

April 1, 2022

BY E-MAIL

Dennis Cooley, PhD
Associate Deputy Minister
Solicitor General
2nd Floor, Bowker Building
9833 – 109 Street
Edmonton AB T5K 2E8

Dear Associate Deputy Minister Cooley:

**Subject: Robert William Crowle – Public Fatality Inquiry
Response to Recommendations**

Please find enclosed a copy of the Honourable Judge S.L. Van de Veen's report to the Minister of Justice and Solicitor General. This report will be publicly released on April 22, 2022.

The following two recommendations made by Her Honour may impact Solicitor General:

1. It is recommended that the Government of Alberta appoint a task force to address the glaring gaps in the mental health system noted by The Honourable Justice Wittmann and The Honourable Justice Iacobucci, which contribute to police commonly being first responders to people in crisis and emotionally disturbed individuals whose mental health issues have escalated to the point requiring police involvement. The complexity of this problem is considerable and as mentioned by Justice Iacobucci appears to be an aspect of modern society which several countries, as well as Canada, are grappling with. The only way to prevent dangerous encounters with police by persons in crisis and emotionally disturbed individuals is to prevent the crisis from occurring in the first place. This engages the challenge of an early intervention despite dealing with difficult people whose mental health issues fall short of incapacity, but nevertheless cause them to be unable to access the help they need. It involves not only police and mental health services, but also the scientific and academic communities in order to find solutions to the complex problem of police becoming first responders to people in crisis and emotionally disturbed individuals. A recommendation for Alberta Health Services to carry an independent study of

this problem was made in the Inquiry Report into the death of David William McQueen dated March 11, 2020.

It appears that an important opportunity was lost when Mr. Crowle was hospitalized September 12, 2016. No collateral contacts appear to have been consulted even though he had been hospitalized with significant injuries causing a severe brain injury. Expert evidence before the Inquiry is that hospital psychiatric staff dealing with patients like Mr. Crowle ought to consult third parties to secure the information they need to properly treat such patients. It appears matters were simply left without referrals or recommendations simply because he did not wish to press charges against his grandson who had inflicted the September injuries for which he was hospitalized. The evidence before the Inquiry is that the brain injury suffered by Mr. Crowle commonly results in aggressive and even suicidal behaviour and hospital records do not indicate whether follow-ups or referrals were either recommended or carried out.

2. It is recommended that the Government of Alberta appoint a task force comprised of the Calgary Police Service and other stakeholders to carry out the research, development and acquisition of non-lethal weapons that can be used by police officers who are called upon to deal with people in crisis or experiencing serious mental health issues resulting in behaviour that is imminently dangerous to others. It is recommended that stakeholders represented on the task force include representatives from industry, the scientific technological community, and all government agencies responsible for criminal law and its enforcement in the province of Alberta. Such research and development would be for non-lethal weapons which are reasonably priced, simple to use from a training aspect, and effective to immediately stop the threat people in crisis can present, while causing minimal or no harm. The urgency for this research and development is brought about by the current inability on the part of Alberta Health Services to close the gaps in mental health services which result in people in crisis becoming engaged in police encounters. Medical science is not an exact science, especially in the area of mental health issues and it may be that the gaps recognized by the Wittmann Report cannot be closed in the foreseeable future given our current knowledge and resources. It therefore seems reasonable that an alternative of great importance would be the research, development and implementation of non-lethal weapons and that such weapons be made available to police to avoid death or injury of people in crisis whose dangerous behaviour causes police encounters.

Recommendation Number 1 has also been sent to Alberta Health Services requesting them to respond.

I ask that you please advise the following:

1. Whether Solicitor General accepts, accepts in principle, does not accept, or has a different response to the recommendations;
2. A brief explanation of why that decision was made; and

3. If Solicitor General intends to accept the recommendations, or to implement different measures, what steps will be taken in that regard.

A response to this enquiry is not mandatory. However, be advised that any response received will be publicly released and posted on the Open Government Portal:

<https://open.alberta.ca/opendata/responses-to-public-fatality-inquiry-recommendations>.

If a response has not been received by August 22, 2022, (four months after the public release date), that information will also be made publicly available.

Thank you for your cooperation in this matter.

Yours truly,

Abid Mavani

Abid Mavani
Fatality Inquiry Coordinator