

PROVINCIAL POLICING OVERSIGHT
STANDARDS IMPLEMENTATION:
EDMONTON POLICE COMMISSION - COMPLIANCE
REVIEW REPORT

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COMPLIANCE REVIEW EXECUTIVE SUMMARY

The Edmonton Police Commission (EPC) compliance review took place in January 2014. EPC was found to be in full compliance with the Alberta Policing Oversight Standards by February 4, 2014.

- The EPC has well developed policies and procedures that promotes and supports police oversight. The EPC was well placed to comply with the oversight standards.
- Through their dedicated staff, the EPC worked well with the Policing Standards and Audits Section compliance review team and the Manager of Policing Oversight and Funding Programs to very quickly address any identified issues of non-compliance.

The compliance review team determined that no formal recommendations were necessary for the Edmonton Police Commission in relation to the oversight standards.

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PART ONE COMPLIANCE REVIEW INTRODUCTION

1. In 2013, under the authority of Section 3.1 of the *Police Act*, the Government of Alberta introduced the Provincial Policing Oversight Standards relevant to police oversight agencies. The Oversight Standards were developed in consultation with stakeholders to provide a tool that supports the oversight of adequate and effective policing through community input and monitoring of police practices. The Oversight Standards provide guidance to Alberta police commissions and RCMP policing committees regarding Roles and Responsibilities, Personnel Administration and Organizational Management.

MANDATE OF POLICING OVERSIGHT AND FUNDING SECTION

2. The development and management of the Policing Oversight Standards is the responsibility of the Policing Oversight and Funding Section of the Contract Policing and Oversight Unit under the authority of Section 3.1 of the *Police Act*.
3. Compliance reviews of the Oversight Standards are conducted by the Policing Standards and Audits Section (SAS) of the Law Enforcement Standards and Audits Unit. In 2006, the Standards and Audits Section was created under the authority of Section 3.1 of the *Police Act*. The SAS reports to the Director, Policing Standards and Audits of the Law Enforcement and Oversight Branch.
4. Compliance reviews of the Oversight Standards will be conducted on a four year cycle, consecutive to the reviews of police services in Alberta.

COMPLIANCE REVIEW OBJECTIVES, SCOPE AND APPROACH

5. The Edmonton Police Commission's (EPC) compliance review marks the inaugural review organized to "field-test" the implementation of the Policing Oversight Standards. Once finalized and implemented these Standards will be reviewed regularly to determine that oversight agencies are working to ensure adequate and effective policing is maintained.
6. This first compliance review of the Policing Oversight Standards had two objectives.
 - a. Objective 1: Determine and assess the impact of the Oversight Standards on the form and function of police oversight agencies in Alberta.
 - b. Objective 2: Gauge the level of the EPC compliance with the initial version of the Oversight Standards (V1.0).
7. The on-site compliance review of the EPC was conducted on January 21, 2014. The compliance review team members were:
 - a. Mr. Cal Duplessis – Compliance Review Team Lead, SAS
 - b. Mr. Peter Layden – Compliance Reviewer / Organization analyst, SAS
 - c. Mr. Jim Morrissey – Compliance Reviewer, SAS

- d. Mrs. Lesley Kelly – Manager, Policing Oversight and Funding Programs
8. The Oversight Standards field-test implementation plan includes:
 - a. Collect and aggregate information and data from the findings of the Edmonton Police Commission compliance review and the Lacombe Police Commission. If possible, to also include a Policing Committee of an RCMP detachment.
 - b. Analyze the data to understand the impact of the standards on the form and functions of police oversight agencies in Alberta.
 - c. Review results of the analysis and, where necessary, apply updates to the Oversight Standards and the conduct of future compliance reviews.
 9. The compliance review plan for the Edmonton Police Commission included:
 - a. Plan, organize and coordinate the review with the Executive Director;
 - b. Observation of a Police Commission public meeting;
 - c. Interviews with the Executive Director, Commission Chair, one Commission Member and the Public Complaint Director;
 - d. On-site compliance review of documents (policies and procedures);
 - e. Conduct exit interview with the Executive Director and Commission Chair;
 - f. Present and discuss the draft compliance report with the Executive Director;
 - g. Finalize the compliance report and submit to the Minister, Ministry senior management, the Edmonton Police Commission Chair, and Edmonton City Council through the Mayor's office.
 10. This report documents the findings of the compliance review of the EPC in relation to objective 2. The findings on the impact of implementing the Oversight Standards (objective 1) are presented in a separate report for senior management.
 11. Conclusions reached during this compliance review are made using the information available at the time. In the event significant information is brought to the attention of the compliance review team afterwards, the team reserves the right to amend findings and conclusions.



PART TWO

OVERVIEW: EDMONTON POLICE COMMISSION

12. The City of Edmonton has a population of over 800,000 which accounts for 70% of the 1.2 million residents in the Edmonton census metropolitan area.¹
13. The City of Edmonton is policed by 1,650 sworn (plus 500 civilian) members of the Edmonton Police Service. Oversight of Alberta's third largest service is the responsibility of the Edmonton Police Commission (EPC).
14. EPC structure is outlined in City of Edmonton Bylaw 14040 which includes in part the commission's duties, membership and requirement to develop protocol to deal with breaches of the oath of office.
15. The EPC consists of nine commission members, two of whom are councillors on the Edmonton City Council (maximum number allowed under the Bylaw). Councillors are not eligible for appointment as chair or vice-chair.
16. Bylaw 14040 assigns four main functions for the EPC:
 - a. Overseeing the police service;
 - b. Responding to citizen's concerns on policing matters;
 - c. Helping to develop the annual policing plan and budget; and
 - d. Building positive relationships with community partners².
17. All oversight agency members are citizen volunteers appointed by the city of Edmonton. Members are usually expected to spend several hours preparing for the public and sub-committee meetings. The EPC "search profile" states that the members spend 30-40 hours per month conducting commission. The *Police Act* and local bylaws allow for remuneration of expenses and time incurred in the performance of duties related to their work on the oversight agency.
18. The EPC held 10 public commission meetings between January and November of 2013. The dates, times, agenda and location of the meetings were published ahead of time. Meeting minutes and other relevant information was published on their website afterwards. Generally the agendas for the public-portion of the commission monthly meetings allotted 1.5 to 2 hours to conduct business and listen to

¹ Statistics Canada (2011) Population and dwelling counts for Canada, provinces and territories...

² <http://www.edmontonpolicecommission.com/about/roles/>

presentations, while the minutes showed the meeting runtime to be approximately 1 to 1.5 hours.

19. EPC also conducts business through three standing committees:
 - a. Finance & Audit Committee
 - b. Governance Committee
 - c. Professional Standards Committee³.
20. The agendas and minutes for the standing committee meetings are not published publicly.
21. The EPC is supported by six full time staff including:
 - a. Executive Director
 - b. Public Complaint Director and Legal Counsel
 - c. Communications Director
 - d. Executive Assistant
 - e. Legal Secretary
 - f. Administrative Assistant
22. The EPC staff assist commission members in a variety of ways including:
 - a. Developing meeting agendas, coordinating meeting schedules and public presentations, as well as taking minutes during meetings;
 - b. Developing commission presentations and reports;
 - c. Responding to, and coordinating any media interviews;
 - d. Providing complaint statistics and other relevant information regarding public complaints;
 - e. Administering commission files and records;
 - f. Advising the chair and commission members on a wide range of oversight and policing practices; and
 - g. Provide commission business related assistance to any commission member as required.

³ <http://www.edmontonpolicecommission.com/about/committees/>

COMPLIANCE REVIEW FINDINGS

EDMONTON POLICE COMMISSION COMPLIANCE

23. The EPC was found to be in compliance with all of the Oversight Standards.
24. With the implementation of the Standards, oversight agencies are required to maintain a set of records known as compliance files to demonstrate compliance with the Standards. The Standards are separated into three general categories:
- a. Roles and Responsibilities (7 Standards)
 - b. Personnel Administration (7 Standards)
 - c. Organizational Management (13 Standards)

ROLES AND RESPONSIBILITIES

25. The Roles and Responsibilities Standards guide the establishment, structure, selection, appointment and overall responsibilities of the oversight agency.
26. The EPC governance structures include the *Police Act*, the Police Service Regulation and the City of Edmonton Municipal Bylaw #14040. The EPC Policy and Procedures Manual complies with the *Police Act* and the Policing Oversight Standards.
27. The EPC was found to be in compliance with all standards in this category.

PERSONNEL ADMINISTRATION

28. The Personnel Administration Standards guide the training and personal development of oversight agency members and the management of the public complaint process.
29. New appointees to the EPC receive governance orientation training prior to attending their first Commission meeting. Additional education and training opportunities are offered to Commission members on an ongoing basis.
30. The EPC employs a Public Complaint Director that operates on behalf of, and under the supervision of the Executive Director.⁴ The public complaint process is managed in a professional manner in compliance with provincial legislation.
31. The EPC was found to be in compliance with all standards in this category.

ORGANIZATIONAL MANAGEMENT

32. Organizational Management Standards guide the internal management of the Commission.

⁴ <http://www.edmontonpolicecommission.com/about/policies-procedures/policy-handbook/public-complaint-director/>

33. The EPC communicated its monthly public meeting schedule and location. Agendas and other relevant meeting material are available to the public from their website.
34. The EPC utilizes the City of Edmonton's financial policies and accounting systems.
35. The EPC has policies and procedures for records management, Freedom of Information and Privacy as well as governing the interaction with, and release of, information to the media and public.
36. The EPC was found to be in compliance with all standards in this category.

INTERVIEWS

37. In addition to the compliance file review, personal interviews were conducted with the Commission Chair, Vice Chair, the Public Complaint Director, as well as the Executive Director.
38. The individuals interviewed fully understood their different legislated roles and responsibilities. It was clear that commissioners and support staff are well versed in civilian oversight, board governance and are fully informed.

CONCLUSION

39. Carefully targeted and designed oversight standards have a positive effect on the function of police oversight in Alberta. Provincial standards provide guidance to oversight agencies (especially smaller) to assist in the development of internal structures that would facilitate their efforts to perform a vital service to their community. There will be a cost to the municipality to achieve improvements through the use of provincial policing oversight standards.
40. Implementation of the Oversight Standards requires the oversight agency to engage in two processes. First, the oversight agency must come into compliance with the Standards, requiring them to assess their existing policies, procedures and practices in the context of the standards to ensure they conform. Secondly, once in compliance, the oversight agency must establish policies and processes to ensure they maintain compliance (i.e. produce policies, meeting agendas, record meeting minutes, update files, etc.) and are able to demonstrate compliance when reviewed. This requires the development of an audit-ready record system, along with staff required to maintain the system. Both processes require the oversight agency to have ready access to appropriately skilled and experienced administrative support. This was the case with the EPC.
41. The EPC compliance review took place in January 2014. EPC full compliance was confirmed by February 4, 2014. The EPC had well developed policies and was well placed to comply with the Provincial Standards. EPC support staff were well equipped and prepared to assess the commission's compliance with the standards. During the compliance review, EPC staff worked well with the compliance review team to address a couple of identified issues of non-compliance. Concerns regarding non-compliance were immediately resolved.

RECOMMENDATION

42. The compliance review determined that no formal recommendations were necessary in relation to the Edmonton Police Commission compliance review of the Provincial Policing Oversight Standards (V1.0).