of a police board include:

1. establishing the municipal police department;
2. preparing budget estimates required to operate the police department, the formulation of rules governing the administration of the police departments and the efficient discharge of duties by its members;
3. negotiating a collective agreement with the police union;

4. initiating and conducting research studies or investigations respecting law enforcement, crime prevention, police and policing within its municipality;
5. acting as a discipline tribunal for the purpose of conducting public inquiries into citizen complaints against police members or hearing appeals from internal discipline charges;
6. in consultation with the chief constable, determining priorities, goals and objectives of the police force; and
7. making rules consistent with the Act, respecting governance, standards and functions of the force.

A police board may consist of up to seven persons; the mayor of the municipal council is the chairperson. One person is appointed by municipal council and not more than five persons are appointed by the Lieutenant-governor-in-council after consultation with the Police Commission.

Training Programs

The British Columbia Police Academy is a division of the Justice Institute of British Columbia. As well as basic and on-going training the Academy provides recruit testing and assessment services, performance appraisal systems, physical fitness testing and advanced training courses.

Two new advanced courses were offered in 1990. One was the Critical Incident Stress conference which included instruction on officer safety, vehicle extrication, first medical responder and hazardous waste and dangerous goods spills. The other new course was a seminar on ritual crime (the commission of criminal offences either in fulfilment of, or incidental to the fulfilment of, the requirements of an occult ritual).

YUKON

Population June 1, 1990: 26,100

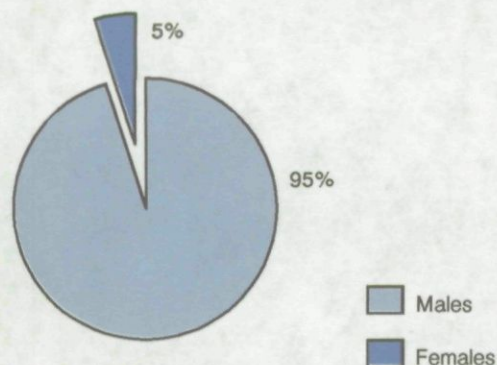
The Department of Justice is responsible for the administration of policing in the Yukon. At both the provincial and municipal levels, policing in the Yukon is the exclusive responsibility of the RCMP. The *Enabling Act* of 1971 governs policing in the Yukon. It authorizes the Commissioner of the Yukon to enter into an agreement with the federal government for the services of the RCMP. In 1990, there were 100 police officers in the Yukon, working out of thirteen detachments. Of the 100, 95 police officers were men and five were women. As well, there were 13 Native Special Constables hired under the RCMP 3(b) program who have since been converted to regular members.

The territorial policing program of the RCMP is charged with the day-to-day law enforcement duties of maintaining law and order through the prevention, detection and investigation of crime and the apprehension of offenders. Stationed at Whitehorse, the territorial policing program is comprised of four divisions. These are:

1. the general investigation division which is charged with preventing, detecting and solving crime;
2. the identification division which searches for, develops and preserves physical evidence to assist in the identification of persons and objects in a criminal investigation and furnishes related basic instruction and technical assistance;
3. the police dog division which provides a support service for the detection of evidence, location of persons and the prevention of crime; and
4. the air division which provides operational support.

Figure 32

Gender Breakdown of RCMP Officers, Yukon, 1990



Source: Police Administration Statistics Annual Survey, 1990

NORTHWEST TERRITORIES

Population June 1990: 53,800

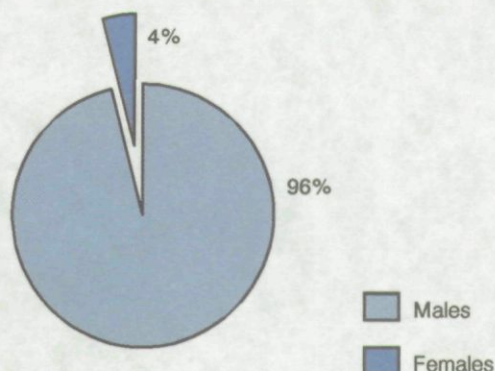
The Territorial Department of Justice is responsible for the administration of policing in the Northwest Territories. Currently, the Royal Canadian Mounted Police (RCMP), pursuant to an agreement between the Northwest Territories and the federal Solicitor General, perform territorial and federal policing duties in the territories. This agreement differs from RCMP agreements in other jurisdictions in that certain historical non-police functions are still carried out that have been discontinued in other jurisdictions. These include inoculating dogs in rural areas and issuing driver's licenses in remote areas.

The RCMP in the Northwest Territories is divided into 4 subdivisions containing 39 detachments and 5 satellite offices, with a total strength in 1990 of 216 officers. Of these 216 officers, 8 (4%) are female. In an effort to increase the participation of local aboriginal people, a nation wide program called the "Aboriginal Constable Development Program" has been instituted in "G" Division. Currently, there are 3 members hired under this program serving in this region of the country.

Municipalities in the Northwest Territories exercise limited authority with respect to local law enforcement by appointing by-law enforcement officers to enforce municipal by-laws and to enforce the territorial Motor Vehicles Act.

Figure 33

Gender Breakdown of RCMP Officers, Northwest Territories, 1990



Source: Police Administration Statistics Annual Survey, 1990

POLICING ARRANGEMENTS FOR FIRST NATION COMMUNITIES IN CANADA

Introduction

As demonstrated in the descriptions below, currently there is considerable variation in the nature and quality of the policing services which First Nation communities receive. This variation reflects a complex evolution of policing programs and has been a cause of major concern to the federal government for some time.

In response to the uneven mix of policing services for First Nation communities and concerns about them, the Department of Indian Affairs and Northern Development in collaboration with the Ministry of the Solicitor General of Canada conducted two sets of national consultations with representatives of provincial/territorial governments and First Nation groups. The first set of consultations resulted in a report titled "Indian Policing Policy Review - Task Force Report". The second set of consultations was based on the Task Force Report and concluded in 1991. The results from the consultations culminated in the development of the federal First Nation Policing Policy. This policy (discussed below) is aimed at the provision of consistent, professional, effective and culturally sensitive policing services for on-reserve First Nation communities which take into account the unique needs of the community and which allow for community input into policing.

Current Policing Arrangements

In most regions of the country, policing services for on-reserve First Nation communities are provided through various provincial policing arrangements, Aboriginal contingents within a provincial police force, and a variety of First Nations administered policing arrangements which have evolved through the Circular 55 program, or a combination of these arrangements.

1. Regular Provincial Policing Services

Most often, detachments of the provincial policing services, the Ontario Provincial Police (OPP), the Quebec Police Force (QPF), and RCMP under provincial policing contract provide policing services to all communities within their service boundaries, including First Nation communities. It is estimated that more than 50% of the policing services provided to First Nation communities are by the regular provincial police services of the RCMP, QPF, and the OPP.

2. First Nation Contingent Within the Provincial Police Services

These provincial policing services also have an Aboriginal contingent staffed with officers who are dedicated to policing First Nation communities. There are approximately 300 "First Nation Contingent" officers throughout the country, all of whom generally perform the full range of policing duties and have peace officer powers similar to their non-Aboriginal counterparts. Training for the Aboriginal officers in the RCMP, OPP and the QPF is the same afforded other officers in the Forces.

In addition to the 189 officers in the RCMP Aboriginal contingent, as an aspect of the RCMP provincial contract service the RCMP also employs some 55 Aboriginal constables. Over half of these officers are employed to police "non-status", metis, and Inuit communities while the remainder police First Nation communities.

In Quebec, the entire QPF Aboriginal contingent is deployed in the Cree/Naskapi/Montagnais region. As an aspect of the *Cree-Naskapi Act*, the intention is that the unit will evolve from administration by the QPF to joint Band/QPF administration to eventual Band administration.

RCMP Aboriginal Community Constable Program (option 3 (b))

In 1973, a study, entitled: *Report of the Task Force: Policing on Reserves*, was initiated, which examined ways and means to improve the policing services provided to First Nation communities. The Task Force report focused on the band constable program and the employment of Aboriginal people in a comprehensive policing role, and proposed the expansion and improvement of the band constable program.

The 1973 Task Force examined three basic options, the first two of which were based on band council policing or municipal policing. Option 3(a) proposed the establishment of autonomous Aboriginal police forces, while option 3(b) proposed the development of an Aboriginal special constable contingent within existing police forces. The Task Force concluded that the 3(b) option should be made available to interested bands.

The RCMP Aboriginal Community Constable Program (RCMP Option 3 (b)) was designed to:

- provide for the policing of Aboriginal people by Aboriginal people;
- provide a policing service to First Nation communities equal to services provided generally to other Canadians, which was flexible enough to accommodate the unique policing needs of Aboriginal communities;
- involve Aboriginal people in law enforcement careers;
- increase awareness and acceptance by Aboriginal people of the criminal justice system;
- enhance awareness of non-Aboriginal RCMP force members of Aboriginal culture, customs, rights, etc.;
- encourage initiation of crime prevention programs in First Nation communities; and
- decrease the number of Aboriginal persons coming into conflict with the law.

Aboriginal candidates were selected jointly by the RCMP and the Aboriginal Band Councils, and were trained and supervised by the nearest police detachment or at the RCMP Training Academy. The actual administration of the Program was the responsibility of the individual RCMP detachment, with the Native Special Constable being responsible to the detachment commander. Because of their familiarity with the language, culture and social problems, Native Special Constables, at their request, could be posted back to their own community. But Native Special Constables do not always live on a reserve and may actually service more than one reserve.

Training in Regina-RCMP Depot Division lasted 17 weeks with 6 months of field training. No training in band by-law enforcement was given. Native Special Constables had full peace officer status on and off the reserve and could enforce federal and provincial statutes, the *Criminal Code*, the *Indian Act*, and band by-laws. Duties were generally comparable to those of regular members of the RCMP, but the Native Special Constables were primarily responsible for liaison with the reserves.

Although Aboriginal people have had the opportunity to commence as regular members, the majority, for various individual reasons, would begin at the special constable level and would usually remain at this initial level for most of their service. An initiative recommended by Assistant Commissioner R.H.D. Head of the RCMP was the abolishment of the RCMP Native Special Constable designation. In 1990, the movement to convert RCMP Native Special Constables to the regular constable rank was initiated.

This program was in effect in every province and territory except for Ontario, Quebec and New Brunswick.

RCMP Aboriginal Community Constable Program (contract) - (RCMP Special Constable (contract))

This program has been in effect since 1973 in all provinces and territories except for British Columbia, Ontario, Quebec, Nova Scotia and P.E.I. Most of the constables are employed in the Northwest Territories. They are subject to the same training and have the same jurisdiction and supervisory arrangements as constables hired under the 3(b) program. The two programs differ in their cost-sharing arrangements. In 1991, 70 per cent of the cost of an RCMP Special Constable was met by the province and 30 per cent by the federal government. While under the 3(b) program, 54 per cent of the cost was met by the province or territory and 46 per cent by the federal government, through the Department of Indian Affairs and Northern Development (DIAND).

Aboriginal Constable Development Program

The Aboriginal Constable Development Program consists of the engagement of aboriginal people in advance of basic Recruit Training who have expressed an interest in law enforcement but who do not initially have the basic entrance requirements. These newly engaged members are given the opportunity to achieve the entrance standards for basic training over a period of two years. For example, a member engaged under this program may require educational upgrading and time to become comfortable with the RCMP environment.

In a broader sense, the Aboriginal Constable Development Program is designed to upgrade any skills necessary to prepare participants for training at the RCMP Academy in Regina where they will be able to compete, on an equal basis, with other members of the Force.

In order to qualify for entry into the Aboriginal Constable Development Program candidates must meet the following criteria:

1. be of aboriginal ancestry;
2. be a Canadian citizen;
3. be at least 19 years of age
4. possess basic skills/education to be able to attain grade 12 or equivalent, in the province/territory of residence;
5. be of good character; and
6. meet medical standards as set out for regular member constables, unless there exists a correctable condition, e.g., dental, fitness level.

Ontario First Nations Policing Program

The Ontario First Nations Policing Program has been in operation since 1975. In 1989, the Ontario First Nations policing Agreement was signed. The tripartite provides for First Nations policing arrangements in the Province of Ontario. First Nation constables are hired by the bands and appointed by the Commissioner of the OPP.

Training, lasting for 19 weeks, three weeks of which involve orientation, is given at the Ontario Police College.

The constables have full peace officer status. They can enforce the *Criminal Code*, federal-provincial statutes, the *Indian Act*, and band by-laws. These constables are hired by the bands and are accountable to the band council and the Commissioner of the OPP. The OPP, in consultation with the bands, select, train, and post constables, set the terms and conditions of work and supervise their performance in the field.

Cree/Naskapi Indian Policing Program

This program began in 1978 in Quebec and operates in 23 communities.

Training is provided for 20 weeks, 50 percent of which is spent at the Nicolet School Quebec (Quebec Police Academy) and 50 percent is spent on the job. The training program is identical to that provided to regular members of the Quebec Police Force.

Officers are hired under the Quebec Police Act as special constables and technically have full peace officer status. Currently, the special constables only have authority on reserves. Over time, the Cree constables will assume authority on category 2 and 3 lands under the James Bay Agreement.

The current program encourages band councils to assume control of the services and aims at making the communities fully autonomous in the management of their policing services.

Policing by Municipalities Adjacent to Reserves

In a few instances, arrangements have been made whereby on-reserve policing services are currently being provided by municipal police services. However, this type of arrangement is the exception rather than the rule.

These municipalities include Musqueam, British Columbia; Sarnia, Ontario; Saint Mary, New Brunswick and Milbrook and Memberton in Nova Scotia. In some instances the municipality agrees to hire an aboriginal person as a regular constable and in return the municipality receives funding from the federal government. However, the constable may not be

specifically assigned to the reserve as the reserve may be served by the established municipal police force.

3. First Nations Administered Policing Arrangements

The current program began in 1971 and exists in all provinces and territories except for British Columbia, Saskatchewan, Ontario and the Northwest Territories.

Training is variable and ranges from zero to twenty weeks. Generally, Band Constables are given a limited appointment as special constables pursuant to the provincial Police Act. Where the provincial Police Act does not provide for the appointment of special constables, the Commissioner of the RCMP has provided Band Constables with appointments as Supernumerary Constables under the RCMP. The Constables are employed by and report to the band council.

Band Constables Policing

A number of policing arrangements have evolved during the past 15 years through the Band Constable (Circular 55) programs. There are approximately 300 Band Constables throughout the various Circular 55 policing arrangements described below.

In the majority of First Nation communities, one or a few Band Constables operate with limited police powers in line with the original intent of the Circular 55 directive and receive little or no training. Generally these officers are restricted to enforcement of Band by-laws and to providing assistance to the community. Given their limited powers and responsibilities, these Band Constables police in co-operation with other policing services, and operate under the direction of Band Councils.

The Band Constable Program serves a number of First Nation communities in the Atlantic Provinces, Quebec, Manitoba, Alberta and the Yukon.

Indian Administered Police Services

In many regions of the country, First Nations have assumed full policing responsibilities for their communities. Examples include Akwesasne, Six Nations, Blood, Amerindian, and Louis Bull.

While most of these policing services began with limited powers and responsibilities, over time, these arrangements have effectively supplanted the police of local jurisdiction. However, "back-up" from a provincial policing service, especially in the area of technical expertise, is provided. Many of the police officers in these services have full police powers gained through appointment by the recognized policing authorities.

Amerindian Police Program (Quebec)

This program was established in 1978 and is essentially an offshoot of the DIAND Circular 55. It operates in 23 First Nation communities in Quebec.

The constables are trained for 20 weeks at Pointe Bleu. The training is similar to that of Quebec's regular police force but the training centre is autonomous and mainly staffed by Aboriginal instructors.

Constables have full peace officer status under the *Quebec Police Act*, although their jurisdiction is restricted to First Nation communities. The constables are empowered to enforce the *Criminal Code*, federal and provincial statutes and band by-laws. Emphasis is placed on patrolling, general peacekeeping and minor offences. Serious crimes are investigated by the Quebec Police Force.

The Amerindian Police Program was established to provide Aboriginal controlled policing services under the direction of the Amerindian Police Council. The Council consists of a representative of each of the bands participating in the program. The Council is responsible for the overall supervision and management of police activity.

Dakota Ojibway Tribal Council Police Program (Manitoba)

This program began in 1978 in Manitoba and it serves eight First Nation communities. Training of the constables lasts 17 weeks and is provided by the Regina RCMP Depot Division.

The constables have peace officer status with jurisdiction limited by agreement between the province and the Dakota Ojibway Tribal Council (DOTC) to assigned reserves and adjacent areas. They are empowered to enforce provincial statutes, *Criminal Code* offences, traffic offences and band by-laws. The Dakota Ojibway Tribal Police investigate most offences in participating First Nations communities. Serious and complex investigations are done jointly with the RCMP.

Blood Tribal Police Force (Alberta)

This program began in Alberta in 1979. It serves the Blood Reserve.

The constables are trained for 16 weeks at the provincial police training academy in Edmonton. Following completion of basic training, constables take a six month field recruit training program administered by the RCMP.

Full peace officer powers are granted by the *Alberta Police Act*.

Louis Bull Band (Alberta)

This program commenced in 1984 in Alberta and serves one community. It is a fully accredited police force under amendments to the *Alberta Police Act* and a related special agreement between the band and the Alberta Solicitor General.

Some members of the force are fully trained and are experienced police officers having previously been employed by the RCMP, the OPP, or the Edmonton City Police.

The constables are appointed provincial special constables under the *Alberta Police Act* with limited jurisdiction.

Police Accountability and Governance

There is a wide variation in the structures that provide the First Nation community with input into the control, management and administration of the policing services in their communities.

As the provision of policing services by the RCMP to First Nation communities is provided as an extension of their provincial policing service, there are no formal community accountability structures. As a matter of policy; however, the RCMP have established the requirement that the local detachment commander provide the Band Council with a report outlining policing activities in the First Nation community each month. Beyond this, local advisory or consultative committees have been established to allow for community input into policing.

In the case of the OPP First Nations Constable Program, officers are accountable to both the Band Council and the officer in charge of the local detachment. There is, in addition, an Ontario Indian Police Commission which was established in 1981 as a part of the Tripartite Agreement. This commission functions in a largely advisory capacity.

As previously mentioned, the Special Aboriginal Unit of the QPF is designed in such a manner as to see an eventual evolution of the management and administration function passing to the First Nation communities. Currently the program is administered by the QPF in consultation with Aboriginal advisory committees.

Similarly, in many cases where First Nation police forces have evolved through the Circular 55 program (e.g. Blood Tribal Police Force and the Dakota Ojibway Tribal Council Police Force) police councils or commissions have been established.

Generally, under the Band Council arrangements, the Band Council has considerable input into the officers' work as they are directly accountable to the Band Council.

Where police governance councils and commissions have been established, some do not function like similar structures available to municipal governments, and function more like advisory bodies.

First Nation Policing Policy and Program: Future Directions

In 1983, as a result of the variety of ad hoc policing arrangements discussed above, different funding formulas, escalating costs and the absence of a clear federal policy, the government directed a comprehensive review of federal support for First Nation policing services and placed an interim freeze on enhanced funding.

The new First Nation policing policy is the outcome of the comprehensive review process which was completed in early 1991. The process included two rounds of consultations with a sizeable cross-section of First Nation communities across Canada, many of the existing First Nation police services and all provincial and territorial governments. The review revealed, from among those consulted as well as the public at large, a growing demand for improved First Nation policing services.

The First Nation Policing Policy provides a basis for improvements in the level and quality of policing services in First Nation communities and for greater involvement by First Nation governments in various aspects of policing. Key components of this policy are professionalism, cultural sensitivity and community involvement. Tripartite partnerships will also be a key to achieving the improvements in policing services. Cost-shared, tripartite arrangements are the means to ensure the development and maintenance of culturally sensitive and professional policing services in First Nation communities.

The policy also addresses such matters as:

1. responsibilities and jurisdiction;
2. cultural responsiveness;
3. access to optional policing models;

4. implementation of new First Nation administered policing services; and
5. accountability mechanisms, public complaints and grievance mechanisms.

In terms of the access to policing models, on-reserve First Nation communities will now have access to the same range of policing options as do similarly situated non-First Nation communities.

For example, depending upon a community's needs and desires, they may contract for policing services, over time develop their own policing services, or become part of a provincial or tribal policing arrangement.

In order to assist with the implementation of the First Nation Policing Policy over the next few years, the federal government will commit an additional \$116.8 million to First Nation policing services.

To further strengthen the First Nation Policing Program, effective April 1, 1992 responsibility for all on-reserve First Nation Policing services will be transferred from the Department of Indian Affairs and Northern Development and will be consolidated within the Ministry of the Solicitor General. This transfer will enable bands and Aboriginal organizations to deal directly with the federal department that is responsible for policing matters. The Ministry of the Solicitor General has the technical knowledge and expertise to best support First Nation policing initiatives. However, officials from the Ministry of the Solicitor General and the Departments of Justice and Indian Affairs and Northern Development will continue to work closely together, and with First Nation peoples, particularly in the development of administration of justice initiatives in the context of First Nation self-government negotiations.

2

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