

# Evaluation of Parks Canada's Law Enforcement Program

Final Report  
Office of Internal Audit and Evaluation

Report submitted to the Parks Canada Evaluation Committee: January 11, 2017  
Approved by the Agency CEO: March 16, 2017

Her Majesty the Queen in Right of Canada, represented by  
the Chief Executive Officer of Parks Canada, 2017  
Catalogue No.: R62-470/2017E-PDF  
ISBN: 978-0-660-07296-8

## TABLE OF CONTENTS

<b>EXECUTIVE SUMMARY .....</b>	<b>1</b>
<b>1. INTRODUCTION.....</b>	<b>7</b>
<b>2. DESCRIPTION OF THE LAW ENFORCEMENT PROGRAM .....</b>	<b>7</b>
2.1 Expected Results and Targets .....	8
2.2 Activities and Outputs .....	9
2.3 Resources (Inputs) .....	10
2.3.1. Budget and Expenditures .....	10
2.3.2. Human Resources.....	11
2.4 Roles and Responsibilities .....	11
2.5 Law Enforcement Program Reach .....	12
2.6 Law Enforcement Program Logic Model .....	13
<b>3. EVALUATION DESIGN.....</b>	<b>14</b>
3.1 Evaluation Purpose and Scope .....	14
3.2 Approach, Methodology and Limitations .....	14
3.2.1. Methods .....	14
3.2.2. Strengths, Limitations and Mitigation Strategies.....	15
<b>4. EVALUATION FINDINGS .....</b>	<b>17</b>
4.1 Relevance.....	17
4.1.1. Continued Need for LE Program .....	17
4.1.2. Alignment with Government Priorities .....	18
4.1.3. Alignment with Federal Roles and Responsibilities .....	19
4.2 Performance: Activities and Outputs .....	20
4.2.1. National Law Enforcement Management Framework.....	20
4.2.2. Local Law Enforcement Management Framework .....	22
4.2.3. Management of Key Program Risks .....	25
4.2.4. Expert Advice on Law Enforcement .....	30
4.2.5. External Partnerships .....	31
4.2.6. Local Performance Management - Operational Reviews .....	34
4.2.7. National Performance Management .....	35
4.3 Performance: Outcomes.....	38
4.3.1. Fulfilment of Law Enforcement Service Delivery Commitments .....	38
4.3.2. Appropriate and Timely Response to Incidents .....	44
4.4 Performance: Efficiency and Economy .....	46
4.4.1. Description of Budget and Expenditures .....	46
4.4.2. Law Enforcement Materials and Equipment.....	47
4.4.3. LE Operational Capacity .....	50
<b>5. CONCLUSIONS AND RECOMMENDATIONS.....</b>	<b>56</b>

**APPENDIX A: Strategic Outcome and Program Alignment Architecture..... 60**

**APPENDIX B: Evaluation Matrix..... 61**

**APPENDIX C: Key Documents Consulted..... 66**

**APPENDIX D: OTS Incidents by System, 2011-12 to 2014-15..... 68**

**APPENDIX E: OTS Incidents by Category, May 2009 to March 2015..... 70**

**APPENDIX F: PCA Law Enforcement Legislation and Regulations..... 72**

## EXECUTIVE SUMMARY

This evaluation focuses on Parks Canada's Law Enforcement Program, a component of the Heritage Places Conservation Program. The program was selected for evaluation in response to a Treasury Board commitment to have a comprehensive evaluation of the Law Enforcement Program that would occur on a five-year basis. The Law Enforcement Program represents an average 1.5% of the Agency's total annual expenditures from 2009-10 to 2014-15. It has a relatively high level of inherent risk related to health and safety. The program has not been subject to previous comprehensive evaluation work in the Agency. In 2011, OIAE completed an Audit of the Law Enforcement Program – Arming Initiative.

## PROGRAM DESCRIPTION

In May 2008, the Government of Canada authorized Parks Canada to create up to 100 armed Park Warden positions dedicated to law enforcement. This announcement fundamentally changed the Agency's approach to law enforcement. Subsequently, Parks Canada set up a new Law Enforcement Branch.

Backed by the Law Enforcement Branch's program management and support staff, Park Wardens have the primary responsibility for enforcing Parks Canada's and other related legislation in support of the Agency's mandate. Park Wardens have discretion to deal with offenses with a range of law enforcement responses, from issuing verbal warnings to filing charges and making arrests. Further, they regularly undertake actions to prevent offenses from occurring (e.g., conducting patrols, informing and educating the public).

Park Wardens are peace officers within the meaning of the *Criminal Code* (1985) with all the related powers, duties and protection. Park Wardens also work in cooperation with other law enforcement agencies (e.g., Royal Canadian Mounted Police, Ontario Provincial Police, Sûreté du Québec, local police forces, and First Nations). These police services of jurisdiction have primary responsibility for all matters related to the *Criminal Code* on Parks Canada lands.

Park Wardens are further supported in their duties by Field Units, whose staff are responsible for implementing Parks Canada's prevention program. This program is intended to reduce the need for law enforcement by preventing offences through education, environmental design and other measures.

## EVALUATION SCOPE AND APPROACH

Consistent with the requirement of the Treasury Board *Policy on Evaluation* (2009) and Treasury Board *Policy on Results* (2016), the evaluation addressed the Law Enforcement Program's:

- **Relevance:** Is there a continued need for the program? Is the program aligned with government priorities and federal roles and responsibilities?
- **Effectiveness:** Has the program implemented an adequate management control framework? Does it have adequate practices for management of key program risks? Is it collecting and making use of information for performance management? Is it ensuring appropriate and timely law enforcement service delivery?
- **Efficiency and Economy:** Is the program delivered efficiently and economically? To what extent is the program's capacity aligned with demands for service and operational needs?

This evaluation generally covers the period from January 2009 to March 2015. The scope of the evaluation includes the activities and results of the program, as outlined in the program's logic model. While there is a close relationship between prevention and law enforcement, the scope of the evaluation excludes a detailed examination of the implementation of the Agency's Prevention Guidelines (2009).

### **Methodology**

Data from multiple lines of evidence was collected for the evaluation. These methods included: literature review and comparative analysis; document and file review; secondary data analysis (i.e., review of the Law Enforcement Branch's databases); key informant interviews with Agency staff, partners and stakeholders; a survey of Park Wardens and Field Unit Superintendents; and site visits to six Law Enforcement Branch detachments.

## **FINDINGS**

### **Relevance**

Overall, we found that the Law Enforcement Program is relevant and consistent with the priorities, roles and responsibilities of both the Parks Canada Agency and the Government of Canada. The program supports facets of the Agency's mandate related to both natural and cultural resource protection and the visitor experience. A continued need for the program is justified by the number of incidents that require law enforcement intervention that are reported and actioned on an annual basis. Further, there is evidence that incidents are occurring that require a response that can only be delivered by qualified and equipped law enforcement officers. Parks Canada's Law Enforcement Program is designed to ensure that employees and the public remain safe in the delivery of law enforcement services and that law enforcement meets the professional standards required to ensure that people and the resources they value are protected.

### **Performance**

At a national level, we found that Parks Canada has developed and implemented an adequate management framework for its Law Enforcement Program. Management direction, operational standards and procedures include clear roles, responsibilities and direction. There is still room for improvement. For example, a required review of the Management Directive on Law Enforcement is overdue (was to be completed by 2013). Operational reviews of the practices of specific detachments have not been completed as intended. The Law Enforcement Program's monitoring plan is now outdated and problematic for evaluating program performance or supporting continuous improvement.

Employee and public safety are paramount in the delivery of law enforcement services. In this regard, we found that the Law Enforcement Program has achieved its desired results. The training and certification required of and provided to Park Wardens to ensure appropriate controls on use of force is at or above industry standards. The program has also implemented effective systems to mitigate risks related to sidearms. Since 2009, there have been no reported incidents where actions taken by Park Wardens were deemed to be unreasonable or have resulted in excessive use of force.

At the local level, a management framework based on Service Delivery Agreements has been developed to guide the integration of law enforcement services provided by the Law Enforcement Branch within specific field units. However, evidence suggests that while enforcement priorities and administrative arrangement are being implemented, many locations have never formally approved and/or updated these agreements. Actions have been taken to revise the process of annual planning and review but these changes have yet to be integrated into the management framework and may not be consistently followed.

We also found that the Law Enforcement Branch is also actively engaged to provide timely and useful advice to both field units and National Office. However, there is still some residual effect of the Agency's transition to the current law enforcement model. More could be done to improve communications and working relationships between law enforcement and field unit staff, particularly related to incident prevention.

Limitations in the information available to the evaluation prevent decisive findings related to the extent that commitments for service delivery have been effectively fulfilled. However, data suggests that the majority of incidents addressed by the Law Enforcement Branch are related to both the Agency's mandate and specific field unit priorities for visitor experience and/or protection of natural and cultural resources. The extent to which a focus on priorities was possible varied by detachment, with some reporting law enforcement to be more reactive in nature (i.e., focused on responding to emerging incidents and complaints). As the program evolves, the value of increasing capacity for strategic intelligence should be explored to determine if the program's activities could be more effectively and efficiently targeted.

We also examined the extent to which the Law Enforcement Program is efficient and economical. We found that the Law Enforcement Branch operates within its funded capacity, employing approximately 85 Park Wardens. The program's service structure remained relatively consistent during the period under evaluation, with various reviews of operational demands leading to only minor organizational changes. The result is that while the annual scheduling of Park Wardens is well aligned to operational demand (i.e., greatest available work force during peak visitor season), there is some evidence of a need to review capacity related to current and emerging demands for service. We also found that the Director of Law Enforcement lacks management control over assets (e.g., vehicles, vessels and office space) that are essential to the delivery of law enforcement operations for which the position is accountable, resulting in challenges for service delivery.

Many of the above issues stem from the fact that the Law Enforcement Program at Parks Canada is still relatively new, having only operated under its current model since 2009. Many decisions about the structure of the program were made at its outset, with an understanding that adjustments would need to be made over time as the program evolved. The evaluation observed numerous examples of where lessons learned within these formative years have been applied to improve the program's performance (e.g., revised operational standards, new procedures for annual reporting, implementation of a new information management system, etc.). We encourage the continuation of efforts for improvement.

## RECOMMENDATIONS

Key issues identified through this evaluation relate mostly to the program's national and local management framework and related tools. While the existing management framework is adequate for program management, review and refinement of this framework is required to reflect changes and

lessons learned since the Law Enforcement Program began operations in 2009 and to address ongoing gaps in delivery.

**Recommendation 1:** The Vice President, Protected Areas Establishment and Conservation should review the Law Enforcement Program's management framework to ensure accountability and the ongoing management of program risks. Specifically, this should include:

- A review of the Management Directive on Law Enforcement.
- A review of the program's risk profile to ensure that ongoing and emerging program risks (e.g., mobile platforms) are adequately integrated into program direction.
- A review of the need for operational reviews and, if relevant, the development of a strategy to ensure that these are completed within a reasonable timeline.
- A review of the process for Service Delivery Agreements to ensure that enforcement priorities and related demands for service are clearly identified, agreed to and updated on an annual basis.

**Management Response: Agree.** These elements of the management framework will be reviewed. During 2016 and 2017, our focus is on improving the Service Delivery Agreement process and tools and delivering law enforcement service in the summer of 2017. Given the reality of our capacity, other elements of the management framework review will not be complete until at least 2018.

- A review of the process and tools for developing Service Delivery Agreements is underway. An integrated planning approach that addresses both compliance and law enforcement is being developed, and will be launched in 2017. Field units are being consulted on the development of the process and tools. The new process will facilitate the clear identification of priorities and law enforcement service needs so that they can be agreed to on an annual basis.
- The Management Directive on Law Enforcement will be reviewed in 2017 with the objective of completing an updated document in 2018.
- A review of the need for operational reviews will be conducted as the new Service Delivery Agreement process is implemented and we test our ability to report on performance through Annual Reports and the National Summary. If relevant, the process will be updated and streamlined, will be integrated within an improved monitoring framework, and will complement the Service Delivery Agreement process. A realistic and operationally relevant timeline for conducting operational reviews will be developed. This work will be initiated in 2017, but we will need some experience with the new Service Delivery Agreements before decisions can be made.
- A review of the program's risk profile will be initiated in 2018 to ensure that ongoing and emerging program risks (e.g., mobile platforms) are adequately integrated into program direction.

We found that while the program does produce performance reports, these contain limited information to assess performance against targets set out in the program's monitoring plan. Similarly, local performance reports do not consistently report against all law enforcement priorities or contain information on results against targets identified in the related Service Delivery Agreements. Information and data management is a critical component of ensuring effective oversight of the Law Enforcement Program's performance. To be useful in supporting program monitoring and reporting, the new Incident and Event Management system must appropriately capture consistent and meaningful data.



**Recommendation 2:** The Vice President, Protected Areas Establishment and Conservation should review the Law Enforcement Program's performance measures and monitoring plan to ensure that deliverables and intended outcomes are clear and meaningful for performance management. To track progress over time, performance against these measures should be monitored and reported on consistently and comprehensively at both the local and national level.

**Management Response: Agree.** Improvements to the program's monitoring plan and performance measures are underway. The improved SDA planning tools are explicitly linked to performance measures, and will facilitate the creation of clear and meaningful objectives. To complement these planning tools, the Annual Reporting processes and template will also be improved. The objectives that will be set in Service Delivery Agreements in 2017 will be reported on in 2018.

Improvements to the National Summary will be made in 2017 to capture more performance information, and further improvements will be made in future years as we are able to begin to report nationally against the objectives set in Service Delivery Agreements, and by conducting analyses of data captured in IEM at the national level.

**Recommendation 3:** The Vice President, Protected Areas Establishment and Conservation should ensure that appropriate controls are implemented to ensure the integrity of law enforcement data in the Incident and Event Management system.

**Management Response: Agree.** The Incident and Event Management (IEM) system was launched in summer 2015. An assessment of data integrity, completeness, and consistency has been conducted and improvements are underway. System improvements have been made, for example, new system features have been added (e.g., mandatory fields) and bugs have been fixed. Training materials have been developed and delivered to park wardens. Further training and supplementary features may be required to facilitate reporting against the new Service Delivery Agreements.

An effective law enforcement program involves not only a reactive response to offences but also leveraging intelligence to intervene in a proactive manner. Environmental enforcement agencies are making increased use of intelligence-driven approaches to improve program outcomes by better focusing limited resources on targeted actions to prevent and mitigate risks. While it has outlined a role for a national law enforcement intelligence program, to date Parks Canada's Law Enforcement Branch has made limited use of strategic intelligence.

**Recommendation 4:** The Vice President, Protected Areas Establishment and Conservation should complete a review of the need for strategic intelligence to support the Law Enforcement Program.

**Management Response: Agree.** An analysis of the need for strategic intelligence will be conducted, and potential objectives, options for implementation, and recommendations will be developed in 2018.

Ensuring access to proper materials and equipment to be used by Park Wardens allows for safer and more effective law enforcement delivery. Accountability and financial responsibility for these inputs is divided between the Law Enforcement Branch and the Field Units that they serve. While these responsibilities are clearly delineated, the decentralized nature of management control over specific law enforcement assets (i.e., vehicles, vessels and office space) hinders the program's ability to effectively

ensure appropriate and consistent selection and/or outfitting these assets to meet the needs of law enforcement.

**Recommendation 5:** The Vice President, Protected Areas Establishment and Conservation should review management accountabilities for the Law Enforcement Program's materials and equipment to determine whether they effectively meet operational needs. If required, operational standards for specific law enforcement assets should be developed or revised to ensure that they provide clear and detailed direction in support of operational needs.

**Management Response: Agree.** A review of management accountability for law enforcement vehicles is underway and recommendations will be made by early 2017. Regardless of the decision made regarding management accountability/ownership of fleet, operational standards for fleet procurement and outfitting will be developed to ensure that operational needs are met.

The revised Service Delivery Agreement will include clear provisions regarding Law Enforcement materials and equipment that are to be provided by field units. Additional operational standards will be developed as needed.

## 1. INTRODUCTION

Parks Canada's mandate is to:

“Protect and present nationally significant examples of Canada's natural and cultural heritage, and foster public understanding, appreciation and enjoyment in ways that ensure the ecological and commemorative integrity of these places for present and future generations.”

The Agency is responsible for four heritage systems:

- 46 National Parks (NP) of Canada;
- 171 National Historic Sites (NHS) of Canada (administered by the Agency);
- 4 National Marine Conservation Areas (NMCA) of Canada; and
- 1 National Urban Park (NUP) of Canada.

PCA carries out its mandate through five programs and nineteen sub-programs (See Appendix A for the Program Alignment Architecture, PAA). This evaluation focuses on Parks Canada's Law Enforcement (LE) Program,<sup>1</sup> a component of the Heritage Places Conservation Program of the PAA. The program was selected for evaluation in response to a Treasury Board (TB) commitment to have a comprehensive evaluation of the law enforcement program that would occur on a five-year basis. The Law Enforcement Program represents an average 1.5% of the Agency's total annual expenditures from 2009-10 to 2014-15. It has a relatively high level of inherent risk related to health and safety.

The program has not been subject to previous comprehensive evaluation work. In 2011, the Office of Internal Audit and Evaluation (OIAE) completed an Audit of the Law Enforcement Program – Arming Initiative.<sup>2</sup>

## 2. DESCRIPTION OF THE LAW ENFORCEMENT PROGRAM

Parks Canada is required to ensure compliance with a number of acts and regulations aimed at protecting natural and cultural resources and providing high quality visitor experiences in the national heritage places it administers. To this end, Parks Canada uses its dedicated law enforcement capacity and that of other agencies as a tool aimed at resolving enforcement issues and addressing specific **incidents** (see text box).

**Incident** – an occurrence that requires action by law enforcement personnel to prevent or minimize risk to public safety, loss of life, or damage to property and/or natural or cultural resources.

Law enforcement has long been used as a management tool to ensure resource protection in national parks. Canada's national parks have employed Park Wardens for decades; specific guidance respecting the use of Park Wardens in law enforcement duties was first provided in 1965. Up to 2000, there were roughly 400 Park Wardens in service across Parks Canada. Their duties were broadly for the conservation of natural resources in national parks, up to and including

<sup>1</sup> This is not a formal program as defined by the PAA. However, for simplicity, we use the term “program” to refer to this activity throughout this report.

<sup>2</sup> Audit of the Law Enforcement Program – Arming Initiative (2011): [http://www.pc.gc.ca/docs/pc/rpts/rve-par/79/index\\_e.asp](http://www.pc.gc.ca/docs/pc/rpts/rve-par/79/index_e.asp)

law enforcement. While all Park Wardens completed basic law enforcement training, only a small number of Park Warden positions were dedicated to law enforcement activities.

In more recent decades, the provision of law enforcement in national parks has been impacted by a variety of societal factors (e.g., increases in visitation to national parks and in the value of illegally harvested species). These factors contributed to Park Wardens being exposed to potential safety risks when performing law enforcement duties (e.g., encounters with armed poachers, enforcement related to unruly behaviour involving multiple offenders). In May 2007, an Occupational Health and Safety review of Parks Canada's law enforcement services determined that a sidearm is necessary to mitigate dangers inherent to law enforcement duties in national parks. The underlying premise was that when the outcome of a law enforcement event can be dire (i.e., grievous bodily harm or death), all reasonable prevention measures must be undertaken to prevent it. This decision was the impetus for a fundamental change to Parks Canada's approach to law enforcement.

In May 2008, the Government of Canada authorized Parks Canada to create up to 100 armed positions entirely dedicated to law enforcement. Subsequently, Parks Canada set up a new Law Enforcement Branch (LEB) with responsibility for the Agency's law enforcement activities (see section 2.2). Since this time, the term 'Park Warden' has referred to a specific position responsible for law enforcement. For more details on this operational capacity, see section 4.4.3.

The LEB was created as a national resource. Its capacity is managed nationally to ensure that it is deployed where it is most needed at any given time.

## 2.1 EXPECTED RESULTS AND TARGETS

The overall goal of the Law Enforcement Program as set out in Parks Canada's *Management Directive on Law Enforcement* (2008) is to ensure fair, impartial, predictable and consistent law enforcement services in support of the Agency's mandate on all lands and waters it administers. This includes a set of principles that provide the foundation for the Agency's Law Enforcement Program:

1. **Safe:** Employees and public safety are paramount in the delivery of law enforcement services.
2. **Integrated:** The integration of the prevention and law enforcement programs allows the Agency to more effectively and efficiently fulfill its mandate.
3. **Professional:** Law enforcement personnel will maintain the highest ethical and professional standards.
4. **Accountable:**
  - a. The Law Enforcement Branch provides a service to PCA Field Units as agreed to in Service Delivery Agreements (defined below). The Branch is guided by continuous performance measurement that ensures delivery of the agreed to service and provides timely advice on the effectiveness of law enforcement activities aimed at achieving Field Unit priorities.
  - b. A clear and consistent separation of roles and responsibilities from those of other organizations and police service of jurisdiction is maintained.
5. **Mandate Driven.** The Law Enforcement Branch resources will be focused in an effective and efficient way to ensure that we meet Parks Canada Agency's mandate for visitor experience and protection of natural and cultural resources.

At the field level, performance expectations for law enforcement are defined through a Service Delivery Agreement (SDA) for each service area – a "contract" between the Director, Law Enforcement and Field Unit Superintendents that links park warden activities to the needs of Field Units. SDAs provide for a

type and level of law enforcement service to be delivered to the Field Unit by the Law Enforcement Branch for a specified period of time.

In 2009, the Agency also prepared a Results-Based Management and Accountability and Risk-Based Audit Framework Result (RMAF/RBAF) for the program with a monitoring plan that identifies key performance areas related to producing outputs, managing specific program risks, and achieving outcomes (see Table 1).

**Table 1. Law Enforcement Program Monitoring Plan, 2009**

Performance Area	Indicators	Targets	Data Source <sup>3</sup>
<b>Outputs</b>			
Targeted Patrol	# hours patrol	% of hours committed to targeted patrols as part of SDA*	Program Files, LEB Database(s)
Law Enforcement	# incidents involving written warnings, investigations, searches, seizures, charges, referrals, arrests	Nil	LEB Database(s)
Policies and Directives	Compliance with policies and directives <sup>4</sup>	100% compliance	Operational Review
<b>Risks</b>			
Sidearms	# sidearms lost	Zero	Program Files
	# accidental discharges	Zero	LEB Database(s)
	# of misuses	Zero	Program Files, LEB Database(s)
Training	Exam results, compliance with management direction	TBD*	Operational Review
<b>Outcomes</b>			
Park Warden Safety	# violent occurrence reports	TBD*	LEB Database(s)
Visitor Attitudes	Awareness of rules and regulations (self-assessment)	% of visitors aware of rules and regulations (self-assessment)*	Visitor survey (annually)
	Visitor sense of safety	% of visitors who feel safe during their visit*	Visitor survey (annually)
Delivery as per SDA	Success on SDA commitments	% of commitments delivered*	LEB Database(s), Program Files
Compliance	# law enforcement incidents	TBD*	LEB Database(s)
Program Adjustments	Description of adjustments made based on lessons learned	Nil	Program Files
* Target was to be determined once a baseline set in 2010.			

Source: Adapted from RMAF/RBAF 2009

Findings related to the ongoing relevance of this monitoring plan are presented in section 4.2.7.2.

## 2.2 ACTIVITIES AND OUTPUTS

Park Wardens have the primary responsibility for enforcing Parks Canada's and other related legislation in support of the Agency's mandate. Park Wardens have discretion to deal with offenses using a range of law enforcement responses, including: issuing warnings; investigating problematic situations; searching premises; seizing property; evicting offenders; charging offenders; and arresting offenders. Further, they

<sup>3</sup> For more information on LEB Database(s) see section 4.2.7.1 and on Operational Reviews see section 4.2.6.

<sup>4</sup> Includes an expectation for compliance with all documented direction for the program, i.e., policies, directives, standard operating procedures, memoranda of agreement, letters of agreement, etc.

regularly undertake actions to prevent offenses from occurring (e.g., uniformed presence, conducting patrols and surveillance, informing and educating the public with regard to rules and regulations).

Park Wardens are supported in their duties by Field Units, whose staff are responsible for implementing the Agency's prevention program subject to the Parks Canada Prevention Guidelines (2009).<sup>5</sup> These guidelines are intended to complement the LE Program and reduce the need for law enforcement by preventing offences through education, environmental design, and other measures. While such prevention measures can influence the nature and extent of required law enforcement activities, a detailed examination of the implementation of the PCA Prevention Guidelines is outside the scope of this evaluation.

Park Wardens are also peace officers within the meaning for the *Criminal Code* (1985) with all the related powers, duties and protection. They work in cooperation with other law enforcement agencies (e.g., Royal Canadian Mounted Police (RCMP), Ontario Provincial Police, Sûreté du Québec, local police forces, and First Nations) to ensure compliance with all relevant legislation and regulations. These Police Services of Jurisdiction (PSOJ) have primary responsibility for all matters related to the *Criminal Code* on Parks Canada lands. As such, Park Wardens may refer relevant incidents to these partners.

Further, the Law Enforcement Program includes a variety of program management and support activities that are critical to its success. These include the development of policies, directives and procedures, the development and implementation of training programs and standards, and information management and analysis. These activities are primarily the responsibility of the Law Enforcement Branch's National Office program management and support staff.

There are also some areas where Park Wardens, Managers of Law Enforcement Operations and National Office program management and support staff have joint responsibility. These include:

- Developing partnerships and agreements with field units and with external partners;
- Providing expert advice to field units in the determination of risks and of the most relevant and effective education and law enforcement actions;
- Assessing trends in risks and results of law enforcement actions; and
- Recording and managing information in various forms (e.g., incident reports).

## 2.3 RESOURCES (INPUTS)

### 2.3.1. Budget and Expenditures

The LE Program is funded through general appropriations and special purpose funds. In 2008, Treasury Board approved specific allocations for the program of about \$8.5M in 2008-09 and \$2.4M in 2009-10 and following years. However, the majority of the program's budget is funded through existing A-base resources that were reallocated from within the Agency. Some additional special purpose funds have since been allocated in support of related initiatives (e.g., creation of the Rouge National Urban Park).

---

<sup>5</sup> PCA Prevention Guidelines (2009) were developed under the Vice President, External Relations and Visitor Experience (ERVE). While the Visitor Experience Branch has functional responsibility for these guidelines, Field Unit Superintendents are responsible for their implementation and prevention activities are carried out by a wide range of Agency employees.

From the program's outset to July 2014, all LEB and some Field Unit expenditures were coded to activity code 2051 – Law Enforcement. Changes made to this coding structure in July 2014 have resulted in some issues related to data consistency. Given data in the Agency's financial system, we estimate that annual expenditures for the program averaged \$9M from 2008-09 to 2014-15. Details of this analysis are presented in the section on program efficiency and economy (4.4.1).

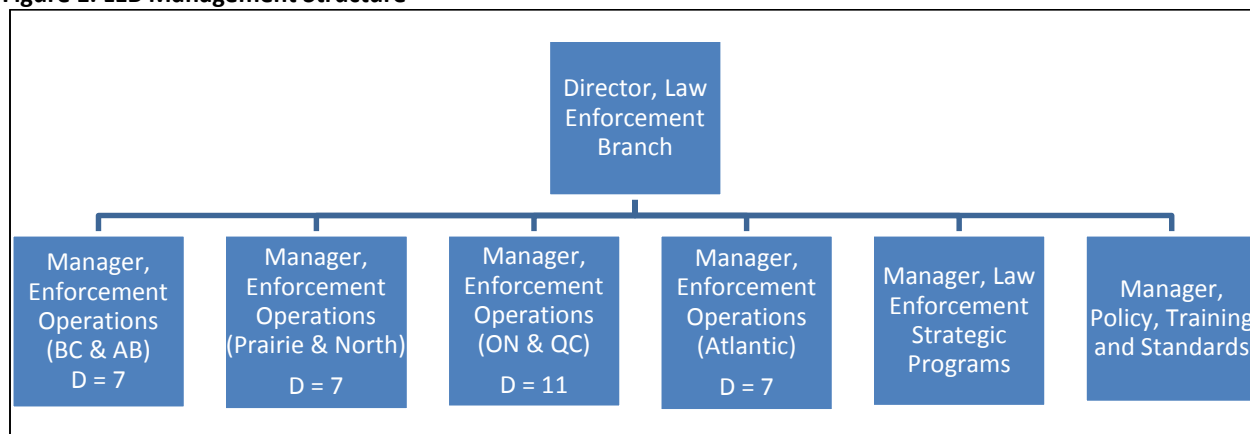
### 2.3.2. Human Resources

In 2008, Treasury Board approved the creation of up to 100 full-time (i.e., dedicated) armed Park Warden positions for the Law Enforcement Program. Approval was also granted for some additional program support and management functions. As of April 2015, the human resource capacity of the LEB consisted of 101 positions. These are divided into operational positions (85%), composed of Park Wardens and Park Warden-Supervisors, and non-operational positions (15%), composed of management and program support positions. A more detailed analysis is presented in the section on program efficiency and economy (4.4.3).

## 2.4 ROLES AND RESPONSIBILITIES

Within the Agency, overall accountability for the Law Enforcement Program is assigned to the VP, Protected Areas Establishment and Conservation (PAEC). The Director, Law Enforcement Branch is accountable to the VP. As shown in the following figure, the management structure for the LEB is made up of four operational managers responsible for the law enforcement detachments in a specific geographic area, a manager of strategic programs and a manager of policy, training and standards.

**Figure 1. LEB Management Structure**



\* D = indicates number of detachments under each Manager, Enforcement Operations (April 2015).

As of April 2015, there were 32 law enforcement detachments hosted by Field Units, with offices typically located in national parks. Detachment service areas loosely align with PCA Field Units; some detachments provide services to multiple field units and some field units host more than one detachment. Each detachments is composed of one to seven Park Wardens and is supervised by a Park Warden-Supervisor. However, as some Park Warden-Supervisors supervise multiple detachments, there are six detachments where there is only a Park Warden on site. All LEB staff are National Office employees and are nationally deployable to address enforcement matters that require either additional personnel or personnel with specialized skills.

Field Unit Superintendents are accountable to the Agency's CEO for the management and operations of their assigned field unit. This includes implementing the Agency's prevention guidelines to ensure a minimum reliance on law enforcement.

## **2.5 LAW ENFORCEMENT PROGRAM REACH**

The program's RMAF/RBAF (2009) identifies the stakeholders and beneficiaries of the law enforcement program. These include:

- Visitors and Park/Site Users – who are made aware of rules and regulations and whose visitor experience (safety and enjoyment) is impacted by law enforcement;
- Field Units – to whom the Law Enforcement Branch provides its services to protect natural and cultural resources and influence the visitor experience;
- Program Managers – who receive advice on prevention and law enforcement activities;
- External Partners – including PSOJ, with whom Law Enforcement Branch works to ensure effective service delivery; and
- Neighbouring Residents – who may be impacted by activities that cross the boundaries of a park or site.



2.6 LAW ENFORCEMENT PROGRAM LOGIC MODEL

The logic model showing the relationships between inputs (e.g., human and financial resources), activities, outputs and immediate, intermediate and ultimate outcomes is shown in the following figure. The logic model was adapted for the purposes of this evaluation from the model included in the program’s RMAF/RBAF. It provides a visual summary of the program description.

Table 2. Law Enforcement Program Logic Model

Inputs	Activities/Outputs	Immediate/Intermediate Outcomes	Ultimate Outcomes
Law Enforcement Branch (Park Wardens and program management and support staff).  Field Unit staff (who contribute to development of SDA, and to prevention and detection/referral of incidents).  Financial Resources (average \$9M per year).  Materials and Equipment (both national program and field unit resources).	<b>LE Program Management and Support</b> <ul style="list-style-type: none"> <li>• Directives, standards, policies and procedures developed and implemented.</li> <li>• Staff recruited, trained and certified according to standards.</li> <li>• Information required for program management identified, and recorded in appropriate systems.</li> <li>• Operational reviews conducted.</li> <li>• Reports on trends and results produced.</li> </ul>	Law enforcement is conducted in a safe and professional manner; program risks are effectively managed.  Program has information to ensure compliance, analyze trends and make continual improvements.	Law enforcement contributes to the Agency mandate (i.e., heritage resource conservation and visitor experience).
	<b>Partnerships and Advice</b> <ul style="list-style-type: none"> <li>• Partnerships and agreements with field units and external partners developed (e.g., Service Delivery Agreements and Memoranda of Understanding).</li> <li>• Expert advice provided to field units to improve prevention programs and/or clarify law enforcement priorities.</li> </ul>	Roles, responsibilities and accountabilities are clear and the extent and limitations of law enforcement services are understood by all parties.  Advice reduces need for law enforcement (through better prevention) and increases effectiveness and efficiency through better planning.	
	<b>Law Enforcement</b> <ul style="list-style-type: none"> <li>• Presentations</li> <li>• One-on-one contacts</li> <li>• Patrol</li> <li>• Surveillance</li> <li>• Warnings (verbal, written)</li> <li>• Investigations</li> <li>• Evictions</li> <li>• Charges</li> <li>• Arrests</li> <li>• Searches</li> <li>• Seizures</li> <li>• Referrals</li> </ul>	Incidents are deterred and/or detected.  Response to incidents is appropriate and timely.  Obligations for law enforcement service delivery are fulfilled.	

### 3. EVALUATION DESIGN

#### 3.1 EVALUATION PURPOSE AND SCOPE

The evaluation examined the relevance and performance (i.e., effectiveness, efficiency, and economy), of the Law Enforcement Program, consistent with the requirements of the TB *Policy on Evaluation* and its related *Directive* (2009). This approach is also consistent with the new TB *Policy on Results* introduced in July 2016.

This evaluation generally covers the period from January 2009 to March 2015. However, relevant program changes that have occurred since this date are also considered as part of the analysis. Parks Canada Agency evaluation staff conducted the evaluation's field work between March and November 2015.

The scope of the evaluation includes the activities and results of the program, as outlined in the program's logic model. While there is a close relationship between prevention and law enforcement, the scope of the evaluation excludes a detailed examination of the implementation of the PCA Prevention Guidelines. In certain cases, aspects of prevention programming may be described to provide context for understanding results related to law enforcement.

#### 3.2 APPROACH, METHODOLOGY AND LIMITATIONS

The evaluation addressed six specific questions and 20 associated expectations related to issues of relevance and performance. The key questions are shown in Table 3. A more detailed matrix of evaluation questions, what we expected to observe, indicators and relevant data sources is found in Appendix B.

**Table 3. Evaluation Issues and Questions**

Relevance
To what extent is there a continued need for the LE program?
To what extent is the LE program aligned with government priorities?
To what extent is the LE program aligned with federal roles and responsibilities?
Performance
To what extent is the LE Program producing its intended outputs?
To what extent is the LE program achieving its intended results?
To what extent is the LE program efficient and economical?

##### 3.2.1. Methods

The evaluation employed multiple methods of data collection.

**Literature Review and Comparative Analysis:** The evaluation explored existing literature relevant to law enforcement programs and law enforcement activities of other federal departments and agencies for lessons learned and potential application to Parks Canada's law enforcement program. This includes Environment and Climate Change Canada's (ECCC) Enforcement Branch, Fisheries and Oceans Canada's (DFO) Conservation and Protection Branch, the Canada Border Services Agency (CBSA) and, to a more limited extent, Nova Scotia Environment Conservation Enforcement.

**Document and File Review:** A wide range of documents were reviewed for the evaluation, including legislation, policies, plans, and reports (see Appendix C). Documents included published materials and internal Agency files.

**Secondary Data Analysis:** Secondary data from the Agency's databases (e.g., OTS, PWARD, STAR) was analysed to inform questions of performance and efficiency and economy. The evaluation also assessed quality controls of the databases specific to the LE Program.

**Key Informant Interviews:** Key informant interviews were used to gather data across all issues of the evaluation. Interviews were conducted with 49 Parks Canada staff and senior managers at National Office and in field units. The interviews were conducted in person, where possible.

Interviews were also conducted with 11 partners and stakeholders, primarily PSOJ and other related federal law enforcement services (e.g., RCMP, ECCC Enforcement Branch).

**Survey of Park Wardens and FUS:** Surveys of (1) Park Wardens (i.e., those providing the service) and (2) Field Unit Superintendents (i.e., those receiving the service) were administered to collect information related to these groups' perspectives on program design, performance and results. Questions were designed to facilitate a comparison of results between the two groups. The survey of Park Wardens had a 75% completion rate ( $n = 51$ ); the survey of FUS had a 49% completion rate ( $n = 16$ ).

**Site Visits:** Site visits to specific detachments were used as case studies to generate evidence and a more in-depth understanding of:

- Impact that an SDA has on LE performance;
- Impact that field unit's prevention program has on LE performance;
- Challenges of law enforcement at sites with high volume of incidents;
- Relationship between law enforcement and PSOJ; and
- Reason for trends in incidents and enforcement activities.

In consultation with program staff, sites were selected to be able to further the evaluation's understanding relative to these issues (i.e., at least one case per bullet; single case may address several bullets). Six sites were visited between May and June 2015: Pacific Rim National Park, Waterton Lakes National Park, Prince Albert National Park, Bruce Peninsula National Park and Fathom Five National Marine Conservation Area, Forillon National Park, and Prince Edward Island National Park. Where relevant, law enforcement services provided to the entire field unit served by the detachment were also discussed.

### 3.2.2. Strengths, Limitations and Mitigation Strategies

Given the response rates to our surveys of Park Wardens and Field Unit Superintendents, we are confident that the views of both these groups are relatively well represented in our analysis. Certain elements of the survey results for Park Wardens are further corroborated by findings of the Public Service Employee Survey (2014), the results of which can also be benchmarked against other federal law enforcement agencies.

To add context to the data gathered, all program managers and most support staff in the Law Enforcement Branch were included in key informant interviews, as were relevant senior managers from within the Agency. The views of these groups are also considered to be well represented in our analysis.

While the number of partners participating in key informant interviews was relatively limited, the evaluation does include the perspectives of senior representatives from key national enforcement partners (i.e., RCMP, ECCS, DFO) as well limited input from regional or local partners (collected during site visits).

The Law Enforcement Branch has a well-documented set of operational policies and procedures. These served as a strong reference point against which to assess program results.

However, while the LEB has developed a monitoring plan (2009) it has not routinely collected the data required to report against its performance metrics. Similarly, there were significant limitations to evaluating performance metrics linked to Service Delivery Agreements (SDA). Specifically:

- Most SDA have not been finalized and/or approved, making it difficult to determine the extent to which their related priorities should be/are being applied.
- There is no function within the program's Occurrence Tracking System (OTS) or the Park Warden Administrative Relational Database (PWARD) to link incidents or enforcement actions to the priorities that should be outlined in SDA.
- Detachments' annual reports on service delivery do not systematically provide information on results against specific performance objectives outlined in the SDA.

Where possible, we mitigated these limitations by performing our own analysis of available data. The best proxy in most cases was information derived from annual reports to field units prepared by Park Warden-Supervisors. These reports include data pulled directly from the program's OTS and PWARD databases and provide additional contextual and background information that enable a better understanding of database information. The evaluation did not verify the accuracy of the data presented in these reports.

We also identified various limitations with respect to data in relevant information systems (e.g., data missing and inconsistently captured in OTS and PWARD, inconsistent coding of financial data in STAR). It was beyond the scope of the evaluation to correct or compensate for these data issues. Rather, data analysis and reporting was done where feasible by limiting the timeframes of information captured to ensure it best reflects actual trends. Observations from interviews and site visits were also used to contextualize and gauge the accuracy of systems data. Specific limitations and data quality issues are discussed where relevant within the report.

Given the relative newness of this program and some of its related data systems, information on trends is limited and should be interpreted with caution. In addition, in most cases, the findings reported in the evaluation represent a national aggregate; there may be significant variability in this data among detachments. While it was beyond the scope of the evaluation to detail results by detachment, we mitigated this limitation by completing a more detailed review of available data for the six detachments with the highest number of incidents (representing 50% of all incidents) and the detachments visited during site visits. This data was also contextualized with data collected during site visits, interviews and from survey analysis. All of these detachments showed trends similar to the national aggregate.

Lastly, it was noted that analyses completed by the Law Enforcement Branch are normally done on a calendar year basis. Where possible, we have adjusted these analyses to reflect the fiscal year to better align with financial data. All analyses presented in the report include reference to the applicable timeframe.

## 4. EVALUATION FINDINGS

### 4.1 RELEVANCE

#### 4.1.1. Continued Need for LE Program

Expectation:	Indicators
<ul style="list-style-type: none"> <li>• Incidents that require LE intervention continue to occur.</li> <li>• Field units continue to express a need for LE services.</li> <li>• Parks Canada’s LE Program serves the public interest.</li> </ul>	<ul style="list-style-type: none"> <li>• Number and trend in law enforcement incidents.</li> <li>• Field unit indicates and need/priorities for LE.</li>   <li>• Evidence that LE Program serves the public interest.</li> </ul>

**There is clear evidence that incidents that require LE intervention continue to occur in areas under Parks Canada’s jurisdiction.**

**Total Number of Incidents:** During the approximately six year period from May 2009 to March 2015, a total of 43,718 incidents (i.e., average of 7,669 per year) were recorded in the program’s Occurrence Tracking System (OTS).

**Distribution of Incidents by Location:** Data on incident location is available for the 32,467 incidents recorded over the four year period from April 2011 to March 2015 (see Appendix D). There are a variety of contextual factors that may contribute to variation in the number of incidents across sites (e.g., the number of Park Wardens available to observe and record incidents, differing incident recording practices). As such, the higher number of incidents at one site may not necessarily be reflective of the extent of actual compliance issues at that site. With this caveat in mind, available data shows that:

- The vast majority of recorded incidents (97%) occurred in National Parks (as opposed to NHSs, NMCA or the NUP).
- Recorded incidents are heavily concentrated in a sub-set of the national parks in southern Canada; ten national parks accounted for close to 70% of all incidents. More than a third of all incidents were recorded in Banff and Jasper National Parks. Conversely, there are 17 national parks that collectively account for less than 1% of all incidents.
- Recorded incidents are strongly correlated with the number of visits to a site (i.e., national parks with more recorded person-visits also tend to have higher incident numbers).<sup>6</sup>
- Although there was an overall increase in the annual number of incidents recorded across all locations (from 6,892 in 2010-11 to 8,706 in 2014-15), there was significant variability for each individual park or site.

**Field units continue to express a need for law enforcement services.**

As stated, law enforcement has long been used as a management tool to encourage compliance with legislation and regulations in Canada’s national parks. Through priorities identified in SDAs, Field Units

<sup>6</sup> Analyses were performed using yearly totals of incident and visitation data (from 2011-12 to 2014-15). Correlation coefficients for the four years ranged from  $r = 0.91$  to  $r = 0.95$ .

continue to express their site-specific needs for law enforcement. In most cases, Field Units' priorities are directly linked to the Agency's mandate and strategic objectives for natural and cultural resource protection, visitor experience, and public safety.

There is also evidence that the needs of Field Units for law enforcement services are growing in response to changes such as increased visitation, diversification of visitor activities, and increasing regulatory controls. For example, as critical habitat is defined and restrictive protection orders are put in place related to the *Species at Risk Act*, there may be an increase in demand for law enforcement services from Field Unit management teams accountable for these species.

#### **Law enforcement serves the public interest.**

The evaluation did not find any data to indicate Canadians' or visitors' specific views related to the relevance of law enforcement by Parks Canada. However, law enforcement is an activity common to wildlife and natural resource protection agencies. A public opinion survey conducted for Environment Canada in 2007 found that a majority of Canadians support an active role for government in enforcing environmental laws.<sup>7</sup>

In principle, Parks Canada aims to prevent or deter incidents before negative impacts occur. However, as discussed, there is evidence that incidents are occurring that require a response that can only be delivered by qualified and equipped law enforcement officers. Parks Canada's Law Enforcement Program is designed to ensure that employees and the public remain safe in the delivery of law enforcement services and that law enforcement meets the professional standards required to ensure that people and the resources they value are protected.

#### **4.1.2. Alignment with Government Priorities**

<b>Expectation</b>	<b>Indicators</b>
<ul style="list-style-type: none"> <li>LE Program objectives are supportive of the Whole of Government Framework.</li> <li>LE Program objectives are supportive of Parks Canada's corporate priorities.</li> </ul>	<ul style="list-style-type: none"> <li>Degree to which LE aligns with Government of Canada's Whole of Government Framework.</li> <li>Degree to which LE aligns with PCA corporate priorities.</li> </ul>

The Law Enforcement Program is consistent with priorities in the federal government's Whole of Government Framework (i.e., high-level outcome areas defined for the government as a whole). Given that the legislation and regulations being enforced by Parks Canada's wardens are largely related to the protection of natural and cultural resources, the program is aligned with the outcome areas of "*A clean and healthy environment*" (i.e., to ensure that Canada's environment is restored and protected, and that natural resources are used in a sustainable manner for future generations) and "*A vibrant Canadian culture and heritage*" (i.e., to support Canadian culture and enhance knowledge of Canada's history and heritage, such as national historic sites). This program is also tied with the outcome area of "*A safe and secure Canada*", where the Government sets out to maintain the safety and security of Canada and its citizens through crime prevention and law enforcement.

During the period under evaluation, the Law Enforcement Program was also aligned with Parks Canada's ongoing corporate priorities for:

<sup>7</sup> Ipsos-Reid, Environment Canada Corporate Communications Survey, 2007.

- ‘Conservation Gains’ by supporting natural and cultural resource conservation and restoration actions, including species at risk recovery, across the Agency’s network of protected heritage areas; and
- ‘Connecting Canadians and Visitors to Heritage Places’ by supporting the Agency in providing visitors with a safe and enjoyable experience within these protected areas.

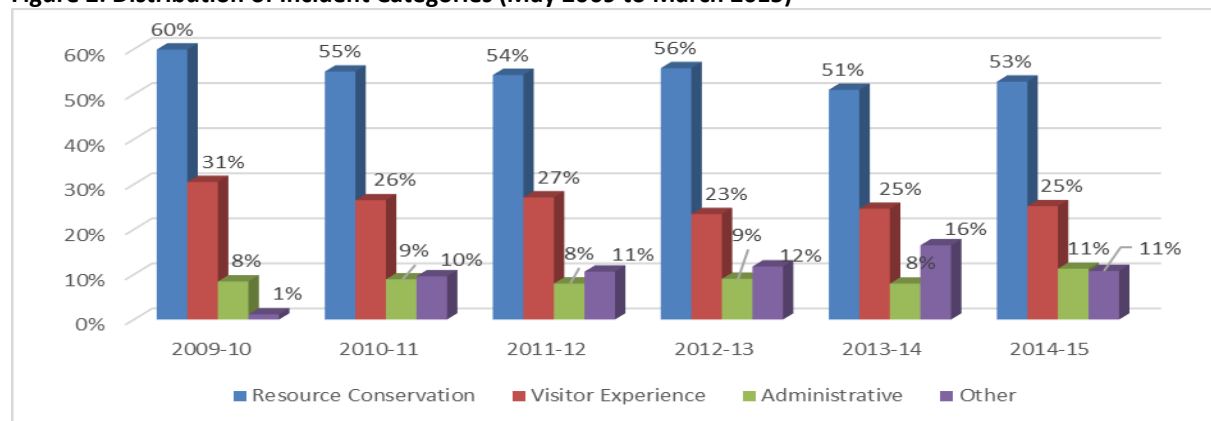
**4.1.3. Alignment with Federal Roles and Responsibilities**

Expectation	Indicators
<ul style="list-style-type: none"> <li>• The LE Program is clearly aligned with PCA’s legislative and policy mandate.</li> </ul>	<ul style="list-style-type: none"> <li>• Federal legislation, policies and directives indicate relevant roles and responsibilities.</li> <li>• PCA mandate, policies and directives indicate relevant roles and responsibilities.</li> <li>• LE incidents by type (i.e., resource protection, visitor experience, etc.).</li> </ul>

Parks Canada is responsible for ensuring that national parks, national historic sites, and national marine conservation areas are protected and made use for the enjoyment of current and future generations. Law enforcement contributes to this mandate by ensuring the protection of natural and cultural resources within these areas and contributing to safe and enjoyable visitor experiences.

As presented in Figure 2, the majority of incidents are assessed by LEB to relate directly to PCA’s mandate. Over the six years under evaluation, 54% of incidents recorded in OTS related to natural and cultural resource conservation, 26% to visitor experience and about 9% to administrative compliance.<sup>8</sup> Our analysis of OTS data provides more information on the specific types of incidents related to each category (see Appendix E). The five most common incidents reported in OTS are: illegal camping (7%), highway violations (6%), liquor violations (6%), illegal campfires (5%), and dogs-off-leash (5%).

**Figure 2: Distribution of Incident Categories (May 2009 to March 2015)**



Source: OTS.

<sup>8</sup> Further description of the types of incidents included in each of these categories is found in Section 4.3.1 (Table 5). An additional 11% of incidents (categorized as ‘Other’) are not included in LEB’s performance analyses. This includes records of complaints actioned by LE and incidents captured in the LEB’s database that are outside of its core mandate (e.g., related to visitor safety, human-wildlife conflict, referred to PSOJ).

Enforcement of these incidents is supported by the Agency's legislative and regulatory framework for the heritage places it administers. While the framework under which the Law Enforcement Program operates is complex, it shows a clear federal role for enforcement within the Agency.<sup>9</sup> Parks Canada's enforcement officers have primary responsibility for enforcing the provisions of the various acts that apply to Parks Canada and their related regulations, including the preservation and maintenance of the public peace in these areas.<sup>10</sup> Park Wardens are designated as enforcement officers under the *Canada National Parks Act* (2000), the *Canada National Marine Conservation Areas Act* (2001), the *Rouge National Urban Park Act* (2015), and the *Saguenay-St. Lawrence Marine Park Act* (1997). Their duties are assigned to them by the Chief Executive Officer pursuant to paragraph 13(3)(b) of the *Parks Canada Agency Act* (1998). National historic sites and heritage canals administered by the Agency are also subject to a variety of federal and provincial legislation, which can be enforced by Parks Canada law enforcement personnel and/or the Police Service of Jurisdiction.

In addition to this legislation, the Agency's *Guiding Principles and Operational Policies* (1994) direct that, in cooperation with other law enforcement agencies, PCA will also ensure compliance with other relevant legislation in its administered areas. The Agency's Park Wardens have been designated with specific authorities for enforcement under the *Species at Risk Act* (2002) and the *Migratory Birds Convention Act* (1994).

Parks Canada's Management Directive on Law Enforcement (2008) further sets out the Agency's law enforcement responsibilities and directs the delivery of law enforcement services by the Law Enforcement Branch.

## 4.2 PERFORMANCE: ACTIVITIES AND OUTPUTS

### 4.2.1. National Law Enforcement Management Framework

Expectations	Indicators
<ul style="list-style-type: none"> <li>Directives, standards, policies and procedures are developed, monitored and periodically reviewed.</li> </ul>	<ul style="list-style-type: none"> <li>List and gap analysis of directives, standards, policies and procedures.</li> <li>Directives, standards, policies and procedures include clear roles, responsibilities and direction.</li> </ul>

#### **Management direction, operational standards and procedures have been developed and implemented.**

As of December 2015, Parks Canada's Law Enforcement Program maintained a management framework consisting of:

- Management Directive on Law Enforcement (2008) - sets out Parks Canada's law enforcement responsibilities and directs the delivery of law enforcement services by the Law Enforcement Branch.

<sup>9</sup> See Appendix F for a list of all relevant authorities.

<sup>10</sup> While Parks Canada's enforcement officers are peace officers within the meaning of the *Criminal Code* (1985), PSOJ maintain primary responsibility for all matters related to this Act.



- Law Enforcement Administration and Operational Manual (last updated 2015) – supports the application of the management directive and serves as a reference for all aspects of the program, providing guidance that allows staff to perform enforcement-related tasks safely and in compliance with relevant legislation and direction.
- Fourteen operational standards – standards to be met and/or procedures to be carried out covering a wide range of operational requirements (see list in Appendix C).

In 2011, the *Audit of the Law Enforcement Program – Arming Initiative* found that most elements of the required management framework were in place and appeared to be functioning but that in many cases the program was still too new to have undergone extensive review.

We found that the Administration and Operational Manual is being updated as required. Over time, the LEB intends to replace its manual with a suite of operational standards. Recent updates to the Manual indicate where previous direction has been updated and replaced by specific standards. The LEB has also indicated that more standards are to be developed to cover emerging practices, such as the use of mobile computing.

The Management Directive is supposed to be reviewed every five years to ensure it continues to reflect the needs of the Parks Canada Agency and any advances in law enforcement practices (with the first review expected in December 2013). We found that a full review has not yet occurred. Regardless, all program managers and external stakeholders consulted for the current evaluation agreed that Parks Canada's framework generally continues to meet and in some cases exceed industry standards.

**Directive, operational procedures and standards include clear roles, responsibilities and direction.**

An adequate management framework must include a structure of authority and responsibility to properly supervise all personnel involved in the program. The Parks Canada law enforcement governance structure is centralized in National Office. This includes four Managers of Law Enforcement Operations to supervise and support Park Warden-Supervisors and Park Wardens as they operate in the field. We found that these roles and responsibilities were well defined and documented.

To be effective, it is also critical that the program's management framework be clearly communicated to relevant staff. We found that the Directive, Manual and related standards are available on the intranet and accessible to all Parks Canada employees. The Law Enforcement Branch also uses several different methods to communicate with operational staff. The most frequent communications are made by e-mail. Conference calls are also held on a regular basis between the Director of Law Enforcement and the Managers of Law Enforcement Operations, and between these Managers and operational Park Wardens in their regions. The Director of Law Enforcement also occasionally holds all-staff conference calls.

Data suggests that the LEB does a good job communicating with operational staff. In response to the Public Service Employee Survey (2014), 86% of LEB staff indicated that their immediate supervisor keeps them informed of issues affecting their work. No issues with the internal communication of directives, standards or operating procedures were raised during site visits.

#### 4.2.2. Local Law Enforcement Management Framework

Expectations	Indicators
<ul style="list-style-type: none"> <li>• <b>Service Delivery Agreements</b> are developed with field units.</li>   <li>• <b>Performance analysis and reports</b> on trends and results are produced.</li> </ul>	<ul style="list-style-type: none"> <li>• Number of Service Delivery Agreements (SDA) in place.</li> <li>• Perceived quality, completeness and adequacy of agreements by parties to agreements.</li> <li>• Extent to which law enforcement obligations align with intended outcomes.</li> <li>• Number and nature of performance analysis and reports produced.</li> </ul>

#### Local management framework has been developed.

Parks Canada's basic approach to the law enforcement planning process at the field-level is outlined in the Agency's Management Directive on Law Enforcement, with further guidance provided in the LEB's Administration and Operational Manual. These documents indicate that Field Unit Superintendents and the Director of Law Enforcement will establish Service Delivery Agreements to specify the level of law enforcement service that will be supplied to each Field Unit by the LEB. These SDA are to be established for a five-year period and reviewed annually by the FUS and Managers of Law Enforcement Operations on behalf of the Director of Law Enforcement.

In 2009, the Law Enforcement Branch created a template to simplify the development of these SDA. While use of this template is optional, the LEB's Administration and Operational Manual indicates that each SDA should specify:

- The priority issues that law enforcement personnel will address.
- The level of law enforcement service to be provided by the LEB to the heritage places within the Field Unit (e.g., number of wardens, minimum work schedule parameters, etc.).
- The roles and responsibilities of LEB and Field Unit personnel in the implementation of the SDA, including arrangements for day-to-day liaison and procedures for conflict resolution.
- The provision of administrative support by the Field Unit to the detachment (i.e., communications and dispatch services, staff housing, office space, equipment and equipment storage).
- The mechanism through which priorities may be revised or adjusted during the operating season.

Guiding documents also specify that the SDA is to be derived from a yearly prevention and law enforcement planning process led by the FUS and their management team wherein issues that will require a law enforcement response are identified and prioritized. Park Wardens are then to use these priorities to design tactical plans to guide specific law enforcement actions.

The planning process is supported by an annual reporting process, with performance reports prepared by LEB used as a tool to support the Field Unit management team in establishing enforcement priorities for the next operational season and aligning field unit prevention strategies and investments. In 2013, the format of these annual reports was changed from lengthy written narratives to more focused, in-

person presentations by the Park Warden-Supervisor to the Field Unit's management team.<sup>11</sup> This change was intended to reduce the reporting burden on Park Warden-Supervisors and make the data provided consistent across field units. Based on a standardized template, each presentation deck is broken into three sections: (1) a summary of law enforcement efforts and results over the previous calendar year; (2) a discussion on SDA priorities; and (3) a discussion of field unit and LEB priorities (i.e., what works well and what requires action).

### **Implementation of local management framework has not been fully achieved.**

We found that while some form of SDA has been put into effect for most Field Units, the format and content of these SDAs varies significantly. We were provided with an SDA for 34 locations; most are specific to an individual national park but seven cover entire field units. Evidence suggests that only four of these has ever been formally finalized and approved. In addition, while there is evidence that the majority of SDAs (69%) were updated between 2013 and 2015, at least 15% lack any evidence of review. At least three have not been revised since 2010. This gap in the formal approval and update of SDAs is consistent with the findings of the internal audit in 2011.

Regardless, most LEB and Field Unit staff we consulted recognized the SDAs to be useful tools, perceived to help define key law enforcement concerns for each Field Unit. Park Wardens use the SDA, combined with input from annual report discussions, to develop tactical work plans and plan targeted patrols and other law enforcement activities according to identified priorities.

While at the local level Field Units and Park Wardens may have a good understanding of enforcement priorities, inconsistencies in the documentation of these priorities create an issue for program accountability. We found that in many cases, the enforcement priorities identified in the SDA differ from those presented in the annual reports and again from those identified in the program's new incident management database (see section 4.2.7.1). This makes it difficult for the evaluation to identify specific targeted issues and outcomes, review how these align to the program's broader objectives, or assess the extent to which desired outcomes have been achieved at the local level.

### **LEB has taken action to address some known problems with quality and utility of SDAs.**

According to the Law Enforcement Branch, the prevention and law enforcement planning process as outlined in the LEB's Administration and Operational Manual has not been used to its full potential. For example, initial SDAs identified too many priorities to create a clear focus for the law enforcement service. We found that, in 2010, the number of priorities identified varied significantly (range of 4 to 29 per agreement).<sup>12</sup> In many cases, these priorities also lacked specificity, i.e., they were targeted at a broad category of potential incidents (e.g., "resource protection") or at all incidents in a general location (e.g., "the beach") rather than specific issues (e.g., noise and disturbance at campgrounds, illegal fires, dogs-off-leash).

Starting in 2010, the LEB issued direction to focus efforts by reducing the number of priorities identified and ensuring that the specific priorities identified were more targeted. We found that there has been

---

<sup>11</sup> Reports are prepared for the calendar year by the Park Warden-Supervisor for a given area. Analytical support for the reporting process is provided by the LE Data Specialist.

<sup>12</sup> In 2010, not all Field Units had an SDA. This analysis is based on a review of 'SDA priorities' as reported in the Field Units' annual reports on law enforcement (2010).

reasonable progress towards this objective. In 2014, the number of SDA priorities had been reduced (i.e., now range from 4 to 12 per SDA). However, while more recent SDAs now frequently include priorities targeted to single issues the overall breadth and scope of priorities still varies significantly.

In addition, staff within the LEB and Field Units indicated that the initial SDA process had not been fully successful as the planning process did not sufficiently engage managers from all mandate areas. Field Units' input into the planning process was often provided by one individual, most often the Resource Conservation Manager. This was resulting in skewed priorities for law enforcement and insufficient buy-in from managers to support law enforcement through prevention initiatives.<sup>13</sup>

The revised annual report presentation format was intended to address this challenge; it was designed to stimulate discussion at the management table. We found that annual report presentations were mostly being delivered as intended. In 2014, performance reports were prepared for 30 locations, covering 39 individual parks or sites. In response to the evaluation's survey, Park Warden-Supervisors and Field Unit Superintendents generally agreed that the intended results of the revised annual reporting process were being achieved, i.e., that the new process had engaged all relevant parties and resulted in an agreement that effectively matched limited law enforcement capacity to priorities where enforcement would have the greatest impact or effect.

While these decisions appear to be positive changes in the processes for negotiating, approving and reviewing Service Delivery Agreements, we noted some weaknesses in their practical application:

- Requirements to follow these processes are not clear; changes are not yet reflected in the LEB's Administration and Operational Manual.
- Locations reporting a weaker working relationship between Park Wardens and Field Unit staff felt that these reports did not contain enough details or were not timely enough to allow for required adjustments in law enforcement priorities or efforts.
- While annual report methodology is clear that the Park Warden-Supervisor is to prepare an approved summary of the discussion with the management team within a set timeframe, we found that this process was not consistently followed. We have some evidence that discussion results were being rolled into work plans and/or SDA revisions but there is no documentation available to evaluate where issues in law enforcement service delivery were identified, lessons learned or the extent to which recommended responses have actually been integrated for continual improvement.<sup>14</sup>

---

<sup>13</sup> As per the PCA Prevention Guidelines Implementation Manual (2009), each Field Unit should have an 'Integrated Prevention and Law Enforcement Matrix' which identifies, prioritizes and provides strategies to address local issues related to visitor experience and resource protection. The prevention and law enforcement strategies identified for each priority are intended to help define the terms of the SDA. The extent to which this process has been effectively followed is expected to be the subject of a future evaluation; the current evaluation found strong preliminary indications that this process was not working as intended.

<sup>14</sup> Related to its guiding principle for accountability, the LE Program is to ensure continuous performance measurement. The program's monitoring plan (2009) includes an indicator for "description of adjustments made based on lessons learned".

### 4.2.3. Management of Key Program Risks

As noted, armed law enforcement is relatively new for the Agency and involves inherent risks.<sup>15</sup> A preliminary assessment completed for the Law Enforcement Program's RMAF/RBAF (2009) identifies the program's highest risk areas as those related to public and warden safety, i.e.:

1. Training, i.e., training is inappropriate or insufficient;
2. Careless use or misuse of sidearm, i.e., loss of or loss of control of sidearm, accidental discharge; and
3. Excessive use of force.

We expected that the Law Enforcement Program would have developed and implemented effective systems to mitigate these key program risks.

#### 4.2.3.1. Management of Program Risk: Training and Certification

Expectations	Indicators
<ul style="list-style-type: none"> <li>• Program risks related staff <b>training and certification</b> are appropriately managed.</li> <li>• Staff is <b>trained and certified</b> according to standards and service requirements.</li> </ul>	<ul style="list-style-type: none"> <li>• Training and certification programs in place (including feedback loop).</li> <li>• System to track training and certification requirements.</li> <li>• Training records (including exam results).</li> <li>• Certification records.</li> <li>• Comparison to industry standards for armed policing personnel.</li> </ul>

Law enforcement work demands a high standard of professionalism. Training is a key element for the Law Enforcement Branch, required to ensure Park Wardens' safe and effective fulfillment of their duties and to support the Agency's accountability.

**LEB has implemented core training and certification processes for Park Wardens that meet industry standards and service requirements.**

The Park Warden Training Standards (2015) establish the core requirements for the training and certification of Park Wardens.<sup>16</sup> They also create a framework for training delivery along with associated roles and responsibilities. The standards are complemented by separate "course training standards" that describe the specific contents of training courses and act as a delivery guide for instructors. The current set of approved training courses can be grouped into five categories as presented in the following table.

<sup>15</sup> 'Risk' refers to the uncertainty that surrounds future events and outcomes. It is the expression of the likelihood and impact of an event with the potential to influence the achievement of the program's objectives.

<sup>16</sup> Standards replaced Section 4.2 – Training, of the LE Administration and Operational Manual.

Table 4. Summary of Law Enforcement Branch Training and Certification

Category		Course(s)	Description	Target Goal	Progress Against Target Goal <sup>17</sup>
Core Training and Certification	<b>Required Initial Training</b>	Park Warden Recruit Training Program	Introduction to PCA and its law enforcement program (2 weeks), followed by academic and skill-based training on role as peace officers (10 weeks).	All prospective Park Wardens.	All new Park Wardens (100%) have completed this training since 2010. <sup>18</sup>
	<b>Mandatory Skills Maintenance</b>	Annual Certification Session	Skills refresher and certification session for sidearm and police defensive tactics. Session employs formative and formal evaluation methods (4 days).	All Park Wardens.	All operational Park Wardens (100%) complete this training annually as a condition of being operational.
		Mandatory Sidearm Practice	Instructor-led session provided annually to refresh and enhance basic sidearm marksmanship and firearm/range safety practices (0.5 days, twice a year).	All Park Wardens.	
	<b>In Service Professional Development</b>	Forensic Interview Training	Inter-agency, intermediate-level training course focused on the legal requirements for interviews and interrogations (5 days). <sup>19</sup>	All Park Wardens, after 2-3 years field experience.	Forty-six Park Wardens (53%) have completed training. LEB estimates two more course deliveries to meet goal.
Non-Core Training	<b>Training for Specialised Roles</b>	Various	LEB provides specialized training to a limited number of Park Wardens when required to meet program needs (e.g., to prepare Park Wardens to take on lead roles as instructors, to equip Park Wardens to bring intermediate or advanced competency to an investigation).	Limited number	Course-by-course results available.
	<b>Designation Training</b>	Various	In some cases, Park Wardens receive training on the legislation, powers and operational protocols associated with alternative designations. <sup>20</sup>	Limited number (as required regionally)	Course-by-course results available.

Source: Data provided by LEB, April 2015.

<sup>17</sup> Starting in 2012, requirements for and achievement of training and certifications are tracked in PWARD (and since 2015, in IEM).

<sup>18</sup> In 2008-2009, applicants that had previously worked in Park Warden or comparable LE positions were provided an abridged (five weeks) "conversion" training course delivered by PCA and the RCMP.

<sup>19</sup> Park Wardens learn the basics of conducting interviews of witnesses and suspects while completing the Park Warden Recruit Training Program.

<sup>20</sup> Park Wardens may be authorized to enforce federal and provincial/territorial legislation other than PCA legislation both within and adjacent to the boundaries of PCA administered heritage places with the objective of protecting natural or cultural resources within the heritage places.

As suggested in the table, LEB policy prescribes that all Park Wardens must also maintain skills proficiency in the use of protective equipment (including sidearm) throughout employment (i.e., Mandatory Skills Maintenance). Additionally, some staff are provided opportunities to develop higher level competencies. All training provided must support Law Enforcement Branch and Field Unit requirements.<sup>21</sup> Wardens are also permitted two hours per week for physical fitness training to meet Park Warden Physical Fitness Standards and Guidelines (2011), which include a requirement to pass a periodic Physical Abilities Requirement Evaluation (PARE).<sup>22</sup> In 2014, the Law Enforcement Branch reported that 15% of Park Wardens' time should notionally be devoted to some form of training or certification.<sup>23</sup>

In 2009, the Agency had no experience with the use of sidearms for law enforcement purposes. The RCMP agreed to provide the initial user-level training to Park Wardens in sidearms and use-of-force. Since 2010, the LEB has developed an internal capacity to deliver its mandatory skills maintenance sessions in-house; this internal capacity is perceived to be more effective and efficient (e.g., local delivery results in reduced time away from field operations and reduced travel costs).<sup>24</sup> LEB also continues to work with the RCMP and other partners (e.g., Canadian Police College, Canadian Police Knowledge Network) to deliver enhanced training programs.

Managers in the Law Enforcement Branch and Parks Canada's law enforcement partners indicated that the training and certification required of and provided to Park Wardens is at or above industry standards. Continued use of the RCMP curriculum attests to Parks Canada's ability to meet this standard. In response to the 2014 Public Service Employee Survey, 71% of LEB staff also indicated they felt they had the information and training to do their job. This is comparable to the results for other armed federal law enforcement agencies (on average, 74%).

The only issue raised with regards to this required training and certification related to the timing of mandatory skills maintenance sessions, which are frequently given in May (a high priority time for Field Units to have Park Wardens on site). However, the timing of this training is designed to ensure skills are refreshed prior to the peak operational season while accounting for the availability of seasonal Park Wardens.

#### **A number of opportunities to improve the Park Warden training were identified.**

While not required to address key risks related to use of force, Park Wardens and law enforcement partners identified potential gaps in the administrative training (e.g., major case management, interviewing, exhibit handling, court processing) provided to Park Wardens. While initial training that Park Wardens receive in these areas is reported to be on par with industry standards, the nature of the

---

<sup>21</sup> Field unit required training is usually related to travel skills and varies highly from location to location (e.g., boat handling, horsemanship, travel in avalanche terrain, etc.). Field units define this required training when they identify priorities in SDAs.

<sup>22</sup> Park Wardens are to keep a fitness log (using a template provided by the LEB) to record when and how they use their weekly fitness time.

<sup>23</sup> Estimate included in 2014 LEB National Summary. The new Incident and Event Management Database will allow tracking against this notional target.

<sup>24</sup> Previously, all Park Wardens would have needed to travel to the RCMP "Depot" Division in Regina.

incidents addressed by Park Wardens means that there are not frequent opportunities to practice its application and thus the knowledge may become stale.

Recognizing this challenge, in 2010-2011, the Law Enforcement Branch conducted a gap analysis and identified priority training needs in four subjects outside of the use of force area: interviewing, search warrants, major case management, and confidential source management. As shown in Table 4, as of 2015, significant progress had been made in training Park Wardens in the first two subjects via Forensic Interview Training and a specialized course on Drafting Information to Obtain Search Warrants.<sup>25</sup> Park Wardens have also pilot-tested training courses in the area of major case management, but LEB has not yet developed a bilingual course training standard or determined a standardized course provider. Training has not yet been developed or provided in the area of confidential source management. Before training is provided in this area, LEB will need to develop related policy tools.

While the nature of incidents addressed by PCA does not necessitate that all Park Wardens participate in specialized training (e.g., wildlife forensics, internet surveillance), LEB expects those who do obtain these skills to assist in relevant incidents as required and, where appropriate, share knowledge gained with other Park Wardens. While records show that some Park Wardens do receive this training, program staff indicated that opportunities were limited by the availability of the external training offer (particularly for French-language instruction) and associated costs. Seasonal staff may also have less access to specialized training if it is offered at a time of year when they are off-strength.

Further, the Law Enforcement Branch expects Managers of Law Enforcement Operations to provide related mentoring and support and to this end has targeted the hire of one manager with extensive background and skill in major case management. Besides mentoring and training, Park Wardens suggested that more opportunities to work with enforcement partners or temporary work assignments could allow them to gain or maintain applied familiarity with these administrative skills.

#### 4.2.3.2. Management of Program Risk: Sidearms and Use of Force

Expectations	Indicators
<ul style="list-style-type: none"> <li>Program risks related to <b>sidearms and use of force</b> are appropriately managed.</li> </ul>	<ul style="list-style-type: none"> <li>Records of incidents (#) of lost sidearms, accidental discharge, and misuse of sidearms.</li> <li>Records (#) of incidents of violent occurrences, including outcomes.</li> </ul>

#### Adequate controls are in place to mitigate risks related to sidearms.

The OIAE's Audit of Law Enforcement (2011) included a heavy focus on compliance with policies and procedures related to the arming initiative. This audit noted acceptable practices in the areas of:

- Controls for the purchase, registration and inventory tracking of specialized equipment (including sidearms) and ammunition;
- Secure storage, transportation, loading and unloading of sidearms and secure storage of ammunition;
- Sidearm maintenance; and

<sup>25</sup> As of 2015, ten Park Wardens have completed training and one Park Warden has been identified for the next available course (offered once per year via Canadian Police College).



- Clear definition of and adherence to requirements governing the use of personal protective equipment (e.g., soft body armour, handcuffs, duty belt, etc.).

Compliance with these policies and procedures is critical to the safety of Park Wardens and the public. Our evaluation found evidence to suggest that these controls have been adequately maintained or enhanced since the time of the audit (e.g., Standards on the Use of Personal Protective Equipment Carrying Devices Issued to Park Wardens (2013), Standards on Working with Others (2014)<sup>26</sup>). Further, we found that the Law Enforcement Branch has consistently met its targets to have zero incidents of lost, misused or accidentally discharged sidearms. This can be largely attributed to these controls and the training provided to Park Wardens.

#### **Adequate controls are in place to monitor use of force.**

Park Wardens are required to report all instances in which they draw their sidearm in an operational context to their Manager of Law Enforcement Operations.<sup>27</sup> In 2014, the LEB also introduced Standards on Use of Force Response, Reporting and Review to ensure accountability for the actions taken in the context of a use of force incident. LEB uses three triggers for a review of use of force: 1) force that exceeds 'physical control soft'; 2) presentation of a sidearm; and/or 3) injury to a client. Since 2009, there have been six incidents that would trigger such a review. Detailed reviews of these incidents completed by relevant managers confirmed that actions taken by the Park Warden were deemed to be reasonable and necessary given the totality of the situation.

A Park Warden's perception of an incident's level of threat has an impact on the officer's risk assessment to determine the need for use of force. In 2009, the program's RMAF/RBAF also included an indicator for the "# of violent occurrence reports" intended to be a measure of park warden safety. Previously, this category was used subjectively by staff to identify situations where they felt an increased level of threat. However, the training and equipment now provided to Park Wardens means that similar situations would not even necessarily be reportable. Since 2009, no Park Warden has filed a complaint under the Canada Labour Code (s. 127/128) suggesting safety concerns related to the dangers of law enforcement have been mitigated. For these reasons, program staff indicated the concept of "violent occurrence" no longer holds significant meaning and should be dropped from LEB's monitoring framework.

---

<sup>26</sup> This standard requires Park Wardens to institute appropriate risk mitigation measures when working with PCA staff and other non-law enforcement personnel (e.g., advance briefings, control of personal protective equipment, etc.).

<sup>27</sup> Excludes removing the sidearm from the holster for maintenance purposes and function tests.

#### 4.2.4. Expert Advice on Law Enforcement

Expectations	Indicators
<ul style="list-style-type: none"> <li>• <b>Expert advice</b> is provided to field units to improve prevention programs and/or clarify law enforcement priorities.</li> </ul>	<ul style="list-style-type: none"> <li>• Reported nature, extent and utility of advice.</li> </ul>

The “timely provision of useful advice” was identified as a key outcome by the Law Enforcement Program in its RMAF/RBAF (2009).<sup>28</sup> The Law Enforcement Branch is responsible for providing expert advice to Field Units to assist in determining (1) enforcement-related risks and (2) effectiveness of law enforcement activities aimed at achieving related field unit priorities. This role is generally defined in the LEB’s Management Directive and operational standards, and more specific requirements may be outlined in SDAs.

In response to our survey, the vast majority of Park Warden-Supervisors indicated that their detachments are actively engaged to provide advice to Field Units. They indicated that this advice relates mainly to:

- The use of law enforcement strategies, techniques and responses as part of the development of the prevention and law enforcement planning process (i.e., SDA development).
- Considerations for law enforcement implications of management initiatives (e.g., new programs, special events, area closures, signage, etc.);
- Expert enforcement advice on legislative and regulatory issues; and
- Participation of Park Wardens in Field Unit training (e.g., enforcement component of QVE).

The vast majority of FUS surveyed agreed that the advice they received from the Law Enforcement Branch was both timely and useful. Most also agreed that they are adequately informed of law enforcement’s response to incidents. The evaluation identified participation of Park Warden-Supervisors at Field Units’ regular management team meetings as a best practice to ensure effective integration of advice. This enables LEB to regularly debrief the local management team on notable incidents and emerging trends and to be included in discussions that have a direct impact on or are impacted by law enforcement service delivery. This practice has been recommended by LEB’s Managers of LE Operations but has not yet been adopted by all FUS.

Outside this forum, staff at various levels from across the Agency noted that more could be done to improve communications and working relationships between law enforcement and Field Unit staff. This is a residual effect from the culture shift that occurred when the LEB was created and Park Wardens were moved from being Field Unit to National Office staff. Some locations have completed this transition more effectively than others.

<sup>28</sup> Identified in program description and logic model. Not included in the program’s monitoring plan; there are no set performance measures for the concepts of “timely” and “useful” advice.

#### 4.2.5. External Partnerships

Expectations	Indicators
<ul style="list-style-type: none"> <li>Partnerships and agreements with external partners are developed.</li> </ul>	<ul style="list-style-type: none"> <li>Evidence that all relevant partners have been identified and engaged.</li> <li># of formal agreements in place (e.g., MOU, MOA).</li> <li>Clarity of roles and responsibilities, governance structures and dispute resolution mechanisms.</li> <li>Perceived quality, completeness and adequacy of agreements by parties to agreements.</li> </ul>

In addition to Field Unit staff, Park Wardens often need to work alongside other law enforcement agencies. Park Wardens may request and provide assistance to other law enforcement officers as operationally required. Maintaining productive working relationships with these partners is critical to the success of the PCA law enforcement program and to achieving the broader goals of resource protection, quality visitor experience and visitor safety within Parks Canada's heritage places.

Provisions on the establishment of these partnerships are detailed in the Management Directive on Law Enforcement (2008). The LEB has also developed *Standards on the Designation of Park Wardens Under Other Federal, Provincial or Territorial Legislation* (2012). The designation of Park Wardens under non-Parks Canada Agency legislation is important because it:

- Provides Park Wardens with legislative enforcement tools to support resource protection and visitor experience objectives in specific heritage places or circumstances where Parks Canada Agency legislation is not applicable (e.g., Bruce Peninsula National Park);<sup>29</sup>
- Allows Park Wardens to be designated under the *Migratory Birds Convention Act* (1994) and the *Wild Animal and Plant Protection and Regulation of International and Interprovincial Trade Act* (1992).
- Provides Park Wardens with the authority required to effectively collaborate with partner organizations (conducting joint patrols and operations, providing reciprocal support, etc.).

Further, the *Standards on Working with Others* (2014) specified limitations within which Park Wardens may provide assistance to other law enforcement officers. These include:

- Park Wardens may provide assistance to other law enforcement agencies within the scope of a Park Warden's lawful authorities and PCA's law enforcement mandate.<sup>30</sup>
- Parks Wardens may only conduct inter-agency patrols, inter-agency special operations or inter-agency investigations that are related to PCA's law enforcement mandate.
- Park Wardens may only assist other law enforcement agencies when the assistance being provided does not significantly detract from the delivery of law enforcement services within Parks Canada Agency sites (with exception of emergency situations).

<sup>29</sup> Bruce Peninsula National Park is not yet gazetted under the *Canada National Parks Act* and currently operates under a mix of provincial and federal legislation.

<sup>30</sup> On lands and waters outside PCA sites, Park Wardens shall only assist other law enforcement agencies with carrying out law enforcement actions provided that Park Wardens are designated and have peace officer powers under the legislation being enforced in the location where it will be enforced.

**Partnerships have been developed with external partners.**

The evaluation found seven formal agreements currently in place to establish working relationships between Parks Canada and other law enforcement agencies, including:<sup>31</sup>

- MOUs with RCMP (1987) to clarify the organizations' respective roles and responsibilities for enforcement (1987), provide PCA access to the Canada Police Information Centre (2009), and provide PCA with law enforcement training (updated annually);
- MOU with ECCC Enforcement Branch (2015) for the cooperative enforcement of the *Migratory Birds Convention Act*;
- MOA with Ontario Provincial Police (2015) to cooperate on law enforcement and public safety response in the area of Bruce Peninsula National Park; and
- MOUs with Ontario Ministry of Natural Resources (2013) and Environment Yukon (2014) to designate PCA Park Wardens as provincial or territorial Conservation Officers.

In response to our survey, Park Wardens confirmed having established both formal and informal operational relationships with numerous enforcement partners. Specific partners varied by detachment. Across Canada, the most important partners were reported to be the RCMP, provincial/territorial natural resource and wildlife services, ECCC's Enforcement Branch, and DFO's Conservation and Protection Branch. Locally important partners include provincial, municipal and First Nations' police services, as well as the Canada Border Services Agency and enforcement partners in the United States.

Evidence suggests that, whether formally or operationally, all relevant partners have been identified and engaged and that governance structures are clear.

**Working relationships with key law enforcement partners are effective but may be limited.**

Park Wardens reported having an effective working relationship with key law enforcement partners, most importantly the RCMP. Representatives of key partner agencies we consulted agreed with this assessment. All parties perceived a general willingness to assist in incident response within the scope of their respective mandates and, where relevant, commended the efficiency and effectiveness of joint operations and training exercises. Data in OTS shows that from May 2009 to March 2015 there were 1,924 occurrences where wardens either requested assistance from or referred occurrences to another agency and 972 occurrences where PCA provided assistance to other agencies. In total, PCA worked with partners on at least 6% off all responses recorded for this time period.<sup>32</sup>

However, Park Wardens and external partners also indicated that the effectiveness of these relationships was limited to some extent by limitations on the authority given to PCA Park Wardens to respond to incidents outside park borders (including on the boundary of the park). According to the Management Directive on Law Enforcement (2008), Park Wardens may only exercise law enforcement authority outside heritage places boundaries when it is directly related to:

---

<sup>31</sup> Numerous MOU that existed with partners prior to arming initiative (2009) were reviewed and cancelled or amended as required.

<sup>32</sup> Data in OTS for these variables were inconsistently captured across detachments and fiscal years. As such, these totals may be underestimated.

- An offence under PCA legislation;
- An offence committed inside the heritage place and against other legislation that supports the PCA mandate over which Park Wardens have authority; or
- Subject to approval, a major resource protection concern inside the heritage place but no offence has occurred within the heritage place.

Parks Canada considers these limits to be critical in establishing clear roles and responsibilities for the Law Enforcement Branch and to ensure that Park Wardens' limited capacity is devoted to meeting the Agency's mandate. Nonetheless, these limitations are perceived by Park Wardens and external partners as creating a relationship described as being somewhat "one-sided", where Parks Canada requests assistance from enforcement partners but is not able to reciprocate. This concern is intensified by the remoteness of many park locations where enforcement resources are generally limited. Further, this is perceived as preventing the most effective use of the additional enforcement designations held by many PCA Park Wardens to contribute to, for example, the common conservation objectives of federal and provincial partners.

Recognizing these concerns, recent LEB direction (i.e., the *Standards on the Designation of Park Wardens Under Other Federal, Provincial or Territorial Legislation* (2012) and the *Standards on Working with Others* (2014)) provides additional flexibility and policy authority for Park Wardens to work outside the initial limits imposed by the Management Directive.<sup>33</sup> Specifically, unless otherwise specified in writing, Park Wardens are now permitted to assist external law enforcement agencies and exercise their designated authority under other legislation outside Parks Canada Agency heritage places in the following circumstances:

- When Park Wardens are designated and have peace officer powers under the legislation being enforced in the location where it will be enforced, and
- When those authorities are exercised for the purpose of protecting natural and cultural resources and enhancing visitor experience in relation to Parks Canada Agency heritage places.

Within those limits, park wardens may exercise these authorities in the following circumstances:

- During approved joint operations with partner organizations;<sup>34</sup>
- When an offence is "found committing" within a heritage place that requires immediate law enforcement action outside the heritage place;
- When an offence is "found committing" on lands or waters adjacent to a heritage place; and/or
- When a specific request has been made to respond to a suspected offence on behalf of a partner organization. In these cases, direction should be obtained from the partner organization as required.

Reasonable limits to this additional policy flexibility are still in place to ensure that Park Wardens' efforts remain primarily focused on the Agency's own mandate/lands. The full impact of these new standards on the concerns raised by Park Wardens and external partners may need to be reassessed once sufficient time has passed following implementation.

---

<sup>33</sup> The Management Directive on Law Enforcement (2008) has yet to be updated to reflect these changes.

<sup>34</sup> Prior to working alongside other non-law enforcement personnel in the context of special operations, Park Wardens must conduct a thorough risk assessment and complete a tactical plan approved by the Manager, Law Enforcement Operations.

#### 4.2.6. Local Performance Management - Operational Reviews

Expectations	Indicators
<ul style="list-style-type: none"> <li>Operational reviews are conducted.</li> </ul>	<ul style="list-style-type: none"> <li>% of detachments with completed operational reviews.</li> <li>Results of monitoring of compliance with directives, agreements, standards, policies and procedures.</li> </ul>

The Management Directive on Law Enforcement (2008) requires the Law Enforcement Branch establish a program of rotating operational reviews to ensure that each field unit or site law enforcement program is examined at least once in five years. The reviews focus on compliance of a detachment with: national program direction, standards, and procedures; requirements of SDAs and other partner agreements; and data quality and information management standards and practices.

An Operational Review Framework was developed and approved in November 2010. This framework specifies the methodology to be followed in completing an operational review and provides a template to be used to complete each assessment. Interviews, document analysis and verification of system data are used to assess management practices against specific criteria and sub-criteria. In many respects, the reviews constitute an “audit” of the key aspects of the detachments’ operations.

Based on the current number of detachments, to meet its target the Law Enforcement Branch would need to have completed at least 32 operational reviews by the end of 2015-16 (i.e., six to seven per year since 2011-12). As of March 2016, the LEB had only completed six (i.e., 19%). Program managers reported a lack of capacity as the main reason that more such reviews have not been completed. No plans had been developed to ensure the program’s target of all detachments being reviewed every five years will be reached on an ongoing basis.

While formal operational reviews are lacking, the four Managers of Law Enforcement Operations reported that they work closely with Park Wardens to informally review operational practices on an ongoing basis. For example, during each site visit they will observe the practices of Park Wardens and review the adequacy of vehicle condition, equipment security, uniform conformity, etc. These managers are also involved in the review of any reports of use of force or public complaints and are proactively involved in higher profile cases to ensure procedures are followed. In general, program managers report strong compliance with program standards.

This is consistent with the findings of the six operational reviews that were conducted; the vast majority of criteria investigated as part of an operational reviews were met. However, they did identify limited areas for improvement at the locations assessed (e.g., need for improved communication with the local management team, a lack of staff housing for Park Wardens on temporary work assignment). While minor, these are issues that should be addressed to ensure the effectiveness of operations.

#### 4.2.7. National Performance Management

Expectations	Indicators
<ul style="list-style-type: none"> <li>Information required for program management is identified and recorded in <b>appropriate systems</b>.</li> <li>Law enforcement program is making <b>continual improvements</b>.</li> </ul>	<ul style="list-style-type: none"> <li>Evidence of quality assurance and quality control for LE information systems (OTS, PWARD, IEM, etc.)</li> <li>Number and nature of performance analysis and reports produced.</li> <li>Evidence that performance data has been used to adjust/improve the program.</li> </ul>

Central to performance management is the development of performance measures, the collection of performance data, and the analysis and reporting of performance information. We expected that the information required for national performance management is identified and recorded in appropriate systems, and that procedures are in place to ensure the integrity of this data. Further, we expected that this information be used to review, report on and improve program performance.

##### 4.2.7.1. Data and Information Management

Over the period under evaluation, there were two key information systems used by the Law Enforcement Branch:<sup>35</sup>

1. **Occurrence Tracking System (OTS)** – A national electronic system used to record information on law enforcement occurrences. Operational since 2003, OTS was originally developed to record events for resource conservation. While the system continues to track non-enforcement related occurrences (e.g., wildlife conflict, visitor safety), only the LEB has access to enter or retrieve data related to law enforcement).
2. **Park Warden Administrative Relational Database (PWARD)** – A national electronic system used to track administrative program data such as work scheduling, training and certification, and equipment.

We found that while OTS was well-used and is reportedly well understood by Park Wardens, controls for data integrity built into OTS (e.g., mandatory fields, drop-down menus, flags for incorrect data) are not able to negate all inconsistencies in data entry. For example, we noted that Park Wardens' understanding of incidents that needed to be reported differed among locations and individuals. While some Park Wardens indicated that they recorded all detected incidents (no matter how minor), others did not. Park Wardens in at least one location only recorded incidents that they were able to action. This excludes incidents that were reported after an event occurred and/or were not directly witnessed (e.g., residual evidence of illegal camping). Staff indicated that the number of incidents recorded at this location would increase dramatically if all incidents reported were actually input to OTS. Across detachments, it is also unlikely that all incidents responded to by Police Services of Jurisdiction are consistently recorded in OTS. This depends on, for example, whether the PSOJ provided a report of the incident to LEB. Particularly for the National Urban Park and National Historic Sites (including heritage canals), this could mean that the actual number and breadth of incidents are underrepresented.

<sup>35</sup> A third system – the Canadian Police Information Centre (CPIC) – is regularly consulted by the LEB. This database is external to Parks Canada and excluded from the evaluation.

PWARD was introduced in Summer 2012. While there was a phase-in period, uptake of the system by Park Wardens was about 80% by the end of 2014.<sup>36</sup> Besides the system's ability to track training and equipment, PWARD enabled the Law Enforcement Branch to more effectively schedule temporary work assignments for Park Wardens. It can also be used to provide some performance information on the use of Park Wardens' time (i.e., number of days on duty, on training, on leave, etc.).

During the evaluation, work was underway to develop and implement a new information system – the Incident and Event Management (IEM) System. This system is intended to improve on the functionality of existing data systems (e.g., OTS and PWARD) by integrating their respective information into a single interface. This is expected to result in a number of benefits, including:

- **Better tracking of enforcement activities.** While PWARD can show the days a Park Warden is on duty, it does not identify how this time was used. At present, the LEB lacks consistent data to identify how well it is meeting targets in the program's monitoring plan (e.g., percentage of hours committed to targeted patrols as part of SDAs) or to estimate the time spent responding to each incident or addressing each SDA priority.<sup>37</sup> With IEM, Park Wardens will be able to track the time spent on incident response as well as on "events", i.e., proactive enforcement activities (e.g., patrols, surveillance, presentations).
- **Ability to link incidents to SDA priorities.** There is no function in OTS to link recorded incidents to SDA priorities; any analysis of these links currently requires a manual exercise subject to a certain degree of error. Data fields to directly link incidents to SDA priorities have been built into IEM.
- **Map-based interface.** The IEM system is connected to a shared platform that facilitates the geographic location of incidents or other fields of interest.<sup>38</sup> At present, IEM is only used by the Law Enforcement Branch but plans to integrate "events" for other functions (i.e., resource conservation, visitor experience) will enable managers to quickly obtain an overview of all activities within a park or site.
- **Ability to produce reports and real-time link to performance data.** The new system will facilitate the production of reports by LEB. FUS will also be able to use SharePoint to access a periodic report on local enforcement results (based on annual reporting metrics).

Further, the IEM system will be mobile. Each Park Warden will be equipped with a tablet that will enable them to access and input data remotely. This will address previous issues surrounding the timeliness and administrative burden of data entry that resulted from Park Wardens being required to populate OTS from a network-connected location based on field notes. The use of mobile platforms is consistent with industry standards. The Agency recognizes that the shift to a mobile platform introduces new risks for information security (e.g., the tablet may be stolen or lost which may result in unauthorized access to the confidential information it contains) that need to be appropriately managed.<sup>39</sup>

---

<sup>36</sup> In this context, uptake is defined by "use of the system" and may not necessarily equate to consistent use.

<sup>37</sup> Local records may be kept by specific detachments but are not centrally reported.

<sup>38</sup> Uses the same platform as the PCA Campground Reservation System.

<sup>39</sup> The LEB has implemented a number of measures to mitigate potential information security risks for mobile platforms, including: centralizing the authority to grant IEM access at National Office (i.e., by system administrator); protecting both the tablet and the IEM system with separate passwords maintained by Park Wardens; encrypting the data on hard drive of tablet; and, ensuring that access to IEM can be removed if tablet is stolen.



This new system was launched in June 2015. As of January 2016, all Park Wardens were reportedly using at least one of the three IEM modules. While manuals on the use of IEM are still in development, training support has been made available to all Park Wardens to facilitate a smooth transition to the new system (e.g., WebEx sessions, one-on-one coaching, instructional videos, etc.). This first year was considered a pilot/phase-in and as a result it is too soon to comment on system effectiveness. To date, we have evidence of IEM being used in at least 34 service areas. However, a preliminary review of the SDA priorities listed in IEM shows that 38% included priorities that differed from those presented in the service area's actual SDA. A few locations also included categories for incidents that were not priority-related (i.e., "Non-SDA Activities", "Other") or that were focussed on locations rather than specific SDA issues.

#### 4.2.7.2. National Performance Review and Reporting

Starting in 2012, LEB began producing stand-alone national summaries of program performance.<sup>40</sup> The two summaries produced to date (2012 and 2014) are available on the Agency's intranet for all interested staff to consult. The information contained in these reports is mostly a description of LEB human and financial resources and a general overview of law enforcement activities (e.g., incident summary, support to field units, use of force incidents and public complaints, notable cases). They include limited data to assess the program's performance against targets in its monitoring plan.

Senior managers did not perceive any gaps in the performance information they receive. However, it is not clear how the program's monitoring plan (from RMAF/RBAF 2009) or current national reporting structure is effective in reporting performance against objectives. The monitoring plan in particular is problematic as a framework for evaluating program performance. For example:

- For most performance areas, the plan indicates that specific targets were to be determined once a baseline was set in 2010. This was not done. Data relevant to some of these indicators has not been consistently maintained or reported by the program.
- Some indicators in the framework have since been judged to lack meaning (e.g., number of violent incidents) or cannot be measured. For instance, changes to the Agency's Visitor Information Program (VIP) survey in 2012 mean that visitor perspectives related to law enforcement cannot be tracked and related outcome targets (i.e., visitor awareness of rules and regulations and visitor sense of safety) have been dropped.
- In practice, the Law Enforcement Program has limited control over the number of incidents that occur in any given year. For this reason, the program has not and does not intend to set targets related to its law enforcement activities (i.e., number of incidents involving written warnings, investigations, searches, evictions, seizures, charges, referrals or arrests) or for compliance with rules and regulations. While these indicators may provide a helpful description of program activities and trends, they are poor indicators of the program's effectiveness or efficiency.

In principle, there are some indicators included in the monitoring plan that are useful for understanding program performance, i.e., compliance with policies and directives, those related to sidearms and training, and delivery as per service delivery agreements. In practice, the quality of data collected related to each of these indicators varies. For example, while key program risks have been carefully tracked, as noted (section 4.2.6) few operational reviews intended to measure compliance with policies and directives have ever been conducted. In addition, while the monitoring plan indicates that success

---

<sup>40</sup> Prior to 2012, a national summary of performance was included in each field unit's annual report.

on SDA commitments will be measured by the percentage of commitments delivered, we found that reporting against these commitments has been limited. The data system in use during the period under evaluation lacked a mechanism to link incidents to SDA priorities, making assessments of delivery as per these agreements a significant challenge.

### 4.3 PERFORMANCE: OUTCOMES

#### 4.3.1. Fulfilment of Law Enforcement Service Delivery Commitments

Expectations	Indicators
<ul style="list-style-type: none"> <li>Obligations for <b>law enforcement service delivery</b> (in management directive and agreements) are fulfilled.</li> </ul>	<ul style="list-style-type: none"> <li>Extent to which law enforcement obligations (in SDAs) align with LEB intended outcomes.</li> <li>Extent to which wardens comply with directives and operating procedures.</li> <li>Extent to which commitments in agreements (SDA, MOU, etc.) are delivered, i.e., outputs are consistent with targets.</li> <li>Evidence of key enforcement gaps not addressed.</li> </ul>

#### **Local SDA priorities are aligned with national outcomes for the law enforcement program.**

The PCA Management Directive on Law Enforcement (2008) and other related policies and procedures identify categories of incidents that are to be the highest priority areas for Parks Canada's law enforcement response (see Table 5). As per this direction, Park Wardens' involvement in lower priority incidents should be limited to reactive responses when available or in cases where issues are chronic and have not been resolved by prevention actions.

Table 5. Priority Use of Park Warden Capacity

Incident Type	Proactive Response <i>Targeted Use of Park Wardens</i>	Reactive Response <i>Minimum Response Level</i>
<b>Highest Priority Use of Park Warden Capacity</b>		
<b>Major Natural and Cultural Resource Protection Incidents</b> causing high impact for damage or national public interest (e.g., poaching, habitat destruction, cultural resource thefts).	Targeted activities (e.g., patrols, intelligence gathering, special operations).	Highest priority for response.
<b>Visitor Experience Infractions</b> under PCA legislation and regulations (e.g., liquor and noise violations) or public peace incidents that engage the PSOJ (e.g., theft, vandalism).	Targeted activities (e.g., patrols, monitoring social networking sites).  Park Wardens participate in the delivery of the PCA Prevention Guidelines in accordance with the SDA.	When Park Wardens are present because of targeted activities, response will be highest priority. At other times, response will be dependent on incident priority.
<b>Public and Visitor Safety Enforcement</b> (e.g., area closures, restricted activities).	Targeted activities (e.g., presence at closures) where there is a demonstrated need for enforcement to protect the visiting public, natural or cultural resources. Otherwise, other field unit staff should perform this function.	Highest priority for response to concerns of non-compliance with safety notices where a risk to public safety or resources is imminent.
<b>Lowest Priority for Park Warden Capacity</b>		
<b>Minor Natural and Cultural Resource Protection Incidents</b> causing low impact for damage or national public interest that may be encountered during patrols (e.g., firewood scavenging, littering).	No targeted activities by Park Wardens.	Response based on park warden availability.
<b>Administrative Non-Compliance</b> the consequences of which are financial or material loss to the Agency (e.g., entry permit violations, business licenses).	No targeted activities by park wardens, unless: <ul style="list-style-type: none"> <li>• non-compliance has been demonstrated to be chronic;</li> <li>• prevention has failed to resolve the issue; and</li> <li>• targeted actions have been agreed to through the SDA.</li> </ul>	Response to incidents encountered during patrols (e.g., number of vehicles on-site, camping or vessel permits) based on park warden availability.
<b>Other</b> incidents that may represent a significant threat to park visitors, property or staff (e.g., as initial responders to accidents, public safety emergencies, or Criminal Code incidents).	No targeted activities by Park Wardens.	Response based on park warden availability, under specific circumstances.

Source: Adapted from RMAF/RBAF 2009 and Management Directive, Law Enforcement

Parks Wardens, Managers of Law Enforcement Operations and Field Unit Superintendents are expected to apply this national incident priority framework in establishing local SDA priorities, i.e., to align local needs with targeted national outcomes for the law enforcement program. We examined the extent to

which SDAs are aligned with this intended program design and found that the vast majority of priorities identified were linked to incident categories of high priority, i.e., natural and cultural resource protection, visitor experience and public safety enforcement.

Park Wardens noted concerns with what they perceived as an increase in the demand for administrative enforcement within Field Units, particularly in support of the Agency's objectives for revenue generation. We found that at least 42% of SDAs included one or more priorities for administrative offences.<sup>41</sup> However, over 90% of these were described as being issues of chronic non-compliance and/or issues where all prevention efforts had failed, making their inclusion in the SDA consistent with national direction. Data in OTS does not suggest a significant increase in reported incidents related to administrative compliance over the period evaluated (see Figure 2, section 4.1.3).

#### **Evidence suggest that LE activities support the delivery of targeted SDA commitments.<sup>42</sup>**

As previously noted, there is no function in OTS to link recorded incidents to specific SDA priorities. The best proxy is data presented in LEB's annual reports to Field Units for 2013 and 2014, which include an analysis of the relationship between incidents and SDA priorities as assessed by the Park Warden-Supervisor. These reports show that:

- Nationally, the majority of reported incidents (78%) were related to SDA priorities. This proportion varied for each detachment, ranging from 44% to 100%. Incidents not related to SDA priorities were mostly described as incidents not included in the LEB mandate (i.e., incidents to be referred to PSOJ) or reactive responses. In some cases, the latter were identified in the annual reports as emerging incident trends. We lack the data to determine the extent to which emerging trends identified in annual reports were discussed and integrated into revised SDAs.
- Nationally, over 90% of SDA priorities had been addressed through some form of law enforcement response.<sup>43</sup> About 75% of these responses had been actioned by PCA's Law Enforcement Branch (e.g., as opposed to PSOJ).<sup>44</sup> Again, there was significant variability in this data among detachments.

In response to our survey, Park Wardens indicated that they did not limit their delivery of law enforcement services to SDA priorities; work was also guided by general enforcement of key legislation such as the CNPA and the *Criminal Code*.<sup>45</sup> This is consistent with LEB direction. SDAs are not intended to be an exhaustive list of all types of incidents that may be addressed through Law Enforcement but are to be used as strategic planning tools to focus limited resources on the highest enforcement priorities.

---

<sup>41</sup> This count is restricted to priorities linked exclusively to administrative enforcement (i.e., permit/fee non-compliance). A number of other priorities included components of administrative enforcement but were described as being linked to resource protection. These were not considered for the analysis.

<sup>42</sup> This section presents a national aggregate and should be interpreted with caution; there is considerable variability in this data at the detachment level.

<sup>43</sup> This does not include SDA priorities for which there were no related incidents.

<sup>44</sup> For the remaining SDA priorities that had not been addressed through law enforcement action (an estimated 10% of all SDA priorities), it was reported that LE action was "not possible". In practice, the reasons why LE action may not have been possible varies and does not necessarily indicate any gaps in enforcement services. This is further discussed below.

<sup>45</sup> About one-third of SDAs included priorities for *Criminal Code* infractions (e.g., vandalism, theft); the majority (90%) of these noted that these infractions should be dealt with by PSOJ.

On average, Park Wardens estimated that they spent 38% of their work time addressing SDA priorities (range by detachment from 20% to 100%).<sup>46</sup> However, the length of time spent on SDA issues is a weak indicator of the extent to which SDA priorities are being appropriately addressed. For example, some high priority issues only require attention at specific times of year. Regardless, for some detachments, Park Wardens reported law enforcement to be more reactive in nature (i.e., focused on responding to emerging incidents and complaints) which limited time available for targeted proactive interventions centered on SDA priorities.

### **Relevant Parks Canada staff perceive areas of potential law enforcement gaps.**

Given the data available for this evaluation, we found that assessing the existence of law enforcement gaps proved to be complex. The Law Enforcement Branch's most recent annual reports to Field Units contain data on the number of incidents in a given year where law enforcement action was "not possible". This was the case for close to 30% of all incidents in 2013 and 2014. However, this does not necessarily indicate gaps in enforcement. There are various reasons why LE action may not have been possible (e.g., delayed reporting of incidents by field unit staff or other sources).<sup>47</sup>

However, when asked to contextualize this data, LEB and Field Unit staff at various levels did identify some perceived areas of potential law enforcement gaps. Most commonly cited concerns related to:

- **Limited LEB Presence in Back-country.** As per SDAs, the vast majority of Park Wardens' time is focused on the front-country in national parks. Particularly in national parks with a large back-country area, there is a concern that there may be some notable incidents that go undetected given the limited Park Warden presence in these areas. A review of the annual reports for 2014 indicated that 56% of detachments (18 of 32) referenced known enforcement issues associated with the back-country, particularly illegal camping and illegal campfires.<sup>48</sup> Although less common, some parks also identified other resource-related concerns (e.g., poaching, antler collection, and fishing). In one extreme example, Park Wardens discovered an illegal camper/squatter who had been living undetected in a back-country area of park for almost two years. Only a few detachments (6 of 18) identified specific actions being taken to address these issues; the remainder highlighted these as challenges or an area that "requires action". Lack of data to determine the actual level of illegal activity in back-country (i.e., due to limited surveillance by Park Wardens and weak reporting of incidents by other park staff) was reported as a key challenge in determining the extent of this potential enforcement gap.

---

<sup>46</sup> As previously noted, LEB's existing data systems do not contain data that can be used to more accurately estimate the actual time spent addressing SDA priorities. This should be possible in future with IEM.

<sup>47</sup> We used data in OTS regarding the "dispatch" of occurrences to assess the potential for delayed reporting. This information was available for about 82% of cases. We found that less than half of occurrences (44%) are reported to have been directly identified by Park Wardens. The remainder were identified by field unit staff or various park operators (23%); the public (10%); or other sources (i.e., other enforcement agencies, private security and commissionaires, security cameras, etc.).

<sup>48</sup> Wording used in SDAs varied but included: "back-country", "boundary" or "remote" areas.

- **Limited LEB Presence at National Historic Sites.**<sup>49</sup> Parks Wardens and Field Unit staff in some locations perceived the relative lack of presence of LEB at National Historic Sites as potentially contributing to unaddressed enforcement issues at these sites. While OTS shows relatively few incidents recorded at NHS (on average, about 2.6% per year), it is unclear whether this is a true indication of law enforcement needs in these areas or more a result of a lack of detection and/or reporting by PSOJ. Incidents reported related to (in descending order) public peace incidents that engage PSOJ (e.g. vandalism, theft, break and enter, assault), administrative violations, recreational activities (e.g. illegal campfires, illegal camping, liquor violation, excessive noise), and vehicle, vessel and traffic violations. Some more notable incidents have also been reported (e.g., in 2012, an individual was convicted of hunting in the Fortress of Louisbourg NHS). Our analysis of SDAs found that these focus almost exclusively on priorities for law enforcement in national parks. However, LEB managers indicate that this focus is consistent with the practice that existed prior to the arming initiative and that the primary means by which these issues are and should be addressed is through cooperation and joint operations with law enforcement partners.

Given its limited capacity, we found that it is reasonable for the Law Enforcement Branch to focus its efforts on areas identified jointly by Park Wardens and the Field Unit as being of highest priority. However, as discussed below, analysis of these priorities could benefit from increased use of strategic intelligence to improve the Agency's understanding of these perceived gaps.

**While roles have been defined, Parks Canada currently makes limited use of strategic intelligence.**

We found that an effective law enforcement program involves not only a reactive response to offences but also leveraging **intelligence** to intervene in a proactive manner.<sup>50</sup> Intelligence-driven approaches also enable law enforcement programs optimize the use of limited resources by focusing enforcement actions in ways that they can be most effective to mitigate the greatest harm, e.g., by targeting deliberate non-compliance or the species and protected areas most at risk.

Parks Canada's LE management framework recognizes two categories of intelligence:

- Tactical Intelligence – used to support enforcement staff in their daily duties and specific investigations, i.e., applied to an existing law enforcement condition or operation; and
- Strategic Intelligence – guides strategic direction and decision-making for the identification of targets and priorities, forecasting trends, resource allocations and staffing requirements.

Within Parks Canada, intelligence is expected to support law enforcement by identifying persons believed to be involved in activities detrimental to the natural or cultural resources in places administered by the Agency. The Law Enforcement Branch has established operational procedures for intelligence gathering, recording and dissemination. Further, the Manager of Strategic Programs has been given explicit responsibility for:

<sup>49</sup> These comments should be interpreted to focus on the 51 NHS regulated through s. 42 of the *Canada National Parks Act* and 22 others located within park boundaries that are governed by national park regulations. There are 75 NHS that have no PCA regulatory tools and are regulated through other existing federal, provincial and municipal regulatory regimes by PSOJ; we would not expect these to be present in SDA priorities.

<sup>50</sup> In this context, **intelligence** is raw data and information on the behaviour of the organizations or people who contravene laws and regulations that has been analysed to inform decision-makers of risks to public safety or resources so they can make strategic decisions to better support enforcement work.

- Developing a national law enforcement intelligence program and establishing networks with external partners to support Parks Canada Agency law enforcement activities; and
- Providing strategic intelligence on current and emerging trends related to resource protection and visitor experiences.

We found that although the LEB is collecting and making use of tactical intelligence, the program has dedicated relatively limited focus to developing its capacity for strategic intelligence. Rather, the overall focus of the Manager of Strategic Programs in the past five years has been on building the base of the LEB program and its management framework. With the exception is a small number of Park Wardens that have now been trained in covert internet research (assigned to the field as required), the LEB does not currently have staff dedicated to the collection and analysis of strategic intelligence. In 2011, there was a pilot project to test the ability and utility of mapping enforcement risks as a function of level of resource sensitivity and level of threat (e.g., proximity to roads, history of incident occurrences). This initiative was put on hold to focus on development of IEM.

The implementation of IEM at Parks Canada does reflect a move toward an increased capacity for strategic intelligence; a robust, centralized database is critical to inform intelligence analysis. Whereas OTS was primarily a reactive incident tracking system, IEM will enhance the Agency's ability to analyse data in support of proactive monitoring and operational planning.

As the law enforcement program at Parks Canada evolves, the implementation of strategic intelligence could support a more effective and efficient program targeted towards preventative action and risk mitigation. Specifically, a review of lessons learned from benchmark law enforcement agencies suggests that enhanced use of strategic intelligence could potentially benefit the program through:

- **More advanced analytical capacity to guide planning:** The current model of SDA priority-setting is most often reactive in nature (determined by the prevalence of past incidents) and tends to task wardens with known issues rather than identifying potential risks. Integrating strategic intelligence information within this model would increase the Agency's overall ability to create proactive strategies.
- **Better targeting of enforcement capacity to most significant threats:** Rather than rely on incident response, intelligence enables enforcement programs to focus resources where the likelihood and/or impact of non-compliance is higher. An intelligence-driven approach can thus improve the positioning of limited operational personnel to raise the incidence of finding and responding to the most significant threats. The side benefit of this is reduced regulatory burden for low-risk offences and offenders.
- **Better integration of Law Enforcement Branch and Field Units:** Development of strategic intelligence is a cyclical process; information collected from field operations is fed back to intelligence staff, closing the information loop and helping to shape future operational priorities. This requirement for open communication can in turn improve these functions' capacity to collaborate, willingness to share information, and to enact effective and integrated direction.

Our evaluation found a trend among environmental enforcement agencies for increased use of intelligence-driven, risk-based approaches to enforcement. Government-wide, there is currently an initiative underway to professionalize and integrate the intelligence capacity of federal organizations

responsible for security and enforcement (i.e., Community 2020).<sup>51</sup> More specifically, in 2013, Environment and Climate Change Canada began a multi-year Intelligence Renewal Project to increase its capacity to generate and use strategic intelligence. Their experience demonstrates that intelligence-led enforcement models are not easy to adopt or comprehensively implement. The move towards such a model can be time consuming, and requires shifts in both business practices and resource allocations. However, evidence suggests that these costs may be offset by the significant benefits to a move in this direction. Consideration should be given to whether Parks Canada could benefit from increased capacity for strategic intelligence.

#### 4.3.2. Appropriate and Timely Response to Incidents

Expectations	Indicators
<ul style="list-style-type: none"> <li>Response to incidents is <b>appropriate and timely</b>.</li> </ul>	<ul style="list-style-type: none"> <li>Extent to which unplanned demands are met in a timely manner (when required).</li> <li>Evidence that LE actions meet professional standards (e.g., charges resulting in successful prosecutions).</li> <li>Stakeholders views regarding effectiveness of warden law enforcement activities in detecting and deterring non-compliance.</li> </ul>

A primary responsibility of Park Wardens is to provide law enforcement response when incidents occur. Park Wardens have discretion to determine the appropriate level of response to any given incident. This can include a range of actions, including: no action, providing information, warnings, referral to or request for assistance from another agency, investigations, evictions, charges, and arrests. Using their professional judgement, appropriate law enforcement responses are determined by Park Wardens based on their analysis of the incident situation and related legal framework.

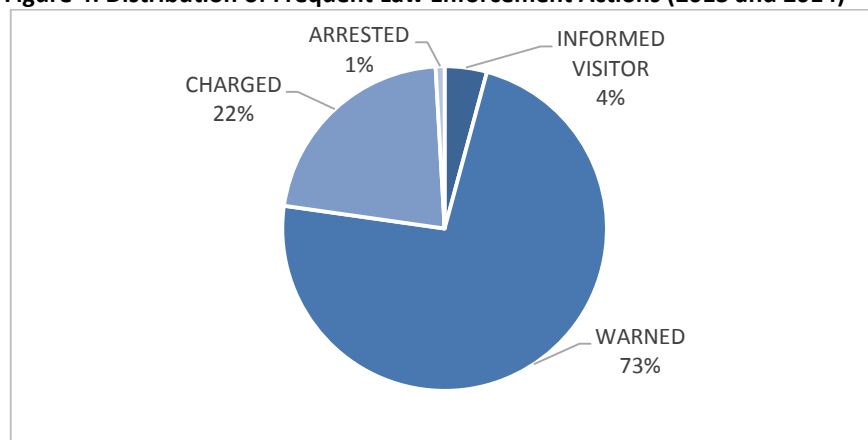
Single incidents may warrant more than one enforcement response. Analysis of OTS data indicated that the 43,718 recorded incidents corresponded to over 48,439 enforcement responses between May 2009 and March 2015.<sup>52</sup> These responses included all actions noted above. From 2013 to 2014, the LEB reported on four types of common actions: informing visitors, issuing warnings, filing charges, and making arrests (see Figure 4).<sup>53</sup>

<sup>51</sup> Spearheaded by the Department of National Defence, Canadian Security Intelligence Service, Privy Council Office and the Information Technology Association of Canada, Community 2020 includes 26 federal departments and agencies that have some form of existing or nascent intelligence program.

<sup>52</sup> Data related to type of response was inconsistently captured across fiscal years and field units. It is expected that these issues will be addressed by the new IEM system.

<sup>53</sup> Prior to 2013, data were captured in a different format.



**Figure 4: Distribution of Frequent Law Enforcement Actions (2013 and 2014)**

Source: OTS.

From 2013 to 2014, wardens recorded giving over 7,399 warnings (verbal or written) and informing 527 visitors (or groups of visitors) with regards to rules and regulations. This represents the majority (78%) of law enforcement actions. To some extent, this is to be expected; as noted, Park Wardens regularly undertake actions to prevent offenses and/or mitigate their impact. However, the primary responsibility for educating and informing the public does not rest with the LEB. Park Wardens indicated that their time spent engaged in this activity could be significantly reduced by more effective support for prevention from Field Units. This observation also applies to the enforcement of administrative incidents.

Data also indicates that Park Wardens laid a total of 2,044 charges (i.e., average of 1,022 charges per year) and participated in 120 arrests from 2013 to 2014. The majority of charges (57%) and about 25% of arrests related to the *Canada National Park Act*. The remainder were under various other federal and provincial acts and regulations (e.g., *Criminal Code*, *Migratory Birds Convention Act*, *Species at Risk Act*, and various provincial liquor acts, traffic acts and bylaws).<sup>54</sup>

While the extent to which these charges have resulted in successful prosecutions could not be determined from data in OTS or annual reports, it is clear that some results are being achieved. Across all detachments, charges resulted in at least \$100K in fines in 2013 and \$127K in 2014. The LEB's National Summary (2014) notes that many LE charge files are resolved quite quickly through guilty pleas. A small number of files involving more complex investigations took two or more years to resolve. For example, amendments to the CNPA (2009) brought in significant minimum fines for commercial enterprises. As a result, related incidents are complex as any charges are often vigorously defended.

Overall, all key informants indicated that the implementation of the Agency's Law Enforcement Program has resulted in a more professional and specialized workforce. In response to our survey, Field Unit Superintendents and Park Wardens agreed that Park Wardens generally provided timely services and responses to incidents. Further, Park Wardens' ability to respond to law enforcement incidents as armed peace officers was considered by key informants to be effective in detecting and deterring issues of legal non-compliance. However, it was also noted that the reduced coverage and field presence of wardens (as compared to before the arming initiative) may have decreased Parks Canada's effectiveness in this area.

<sup>54</sup> Data in OTS did not specify the Act under which 10% of arrests were made.

#### 4.4 PERFORMANCE: EFFICIENCY AND ECONOMY

A program is **efficient** to the extent a greater level of output is produced with the same level of input, or, a lower level of input is used to produce the same level of output. The level of input and output could increase or decrease in quantity, quality, or both. A program is **economical** to the extent the cost of resources used approximates the minimum amount needed to achieve expected outcomes.

Expectations	Indicators
<ul style="list-style-type: none"> <li>• Law enforcement is delivered at the lowest possible cost to the Agency.</li> <li>• Inputs are adequate to produce the program's expected outputs and outcomes.</li> </ul>	<ul style="list-style-type: none"> <li>• Variance between budgeted costs and actual expenditures.</li> <li>• Potential cost savings identified are relatively minor.</li> <li>• Evidence that inputs are adequate to produce expected outputs and outcomes.</li> <li>• Evidence of management flexibilities/constraints (descriptive).</li> </ul>

##### 4.4.1. Description of Budget and Expenditures

In 2008, Parks Canada's authorization to create an armed law enforcement program included a yearly allocation of special purpose funds (i.e., B-base), including \$8.5M for FY 2008-09 (to initiate the program) and \$2.4M for subsequent years. This has since been supplemented by additional allocations associated with a portion of special purpose funds supporting related initiatives within the Agency. For example, approximately \$262K of the special purpose funds allocated for the creation of the Rouge National Urban Park were directed at enforcement.

From 2008-09 to 2014-15, the total **budget allocation** for Parks Canada's Law Enforcement Program averaged approximately \$9.6M per year. In its initial year (2008-09), special purpose funding covered the entire program budget as the program was not yet fully operational. In subsequent years, about 24% of this budget has been supported by special purpose funding; the remainder is funded through ongoing Parks Canada resources (i.e., A-base). Parks Canada has specifically allocated the Law Enforcement Branch about \$9.2M per year.<sup>55</sup> Approximately \$0.4M per year is allocated to other business units within the Agency to support their respective LEB operations.

Table 6 presents a summary of **expenditures** for the LE program from 2008-09 to 2014-15.<sup>56</sup> Over this period, Parks Canada's total expenditures for the LE program are estimated at \$63M. This represents an average of \$9M per year.

<sup>55</sup> Average excludes allocations for 2008-09 as this initial year is not representative of actual operational years.

<sup>56</sup> From 2008-09 to June 2014, all LEB expenditures were coded to activity code 2051 – Law Enforcement. In June 2014, the coding structure was revised such that law enforcement is now an element of activity codes for the conservation of NPs, NHSs, NMCAs, and the NUP (one code per system).

Table 6. Law Enforcement Program Expenditures (\$000), 2009-10 to 2014-15<sup>57</sup>

	2008-09	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15
<b>LE Program Budget Allocation</b>							
Initial Allocation	8,321	11,745	9,614	9,614	9,586	9,386	9,054
Carry Forward	4,756	-	560	532	332		-
Remaining Allocation	3,566	11,745	9,054	9,082	9,254	9,386	9,054
<b>LE Program Expenditures</b>							
National Office	1,937	7,152	8,200	7,410	7,890	8,121	8,547
Business Units	5,428	2,320	1,971	1,297	834	1,361	239
<b>Total</b>	<b>7,365</b>	<b>9,473</b>	<b>10,171</b>	<b>8,706</b>	<b>8,724</b>	<b>9,483</b>	<b>8,785</b>

Source: STAR (March 2016)

On average, 74% of these expenditures were for salaries and wages and 26% for goods and services. The latter expenditures are mainly for equipment, travel, relocation and training; the financial importance of each has changed over time as LEB has moved from its implementation to operational phase.

Of all program expenditures, the vast majority are incurred by the Law Enforcement Branch. Field Units' expenditures are for support functions such as the supply of fleet (including fuel and maintenance), office and storage space, and dispatch services to the park warden detachments that they host. A number of field units also reported related salaries and wages.<sup>58</sup>

A comparison of program budget and actual expenditures showed that the overall program spending for FY 2008-09 to 2014-15 was less than planned allocations. In some years, the program carried over a significant program reserve associated with funds reserved for the implementation of multi-year projects (e.g., Park Warden Recruit Training Program and IEM development).

#### 4.4.2. Law Enforcement Materials and Equipment

Ensuring access to proper materials and equipment to be used by Park Wardens allows for safer and more effective law enforcement delivery. Accountability and financial responsibility for these inputs is divided between the Law Enforcement Branch and the Field Units that they serve. These responsibilities are clearly delineated. The LEB is responsible for most law enforcement-specific materials (e.g., personal protective equipment, uniform, specialized investigative equipment, ticket books, etc.). Field Units are largely responsible for support functions such as the supply of vehicles and vessels (including fuel and maintenance), office and storage space, and dispatch services to the LE detachments that they host. The following summarizes findings related to the LEB's capacity related to these key inputs.

##### Office and Storage Space

Through its Management Directive and Operational Manual, LEB requires that specific standards be met for secure storage of law enforcement equipment and information (e.g., sidearms, evidence and seized items). As discussed above, the Audit of the Law Enforcement Program (2011) found that facilities

<sup>57</sup> These expenditures do not include expenses related to employee benefit plans, severance and maternity benefits or the Treasury Function.

<sup>58</sup> Amount of FU expenditures coded to salary varies; around \$300-600K per year. Field units use these funds to, for example, extend the contract of a seasonal GT-04.

provided by field units for secure storage of sidearms and ammunition were adequate. Our evaluation found no indications that this situation has changed.<sup>59</sup>

By contrast, LEB standards for general office space and other specialized functions are not clearly articulated. The Public Service Employee Survey (2014) found that only 48% of LEB staff believe their physical environment (i.e., office space) was suitable to their job requirements. This was also raised as an issue during site visits. For example, most locations reported a lack of adequate facilities for investigative interviews. During site visits and in response to our survey, LEB staff also noted that the size and location of office space they are allocated is often not well suited to their day-to-day operational requirements. The LEB is currently working with field units towards securing appropriate facilities for Park Wardens (e.g., office space, interview rooms, secure file storage, etc.). This requirement is expected to be reinforced in future SDAs.

### Vehicle and Vessel Standards

Dedicated law enforcement vehicles are critical to effective service delivery; they are the platform for most enforcement work conducted by Park Wardens. With the implementation of IEM and related roll-out of computer docking stations in all LE vehicles, they now serve both transportation and mobile office functions. As of 2015, there were 65 LE vehicles distributed over 26 Field Units. In 2014, these LE vehicles were driven 35% more kilometers than the average PCA vehicle.

When the LEB was created in 2009, Field Units were made responsible for providing vehicles for law enforcement. Costs associated with these vehicles were to be derived from existing Field Unit budgets and the allocation from special purpose funds earmarked for LE vehicles (i.e., \$1.1M in 2008-09 and \$276K per year ongoing). As such, over the period under evaluation, the Director of Law Enforcement did not have direct management control over assets essential to delivery of the LE services for which the position is accountable. Further, no mechanism existed to ensure appropriate, consistent and cost-effective selection and outfitting of LE vehicles nationwide.

Recognizing these limitations, in early 2015 the Law Enforcement Branch requested senior management approval to transfer responsibility for management of LE vehicles from Field Units to the LEB. In order to manage all aspects of the LE vehicle fleet, the LEB estimated it would require an annual budget increase of \$830,493 (i.e., \$12,777 per vehicle/per year, plus salary for a fleet manager).<sup>60</sup> This recommendation was approved in principle, with the exception of salary for a fleet manager. The LEB is assessing the feasibility of assuming ownership of the fleet, and is also exploring other solutions (e.g., development of detailed standards on procurement and outfitting of LEB vehicles) to ensure that their concerns are adequately addressed through an appropriate and cost-effective course of action.

Field Units are also responsible for providing other transportation equipment (e.g., vessels, all-terrain and over-snow vehicles, horses, bicycles) to meet the needs of law enforcement; requirements for this equipment should be negotiated in the SDA. As this equipment is based on field requirements, the availability and fit-up of this equipment differs considerably among detachments. Some detachments

---

<sup>59</sup> A detailed review of the adequacy of facilities for storage of evidence and seized items was not included in the scope of the past audit or current evaluation.

<sup>60</sup> The budget includes the cost of purchase, outfitting, annual maintenance, fuel and standard fees (based on 2014 values). The budget also includes salary costs associated with a new PM-05 position in the LEB to manage LE fleet and equipment.

will have access to dedicated vehicles and vessels while others will share these resources with other groups in the Field Unit. We found that Field Units' decisions in this area are not necessarily based on operational need. For example, detachments whose jurisdiction includes large marine areas (e.g., NMCAs) frequently lack access to a dedicated vessel for patrols or incident response. In addition, shared vessels lack distinctive law enforcement identifiers (perceived to create safety risks for non-LE staff).

### **Uniform Standards**

As peace officers, Park Wardens must be clearly visible and identifiable to the public. This is done using uniforms that are distinctly identified as belonging to a law enforcement program. Requirements for Park Wardens' uniforms are outlined in LEB operational standards.

During interviews and in response to our survey, numerous Park Wardens indicated that there are limitations in the design and materials currently used for the current LEB uniform. Specifically, they were concerned that these uniforms were not well designed for active outdoor use. The LEB has already made modifications to standards for the use of personal protective carrying devices issued to Park Wardens to accommodate some specific health and safety concerns (e.g., modifications to traditional duty belt). As of August 2016, a full review of the current uniform has been completed. Decisions on uniform requirements have resulted in the selection of new materials and designs, and test items were being fabricated. Field testing is scheduled to occur shortly. LEB plans to roll out the new items in January 2017.

### **Dispatch Services**

PCA maintains two emergency dispatch service centres – one in Banff National Park (dispatching for 10 national parks and field units) and one in Jasper National Park (dispatching for over 40 national parks and national historic sites). These centres support telecom operations across multiple PCA functions and external partner agencies, handling hundreds of calls related to a wide variety of situations (e.g., public safety, human-wildlife conflict, avalanches, highway incidents, etc.). Law enforcement also relies on these services to receive and transmit reports of LE occurrences.

We found that PCA has identified issues with these dispatch services (e.g., aging dispatch systems are at risk of failure, annual increases in client service workload) and plans are in place to ensure that they are addressed. For example, an investment in new CAD software in the fall of 2014 will support an industry-standard software solution for PCA launch in November 2016. An executive steering committee, multi-functional task team and software project team have been established to direct this initiative.

To be effective, it is important that relevant law enforcement agencies be alerted to occurrences as soon as possible after they are detected. Data in OTS shows that public reports are the impetus for at least 9.5% of occurrence records. During site visits, we found that the public is not always clear on who to contact in the case of a law enforcement emergency. For example, while national park visitor information generally includes some reference to "Jasper Dispatch" as a relevant emergency contact, it is not clear that visitors in parks across the country would understand the relevance of this service to LE. This issue is expected to be examined in more detail in a planned evaluation of visitor safety.

#### 4.4.3. LE Operational Capacity

Expectations	Indicators
<ul style="list-style-type: none"> <li>Human resources are aligned with demands for service.</li> </ul>	<ul style="list-style-type: none"> <li>Structure of service delivery relative to demands.</li> </ul>

In 2008, Parks Canada obtained authorization to create up to 100 dedicated armed Park Warden positions. These positions are the core of the Agency's operational law enforcement service capacity. While this represents about 25% of the park warden capacity that existed within Parks Canada prior to the arming initiative, under the previous structure, park wardens were not dedicated to law enforcement (e.g., would also engage in resource conservation, wildlife conflict management, public safety, etc.).<sup>61</sup> These resource conservation focused tasks, as well as the implementation of a prevention program to minimize the need for law enforcement, are now the primary responsibility of Field Unit staff, with ongoing law enforcement support from Park Wardens as required (e.g., enforcing a road closure during avalanche control).

Within these parameters, we expected human resources employed by the LEB to be adequate to produce the program's expected outputs and outcomes. Specifically, we expected these inputs to be aligned with demands for service.

##### 4.4.3.1. Structure of Service Delivery and Park Warden Capacity

The allocation of Park Wardens is structured around the notion of detachment service areas. These are loosely aligned with PCA Field Units; some detachments provide services to multiple Field Units and some Field Units host more than one detachment. As of November 2014:

- There were 85 dedicated armed Park Warden positions, organized into 32 detachments.
- These detachments were supervised by 25 Park Warden-Supervisors (i.e., some Park Warden-Supervisors were responsible for multiple detachments).
- Each of these detachments was assigned one or more Park Wardens (GT-04). The GT-04 Park Warden positions are either year round (1.0 FTE) or nine month (0.75 FTE) seasonal positions.

Based on this analysis, we calculate total park warden capacity to be 77.25 FTEs (i.e., 25 GT-05, 29 year-round and 31 seasonal GT-04 positions). Estimates of the effective capacity of Park Wardens at any given time are further reduced by:

- **Non-Operational Park Wardens.** Reasons for non-operational status of Park Wardens are varied but can include staff on long-term leave (parental, medical), on administrative duty (training or injury-related), or on assignments out of the Branch. In 2012, the LEB estimated that it was generally able to maintain 80-85% operational status. In 2014, it reported that on average 9% of Park Wardens were non-operational at any given time. In both cases, this is reportedly better than the industry standard (i.e., at any given time, approximately 25-30% of officers in a typical police force are non-operational).<sup>62</sup>

<sup>61</sup> The shift from Park Wardens as generalists to specialists in law enforcement has been a major transitional issue for the new program, particularly among long-term PCA staff. This culture shift has challenged staff to accept the limitations of Park Wardens' more focused role and adjust service expectations accordingly.

<sup>62</sup> Based on LEB estimates (2012).

- **Vacancies.** Although the total park warden capacity is calculated to total 77.25 FTEs (2014), in most years there are a number of documented vacancies. For example, in 2014 the LEB estimated the average vacancy rate at 8%, meaning that the actual capacity was 71 FTEs. These include both operational and non-operational FTEs.

The rationale for the LEB's detachment structure and initial allocation of operational positions across these detachments was determined at the outset of the program in consultation with Field Units, based on a joint analysis of historic incident data and ongoing enforcement needs. The resulting detachment structure was designed to respond to operational demands within the limits of allocated funds.

Management also expected that adjustments would have to be made to detachment allocations over time to reflect lessons learned from early implementation and emerging operational needs. While Parks Canada was authorized to create up to 100 positions, it was not allocated additional special purpose funds to pay related salaries and wages.<sup>63</sup> As a result, unless new funding becomes available (e.g. special purpose funds to increase park warden capacity in response to the establishment of new national parks and national marine conservation areas), LEB's capacity to create new positions is limited.

We found that this service structure and capacity has remained relatively consistent since the program's implementation. However, in its first five years of operations, reviews of operational demands have led the LEB to make a few organizational changes. Specifically:

- **New Positions Added.** In 2011, four new positions were created and distributed across detachments (one GT-05, one year-round and two seasonal GT-04). In 2013, a detachment was also created to serve the new Rouge National Urban Park and three other positions were created (one GT-05 and two seasonal GT-04).
- **Reporting Relationships Changed.** At establishment, there were six GT-04 positions that were single person detachments with no GT-05 supervisor. These positions reported directly to the LE Operations Managers (PM-06). In 2012, these reporting relationships changed and these positions now report to nearby GT-05 supervisors. This means that some GT-05 supervisors are now responsible for more than one detachment.
- **Positions Abolished.** Since 2012, the LEB has had to reduce its annual salary budget to meet federal government direction to internally fund collective agreement salary increases. To date, this has resulted in four vacant GT-04 positions (3.75 FTE) being abolished as well as one vacant year-round GT-04 position being changed to seasonal.<sup>64</sup> To mitigate the impact of these reductions, 1.5 FTE of GT-04 was later re-invested in affected or near-by detachments to ensure the service delivery quality was maintained, and to adjust to changing operational needs.

---

<sup>63</sup> Funding for Park Warden positions came from an internal reallocation of a portion of the funds that were previously associated with the ~400 multi-functional park wardens. For more details, see section 4.4.1.

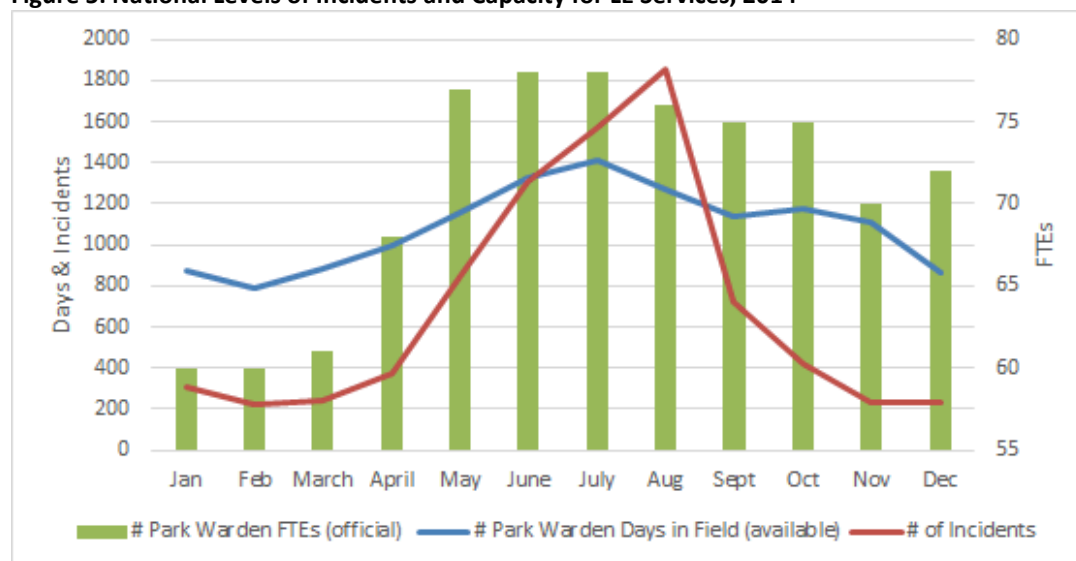
<sup>64</sup> The Law Enforcement Branch still needs to cut the equivalent of 0.5 FTE of GT-04 salary to meet the business unit's salary cap. It is anticipated that the next collective agreement will create similar salary pressures.

#### 4.4.3.2. Alignment of Service Delivery and Demand<sup>65</sup>

Incident data across all detachments indicates that the field-level demand for law enforcement services is at its highest during the peak visitor season, which spans from the months of May to September (see Figure 5). We found that the effective Park Warden capacity is also at its peak during these months. This suggests a positive correlation between service and demand.

**Park Warden Scheduling.** Analyses of scheduling data in PWARD revealed that on average (2014), up to 26% Park Wardens' operational time (i.e., work days) is not spent on active field duty. Time spent off-field includes time spent on other operational or administrative duties (e.g., travel, in court, training) and various forms of leave.<sup>66</sup> The proportion of Park Wardens' overall operational time spent off-field is lower during the summer months (from 12% in July to 20% in August). During this peak season, LEB adjusts its focus to ensure that service delivery is not compromised by Park Warden capacity. For example, the LEB's Managers of Law Enforcement Operations generally limit vacation to two weeks during the summer months.<sup>67</sup> Park Warden-Supervisors also consider operational realities and SDA priorities when scheduling, where possible deferring administrative tasks and training.

**Figure 5: National Levels of Incidents and Capacity for LE Services, 2014**



Source: OTS and PWARD

Given the Law Enforcement Program's focus on delivery as per SDA as a key program outcome, we expected park warden capacity within each detachment to be aligned with demands for service outlined in the SDAs (within LEB's authorized limits). While we found that most SDAs do include resource and scheduling parameters, the evaluation was unable to determine the extent to which present capacity

<sup>65</sup> Elements of this analysis that are derived from PWARD data should be interpreted with caution. PWARD data is only available for 2014; many analyses lack trend data other than LEB best estimates.

<sup>66</sup> The administrative burden on Park Wardens was noted to be highest in provinces (i.e., Alberta, Newfoundland) and territories where the *Contraventions Act* (1992) is not applied. In these locations, all fineable offences require an appearance in federal court (elsewhere, can mostly be resolved by issuing a ticket).

<sup>67</sup> Despite this, analyses of park warden scheduling data for 2014 found that the highest percentage of annual leave days was in fact taken during the month of August (16%).



meets current demands for service as it is not reported in annual reports to Field Units or otherwise collected by LEB.

In response to our survey, close to 40% of Field Unit Superintendents disagreed that their Field Unit had sufficient park warden capacity to deliver against commitments in the SDA. It was unclear whether this was an indication of an actual capacity issue or whether this indicated that the SDA priorities are not appropriately focussed. An additional 15% indicated that they believed accessing sufficient capacity to be a seasonal challenge. The nature of the gap varied depending on the situation of the park, i.e., some parks reported lacking capacity in the summer relative to the demand created when visitation was at its peak while others reported lacking capacity in winter months when seasonal Park Wardens were off-strength. Parks Canada is one of very few enforcement organizations in Canada that has armed officers working in seasonal positions. Other enforcement agencies may employ part-time staff but these are generally not armed enforcement officers. We found that to meet operational demands, seasonal Park Wardens are often extended for the duration of their regular off-season. In 2015-16, seven Park Wardens were extended (i.e., 22.5% of all seasonal GT-04).

**To some extent, temporary gaps in capacity are effectively filled by Temporary Work Assignments.**

Given that resources are already limited, both LEB and field unit managers noted that any reduction in a detachment's capacity can create a high level of pressure in the park. While recruitment processes are in place to fill vacancies, recruitment involves a highly competitive nine month process followed by twelve weeks of recruit training. Due to the length of the process and costs involved, a recruitment process to fill gaps is only undertaken about once every two years.

The evaluation found that Temporary Work Assignment (TWAs) enable LEB's nationally-deployable law enforcement staff to address enforcement matters that require either additional personnel or personnel with specialized skills on a time-limited basis. They can be included in a detachment's tactical plan to address specific SDA priorities (e.g., need for increased warden patrols during hunting season or to support a special event) or used as reactive measures to specific incidents or unexpected vacancies.

In 2014, 48 Park Wardens were assigned to a total of close to 100 TWAs.<sup>68</sup> The highest utilization of TWAs was in October and November (46% of yearly total days), with lower usage during the peak visitor season (May to September). Both law enforcement and Field Unit staff found that these assignments were effective to address temporary needs at parks. However, it was noted that their use does not increase actual capacity but rather shifts resources (i.e., a gain in one park means a deficit at another). Where possible, advance planning of TWAs was identified as a best practice to limit any resulting resource constraints.

**There is some evidence that Park Warden allocations can be better aligned with demands for service.**

During interviews, several managers expressed the need to further review park warden capacity and allocations per detachment to ensure that these are aligned with current and emerging demands for service. The evaluation's analysis of available data also indicates a possible need to strategically review the allocation of Park Wardens to various detachments. For example, visitor numbers in some parks have increased dramatically since 2009. These increased levels of visitation can be correlated to

---

<sup>68</sup> The majority of Park Wardens participated in between 1 to 4 TWAs, lasting an average of about 10 days (range of 1 to 43 days). Data limitations do not enable a more precise estimate of TWA usage.

increases in the number of (real or potential) incidents but park warden capacity has not necessarily been adjusted as a result. Data also indicates other potential inconsistencies – e.g., Bruce Peninsula NP has one less resource allocated than Kouchibouguac NP, despite having twice the number of visitors and twice the number of incidents reported in OTS.

Further, the current allocation structures often result in scheduling scenarios where only one Park Warden is on duty at any given time. Risks related to this practice are currently mitigated by policy direction, training and tactical planning. However, in some cases, this limits the ability of Park Wardens to carry out certain law enforcement activities that cannot be undertaken unless two people are on duty (e.g., performing vessel stops; transporting a prisoner; conducting active law enforcement by canoe).

### **Park Wardens perceive issues with job satisfaction.**

Results of the Public Service Employee Survey (2014) indicate that staff in the LEB are less satisfied with their work or with the Agency than the average PCA employee (i.e., 77% of LEB staff satisfied with their work and 56% of LEB staff satisfied with PCA, compared to 83% and 70% satisfied Agency-wide). The evaluation's interviews and survey of Park Wardens revealed the following related as common concerns:

- **Job Security.** Training and certification requirements are considered to be essential components of the law enforcement program. While recognizing their importance, several Park Wardens indicated that the need to periodically pass these requirements (particularly the PARE fitness test) contribute to a sense of job insecurity. The LEB management team recognizes that this can cause considerable stress for Park Wardens. For this reason, measures have been put in place to ensure that Park Wardens are provided with ample support and opportunity to pass all requirements.
- **Career Advancement and Mobility.** In response to the PSES, only 33% of LEB staff indicated that they believed they had opportunities for promotion given their education, skills and experience. Respondents to our survey indicated that the path to career advancement (e.g., how to transition from GT-04 to GT-05 and on to Manager of LE Operations) is not clear. Some also noted a lack of willingness for Park Wardens to stay in “less desirable” detachments for prolonged periods.<sup>69</sup>
- **Retention.** Numerous LEB staff perceive retention to be an issue for the program. This relates to perceptions of limited career advancement, mobility and to seasonal GT-04 positions. Results from the Public Service Employee Survey (2014) indicated that only 56% of LEB staff would prefer to remain with PCA if a comparable job was available elsewhere in the federal public service. However, in the same PSES, only 7% of all LEB staff indicated that they intended to leave their position over the next two years. This represents a notably lower proportion when compared to respondents from other federal natural resources law enforcement organisations (22%). We found that since the inception of the program in 2009, there have been 22 departures by Park Wardens. Of these, only nine (41%) were from GT-04 seasonal positions.
- **Level of administrative burden.** Numerous Park Wardens perceived an increase in the administrative burden required to engage in law enforcement field work (e.g., self-service pay, leave and travel systems, in addition to LE-specific forms and reporting requirements). They noted that time spent on administrative duties reduces time Park Wardens can allocate to active field duty. Beyond further allocation of Park Warden, suggestions to reduce this administrative burden also included simplification and streamlining of the required administrative processes and/or increased in administrative support to the program (with a focus on the busiest parks).

---

<sup>69</sup> We lacked the data for an in-depth examination of these perceived local retention issues.

The perception of these issues as threats for the program is creating a stress on staff morale that needs to be mitigated. The LEB management team has taken efforts to analyze and respond to the concerns raised in the Public Service Employee Survey, and is in the process of developing action plans with direct input from Park Wardens.

#### 4.4.3.3. Alignment of Management Structure

Overall, we found that the LEB's management structure to include clear roles and responsibilities and be well aligned with expectations for a professional law enforcement service. However, we did identify one area where Parks Canada's management structure may depart from common industry practices.

We found that in comparable law enforcement agencies the management equivalent to PCA's Managers of Law Enforcement Operations maintain a designation as peace officers. Within Parks Canada, Managers of LE Operations are not designated peace officers and do not carry sidearms. However, all of these Managers have past experience in law enforcement and use-of-force. Without this designation, some managers perceive a risk that their capacity to support law enforcement operations could be impacted:

- Without regular training and practice, there is a perceived risk that managers may lack sufficient knowledge of use of force requirements to ensure effective leadership on, advice to and/or oversight of operations (i.e., risk of reduced ability to effectively deliver on assigned roles and responsibilities).
- There is a perception that collaboration with law enforcement partners could be negatively affected (e.g., PSOJ may be reluctant to share intelligence with non-peace officers).
- Managers spend an estimated 25-30% of their time in the field but cannot actively assist Park Wardens in incidents. They may provide support and coaching during patrols. In extreme situations, their presence may lead to a Park Warden's inability to take LE action because their primary responsibility is to ensure the safety of the manager who is with them.

From the perspective of the LEB, the role of this position remains to manage a team by providing supervision and mentoring, and not to provide another level of active law enforcement services. As these managers are not operational officers, their positions do not warrant peace officer designation, and they are not required to maintain the standards that are required of park wardens related to (e.g., fitness, sidearms, etc.). To date, there is only anecdotal evidence to indicate that this structure has any impact on actual performance (i.e., no concrete case of a negative outcome). The LEB management team is aware that these risks exist, has examined the situation, and does not perceive that there is sufficient evidence to support a change in direction and has instead implemented alternate risk mitigation strategies.

## 5. CONCLUSIONS AND RECOMMENDATIONS

Overall, we found that the Law Enforcement Program is relevant and consistent with the priorities, roles and responsibilities of both the Parks Canada Agency and the Government of Canada. A continued need for the program is justified by the number of incidents that require law enforcement intervention that are reported and actioned on an annual basis. Further, there is evidence that incidents are occurring that require a response that can only be delivered by qualified and equipped law enforcement officers. Parks Canada's Law Enforcement Program is designed to ensure that employees and the public remain safe in the delivery of law enforcement services and that law enforcement meets the professional standards required to ensure that people and the resources they value are protected.

In addition, we found that the Agency's performance on the design and delivery of the law enforcement program is largely consistent with the program's foundational principles as outlined in the Management Directive on Law Enforcement. Specifically, we found that:

- **Parks Canada's Law Enforcement Program is mandate-driven.** Data suggests that the majority of incidents addressed by the Law Enforcement Branch are related to the Agency's mandate for visitor experience and/or protection of natural and cultural resources. As the program evolves, the value of increasing capacity for strategic intelligence should be explored to determine if the program's activities could be more effectively and efficiently targeted.
- **Parks Canada's Law Enforcement Program is professional and safe.** Standards and operational procedures have been developed and updated to guide the actions of Park Wardens. Employee and public safety are paramount in the delivery of law enforcement services. The training and certification required of and provided to Park Wardens to ensure appropriate controls on use of force is at or above industry standards. The program has also implemented effective systems to mitigate risks related to sidearms and to monitor specific incidents of use of force. Since 2009, there have been no reported incidents where actions taken by Park Wardens were deemed to be unreasonable or resulted in an excessive use of force.
- **There is reasonable integration of the Law Enforcement Program.** The activities of Park Wardens are linked to the needs of Field Units through the development and implementation of Service Delivery Agreements. The Law Enforcement Branch is also actively engaged to provide timely and useful advice to both Field Units and National Office. However, there is still some residual effect of the Agency's transition to the current law enforcement model. More could be done to improve communications and working relationships between law enforcement and Field Unit staff, particularly related to incident prevention.
- **A clear and consistent separation of roles and responsibilities from those of other organisations and police service of jurisdiction is maintained.** The Law Enforcement Branch has developed operational relationships with a number of external partners. Working relationships with these partners are reported to be effective.
- **The Agency has developed a performance framework for the Law Enforcement Program but more could be done to support accountability.** We found that most elements of a management framework are in place and that these include clear roles, responsibilities and direction. However, a review of the Management Directive on Law Enforcement is overdue (was to be completed by December 2013). Further, the prescribed process for developing and updating Service Delivery Agreements has not been fully achieved. Operational reviews of the practices of specific detachments have not been completed as intended. The Law Enforcement Program's existing

monitoring plan is outdated and problematic for evaluating program performance or supporting continuous improvement.

We also examined the extent to which the law enforcement program is efficient and economical. We found that the Law Enforcement Branch operates at its funded capacity. The program's service structure remained relatively consistent during the period under evaluation, with reviews of operational demands leading to only minor organizational changes. The result is that while the annual scheduling of Park Wardens is well aligned to operational demand (i.e., greatest available work force during peak visitor season), there is some evidence of a need to review capacity related to current and emerging demands for service. We also found that the Director of Law Enforcement does not have direct management control over assets (e.g., vehicles, vessels and office space) that are essential to the delivery of law enforcement operations for which the position is accountable, resulting in challenges for service delivery.

Many of the above issues stem from the fact that the Law Enforcement Program at Parks Canada is still relatively new, having only operated under its current model since 2009. Many decisions about the structure of the program were made at its outset, with an understanding that adjustments would need to be made over time as the program evolved. The evaluation observed numerous examples of where lessons learned within these formative years have been applied to improve the program's performance (e.g., revised operational standards, new procedures for annual reporting, implementation of a new information management system, etc.). We encourage the continuation of efforts for improvement.

## RECOMMENDATIONS

Key issues identified through this evaluation relate mostly to the program's national and local management framework and related tools. While the existing management framework is adequate for program management, review and refinement of this framework is required to reflect changes and lessons learned since the Law Enforcement Program began operations in 2009 and to address ongoing gaps in delivery.

**Recommendation 1:** The Vice President, Protected Areas Establishment and Conservation should review the Law Enforcement Program's management framework to ensure accountability and the ongoing management of program risks. Specifically, this should include:

- A review of the Management Directive on Law Enforcement.
- A review of the program's risk profile to ensure that ongoing and emerging program risks (e.g., mobile platforms) are adequately integrated into program direction.
- A review of the need for operational reviews and, if relevant, the development of a strategy to ensure that these are completed within a reasonable timeline.
- A review of the process for Service Delivery Agreements to ensure that enforcement priorities and related demands for service are clearly identified, agreed to and updated on an annual basis.

**Management Response: Agree.** These elements of the management framework will be reviewed. For 2016 and 2017, our focus is on improving the Service Delivery Agreement process and tools and delivering law enforcement service in the summer of 2017. Given the reality of our capacity, other elements of the management framework review will not be complete until at least 2018.

- A review of the process and tools for developing Service Delivery Agreements is underway. An integrated planning approach that addresses both compliance and law enforcement is being developed, and will be launched in 2017. Field units are being consulted on the development of the process and tools. The new process will facilitate the clear identification of priorities and law enforcement service needs so that they can be agreed to on an annual basis.
- The Management Directive on Law Enforcement will be reviewed in 2017 with the objective of completing an updated document in 2018.
- A review of the need for operational reviews will be conducted as the new Service Delivery Agreement process is implemented and we test our ability to report on performance through Annual Reports and the National Summary. If relevant, the process will be updated and streamlined, will be integrated within an improved monitoring framework, and will complement the Service Delivery Agreement process. A realistic and operationally relevant timeline for conducting operational reviews will be developed. This work will be initiated in 2017, but we will need some experience with the new Service Delivery Agreements before decisions can be made.
- A review of the program's risk profile will be initiated in 2018 to ensure that ongoing and emerging program risks (e.g., mobile platforms) are adequately integrated into program direction.

We found that while the program does produce performance reports, these contain limited information to assess performance against targets set out in the program's monitoring plan. Similarly, local performance reports do not consistently report against all enforcement priorities or contain information on results against targets identified in the related Service Delivery Agreements. Information and data management is a critical component of ensuring effective oversight of the Law Enforcement Program's performance. To be useful in supporting program monitoring and reporting, the new Incident and Event Management system must appropriately capture consistent and meaningful data.

**Recommendation 2:** The Vice President, Protected Areas Establishment and Conservation should review the Law Enforcement Program's performance measures and monitoring plan to ensure that deliverables and intended outcomes are clear and meaningful for performance management. To track progress over time, performance against these measures should be monitored and reported on consistently and comprehensively at both the local and national level.

**Management Response: Agree.** Improvements to the program's monitoring plan and performance measures are underway. The improved SDA planning tools are explicitly linked to performance measures, and will facilitate the creation of clear and meaningful objectives. To complement these planning tools, the Annual Reporting processes and template will also be improved. The objectives that will be set in Service Delivery Agreements in 2017 will be reported on in 2018.

Improvements to the National Summary will be made in 2017 to capture more performance information, and further improvements will be made in future years as we are able to begin to report nationally against the objectives set in Service Delivery Agreements, and by conducting analyses of data captured in IEM at the national level.

**Recommendation 3:** The Vice President, Protected Areas Establishment and Conservation should ensure that appropriate controls are implemented to ensure the integrity of law enforcement data in the Incident and Event Management system.

**Management Response: Agree.** The Incident and Event Management (IEM) system was launched in summer 2015. An assessment of data integrity, completeness, and consistency has been conducted and improvements are underway. System improvements have been made, for example, new system features have been added (e.g., mandatory fields) and bugs have been fixed. Training materials have been developed and delivered to park wardens. Further training and supplementary features may be required to facilitate reporting against the new Service Delivery Agreements.

An effective law enforcement program involves not only a reactive response to offences but also leveraging intelligence to intervene in a proactive manner. Environmental enforcement agencies are making increased use of intelligence-driven approaches to improve program outcomes by better focusing limited resources on targeted actions to prevent and mitigate risks. While it has outlined a role for a national law enforcement intelligence program, to date Parks Canada's Law Enforcement Branch has made limited use of strategic intelligence.

**Recommendation 4:** The Vice President, Protected Areas Establishment and Conservation should complete a review of the need for strategic intelligence to support the Law Enforcement Program.

**Management Response: Agree.** An analysis of the need for strategic intelligence will be conducted, and potential objectives, options for implementation, and recommendations will be developed in 2018.

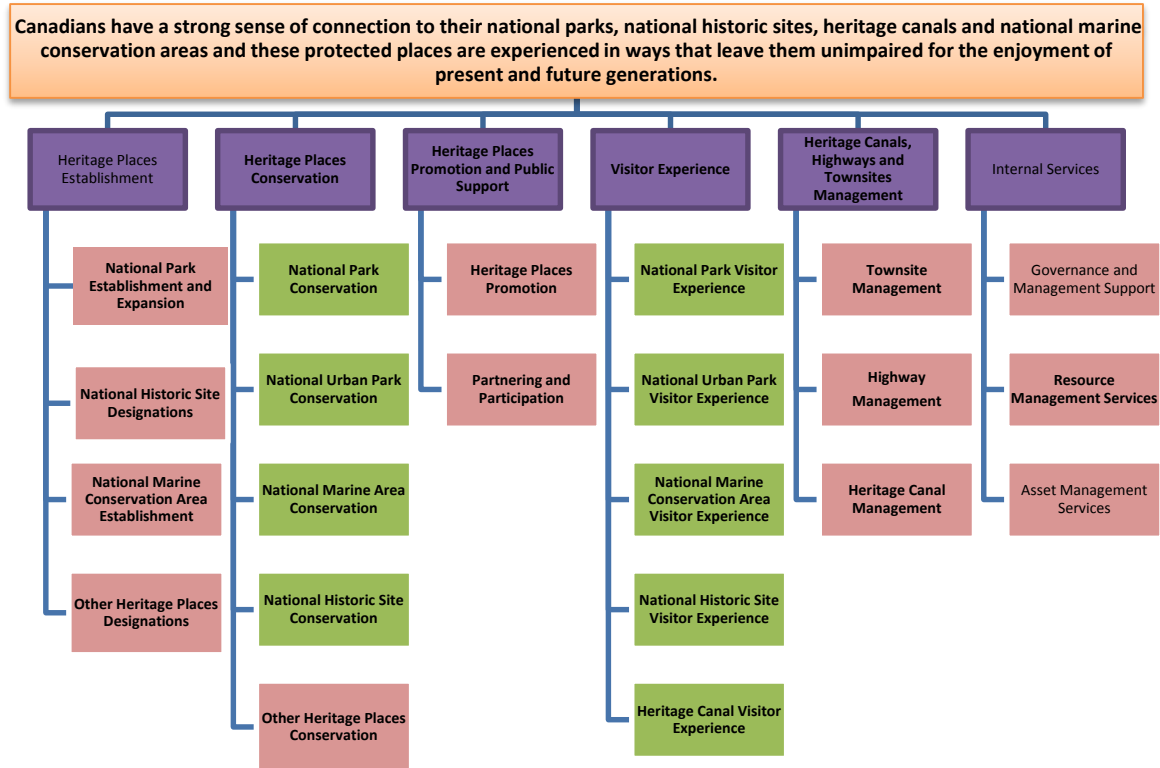
Ensuring access to proper materials and equipment to be used by Park Wardens allows for safer and more effective law enforcement delivery. Accountability and financial responsibility for these inputs is divided between the Law Enforcement Branch and the Field Units that they serve. While these responsibilities are clearly delineated, the decentralized nature of management control over specific law enforcement assets (i.e., vehicles, vessels and office space) hinders the program's ability to effectively ensure appropriate and consistent selection and/or outfitting these assets to meet the needs of law enforcement.

**Recommendation 5:** The Vice President, Protected Areas Establishment and Conservation should review management accountabilities for the Law Enforcement Program's materials and equipment to determine whether they effectively meet operational needs. If required, operational standards for specific law enforcement assets should be developed or revised to ensure that they provide clear and detailed direction in support of operational needs.

**Management Response: Agree.** A review of management accountability for law enforcement vehicles underway and recommendations will be made by early 2017. Regardless of the decision regarding management accountability/ownership of fleet, operational standards for fleet procurement and outfitting will be developed to ensure that operational needs are met.

The revised Service Delivery Agreement will include clear provisions regarding Law Enforcement materials and equipment that are to be provided by field units. Additional operational standards will be developed as needed.

APPENDIX A: STRATEGIC OUTCOME AND PROGRAM ALIGNMENT ARCHITECTURE



The Law Enforcement Program is a horizontal program within the Agency. While coded as a component of the Heritage Places Conservation Program of the PAA, it also supports objectives for Visitor Experience. Sub-programs covered by this evaluation are highlighted in green.



APPENDIX B: EVALUATION MATRIX

RELEVANCE				
Core Question	Specific Questions	Expectations	Indicators	Data Sources/Methods
1. Is there a continued need for the LE program?	<ul style="list-style-type: none"> <li>Does the program address an identified need?</li> <li>Does LE respond to the needs of Canadians?</li> </ul>	<ul style="list-style-type: none"> <li>Incidents that require LE intervention continue to occur.</li> <li>Field units continue to express a need for LE services.</li> <li>LE serves the public interest.</li> </ul>	<ul style="list-style-type: none"> <li>Number and trend in law enforcement incidents, total and by field unit.</li> <li>Field units indicate a need/priorities for LE (in SDA, management plan, etc).</li> </ul>	<ul style="list-style-type: none"> <li>Document review</li> <li>Databases (OTS)</li> <li>Key informant interviews</li> </ul>
2. Is the law enforcement program aligned with Government Priorities?	<ul style="list-style-type: none"> <li>To what extent does LE align with Government Priorities?</li> </ul>	<ul style="list-style-type: none"> <li>Program objective is supportive of the Whole of Government Framework.</li> <li>LE Program objectives are supportive of Parks Canada's corporate priorities.</li> </ul>	<ul style="list-style-type: none"> <li>Degree to which LE aligns with GOC Whole of Government Framework.</li> <li>Degree to which LE aligns with PCA corporate priorities.</li> </ul>	<ul style="list-style-type: none"> <li>Document review.</li> </ul>
3. Is the law enforcement program aligned with federal roles and responsibilities?	<ul style="list-style-type: none"> <li>To what extent does LE align with federal roles and responsibilities?</li> </ul>	<ul style="list-style-type: none"> <li>Program is aligned with Parks Canada's legislative and policy mandate.</li> </ul>	<ul style="list-style-type: none"> <li>Federal legislation, policies and directives indicate relevant roles and responsibilities.</li> <li>PCA mandate, policies and directives indicate relevant roles and responsibilities.</li> <li>LE incidents by type (i.e., resource protection, visitor experience, etc.).</li> </ul>	<ul style="list-style-type: none"> <li>Document review</li> <li>Databases (OTS)</li> </ul>
EFFECTIVENESS				
Core Question	Specific Questions	Expectations	Indicators	Data Sources/Methods
4. Is the LE program producing its intended outputs?	<ul style="list-style-type: none"> <li>Are LE activities taking place and outputs being produced consistent with planned results?</li> </ul>	<p><b>LE Program Management and Support</b></p> <ul style="list-style-type: none"> <li><b>Directives, standards, policies and procedures</b> are developed, monitored and periodically reviewed.</li> </ul>	<ul style="list-style-type: none"> <li>List and gap analysis of directives, standards, policies and procedures.</li> <li>Directives, standards, policies and procedures include clear roles, responsibilities and direction.</li> </ul>	<ul style="list-style-type: none"> <li>Document review</li> <li>Databases (OTS, PWARD, IEM, HR)</li> <li>Key informant interviews</li> <li>FUS/warden survey</li> <li>Case study</li> </ul>

		<ul style="list-style-type: none"> <li>• <b>Staff is recruited, trained and certified</b> according to standards and service requirements (e.g., delivery of bilingual services to the public).</li> <li>• <b>Information</b> required for program management is identified and recorded in appropriate systems.</li> <li>• <b>Operational reviews</b> are conducted.</li> <li>• <b>Performance analysis and reports</b> on trends and results are produced.</li> <li>• <b>Program risks</b> related to public and warden safety are appropriately managed.</li> </ul>	<ul style="list-style-type: none"> <li>• Results of monitoring of compliance with directives, standards, policies and procedures.</li> <li>• Recruitment, training and certification programs in place (including feedback loop).</li> <li>• System to track training and certification requirements.</li> <li>• Training records (including exam scores).</li> <li>• Certification records.</li> <li>• Comparison to industry standards for armed policing personnel.</li> <li>• Evidence of QA/QC for OTS, PWARD, IEM, etc.</li> <li>• % of detachments with completed operational review.</li> <li>• # and nature of analysis and reports produced.</li> <li>• Records of incidents (#) of lost sidearms, accidental discharge, and misuse of sidearms.</li> <li>• Records (#) of incidents of violent occurrences, including outcomes.</li> </ul>	
--	--	--	---	--

		<p><b>Partnerships and Advice</b></p> <ul style="list-style-type: none"> <li>• <b>Partnerships and agreements</b> with field units and external partners are developed.</li> <li>• <b>Expert advice</b> provided to field units to improve prevention programs and/or clarify law enforcement priorities.</li> </ul> <p><b>Law Enforcement</b></p> <ul style="list-style-type: none"> <li>• Wardens take <b>preventive measures</b>, as required.</li> <li>• Wardens conduct <b>patrols, surveillance and gather intelligence and take law enforcement actions</b>, as required.</li> </ul>	<ul style="list-style-type: none"> <li>• Evidence that all relevant partners have been identified and engaged.</li> <li>• # of formal agreements in place (SDAs, MOUs, etc.).</li> <li>• Clarity of roles and responsibilities, governance structures and dispute resolution mechanisms.</li> <li>• Perceived quality, completeness, and adequacy of agreements by parties to agreements.</li> <li>• Reported nature, extent and utility of advice.</li> <li>• Extent of presentations, one-on-one contact with visitors and # of warnings (written and verbal).</li> <li>• Extent and trends in various outputs (e.g., # hours of patrol and # enforcement actions, by location).<sup>70</sup></li> </ul>	
--	--	---	--	--

<sup>70</sup> Indicators for enforcement actions include # of investigations, evictions, searches, seizures, charges, arrests and referrals to PSOJ.

<p>5. Is the LE program achieving its intended results?</p>	<ul style="list-style-type: none"> <li>Is program delivery contributing to heritage resource conservation and safe and enjoyable visitor experiences?</li> </ul>	<ul style="list-style-type: none"> <li>Obligations for law enforcement service delivery (in management direction and agreements) are fulfilled.</li> <li>Response to incidents is appropriate and timely.</li> <li>Law enforcement program is making continual improvements.</li> </ul>	<ul style="list-style-type: none"> <li>Extent to which law enforcement obligations align with intended outcomes (evidence of key enforcement gaps not addressed).</li> <li>Extent to which wardens comply with directives and operating procedures.</li> <li>Extent to which commitments in agreements (SDA, MOU, etc.) are delivered, i.e., outputs are consistent with targets.</li> <li>Extent to which unplanned demands are met in a timely manner (when required).</li> <li>Stakeholders views regarding effectiveness of warden law enforcement activities in detecting and deterring non-compliance.</li> <li>Evidence that LE actions meet professional standards (e.g., charges resulting in successful prosecutions).</li> <li>Evidence that performance data has been used to adjust/improve the program.</li> </ul>	<ul style="list-style-type: none"> <li>Document review</li> <li>Databases (OTS, PWARD, IEM)</li> <li>Key informant interviews</li> <li>FUS/warden survey</li> <li>Case study</li> </ul>
---	--	---	--	---

EFFICIENCY AND ECONOMY				
Core Question	Specific Questions	Expectations	Indicators	Data Sources/Methods
6. To what extent is law enforcement efficient and economical? <sup>71</sup>	<ul style="list-style-type: none"> <li>To what extent is warden capacity (i.e., inputs) aligned to demands?</li> <li>Is LE delivered at the lowest possible cost to the Agency?</li> <li>What management flexibilities/constraints influence the program's efficiency/economy?</li> </ul>	<ul style="list-style-type: none"> <li>Human resources are aligned with demands for service.</li> <li>Law enforcement is delivered at the lowest possible cost to the Agency.</li> <li>Inputs are adequate to produce the program's expected outputs and outcomes.</li> </ul>	<ul style="list-style-type: none"> <li>Structure of service delivery relative to demands.</li> <li>Variance between budgeted costs and actual expenditures.</li> <li>Potential cost savings identified are relatively minor.</li> <li>Evidence that inputs are adequate to produce expected outputs and outcomes.</li> <li>Evidence of management flexibilities/constraints (descriptive).</li> </ul>	<ul style="list-style-type: none"> <li>Document review</li> <li>Databases (e.g., STAR, PWARD, OTS, IEM)</li> <li>Key informant interviews</li> <li>Warden and FUS survey</li> <li>Case study</li> <li>Comparative analysis</li> </ul>

<sup>71</sup> "Efficient" – least amount of resources used to produce program outputs. "Economical" – least amount of resources used to produce program outcomes.

## APPENDIX C: KEY DOCUMENTS CONSULTED

**Acts, Legislation and Policy**

- Canada Labour Code, 1985 (Canada Labour Code, Part II - January 2008)
- Contraventions Act (1992)
- Migratory Bird Convention Act (1994)
- Parks Canada Guiding Principles and Operational Policies (1994)
- Saguenay-St. Lawrence Marine Park Act (1997)
- Parks Canada Agency Act (1998)
- Canada National Parks Act (2000)
- Canada National Marine Conservation Area Act (2002)
- Species at Risk Act (2002)
- Whole of Government Framework, TBS (Website - Accessed January 2016)

**PCA Law Enforcement Branch**

- Management Directive on Law Enforcement (2008)
- Parks Canada Law Enforcement Program RMAF/RBAF (2009)
- The Prevention and Law Enforcement Planning Process: Flow Chart (2009-10)
- Law Enforcement Branch Operational Review Procedures (November 2010)
- Summary of Financial Responsibilities (updated: April 19, 2011)
- Roles and responsibilities of the Law Enforcement Branch management team and Park Wardens (effective: January 17, 2012)
- Standards on the Designation of Park Wardens under Parks Canada Agency Legislation and the Species at Risk Act (effective: April 23, 2012)
- Standards on the Designation of Park Wardens Under Other Federal, Provincial or Territorial Legislation (effective: April 23, 2012)
- Standards on the Designation of Enforcement Officers Under Parks Canada Agency Legislation (effective: April 23, 2012)
- Standards on the Suspension and Termination of Park Warden and Enforcement Officer Designations (effective: April 23, 2012)
- Standards on Plain Clothes Operations (effective: May 17, 2013)
- Standards on the use of personal protective equipment (PPE) carrying devices issued to Park Wardens (effective: August 29, 2013)
- Standards on Vehicle Based Law Enforcement Operations (effective: December 16, 2013)
- Standards on the use of coveralls (effective: January 15, 2014)
- Standards on Use of Force Response, Reporting and Review (effective: April 24, 2014)
- Electronic Surveillance Standards and Guidelines (effective: July 31, 2014)
- Standards on Working with Others (effective: October 30, 2014)
- Park Warden Physical Fitness Standards and Guidelines (effective: December 19, 2014)
- Law Enforcement Branch – Initial Organization and Evolution (2014)
- Law Enforcement Training Overview and Summary – Spring 2015
- Park Warden Training Standards (effective: July 7, 2015)
- Law Enforcement Administration and Operational Manual (updated: July 7, 2015)
- Definitions and Acronyms (updated: July 7, 2015)

- Duties of a Park Warden (n.d.)
- LEB National Report (2012)
- LEB National Report (2014)
- Service Delivery Agreements (various)
- Detachment Annual Reports (various)
- LEB Operational Reviews (various)

### **Parks Canada Agency**

- NHS Legislative and Regulatory Overview (n.d.)
- Parks Canada Agency Prevention Guidelines (2009)
- Parks Canada Agency Prevention Guidelines Implementation Manual (2009)

### **Other Government Departments**

#### *Government of Canada*

- Community 2020, Shaping the Future of Intelligence Assessment in Canada (n.d.)

#### *Office of the Auditor General (OAG)*

- Report of the Commissioner of the Environment and Sustainable Development, Chapter 3 – Enforcing the Canadian Environmental Protection Act, 1999, OAG (December 2011)

#### *Department of Environment and Climate Change Canada (ECCC)*

- Evaluation of the Enforcement Program, ECCC (2009)
- Wildlife Enforcement Directorate Annual Summary 2013-2014, ECCC (2014)
- Towards Intelligence-Led Environmental Enforcement, ECCC (2016)
- Intelligence Renewal Project (presentation deck), ECCC (2016)
- ECCC's Website (multiple pages – Accessed in 2015)

#### *Department of Fisheries and Oceans (DFO)*

- Audit of the Conservation and Protection Program, DFO (2009)
- Evaluation of the Conservation and Protection Program, DFO (2011)
- Report on Plans and Priorities 2015-2016 (Program 2.1 – Compliance and Enforcement), DFO (2016)
- DFO's Website (multiple pages – Accessed in 2015)

#### *Ontario Ministry of Natural Resources (OMNR) and Auditor General of Ontario*

- Audit of the Fish and Wildlife Program, Auditor General of Ontario (2007)
- Follow-up on the Fish and Wildlife Program 2007, Auditor General of Ontario (2009)
- OMNR's Website (multiple pages – Accessed in 2015)

#### *Nova Scotia Department of Natural Resources (NSDNR)*

- NSDNR's Website (multiple pages – Accessed in 2015)

## APPENDIX D: OTS INCIDENTS BY SYSTEM, 2011-12 TO 2014-15

This appendix presents the number of incidents for each of PCA's major heritage systems and specifically for each national park from 2011-12 to 2014-15 (i.e., the years for which location-information was available in OTS).

PCA System	Number of Incidents, by Fiscal Year				Total Incidents	% of Incidents
	2011-12	2012-13	2013-14	2014-15		
<b>National Parks</b>						
Aulavik National Park of Canada	1	1	-	2	4	0.0%
Auyuittuq National Park of Canada	5	2	3	2	12	0.0%
Banff National Park of Canada	1,400	1,771	1,766	1,921	6,858	21.1%
Lake Louise	240	387	268	353	1,248	3.8%
Sub-Total Banff-Lake Louise	1,640	2,158	2,034	2,274	8,106	25.0%
Bruce Peninsula National Park of Canada	233	196	333	479	1,241	3.8%
Cape Breton Highlands National Park of Canada	212	389	266	203	1,070	3.3%
Elk Island National Park of Canada	79	53	59	44	235	0.7%
Forillon National Park of Canada	179	266	169	110	724	2.2%
Fundy National Park of Canada	214	217	260	189	880	2.7%
Georgian Bay Islands National Park of Canada	107	66	122	137	432	1.3%
Grasslands National Park of Canada	13	34	40	11	98	0.3%
Gros Morne National Park of Canada	365	458	253	396	1,472	4.5%
Gulf Islands National Park Reserve of Canada	249	237	210	431	1,127	3.5%
Gwaii Haanas National Park Reserve and Haida Heritage Site of Canada	6	11	9	8	34	0.1%
Ivvavik National Park of Canada	1	-	-	4	5	0.0%
Jasper National Park of Canada	786	595	810	905	3,096	9.5%
Kejimikujik National Park of Canada	160	237	85	141	623	1.9%
Kluane National Park and Reserve of Canada	72	91	50	92	305	0.9%
Kootenay National Park of Canada	131	151	118	113	513	1.6%
Kouchibouguac National Park of Canada	169	234	145	123	671	2.1%
La Mauricie National Park of Canada	154	230	206	273	863	2.7%
Mingan Archipelago National Park Reserve of Canada	63	70	19	51	203	0.6%
Mount Revelstoke/Glacier National Park of Canada	107	253	152	227	739	2.3%
Nahanni National Park Reserve of Canada	67	15		2	84	0.3%
Pacific Rim National Park Reserve of Canada	393	510	407	396	1,706	5.3%
Point Pelee National Park of Canada	68	100	160	194	522	1.6%
Prince Albert National Park of Canada	247	339	254	257	1,097	3.4%
Prince Edward Island National Park of Canada	132	186	208	129	655	2.0%
Pukaskwa National Park of Canada	11	7	13	13	44	0.1%
Qausuittuq National Park of Canada	-	-	-	-	-	0.0%
Quttinirpaaq National Park of Canada	-	-	-	-	-	0.0%
Riding Mountain National Park of Canada	269	340	305	221	1,135	3.5%



Sable Island National Park Reserve of Canada	-	-	-	-	-	0.0%
Sirmilik National Park of Canada	2	3	-	1	6	0.0%
Terra Nova National Park of Canada	30	189	300	206	725	2.2%
Thousand Islands National Park of Canada	189	222	161	241	813	2.5%
Torngats Mountains National Park	-	-	1	-	1	0.0%
Tuktut Nogait National Park of Canada	-	5	-	-	5	0.0%
Ukkusiksalik National Park of Canada	-	-	-	-	-	0.0%
Vuntut National Park of Canada	2	1	-	-	3	0.0%
Wapusk National Park of Canada	3	1	-	1	5	0.0%
Waterton Lakes National Park of Canada	261	253	391	402	1,307	4.0%
Wood Buffalo National Park of Canada	90	81	61	22	254	0.8%
Yoho National Park of Canada	151	179	93	121	544	1.7%
<b>Sub-Total National Parks</b>	<b>6,861</b>	<b>8,380</b>	<b>7,697</b>	<b>8,421</b>	<b>31,359</b>	<b>96.6%</b>
<b>Sub-Total National Urban Park</b>	<b>-</b>	<b>-</b>	<b>9</b>	<b>-</b>	<b>9</b>	<b>0.0%</b> <sup>72</sup>
<b>Sub-Total National Historic Sites</b>	<b>207</b>	<b>209</b>	<b>215</b>	<b>213</b>	<b>844</b>	<b>2.6%</b>
<b>Sub-Total National Marine Conservation Areas</b>	<b>59</b>	<b>62</b>	<b>62</b>	<b>72</b>	<b>255</b>	<b>0.8%</b>
<b>Grand Total</b>	<b>7,127</b>	<b>8,651</b>	<b>7,983</b>	<b>8,706</b>	<b>32,467</b>	<b>100.0%</b>

<sup>72</sup> The Rouge National Urban Park Act was implemented in 2015. As a result, very few incidents were recorded for this location during the timeframe covered by this evaluation. The SDA for the Rouge was finalized in 2015. Prior to this, Park Wardens assigned to the Rouge NUP participated in a number of planning activities, (e.g., assessment of LE requirements and SDA development, partnerships development, planning and purchasing of gear and equipment, completion of mandatory training to maintain operational status, etc.).

## APPENDIX E: OTS INCIDENTS BY CATEGORY, MAY 2009 TO MARCH 2015

The following table presents the 'incident types' recorded in OTS and their related frequency. These are grouped by incident category as assessed by the PCA Law Enforcement Branch (i.e., resource conservation, visitor experience or administration).

INCIDENT CATEGORY	INCIDENT TYPE	TOTAL INCIDENTS	% OF CATEGORY	% OF ALL INCIDENTS
RESOURCE CONSERVATION	ILLEGAL CAMPING	3181	13%	7%
	DOG OFF LEASH	2203	9%	5%
	ILLEGAL CAMPFIRE	2074	9%	5%
	ILLEGAL FISHING	1664	7%	4%
	ACTIVITY IN A RESTRICTED AREA	1532	6%	4%
	DEFACE/DAMAGE/DESTROY - NATURAL OBJECT	1137	5%	3%
	ENTER CLOSED AREA	998	4%	2%
	UNSATISFACTORY CAMPSITE CONDITION	973	4%	2%
	SNOWMOBILE VIOLATION	958	4%	2%
	OFF-ROAD DRIVING	864	4%	2%
	ALL-TERRAIN VEHICLE (ATV) VIOLATION	809	3%	2%
	WILDLIFE HARASSMENT	773	3%	2%
	LITTERING	697	3%	2%
	REMOVE - NATURAL OBJECT	572	2%	1%
	DOMESTIC ANIMAL	576	2%	1%
	FIREARM VIOLATION	547	2%	1%
	GARBAGE - DUMPING	506	2%	1%
	ILLEGAL HUNTING	505	2%	1%
	FEEDING WILDLIFE	424	2%	1%
	GARBAGE - STORAGE	303	1%	1%
	DEFACE/DAMAGE/DESTROY - SIGNAGE	223	1%	1%
	POACHING	222	1%	1%
	RESOURCE EXTRACTION	221	1%	1%
	BOUNDARY CHECK	193	1%	0%
	TIMBER HARVESTING	144	1%	0%
	LOW FLYING AIRCRAFT	134	1%	0%
	UNATTENDED CAMPFIRE	115	0%	0%
	ILLEGAL MOUNTAIN BIKING	115	0%	0%
	ILLEGAL SNARING	114	0%	0%
	REMOVE - ANTLERS	88	0%	0%
	REMOVE - WILDLIFE PARTS	82	0%	0%
	SPECIES AT RISK	76	0%	0%
	ILLEGAL GUIDING	73	0%	0%
	CANAL - WORK OUTSIDE CONDITIONS OF PERMIT	67	0%	0%
	STOPCHECK	67	0%	0%
	POLLUTION - WATER	62	0%	0%
POLLUTION - SOIL	61	0%	0%	
DEFACE/DAMAGE/DESTROY - CULTURAL OBJECT	59	0%	0%	
CANAL - WORK WITHOUT PERMIT	45	0%	0%	
ILLEGAL FISHING - CLAM	43	0%	0%	
ILLEGAL TRAIL CONSTRUCTION	42	0%	0%	
POLLUTION - TOXIC SPILL	36	0%	0%	

	REMOVE - CULTURAL OBJECT	27	0%	0%
	ILLEGAL TRAPPING	26	0%	0%
	FOSSILS	21	0%	0%
	TRAFFICKING - WILDLIFE	17	0%	0%
	CANAL - FILLING WITHOUT A PERMIT	16	0%	0%
	ILLEGAL GRAZING	15	0%	0%
	GRAIN SPILL	15	0%	0%
	IMPORT/EXPORT WILDLIFE	12	0%	0%
	POLLUTION - AIR	9	0%	0%
	TRAFFICKING - FLORA	8	0%	0%
	POISONING	5	0%	0%
	<b>TOTAL – RESOURCE CONSERVATION</b>	<b>23749</b>		<b>54%</b>
<b>VISITOR EXPERIENCE</b>	HIGHWAY VIOLATION	2656	24%	6%
	LIQUOR VIOLATION	2419	21%	6%
	EXCESSIVE NOISE	1644	15%	4%
	CAMPGROUND DISTURBANCE	1219	11%	3%
	VANDALISM	823	7%	2%
	THEFT	666	6%	2%
	ABANDON VEHICLE	463	4%	1%
	MISCHIEF	463	4%	1%
	BREAK AND ENTER	213	2%	0%
	DRUG VIOLATION	197	2%	0%
	ASSAULT	106	1%	0%
	IMPAIRED DRIVING	106	1%	0%
	VAGRANCY	94	1%	0%
	DOMESTIC DISPUTE	91	1%	0%
	NUDISM	48	0%	0%
OBSTRUCTION PEACE OFFICER	48	0%	0%	
ILLEGAL BORDER CROSSING	5	0%	0%	
	<b>TOTAL – VISITOR EXPERIENCE</b>	<b>11261</b>		<b>26%</b>
<b>ADMINISTRATION</b>	CAMPING WITHOUT PERMIT	1155	29%	3%
	PARK USE PERMIT INFRACTION	1036	26%	2%
	PARKING VIOLATION	847	21%	2%
	MOORING WITHOUT PERMIT	244	6%	1%
	ILLEGAL BUSINESS OPERATION	191	5%	0%
	MOORING VIOLATION	169	4%	0%
	VESSEL VIOLATION	164	4%	0%
	OVERWEIGHT VEHICLE	149	4%	0%
		<b>TOTAL - ADMINISTRATION</b>	<b>3955</b>	
<b>OTHER</b>	COMPLAINT	3069	65%	7%
	VARIOUS (wildlife conflict, visitor safety, etc.)	1684	35%	4%
	<b>TOTAL – OTHER</b>	<b>4753</b>		<b>11%</b>
	<b>GRAND TOTAL</b>	<b>43718</b>		<b>100%</b>

## APPENDIX F: PCA LAW ENFORCEMENT LEGISLATION AND REGULATIONS

The Management Directive on Law Enforcement references the following relevant authorities:

- Canada Labour Code. R.S. 1985. c. L-2 (Canada Labour Code, Part II - January 2008)
- Canada National Marine Conservation Areas Act S.C. 2001. c. 18 (CNMCAA)
- Canada National Parks Act. S.C. 2000. c. 32 and Regulations (CNPA)
- Canadian Charter of Rights and Freedoms. Part I. Constitution Act, 1982
- Criminal Code of Canada. R.S. 1985. c. 46
- Crown Liability and Proceedings Act. R.S., 1985, c. C-50
- Department of Transport Act. S.C. c. T-18
- Historic Canal Regulations. SOR 93-220
- Historic Sites and Monuments Act. R.S., 1985, c. H-4
- Migratory Bird Convention Act, 1994. S.C. 1994. c.22
- Parks Canada Agency Act. S.C. 1998. c. 31
- Parks Canada Guiding Principles and Operational Policies, 1994
- Royal Canadian Mounted Police Regulations, 1988 SOR/88-361
- Saguenay-St. Lawrence Marine Park Act. S.C.1997, c.37 (SSLMPA)
- Species at Risk Act. S.C.2002. c. 29