



OFFICE OF THE
POLICE COMPLAINT COMMISSIONER

British Columbia, Canada

December 6, 2018
OPCC File No. 2018-14683

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

Dear Mayor Stewart,

Re: Service or Policy Complaint 2018-14863, Union of BC Indian Chiefs and BC Civil Liberties Association

On October 10, 2018, my office received a copy of the Vancouver Police Board's (the Board) concluding letter to the Union of BC Indian Chiefs (UBCIC) and the BC Civil Liberties Association (BCCLA), dated October 10, 2018. The Board's letter detailed the steps taken with respect to the complaint submitted by the UBCIC and the BCCLA, provided reasons for the decision, and outlined the recommendations approved by the Board.

As well, the Board advised the UBCIC and the BCCLA of their right to request a review of the matter by our office if they disagreed with the decision.

I note that my office received a letter, dated September 26, 2018, from the UBCIC and the BCCLA to the Board, outlining a few comments based on their initial review of the Board's response from the in person meeting. The UBCIC and the BCCLA concluded with the following:

"Based on these observations, we reiterate that the Board should only adopt a new policy once it has had the benefit of further, independent reports to provide a better picture of the practice of street checks and police stops, their efficacy, and their impact on racialized and Indigenous people in the city."

Having had the opportunity to examine the Board's decision, this office recommends, pursuant to section 173 of the *Police Act*, that the Board conduct further study in relation to this matter. I concur with the position of the UBCIC and the BCCLA that the Board should only adopt a new policy once it has had the benefit of the independent reports. Without these independent reports, the Board's approval of the recommendations is premature, as the UBCIC and the

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BCCLA duly noted, *“the Board should not make a decision on policy based solely on the VPD’s view of its own practice, without further independent assessment of the impact of that practice on people in our community.”*

I feel it prudent to note that the Vancouver Police Department is not isolated in the practice of street checks and its implementation. Currently, Justice Michael Tulloch is reviewing Ontario’s laws on police street checks. By January of 2019, Justice Tulloch will be making recommendations to the government about those laws and their implementation.

The Board’s letter advised that the undertaking of the independent third party studies start by January 2019 and be completed by July 2019. Once these results have been processed and assessed, I would expect a response be provided to my office in due course.



Stan T. Lowe
Police Complaint Commissioner

Copy: Chief Constable Adam Palmer, Vancouver Police Department
Union of BC Indian Chiefs
BC Civil Liberties Association
Clayton Pecknold, Director of Police Services