



Police 2007:

The buck stops nowhere

A discussion paper

by Robert J. (Bob) Stewart

Re: British Columbia Policing - 2007 and beyond

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STEWART

A Vancouver police officer for 37 years and Chief Constable from 1981 until 1991, Bob Stewart has also been a director of national and international justice agencies and instrumental in the evolution of B.C.'s Coordinated Law Enforcement Unit, various Police Commissions, Crimestoppers and other organizations. A president of the Police Union in his early career, he has never been far from educational and professional development challenges. During the late 1960s Stewart represented police officers on the provincial committee working with the then-young Simon Fraser University to establish what is today an internationally-recognized Criminology program. That exposure to higher education would be instrumental in the creation of a new Police Act in the mid-1970s and modern approaches to police and public safety education. He conceptualized the respected Justice Institute of British Columbia, became founding Chair in 1978, and continued to pilot its development for 17 years. He was a member of the National Parole Board from 1996 until 2005. He became founding chair of the Motor Dealer Council of B.C. in 2004, the independent regulatory authority that supervises the retail sales of motor vehicles in B.C., and he continues in that capacity today.

Bob Stewart has served on countless numbers of charity and community service boards, including "Variety - The Children's Charity" (long-term executive member and current President), B.C. Special Olympics and Vancouver College. He is an Honourary Director of the Boy's and Girl's Club of Greater Vancouver, and advisor on substance abuse issues. He was the 1993 Man-of-the-Year of the Brotherhood Interfaith Society of B.C., among the long list of prestigious honours and awards he has received.



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Among the headlines that followed the resignation of RCMP Commissioner Giuliano Zaccardelli was a story that "accountability" within the national force must be the subject of further study.

My father was a police officer. Two of my sons and a daughter-in-law serve with pride. My career and, arguably, my life have been devoted to Canadian justice and police issues. I could not possibly be more proud of both our national and local police forces; they are second to none in this world.

In recent months I have become increasingly embarrassed by and ashamed of the lack of professionalism, sound management or even simple common sense within the governance of police in this country.

Like other nations, we have had police corruption scandals. Those stories were upsetting (often entertaining in a morbid sense) with an upside being that they focused public attention on solutions. Today's problems seem like a blitzkrieg of isolated incidents that are sometimes serious, but - at the executive level - mostly just plain dumb and pathetic.

There is a rampant disease in this era and it starts at political levels. Lack of accountability is not the issue; there is so much accountability nobody is responsible for anything. Defensive "image-oriented" management by leadership, more commonly known as CYA, has become the police culture.

The heritage of civilians in uniform dates back to Sir Robert Peel in England in 1829, citizens who would protect good order and discipline in their communities. A cornerstone of "Peeler" philosophy was that Chief Constables were 100 per cent responsible for anything that occurred on their watch. As modern policing evolved, Chiefs took charge of complaints, internal investigations and discipline. When matters were found to be criminal, police were prosecuted like any other citizen. Chiefs who failed in that duty, were soon replaced, and, when warranted, charged with offences themselves.

I had the privilege of being Vancouver's Chief Constable for 10 years, longer than anyone else in the now 120-year history of the force. When I would occasionally hear that someone with a complaint was too distrustful of police to bring it to me, it always hurt. On one occasion, I recall offering to meet the complainant in a neutral space, a coffee shop or whatever. What bothered me in a communications sense is that we failed to sell the message that WE ARE YOU - we wear a uniform just so that you can see who we are and call us when needed. "Civilians in uniform" is a British mantra, of almost religious significance to me.

The responsibility of Chief Constables is very clear under law. They are empowered by statute to enforce the law without political interference, and responsible for their force's behaviour. In terms of budget, administration and their own appointments, they report to a Police Board and governments.



In British Columbia at the outset of 2007, there are 126 RCMP detachments, 11 municipal police forces and other speciality services such as transit and railway police. Municipal police each have a Police Board consisting of the mayor, one city nominee and up to five people appointed by the provincial government. Two powerful ministers of government are involved in justice; the Attorney-General (the law, courts) and the Solicitor-General (police, corrections). Separate from these people, reporting directly to the Legislative Assembly, is the Office of the Police Complaints Commissioner. Have you noticed that in just about every complaint these days - no matter how trivial - the Police Complaints Commissioner gets involved?

I doubt if this is the Commissioner's choice. The hydra-headed administrative monster has been created by government. What is a police chief to do in the face of any complaint? There is a duty to advise a citizen that there is a Complaints Commissioner. There is a Police Board (if the majority of appointments is provincial, is there really any local management?) In the face of complaints, what is left for them to do? They can be trumped at every turn by the Complaints Commissioner. If that isn't enough, when issues arise, media run to politicians who too often don't have the good sense to stay out of it. *"Well, if he hasn't stopped beating his wife, as it is alleged, then I suspect we should look into it. I have asked my staff to give me a full report."* They can't resist commenting, complicating problems for those seeking solutions.

Over 70 per cent of all B.C. police employment (officers and civilians) is within the mandate of the RCMP and, despite contracts with government to serve the province and municipalities, the force answers only to Ottawa. Unlike local police, the RCMP heritage is one of wilderness and colonial administration, evolved along military lines with strict chains of command. The culture is not local. The mandate is not local. The management is not local. RCMP regional and municipal officers argue that contracts make them locally accountable, but that is ingenuous at best. They "consult" locally. They "report" nationally. Their careers depend upon pleasing national headquarters.

Those who doubt any of the foregoing ought to read the RCMP Act. It can be noted in current debates that lines of authority between the Prime Minister and Solicitor-General over the RCMP remain unclear. There is no doubt at all about the status of a local Mayor and Council or even provincial governments. Zero authority. They have a civil contract only, not unlike the deal you might have with a home repair service.

The RCMP has its own Commission for Public Complaints, federally appointed. While the B.C. Legislature believes it is of paramount importance to have an independent Complaints Commission for municipal police, it apparently sees nothing odd about having complaints against 70 per cent of the policing in the province handled by an agency appointed by Ottawa, not even resident in British Columbia.

GLOBAL CRIME - MODERN PRESSURES

Global crime is far ahead of global policing. International crime syndicates with the ability to transfer billions of dollars at the click of a computer key, are not balkanized into an infinite number of small turf-conscious jurisdictions. The crisis of 9/11 and terrorist incidents around the world have generated unprecedented thinking about "homeland security," but without systematic, co-ordinated approaches to budgets, manpower, leadership and unity of purpose among cities, regions and nations. As they say in business, while homeland security eats up extraordinary financial resources (most of it in bureaucratic meetings), everything is "ad hoc." They mostly "wing it" at huge expense.



Technology and forensic science offer unlimited potential but crime organizations are not only richer and faster moving, they always enjoy the element of surprise.

The Canadian justice system is not designed to encourage or reward efficiency. In fact, inefficiency is highly profitable. Court delays and multiple appeals create more income and more jobs for judges, lawyers, court staff, Sheriffs, corrections officers, police and social workers. Overtime pay is the ultimate prize, or days off in lieu of hanging around the courthouse reading novels. Only the community suffers.

When annual budgets are overly stretched at any level of government, the temporary solution is to not prosecute offenders. Selectively prosecute only the most serious and send fewer and fewer people to jail. Police lacking manpower have to be selective in terms of the priority given any call for help and to arbitrarily select cases to actively and thoroughly investigate.

Police forces around the world used to have mottos such as the RCMP's famous, "maintain the right!" slogan. Today, sadly, the most appropriate motto for most police seems to be, "God knows, we tried! There's only so much we can do."

Politicians, particularly those who make "law and order" an important part of their platforms, are invariably the same ones who don't like to spend public money on either corrections or social work. Building jails never gets anyone any votes but "putting people in jail" is a recurring theme of speeches.

The last new federal prison to open in Canada was B.C.'s maximum security Kent Institution in 1979. The population of Canada has grown by 40 per cent since 1979 from 23 million to today's 32.6 million.

Contrary to the political rhetoric, there is nowhere to place the vast majority of people who come before the courts. Judges try to find institutions or programs suitable for either the punishment or treatment (or both) that an offender needs, but, mostly, the revolving door is the only choice.

The fact that serious crime is dropping in Canada in the face of this systemic negligence is a testament to the many professionals and heroes that we have within our police forces. As disdainful as I have become of police governance, I never fail to be proud of the men and women in the trenches.

GRASS ROOTS UP, NOT TOP DOWN

Likely the most serious flaw in today's police structure is a top down system of evolving policy. Governments must respond to community needs, not the reverse. Too many of our politicians have watched too much television and miss the essential simplicity of protecting homes and families, decisions best made at the local level where everybody understands the neighbourhood, its culture, its history and ambitions.

The greatest community policing imaginable also requires resources that can only be practically developed at regional, provincial and national levels. The sophistication of today's terrorism, crime and forensic science justifies like never before the need for national solutions. Cutting edge technology, laboratories, professional expertise in a myriad of fields, international relations, money laundering, commercial crime, intelligence and other complex specialities are best developed nationally.



More than two-thirds of British Columbia's land mass is still in a wilderness state with small pockets of population widely dispersed over a vast geography. The RCMP heritage and experience is unmatched by anyone in the world, the best possible force to police these vast territories.

Considering these extraordinary challenges in areas where the RCMP has unparalleled expertise and support, with no other agency contesting the supremacy, why is the force so obsessed with maintaining urban detachments?

The simple answer is that size means power in the federal system. More thousands of troops means more captains, colonels and generals. I can think of no other reason for the RCMP's passion to compete for business with municipal police. About 25 per cent of the national force works in B.C., largely because of the big urban contracts in places such as Surrey, Langley, Burnaby, Coquitlam, Richmond and North Vancouver.

B.C. had a provincial police force from its earliest days until 1950, when the B.C. Provincial Police were absorbed into the RCMP. Ontario and Quebec have large provincial police forces, but they are not comparable jurisdictions. Quebec has its unique culture, language and legal foundation and a network of reasonably close large population centres in the lower third of the province. Ontario also has multiple large centres.

Over 95 per cent of the Ontario police jobs are hired at home by Ontario decision makers. The same number in Quebec is 92 per cent. B.C. governments hire fewer than 25 per cent - one in four - of the police officers who will work in this province.

RCMP recruitment is an extension of federal policy. Members of Parliament from coast to coast demand their fair share of opportunities for their young people and many of them are proud to be considered to wear the red serge and all of that history. Police recruiters everywhere are struggling to put together forces that better reflect the multiethnic society with which we deal today, but the RCMP are also mandated to observe the official languages policy. Bilingualism is a vital credential in both hiring and in-service education.

The French language is likely less necessary in B.C. than anywhere else in Canada, but there is nowhere else the RCMP can send the large number of Francophones they hire. There are very few jobs in Quebec, Ontario, Manitoba and New Brunswick where the need is greatest for bilingual (French-English) officers.

I was advised of a survey some years ago that concluded that while B.C. provided the RCMP with as much as 30 per cent of its total national employment, the intake of recruits from this province was about eight per cent. We have many bilingual and exceptional young people, highly qualified for the RCMP, but practically none of whom have French as their second or third language. I am unsure of today's intake numbers from B.C., but I am certain that any study would reflect a serious disservice to this province.

METROPOLITAN POLICE

When I became a Vancouver police officer in 1954 my father - who had preceded me on the force - said *"you are getting into policing at a very exciting time. You are going to see Vancouver grow up and have metropolitan policing."*

Vancouver is the only major city in Canada that does not have metropolitan police. Is everybody else wrong? The list includes most Canadian cities of appreciable size, including Montreal, Toronto, Winnipeg, Regina, Calgary, Edmonton, Ottawa, and - most recently - the cross harbour merger of Halifax/Dartmouth forces.



If the Harvard Business School were asked to assess the management model for Greater Vancouver police work, I suspect the outcome would be to recommend psychiatric care for whomever designed the system. It must be understood that we are small by major world city comparisons, yet there are about 16 separate police jurisdictions within the region, each with their own executive hierarchy and management systems. Can you think of any private business that would embrace such a self-evident dysfunctional structure?

It has always been so. For some inexplicable reason, suburban mayors think of their RCMP detachment commander as their "police chief," a local guy. They seem to think someone who reports to Ottawa is less of a threat than a district commander who would report to metro police headquarters which would most likely be centrally located somewhere within the region most convenient to the largest number of people.

Every day, despite the best efforts of RCMP detachments and municipal forces to co-ordinate activities, there are communications nightmares.

If other cities have major public events in one neighbourhood, they can move extra personnel from one area to another to ensure the maintenance of service levels. None of our municipal forces can do that. The RCMP has this ability among its large urban detachments, although it is common knowledge that municipalities contract for a set number of RCMP officers, but that this number is just about never realized. There is a lag time in filling vacancies and the number of officers taking in-service training at any given time (often education unrelated to municipal assignments), those who are ill and on vacation, significantly reduces the local force.

In effective metro police the deployment of manpower moves with the population. Police are assigned as needed and where needed. Bedroom communities are quiet in the daytime and busy at night. When police personnel are pigeon holed into separate areas, the service quality is impaired.

Skytrain, when it was new, became a vivid example of how ludicrous our police mosaic had become. The fully automated system was such that a thief running from police in Vancouver could hop aboard and blithely start out toward New Westminister, prepared to jump wherever he suspected a lack of police presence. Quickly alerted, transit police would see who if anyone was on the train or at an upcoming station. Vancouver police in the east end would try to get to a station in time to intercept. Burnaby Mounties would give chase. Most often the criminal would slip through the net. New Westminister Police, who made a number of easy arrests, gradually grew unappreciative about this assault on their budget and time of personnel.

Can you imagine how many meetings of police officers and public officials have taken place over the years to deal with Skytrain and its multiple police jurisdictions?

It is often suggested that the provincial contract makes retaining the RCMP in a municipality between 10 and 20 per cent less expensive. But is it? Are all of the promised personnel in place? Are the staff single-mindedly at work for the benefit of the community they serve or are their ambitions elsewhere? How does the impairment of effective regional policing impact itself at the local level? Are basic recruits in the federal force properly conditioned and motivated for municipal work?



Here are some other thoughts:

- Why does the B.C. government so cheerfully give away at least 4,000 local employment opportunities for talented young B.C. students?
- Surely people with an obvious stake in a community are more likely candidates to provide good police service?
- Why shouldn't young B.C. men and women have an opportunity to become police officers with the certain knowledge that all of their careers can be here?
- Faced with national and international police pressures, why is it that the RCMP does not view municipal work as a needless distraction?

THE JUSTICE INSTITUTE

Why B.C. politicians are not boastfully shouting from the rooftops about the home-grown achievements of the Justice Institute of British Columbia baffles me completely. Founded some 27-years-ago from basic needs to train police officers, it has grown today to a world renowned program with annual student numbers of 27,000.

I am unabashedly biased on this topic. As the founding Chair of JIBC in 1978 when we had but 2,000 students, and continuing in that capacity until 1995, I had the best seat in the house as a talented team of people built an institution. Cities such as London, England, or Chicago, New York and Los Angeles in the United States, need an intake of thousands of police recruits per year, and from that substantial base they can build outstanding police academies. Our need in B.C. during the 1970s was barely 150 per year, a class too small to afford the necessary sophistication.

So the B.C. J.I. reached out and embraced other public safety officers: fire, paramedics and emergency services. Still, it was not enough and government could not find the resources to satisfy the need for quality. The young J.I. branched out and starting marketing services to for-profit security firms, private corporations and public safety officials from around the world. As the Institute matured, working also in partnership with degree-granting universities, it also expanded to include the full range of social services, postgraduate education for parole and probation officers, social workers and others on the front line of community and family concerns.

Today it is a dazzling success story with an outstanding campus in New Westminster, Computer Based Training (CBT) through the Internet and extension programs elsewhere. Despite bursting at the seams in terms of accommodating demand, the Justice Institute seems to be largely unknown to the public and, sadly, even to the government under which it operates.

The Police and Fire Academies of the J.I. are entirely devoted to local services. There is a culture involved in community police that cannot be emulated by any national force. This, in fact, is the RCMP's greatest educational problem. The RCMP culture is federal, international and major crime. The force is deservedly one of Canada's greatest icons and every recruit aspires to live up to and find a role in that evolving heritage. Orienting these young people to local police is like trying to play the piano wearing oven mitts.

The RCMP works hard and honourably at serving local communities well. In recent history, they have established the RCMP Pacific Training Academy at the former Canadian Forces Base Chilliwack, designed to teach local policing and other things.



But this begs the question: why? The RCMP master contract in B.C. expires in 2012. If the force is making substantial investments in training officers for municipal work, they must be confident about a long-term need. Do they know something the rest of us don't know? Is there a secret agreement of some sort promising post-2012 municipal policing for the RCMP?

In the face of this, the Justice Institute of B.C., an educational asset devoted to municipal police and public safety, vastly superior within that specialty to anything the RCMP could possibly achieve, can demonstrate significant demand for more facilities, programs and services. The core campus in New Westminster has room to expand, but needs more funding. Surely this would be a better investment for B.C. than a parallel RCMP school?

THE CAPITAL REGION

The cities of Victoria and Esquimalt have successfully amalgamated their police forces, but the broader ambition of proponents also suggested that a merger with Oak Bay and Saanich would make sense. The latter two municipalities disagreed, proclaiming the value of their independent local management. All are municipal forces. There are also three RCMP detachments in the Capital Region (Sidney/North Saanich, West Shore/Colwood and Sooke).

One can understand the provincial government's reluctance to get in the middle of a dispute between Victoria/Esquimalt, on the one hand, and Oak Bay/Saanich on the other, but why not think even bigger? The latest report is that the Solicitor General plans to meet privately with the mayors in the near future. Why not consider one large, effective force for the entire Capital Region?

A small item best illustrates the absurd police structure we maintain in B.C. There are four separate police dog squads within the Greater Victoria area!

SETTING THE BAR HIGH

Who sets the ethical guidelines, codes of conduct and standards of practice for police? Most of it is the legacy of history, experience and precedent, just as in common law. But the world changes rapidly and there are new standards. In a physical sense police now recognize that we must have people of all shapes, sizes, genders and ethnicity. The guidelines of 30-years-ago are archaic.

Contemporary young men and women, far better educated on average than past generations, will not tolerate the benevolent (usually) despotism of past police leadership and typical "by seniority only" promotional criteria. This style of management is in the ash can where it belongs.

Technology has evolved infinite numbers of ways to invade privacy, gleefully used by criminals to advantage, but reluctantly embraced by police officers who fear the "career-ender" just around the corner. Many members of the public who pray for more beat police officers on the street watching their neighbourhoods, vociferously object to video cameras performing precisely the same service.



Once again, I point out one of the most successful, least understood and under utilized assets of provincial administration, the Justice Institute of British Columbia. What better repository could there be of ethical considerations and standards of practice? The J.I. is integrated with major universities in the granting of Masters Degrees. It would be appreciated in all directions if the J.I. became the official co-ordinator of *applied* research projects, whether in-house, in-service or at other universities. I emphasize the word "applied," leading to the publication of annual standards of practice, as opposed to the merely theoretical.

Since police are overwhelmed by today's workload, they are forced to be responsive rather than proactive, and since we splinter police services into so many independently managed units, no one gets to see the big picture. Surely it would be better to pursue these things from a central repository of learning in a proactive way, rather than simply navigating by whatever discipline problems roll through the offices of municipal forces, the RCMP and the Police Complaints Commissioner?

BEAUTIFUL BRITISH COLUMBIA

British Columbians once took pride in their originality and leadership despite a formidable geography and a small population. It strikes me that in police matters, too many of our leaders worship at the altar of the federal government. Why is it necessary to remind the government of B.C. that it is the BUYER with respect to RCMP municipal contracts, not the worshipful recipient of federal largesse.

During the 20-years of W.A.C Bennett government a small community of two million people regularly faced down the federal government and built hydroelectric power developments that made the Guinness Book lists as among the largest in the world, more miles of pioneer railway (2,000) than any railroad in the world other than the Soviet Union and, one of the world's largest ferry fleets.

The Dave Barrett government defied common practice and left us the Insurance Corporation of British Columbia, the envy of every auto insurance administration everywhere, although private sector folks hate to admit it, and the Agriculture Land Reserve. Bill Bennett's government restored economic prosperity as demonstrated internationally by Expo 86, a world's fair the legacy of which serves us well today. Our current government can be proud of the economic health it has forged and we look forward to everything possible that can come from the 2010 Winter Olympics.

This is the British Columbia I love and respect - the courageous one - and if I may be blunt for a moment, when we are ballsy we are great. When we kow-tow to alleged external powers, we sometimes appear like starstruck rubes at a formal ball. They aren't our people. They can't do what we do and we don't care about whatever it is that they think to be important. Perhaps we ought to learn some lessons from our Bennett legacies and the more recent example of Ralph Klein's Alberta.

If every municipal RCMP contract disappeared overnight, I would wager that 80 per cent or more of serving officers (4,000) would apply for and get equivalent jobs, within whatever police force replaced their detachments, with exciting opportunities to advance their careers entirely in B.C.



This is not to say municipal police is better - just different. The RCMP are as good as it gets within their areas of primacy: federal police; wilderness territories; and, the experience, infrastructure and mindset to deal with international challenges.

What I am saying is only what everybody knows. British Columbia is a superior place to live and that effective municipal policing requires a local culture mindset.

CONCLUSION - REGIONAL POLICE

I have used the phrase "metropolitan police" because this has been the phrase used most during my 50-plus years of service in Vancouver, an elusive goal of many. It may well be that even that idea is now inadequate if we wish to get in step with the rest of the world.

The vision now may more appropriately be called "regional police." That's what really exists today in cities such as Calgary, Montreal, Toronto and Ottawa.

It is common knowledge in police circles that Alberta is on the verge of a bold stroke. The RCMP will be federal only in that province and all local police will be divided into just three regional forces: Edmonton and north; Lethbridge in the middle; and, Calgary for the south. We are also told that New Brunswick, which moved to a provincial highway patrol many years ago, is now about to terminate its RCMP contract for local police service.

B.C. is different. I can think of no better force in the world than the RCMP to serve most of the geography of this province, peppered by small communities. But there are natural regions that have the density of population and economic interests for more unified local policing. Vancouver from Whistler to Hope might become two police regions, south and east, on the one hand, north and west on the other. The Capital Region certainly makes sense, and so does the Okanagan.

When decision-makers are confronted by what is - by any national or international comparison - the astonishing anomaly of splintered police management, the defenders of status quo retreat into a damage control mode by suggesting all problems can be solved by "integration" rather than "amalgamation." Operational RCMP detachments and municipal forces play the bad hand they are dealt as well as humanly possible, co-operating as much as they can, but the "integration" argument is simply the avoidance of the obvious that we have been hearing for 50 years.

Recently, a colleague advised me that one definition of insanity is as follows: *"repeating the same process over and over again in the desperate hope of a achieving a different outcome."*



THE VANCOUVER POLICE PIPE BAND

Bob Stewart is proud to be both a past Commanding Officer and an Honourary Member of the third senior police pipe band in the world and the official band of the City of Vancouver, established in 1914.

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