

NO: R174

COUNCIL DATE: **SEPTEMBER 9, 2013**

REGULAR COUNCIL

TO: **Mayor & Council**

DATE: **September 5, 2013**

FROM: **City Manager**

FILE: **Policing and
Community Safety**

SUBJECT: **Input into the BC Policing and Community Safety Plan**

RECOMMENDATION

The City Manager's Department recommends that Council:

1. Receive this report as information; and
2. Authorize the City Clerk to forward a copy of this report and the related Council resolution to the Minister of Justice and Attorney General as the City of Surrey's input to the finalization of BC Policing and Community Safety Plan.

INTENT

The purpose of this report is to provide information about the draft BC Policing and Community Safety Plan ("the Plan") that was released by the Minister of Justice and Attorney General for consultation and feedback earlier this year and to make recommendations regarding the City's input into the finalization of the Plan.

BACKGROUND

The Premier in 2011 made a commitment to British Columbians to develop a long-term strategic plan for policing in BC. The Ministry of Justice and Attorney General was requested to undertake a process of engagement with communities and other key stakeholders across the Province to develop such a Plan, which is intended to provide a framework against which decisions about policing will be made going forward. The Plan is to be focused on encouraging innovation and accountability in the delivery of police services across the Province.

After a broadly-based consultation process over 2011 and 2012, the Ministry developed and released earlier this year a draft of the Plan with a request that interested stakeholders review the draft and provide comments to the Ministry that will be considered in the finalization of the Plan. A copy of the Executive Summary of the Plan is attached to this report as **Appendix "A"**. The full Plan is available for review on the *BC Policing Plan* website.

The Vision as articulated in the Plan is:

“Policing in British Columbia will be globally connected and community focused. Innovative, effectively governed and efficiently managed, it will operate seamlessly and collaboratively across a spectrum of law enforcement and security responses to public safety. Policing will be accountable, performance-based, and evidence-led and will work in an integrated manner with justice, the social sector and community partners.”

The Plan is organized around five themes and within these themes 16 items for action are identified. The five themes around which the Plan’s actions are focused are:

1. Rational and Equitable (Policing);
2. Accountable (Policing);
3. Collaborative (Policing);
4. (Policing related to the) Protection of Vulnerable Persons; and
5. Effective (Policing).

These themes and the actions under each of these themes are listed in the Discussion Section of this report along with a comment regarding each of the action items and some general overall comments related to the Plan and the state of local policing in BC.

DISCUSSION

General Comments Regarding the Plan and the Challenges Faced by Local Governments in the Delivery of Local Police Services

The following is a list of factors that are being faced by local governments in relation to their mandate associated with delivering local police services. Each of these should be addressed in the Plan:

1. **Affordability:** The cost of local police service delivery has been increasing at a rate roughly double the combined rate of growth and inflation. As such, more and more of the scarce financial resources of local governments is being directed to the delivery of police services at the expense of other areas of need within communities. In Surrey approximately 48% of all property taxes are directed to funding police services. Property taxes are the City’s primary source of revenue for its entire operation. The percentage directed to police services has been increasing over time and will likely top 50% in the next couple of years. This clearly is not sustainable. The question of affordability of police services at the local government level is paramount and needs to be addressed in the Plan. This could include the provision of new revenue sources or sustainable transfers to local governments to assist in offsetting the increasing financial burden. In other words the “ability to pay” for police services should be a factor that is considered in determining how police services are funded.
2. **Efficiency:** All businesses including the business of delivering police services need to be focused on value for money and taking advantage of efficiencies. A key business criterion relates to maximizing the benefits/outcomes achieved using available resources or alternatively achieving outcomes targets at minimum cost. The Plan should include in its Themes the word “Efficiency” as an important objective in the context of police service delivery across the province.

3. **The Broadening Mandate of (Downloading Related to) Police Services:** With the changes that the Province has introduced in the management of mental health services and with the financial pressures on the health care system resulting insufficient capacity for the treatment of people with addictions, the role of police officers has in some areas defaulted to being social workers. The Plan needs to recognize the slippage that has occurred in other areas of government responsibility around mental health and addictions that has placed new pressures on police services. The Plan should recommend actions to ensure that the Provincial Departments and Health Authorities who are responsible by mandate for these areas are provided with the resources to fulfill their mandate so that those involved in the delivery of police services are not burdened with the having to undertake social work under the guise of policing. The current approach taken by the province in the context of addressing mental health and addictions issues is falling short of the needs that are evident in the City of Surrey.
4. **Pressures on the Efficient Delivery of Police Services Brought about by Justice Processes:** The inefficiencies in the justice and Court processes cause inefficiencies in the delivery of police services. Individual cases often appear before and are deferred by the Courts on multiple occasions before the case is actually tried. Each time the case comes before the Court police officers and many others are typically required to be present. When the matter is deferred by the Court the time spent by the officers is wasted in comparison to having spent the same time in responding to calls for police service in the community.

Furthermore, the “revolving door” syndrome that occurs in the justice process where offenders are apprehended by the police only to be released on their own recognisance by the Courts, which then allows them to re-engage in criminal activities in the community, is frustrating. The Plan should reference these matters that act against the efficient delivery of local police services and include an action that addresses this important area of the justice system that needs improvement.

The City of Surrey has long advocated for the implementation of a Community Court in Surrey, which would be focused on the timely delivery of justice outcomes to those who commit certain types of crime in the community and, where appropriate, conditional sentences would be developed and issued to redirect offenders away from a criminal lifestyle to a productive lifestyle through a rehabilitation process. Ultimately, such an approach would be expected to reduce crime and therefore improve public safety outcomes and reduce the demands on local police resources.

5. **The Use of Technology to Create new Efficiencies and Effectiveness in Police Service Delivery:** The application of new technology is transforming every business sector in the world by creating new efficiencies, expanding service delivery options and ultimately improving bottom line results. Police services like all other businesses need to be fully engaged in exploring the application of technology to reduce costs and improve service delivery results. The Plan should recognize the opportunities that are available in this area of transformation.
6. **Recognize the Unique Needs of Each Community:** Each community has unique needs relative to policing. In the case of Surrey, it is distinctive for its very rapid growth, its young population, its very diverse population and its large geographic

area. A “one size fits all” police service delivery model will not align with the needs of most communities. The Plan should be flexible so as to be able to respond to unique local community attributes and needs.

7. **Public Safety needs to involve Community Partnerships:** The development of partnerships in the community in delivering public safety is critical. In this context, the Plan should recommend action that would encourage each BC community to develop a Crime Reduction Strategy that is tailored to the needs and attributes of the community. Such a Strategy would include the establishment of partnerships in public safety and reduce the workload on local police services. Surrey has developed and is implementing an effective Crime Reduction Strategy.

Comments on the Action Items as Noted in the Plan:

The following sections of this report list in italics the Plan Themes and under each Theme is a description of aspects of the Theme along with Action items that the Plan is recommending. Following each recommended Action item is a staff comment (in bold print) related to the recommended Action item.

THEME 1: RATIONAL AND EQUITABLE

While the majority of stakeholders who participated in the engagement process were satisfied with the police services they receive, many viewed the current model of funding and delivering policing services as unfair or inequitable. Where regionalization was discussed, there was no consensus on this issue. As well, many local governments expressed concern over the growing costs of policing.

Commissioner Oppal's recommendations in his report, FORSAKEN: THE REPORT OF THE MISSING WOMEN COMMISSION OF INQUIRY (hereafter the MWCI REPORT) with respect to the creation of regional policing in the Greater Vancouver area were carefully considered during the development of the Plan, along with the opinions expressed during the engagement process.

ACTION ITEM: *The Ministry of Justice will work in collaboration and consultation with local governments, other key stakeholders and a committee of external experts to:*

- a) *Define and clarify policing responsibilities at the federal, provincial, and municipal government levels;*

Comment: Staff fully supports this action in view of the financial pressures being faced by local governments related to police service delivery and downloading of responsibilities to the local government level being an outcome of the financial pressures being faced by the other orders of government.

- b) *Consider models of service delivery ranging from further integration to the regional delivery of services, while retaining local community-focused policing; and*

Comment: Although this action needs to be approached carefully, the regionalization of certain elements of police service delivery can be cost effective by eliminating redundancy across local police departments/detachments and reflects the regional nature of some crime and public safety issues that need to be addressed across the Region.

- c) *Develop options for funding/financing models that reflect each level of government's policing responsibility and distributes costs accordingly.*

Comment: As noted above in the “General Comments” section of this report the affordability of police services is a significant issue to local governments including the City of Surrey. This action should be augmented to include a reference to “ability to pay” by each level of government in developing alternative options for funding/financing police services.

There is a need to determine what law enforcement and public safety functions could be delivered in more cost-effective ways. For example, it may not be necessary for a fully trained police officer to perform some activities. Many participants in the engagement process agreed that the full continuum of law enforcement and public safety functions (special provincial constables, auxiliaries, by-law officers, private security) should be examined in terms of their roles, mandates and standards.

ACTION ITEM: *The Ministry of Justice will develop a public safety model including existing and new categories of law enforcement personnel to provide cost-effective services in support of policing.*

Comment: Staff supports this action since it has the potential to create new efficiencies (lower overall costs) in the delivery of police services while offering opportunities for enhanced police service delivery. The RCMP's Community Safety Officer (CSO) pilot program that included 10 CSO members in Surrey was an example of this type of action; however, there is a need to recognize the natural inertia of organizations against change, which should be addressed in the implementation plan for any new model.

Themes that emerged from the engagement process relevant to First Nations policing concerned relationship-building, trust, and multi-agency collaboration. First Nations communities want policing that is professional, effective, culturally appropriate and accountable to the communities served.

ACTION ITEM: *In consultation with First Nations, police, the Ministry of Aboriginal Relations and Reconciliation, local governments and the federal government, the Ministry of Justice will reform the service delivery framework of the First Nations Policing Program in British Columbia.*

Comment: It is important that the service delivery framework developed under this action recognize the demands generated by First Nations lands, that the financial arrangements associated with such a framework properly reflect the resources that are required to satisfy these demands and that sufficient resources be provided by the provincial and federal governments to fully address the demands.

THEME 2: ACCOUNTABLE

During the engagement process, communities expressed a greater desire to be involved in defining their policing priorities and providing meaningful input into how police services are delivered. In the

MWCI REPORT, Commissioner Oppal also discussed the importance of community confidence in the police and the need to ensure appropriate accountability to civilian authorities.

ACTION ITEMS:

The Ministry of Justice will:

- *Ensure that British Columbia communities have meaningful opportunities for significant input into local policing.*

Comment: Given that larger local governments in BC are responsible for raising through property taxes the majority of funding for the delivery of their local police services they need to have significant control over how such services are delivered. Further, they are also most in touch with the unique attributes and needs of their community in the context of setting policing priorities. This should be reflected in the final Plan. Also, see comment 5. in the “General Comments” section of this report.

- *Review the current police board structure, function and training, and make enhancements and improvements where necessary.*

Comment: Cities, like Surrey, who contract through the Province with the RCMP for local police services, do not have a Police Board. Surrey City Council meets as a Police/Public Safety Committee on a bi-monthly basis at which meetings matters related to policing and police service delivery are reviewed and directions set. The Mayor, City Manager and Detachment Commander meet on a regular basis to review budget, strategic plans and extemporaneous matters as they arise. More broadly, the Mayors of RCMP-policed municipalities in the lower mainland meet twice a year with senior staff of E-Division, the Lower Mainland District (LMD) staff and senior staff from RCMP detachments in the LMD. Further the Mayors of the larger lower mainland (RCMP-policed) local governments meet regularly with senior RCMP staff to identify and review on-going issues related to police service delivery and other matters of concern.

- *Conduct a study to examine the practices and policies of police agencies related to ensuring bias-free policing and where required, conduct audits.*

Comment: Such a study is reasonable and the results should be circulated to police departments across the Province in the form a best practices manual.

- *Continue to develop provincial policing standards (priority development to standards consistent with those recommended in the MWCI REPORT related to; the investigation of missing persons; complex investigations involving serious crimes (including electronic Major Case Management solutions); and cooperation and coordination amongst police agencies).*

Comment: Although the proposed action is supportable, a strong business case should be developed related to any standards or changes to the delivery of police services that involve significant capital or on-going operational costs to ensure

that available resources are focused on those policing initiatives that create the best public safety outcomes.

THEME 3: COLLABORATIVE

Participants felt greater collaboration and coordination was required between the justice system and related social and health systems. Suggestions included the development of a provincially-led crime prevention strategy as well as secure funding for services to victims; a coordinated, evidence-based crime reduction initiative; and building on existing strategies to help address gang recruitment and gang violence.

ACTION ITEMS:

The Ministry of Justice will:

- *Work with stakeholders to develop strategies to: support crime prevention efforts; support province-led crime reduction initiatives; and support further development of civil/administrative law community safety strategies.*

Comment: This action is important in the context of engaging others in public safety. See comments 4 and 6 under the “General Comments” section of this report.

- *Review anti-gang initiatives within the province and elsewhere, increase coordination, and enhance at-risk youth programs.*

Comment: This action is important and supportable.

- *Strike a cross-government Working Group to review models of multi-agency collaboration that may be feasible in British Columbia. The Ministry will also review existing legislation and policies to identify potential barriers to information-sharing among agencies.*

Comment: This action is important and supportable.

THEME 4: PROTECTION OF VULNERABLE PERSONS

Participants in the engagement process wanted police to put greater effort into establishing relationships/outreach to groups representing marginalized or at risk community members. New police training should focus on key challenges, such as mental health, intimate partner violence, intercultural connections and cultural sensitivity.

Participants identified mental health, and specifically the interaction of police with people with a mental illness and/or drug addiction as a serious issue. Commissioner Oppal expressed concern about protecting vulnerable women and made a number of recommendations in this regard.

ACTION ITEMS:

The Ministry of Justice will:

- *Ensure the delivery of cultural awareness and sensitivity training for all police officers in British Columbia, consistent with the recommendations in the MWCI REPORT.*

Comment: This action is supportable.

- *Work with stakeholders to promote best practices and expand successful policing strategies such as integrated police/health initiatives across the province; and conduct a study to examine contact between police officers and persons with a mental illness and/or addictions to develop resource-efficient and effective strategies for these interactions.*

Comment: This action is supportable.

- *Evaluate possible missing person's legislation and a statutory provision on the legal duty to warn, consistent with the recommendations in the MWCI REPORT.*

Comment: This action is clearly important and supportable.

THEME 5: EFFECTIVE

In the MWCI REPORT, Commissioner Oppal recognized the importance of ensuring real time information is accessible to law enforcement agencies to allow them to better respond to investigations such as the missing and murdered women. He recommended that the provincial government move expeditiously to implement a regional Real Time Intelligence Crime Centre as well as a standardized Major Case Management system for police across the province.

In line with ongoing Ministry of Justice Reform Initiatives there is a need to establish consistent, standardized performance measures for policing. The availability of quality police data is required. No single data set currently exists which can be used to measure key aspects of police performance across the province.

The need to examine legislative reform may also be necessary to support community based policing, as well as appropriate governance structures to allow for more effective and flexible governance models.

Changes are needed to recognize the increasing complexity, resourcing and governance challenges facing police in British Columbia. In addition, changes are needed to support and foster more collaborative approaches to deal with the pervasive crimes that occur across jurisdictions.

ACTION ITEMS:

The Ministry of Justice will:

- *Support the implementation of a regional Real Time Intelligence Centre (RTIC) scalable to the province as a whole.*

Comment: Although this action is supportable in principle, it needs to be undertaken in the context of good business case development and a strong implementation plan addressing who will be responsible for paying for its development and on-going maintenance and how much and ensuring that police departments/detachments across the province view it as being an effective tool for supporting police services. It is a similar initiative to PRIME (i.e., the BC police records information management system), which in principle has significant merit relative to allowing for more efficient use of police resources and enhancing public safety outcomes, continues to have its challenges in fully delivering on these original objectives and has been criticized for its cost to local governments.

- *Work with key stakeholders and academics to develop a performance management framework for policing and enhance the quality and availability of police data.*

Comment: This action is supportable. A value audit of the management practices and performance management framework of every organization is healthy from time to time. The Plan could be more specific in relation to the types of matters that should be included in the performance management framework. The Plan could also make reference to the benefits of some police data being delivered in an “open data” format to allow the public to become involved in reviewing the data and exploring how it could be used to enhance the delivery and outcomes of police services.

- *Conduct a comprehensive review of the Police Act to assess its relevance in today’s complex policing environment.*

Comment: This action is supportable and clearly important in the context of a society that is changing rapidly including rapid growth, evolving technologies, urbanization, cultural diversity and instant communications around the globe, among many other things.

CONCLUSION

Based on the above discussion, it is recommended that Council authorize the City Clerk to forward a copy of this report and the related Council resolution to the Minister of Justice and Attorney General as the City of Surrey’s input on the draft of the BC Policing and Community Safety Plan for consideration in the finalization of the Plan.

Murray Dinwoodie
City Manager

Attachment:

Appendix “A”: Executive Summary from the “BC Policing and Community Safety Plan” as published by the Ministry of Justice and Attorney General

Executive Summary

The *British Columbia Policing and Community Safety Plan* (hereafter the Plan) meets the Premier's commitment to develop a long-term, strategic plan for policing. The Plan was developed through an engagement process with British Columbians, community leaders, local governments and police. It presents a framework against which decisions about policing will be made now and into the future.

The Plan relies on an understanding of the history of policing in British Columbia, the issues facing policing today, and the anticipated challenges in the future. The community consultation and stakeholder engagement process was instrumental in identifying these challenges and providing

direction for action. It was also influenced by broader global trends, drivers of change unique to this province and emerging complexities facing policing today. In addition, the recommendations from the Missing Women Commission of Inquiry were released during the development of this document and therefore influenced its direction significantly. While many reforms were made during the past 15 years, policing in British Columbia will continue to evolve. In the future, the legacy of those reforms will continue to influence the direction of policing in British Columbia. Policing is adaptive and reform is evolutionary; the *BC Policing and Community Safety Plan* will guide that evolution over the next 3, 5 and 10 years.

ENGAGEMENT ACTIVITIES

A unique feature of the *BC Policing and Community Safety Plan* is the community consultation and stakeholder engagement in the development process. Four specific engagement activities were undertaken.

Regional community and stakeholder roundtables: Held in nine locations in British Columbia between April and June 2012, participants included local government, First Nations representatives, community leaders, social service organizations and local police.

Focus group meetings: Stakeholders and subject matter experts participated in focus groups

in September and October 2012, to discuss key issues that emerged from the roundtables.

Interactive website: A blog launched in May 2012 reported progress of the Plan and provided opportunities for public input.

Telephone survey: A telephone survey covering topics such as satisfaction with policing, perceptions of safety and personal experience with crime was conducted in June and July 2012. A total of 2,400 surveys were completed using rigorous sampling and weighting methods.

The process of developing the *British Columbia Policing and Community Safety Plan* continues with the release of this document.

CONTINUED CONSULTATION

Stakeholders and the public are invited to review this document and submit feedback.

Comments can be posted directly on the BC Policing Plan blog (<http://blog.gov.bc.ca/bcpolicingplan>) or submitted by email to BCPolicingPlan@gov.bc.ca.

Stakeholder and public feedback will be reviewed and considered in preparing the final *British Columbia Policing and Community Safety Plan*. The final report will be posted on the BC Policing Plan website.

A MODERN POLICE AND LAW ENFORCEMENT FRAMEWORK

The *British Columbia Policing and Community Safety Plan* will guide the evolution of a modern policing and law enforcement framework for British Columbia.

THEME 1: RATIONAL AND EQUITABLE

While the majority of stakeholders who participated in the engagement process were satisfied with the police services they receive, many viewed the current model of funding and delivering policing services as unfair or inequitable. Where regionalization was discussed, there was no consensus on this issue. As well, many local governments expressed concern over the growing costs of policing.

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- a) *Define and clarify policing responsibilities at the federal, provincial, and municipal government levels;*
- b) *Consider models of service delivery ranging from further integration to the regional delivery of services, while retaining local community-focused policing; and*
- c) *Develop options for funding/financing models that reflect each level of government's policing responsibility and distributes costs accordingly.*

This Plan is organized around five themes, and within the five themes, 16 Action Items are identified.

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ACTION ITEMS: The Ministry of Justice will

- ▶ Ensure that British Columbia communities have meaningful opportunities for significant input into local policing.
- ▶ Review the current police board structure, function and training, and make enhancements and improvements where necessary.
- ▶ Conduct a study to examine the practices and policies of police agencies related to ensuring bias-free policing and where required, conduct audits.
- ▶ Continue to develop provincial policing standards (priority development to standards consistent with those recommended in the *MWCI REPORT* related to: the investigation of missing persons; complex investigations involving serious crimes (including electronic Major Case Management solutions); and cooperation and coordination amongst police agencies).

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- ▶ Strike a cross-government Working Group to review models of multi-agency collaboration that may be feasible in British Columbia. The ministry will also review existing legislation and policies to identify potential barriers to information sharing among agencies.

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- ▶ Evaluate possible missing persons legislation and a statutory provision on the legal duty to warn, consistent with the recommendations in the *MWCI REPORT*.

THEME 5: EFFECTIVE

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The need to examine legislative reform may also be necessary to support community based policing, as well as appropriate governance structures to allow for more effective and flexible governance models.

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- ▶ Work with key stakeholders and academics to develop a performance management framework for policing and enhance the quality and availability of police data.
- ▶ Conduct a comprehensive review of the *Police Act* to assess its relevance in today's complex policing environment.