



VANCOUVER POLICE BOARD

SERVICE or POLICY COMPLAINT REVIEW COMMITTEE Meeting Agenda

				START TIME	END TIME
DATE : Thursday April 20, 2023				2:30pm	2:45pm
7 th Floor Boardroom Livestream: www.vancouverpoliceboard.ca				2120 Cambie Street	
Agenda Item		Decision	Info	Min	
1.	*CONSENT AGENDA <u>1.1. Agenda for April 20, 2023</u> <u>1.2 Minutes of February 23, 2023</u>	✓		5	
2.	*New Service or Policy Complaint <u>OPCC File Number #2023-23490 Contract Management</u>	✓		5	
3.	*OPCC Correspondence – Letters of Conclusion <u>OPCC File # 2022-201155 Thin Blue Line</u> <u>OPCC File# 2022 -22617 Enforcement in DTES</u>		✓		
4.	Other Business		✓		
ADJOURNMENT of Service or Policy Complaint Review Committee Meeting		TOTAL		15	

*Written report

Under s.171 (1) of the Police Act concerning Service and Policy Complaints, the Committee must choose between the following actions:	
A	request the Chief Constable to investigate and report on the complaint
B	initiate a study concerning the complaint
C	initiate an investigation into the complaint
D	dismiss the complaint with reasons
E	take any other course of action it considers necessary to respond to the complaint

* This is not the official agenda package as it was modified on April 24 2023 to address privacy concerns.



Service or Policy Complaints Review Committee Minutes

Date/Time: February 23, 2023 - 2:30- 2:33 pm

Location: 7th Floor Boardroom- 2120 Cambie St. Vancouver BC

Attendees		
Vancouver Police Board Members/Staff	Vancouver Police Department Executive	Guests
Mayor Ken Sim (Chair)	Chief Constable Adam Palmer	Deputy Chief Patricia Ferguson (Ottawa Police)
Faye Wightman (Vice Chair)	Deputy Chief Steve Rai	
Patricia Barnes (Director)	Deputy Chief Howard Chow	
Merrilee Robson (Director)	Deputy Chief Fiona Wilson	
Allan Black (Director)		
Comfort Sakoma- Fadugba (Director)		
Frank Chong (Director)		
Ted Bruce (Interim Executive Director)		
Minutes by: Alaleh Shah Ali- EA		
Absent: Rachel Roy (Director)		

Chair Mr. Allan Black called the meeting to order.

1. Adoption of Consent Agenda

1.1 Agenda for Feb 23, 2023
1.2 Minutes of January 19, 2023 Service or Policy Complaints Review Committee Meeting
Motion: To approve the consent agenda (M/S/C)

2. New Service or Policy Complaint Report Back

2.1 Complaint #2022-23195 Commissioning Social Safety Net Report
Chair Mr. Allan Black noted a complaint forwarded from the OPCC and considered by the Service or Policy Complaints Review Sub-Committee. The complaint concerned the legitimacy of the VPD's contracting out a study of the social safety net in Vancouver. The Service and Policy Complaint Sub- recommends that the complaint be dismissed for the following reasons:

- it was within the scope of VPD's mandate to contribute to addressing social issues in Vancouver;
- the VPD has previously conducted studies of this nature to contribute as a community partner to resolving social issues in the City such as the "Lost in Transition" report.
- the research firm was a credible organization that has conducted similar research in other jurisdictions and was selected for their capability in the field.

Motion: To dismiss the complaint (M/S/C)

2.2 Complaint #2023-23298 re- Appointment of Superintendent to FIFA Position

Chair Mr. Allan Black noted a complaint received by the Board from the OPCC and considered by the Service and Policy Complaints Review Sub-committee. The complaint was concerned with the nature of the reassignment of an officer under a discipline investigation. The Service or Policy Complaints Review Sub- committee considered this complaint at its Feb 1st meeting and concluded the complaint should be dismissed due to the following reasons:

- the reassignment of an officer under investigation is determined by the provisions of section 110 of the Police Act.
- the reassignment was consistent with the provisions of the section 110 of the Police Act.
- the reassignment followed criteria that included:
 - a) a lateral placement
 - b) non-punitive while the investigation is underway
 - c) the officer not performing regular duties in a different placement.

The Sub-committee concluded that the Department handled the matter according to the appropriate legislation.

Motion: To dismiss the complaint (M/S/C)

3. Other Business

There was no other business.

Motion: To adjourn (M/S/C)

The meeting was adjourned at 2:33 pm.

TO BE APPROVED BY THE VANVOUVER POLICE BOARD ON APRIL 20, 2023



March 26, 2023

Anonymous Complainant

c/o Office of the Police Complaint Commissioner

Sent via email

Dear Complainant:

RE: Anonymous Service or Policy Complaint #2023 - 23490

This letter is to advise you of the disposition of the Service or Policy Complaint referenced above that was forwarded to the Vancouver Police Board by the Office of the Police Complaint Commissioner.

As is the case with complaints of this nature, the Service or Policy Complaint was not reviewed in the context of a specific incident or individual, but rather was considered with respect to:

- a. The general direction and management or operation of a municipal police department;
- b. The inadequacy or inappropriateness of any of the following in respect of a municipal police department:
 - a. Its staffing or resource allocation;
 - b. Its training programs or resources;
 - c. Its standing orders or policies;
 - d. Its ability to respond to requests for assistance; or,
 - e. Its internal procedures.

The Service and Policy Complaint Review Sub-Committee that advises the Service and Policy Complaint Review Committee reviewed the complaint at its March 23, 2023 meeting. The options available to the Committee are specified under Section 171(1) of the *Police Act* *. The Sub-committee decided on the following actions.

In relation to the matter of issuing a contract for a review of the Human Resources Section of the Vancouver Police Department, the Sub-committee will arrange for an independent review of the Department's "sole source" procurement policy including:

- Comparison of the VPD policy with that of the City of Vancouver sole source procurement policy
- Comparison of the "purchase authority approval matrix" to organizations similar to VPD
- The adequacy of criteria established for the written justification of sole sourced contracts.

In relation to the matter of contract management of the contract between the City of Surrey, the City of Vancouver and the VPD, the Sub-Committee will ask the Department's Finance staff to work with City of Vancouver staff to review and report back on any billing (invoices) or payments that exceeded the provisions of the contract. The Sub-committee noted that the contract was a thoroughly written and vetted contract.

This actions decided on by the Service and Policy Complaint Review Committee will be presented to the Service and Policy Complaint Review Committee at its meeting on April 20, 2023. The Committee may decide to take

additional action. The Service and Policy Complaint Review Committee meeting is live streamed and can be accessed at the Vancouver Police Board website:

<https://vancouverpoliceboard.ca/>

You may submit further information with respect to your complaint at any time. Once the reports requested have been completed you will be further notified of the results of the review.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Ted Bruce', with a stylized flourish at the end.

Ted Bruce
Interim Executive Director

CC:

Chief Constable Adam Palmer;
Office of the Police Complaint Commissioner;
Ministry of Public Safety and Solicitor General

***Section 171(1)**

On receiving a copy of a complaint, or a record of a complaint, under this Division, or, in the case of a complaint or part of a complaint described in section 82 (6) *[determination of whether complaint is admissible]*, on receiving notification under section 83 (1) (a) (iii) *[notification following determination of admissibility]*, the board of the municipal police department concerned must promptly do one or more of the following:

- (a) request a chief constable of that municipal police department to investigate and report on the complaint;
- (b) initiate a study concerning the complaint;
- (c) initiate an investigation into the complaint;
- (d) dismiss the complaint with reasons;
- (e) take any other course of action the board considers necessary to respond adequately to the complaint.



March 10, 2023

VIA E-MAIL: ted.bruce@vancouverpoliceboard.ca

His Worship Mayor Ken Sim
Chair, Vancouver Police Board
City Hall 3rd Floor – 453 West 12th Avenue
Vancouver, BC V5Y 1V4

Dear Mayor Sim:

**Re: Service or Policy Complaint – Vancouver Police Department
OPCC File No. 2023-23490**

On March 7, 2023, the Office of the Police Complaint Commissioner (OPCC) received a complaint from an anonymous complainant outlining their concerns surrounding the decisions made by the Vancouver Police Department (VPD) in relation to the completion of an external review of their Human Resources Section and the individual contracted to complete such a review. In addition, concerns were brought forward about significant resources allocated by the VPD in drafting a report in relation to the Surrey Police transition. A copy of the original complaint is attached.

The Commissioner has determined that he will not be exercising his discretion to order an investigation pursuant to section 93 of the *Police Act*.

As you are aware, a service or policy complaint may include a complaint regarding the general direction and management or operation of a municipal police department. It may also include a complaint about the inadequacy or inappropriateness of a municipal police department's policies or internal procedures, training programs or resources, staffing or resource allocation, or the department's ability to respond to requests for assistance.

Upon receiving a copy of the complaint, pursuant to section 171(1) of the *Police Act*, the board, having authority over the municipal police department to which the complaint relates, must promptly do one or more of the following:

- (a) Request that the chief constable of that municipal police department investigate and report on the complaint;
- (b) Initiate a study concerning the complaint;
- (c) Initiate an investigation into the complaint;

- (d) Dismiss the complaint with reasons; and/or
- (e) Take any other course of action the board considers necessary to respond adequately to the complaint.

Pursuant to section 171(3) of the Act, within 20 business days after doing any of the things described in subsection (1)(a) to (e), the board must notify the Complainant, the Director of Police Services and the Police Complaint Commissioner regarding the course of action being taken. The Police Complaint Commissioner may request a status report from the board regarding the progress of an investigation or a study concerning a complaint under Division 5.

The police board must send an explanation for actions taken by the board under section 171 (1) and if applicable, a detailed summary of the results of any investigation or study initiated to the Complainant, the Director of Police Services and the Police Complaint Commissioner. If the Complainant is dissatisfied with the board's actions, explanations, or results from the investigation or the summary of those results, that person may, within 20 business days of receiving the explanation or summary, request the Police Complaint Commissioner to review the matter.

Should you have any questions regarding the above or with respect to the *Police Act* process, please do not hesitate to contact me at (250) 356-7458 or by email at info@opcc.bc.ca.

Yours truly,



Tom Steenvoorden
Executive Director, Oversight Operations

Enclosure

cc: Chief Constable Adam Palmer, Vancouver Police Department



Integrity
Independence
Fairness

Via email: ted.bruce@vancouverpoliceboard.ca

March 10, 2023

OPCC File No. 2022-21155

His Worship Mayor Ken Sim
Chair, Vancouver Police Board
2120 Cambie Street
Vancouver, BC, V5Z 4N6

Dear Mayor Sim,

Re: Service or Policy Complaint of [REDACTED]

On January 30, 2023, the Office of the Police Complaint Commissioner received a copy of your concluding letter to [REDACTED], dated January 30, 2023. Your letter carefully detailed the steps taken with respect to the complaint submitted by [REDACTED] and provided reasons for your decision.

As well, you advised [REDACTED] of her right to request a review of the matter by our office if she disagreed with your decision. To date, our office has not received such a request from [REDACTED].

Having had the opportunity to examine the Board's decision, this office is satisfied with the outcome and will not be making any recommendations for further investigation, study, courses of action or changes to service or policy respecting this particular matter. Accordingly, our file will now be closed.

Eric Chown
Investigative Analyst

cc: [REDACTED]
Chief Constable Adam Palmer, Vancouver Police Department
Deputy Chief Constable Fiona Wilson, Vancouver Police Department



Integrity
Independence
Fairness

March 27, 2023

OPCC File No. 2022-22617

His Worship Mayor Ken Sim
Chair, Vancouver Police Board
City Hall 3rd Floor – 453 West 12th Avenue
Vancouver BC
V5Y 1V4

Dear Mayor Sim:

Re: Service or Policy Complaint of [REDACTED]

On January 30, 2023, the Office of the Police Complaint Commissioner received a copy of your concluding letter to [REDACTED], dated January 26, 2023. Your letter carefully detailed the steps taken with respect to the complaint submitted by [REDACTED] and provided reasons for your decision.

As well, you advised [REDACTED] of his right to request a review of the matter by our office if he disagreed with your decision. To date, our office has not received such a request from [REDACTED].

Having had the opportunity to examine the Board's decision, this office is satisfied with the outcome and will not be making any recommendations for further investigation, study, courses of action or changes to service or policy respecting this particular matter. Accordingly, our file will now be closed.

Anahita Mittal

Anahita Mittal
Investigative Analyst

cc: [REDACTED]
Chief Constable Adam Palmer, Vancouver Police Department