

Police Amendment Act 2022

The *Police Amendment Act* includes measures that will enhance transparency, accountability and civilian involvement. Key reforms will establish an independent and more straightforward process for complaints against the police, promote more diversity in policing and encourage greater collaboration between police and civilian partners to improve public safety.

Expanded mandate for the Alberta Serious Incident Response Team (ASIRT)

- Currently, ASIRT investigates cases of death and serious injuries involving all police services in Alberta, as well as serious and sensitive allegations of misconduct.
- This legislation would expand ASIRT's mandate to also include deaths and serious injury involving peace officers employed by provincial organizations (i.e. the Alberta Sheriffs) as well as community peace officers working at the municipal level.
- ASIRT will become part of the new Police Review Commission – see below.

Independent public complaints process

- An independent agency, the Police Review Commission, will replace the current patchwork of “police investigating police” with a single organization for receiving complaints, carrying out investigations and conducting disciplinary hearings.
 - ASIRT will continue to handle all cases involving death or serious injuries, as well as serious and sensitive allegations.
 - A newly-formed investigations unit will handle all other misconduct complaints involving police officers employed by municipal police services and First Nations police services.
 - Further discussions are underway with the RCMP and Public Safety Canada to determine the extent of the RCMP's ability to participate in the complaints process.
 - The commission will manage a central pool of presenting and presiding officers for disciplinary hearings, ensuring proceedings are impartial and scheduled efficiently.
- Amendments to the act will also create standardized categories of complaints. This will establish a consistent framework for how the commission triages complaints and improve the public's understanding of the process.
- The amended act will distinguish between police misconduct and employee performance, ensuring police services can better handle performance issues through human resources and collective bargaining processes.
- Delineating police misconduct from employee performance will allow the commission to focus on misconduct and lead to more timely resolution of complaints.

Greater collaboration with communities

- Under this legislation, police will be required to develop community safety plans and report annually on their progress.
- Community safety plans encourage police to work more closely with civilian partners and put added focus on alternatives to enforcement that target root causes of crime, like addiction treatment, housing and employment supports.
- The planning process will result in greater coordination between police and civilian partners, helping them identify and close gaps in services for people who need help.
- Greater collaboration with partners could help prevent crime, while also allowing police to devote more resources toward serious and violent offences.

Fostering diversity and inclusion

- This legislation would require police to develop diversity and inclusion plans. Many police services and commissions already make this part of their strategic planning processes; this legislation would formalize that requirement.
- Diversity and inclusion plans will encourage police to reflect the communities they serve and to train officers about the distinct cultural needs of the various populations in our province.
- Better understanding can help create stronger partnerships with the community, greater opportunities for mentorship and encourage more people from diverse communities to pursue a career in policing.

Enhanced civilian governance

- The legislation creates formal governance bodies for all communities policed by the RCMP in Alberta, giving them a role in setting policing priorities and performance goals they've never had under the existing governance structure.
 - Small and rural communities served by the RCMP under the Provincial Police Service Agreement will be represented on a provincial board that will make recommendations on province-wide policing priorities.
 - The provincial board will have one seat designated for a First Nations representative and one seat designated for a representative of Métis communities.
 - Municipalities with a population over 15,000 that are policed by the RCMP will be required to establish local governance bodies.
 - Communities under 15,000 with municipal RCMP contracts will be represented by regional governance bodies – but will have the option to form their own local governance body.
 - An engagement with municipalities, First Nations and Metis Settlements will ensure they're involved in developing these new governance bodies.
- Amendments will give the minister authority to appoint members to municipal police commissions, with the number of appointees based on the size of the commission.
- Sections of the act governing ministerial intervention will be clarified to allow the minister to step in at the request of police services or commissions in the event of a dispute at the local level. This is consistent with the provincial government's legislated responsibility to ensure adequate policing in Alberta.

Establishing provincial policing priorities

- The legislation will enable the minister to set provincial policing priorities, which will help foster consistency in policing across Alberta.
- Police commissions will also need to create their own policing priorities, while taking the provincial priorities under consideration, and report whenever they change.
- Police will need to report annually on their progress, which will increase accountability and transparency with the communities that they serve.

Guiding principles for police

- The new act adds eight guiding principles for Alberta police services based on tenets developed in 1829 by Sir Robert Peel, who is considered the founder of modern policing.
- These guiding principles will provide an enduring foundation of core beliefs and values that all police services in Alberta will be expected to live up to.
- The eight guiding principles are:
 - policing should be guided by the need to ensure the safety and security of all persons and property in Alberta
 - policing should safeguard the fundamental rights guaranteed by the *Canadian Charter of Rights and Freedoms* and the *Alberta Human Rights Act*
 - there should be co-operation between the providers of police services and the members of the communities they serve
 - when providing policing services to the public, it is desirable for police officers to consider the health-related situations, conditions or impediments affecting an individual
 - it is desirable that policing services be provided in a manner that recognizes the history and cultures of First Nations, Inuit and Métis peoples in Alberta
 - police services should strive to reflect the pluralistic character of society and the communities they serve
 - police officers at all levels should promote a culture of accountability within their roles as police officers
 - policing complaint processes should be objective and transparent, and should promote public confidence in the complaints process.

Administrative changes for the Law Enforcement Review Board (LERB)

- This legislation increases the term limit for the LERB chair up to five years, from the current limit of up to three years.
- Amendments will clarify that electronic documents are valid for official business.
- Amendments will also switch the annual reporting cycle to calendar year, instead of fiscal year.