



**Canadian Police Association
Association canadienne des policiers**

CPA Update

Issue 20 –July 23, 2007 [[View Archives](#)]

HEADLINES

CPA SEEKS MAJOR CORRECTIONS REFORM

On Wednesday June 27, the CPA appeared before the **Correctional Service Canada Review Panel** in Ottawa. President Cannavino and Executive Officer Griffin presented the CPA's submissions for significant reforms to Canada's system of sentencing, corrections and parole. The CPA and our member associations have been urging governments for many years to address deficiencies in Canada's current system, and we welcomed the opportunity to participate in this process.

The CPA submitted over 40 recommendations to the panel for changes to Canada's system of sentencing, corrections and parole. A copy of the CPA submissions can be found on our web site at www.cpa-acp.ca

CPA PLEASED THAT NEW RCMP COMMISSIONER IS A CIVILIAN

On July 6, 2007, Federal Public Safety Minister Stockwell Day announced that William Elliott would become the new RCMP Commissioner. Mr. Elliott was a senior bureaucrat, a lawyer who served as national security advisor to both Liberal Prime Minister Paul Martin and Prime Minister Stephen Harper.

CPA President, Tony Cannavino, has publicly supported the appointment pointing out that someone credible from the outside was needed in order to implement important changes within the organizational structure.

“The problem was a problem of culture and a lack of accountability, and you can't change that, and the perception if they would have named somebody from the intern would have been that, okay, nothing's going to change.” (CBC, July 6th, 2007)

Mr. Elliott was sworn in on July 16th in a low-key, private ceremony while wearing a dark suit instead of the iconic red serge RCMP uniform; he became a peace officer with the power of arrest and badge number O.2438.

As his first order of business, Commissioner Elliott appointed Deputy Commissioner Bill Sweeney as his second in command. This is an informal split in functions, with Mr. Elliott heading the restructuring of the RCMP's management, while Deputy Commissioner Sweeney supervises policing and investigations.

President Cannavino was quoted in the *Globe and Mail* explaining the role Deputy Commissioner Sweeney will play:

"He will have a deputy, a second, who will take care of police aspects, and William Elliott will take care of restructuring, reorganization and governance," said Tony Cannavino, president of the Canadian Police Association, the advocacy group for rank-and-file officers from forces across the country. (Globe and Mail, July 17th, 2007)

The article goes on by describing Sweeney's experience and quotes the BC Mounted Police Professional Association's VP Rob Creasser:

Deputy Commissioner Sweeney, who rose through RCMP ranks serving mostly in detachments and commands in the West, is seen as a policeman's policeman.

And while he holds the force's second-highest rank, the Edmonton-based officer comes from outside the much-criticized circle of top brass that surrounded former commissioner Giuliano Zaccardelli.

"I've heard good things about Bill Sweeney from front-line officers," said Rob Creasser, an RCMP constable in Kamloops and vice-president of the B.C. Mounted Police Professional Association, which has been critical of the force's management and called for major changes.

"I think the outside candidate [Mr. Elliott] can deal with the type of structural reforms required within the RCMP, but while that's taking place, you still need someone to steer the ship."

SUPREME COURT UPHOLDS POLICE POWERS TO INVESTIGATE GUN CRIMES

A police roadblock that was set up outside a strip club to find illegal handguns did not violate the charter rights of two men who were caught with loaded semi-automatics, the Supreme Court of Canada ruled Friday.

The decision, which restored the convictions of Wendell Clayton and Troy Farmer, was viewed as an important test of police powers to investigate gun crimes while keeping in mind the Charter of Rights. The 9-0 ruling overturned the Ontario Court of Appeal, which had acquitted the two men in a decision that took a swipe at police for "institutional indifference" to individual rights when they stopped and searched the men in the parking lot of the Million Dollar Saloon near Brampton, Ont.

At the time, police were reacting to a 911 call alerting them that about 10 black men were openly brandishing guns while loitering near their cars outside the club in the early hours of a September morning in 1999. Clayton and Farmer are both black, but the Jaguar they were driving was not one of the vehicles identified by the tipster.

Justice Rosalie Abella wrote that stopping any car leaving the parking lot was an "eminently reasonable response," given the gravity of gun-related crime.

Farmer and Clayton were acquitted by the Ontario Court of Appeal in a strongly worded 2005 ruling that concluded police had violated their charter rights against arbitrary detention and unreasonable search and seizure. The appeal court ruled that the blockade was unlawful because there was no imminent danger and because the police did not tailor their search to the cars identified by the 911 caller.

The Criminal Lawyers Association, which intervened in the case on behalf of defence lawyers, said the ruling was the latest sign that the Supreme Court has become more law-and-order minded in recent years.

(Source: CanWest News Service, Fri, July 6, 07)

REGIONAL NEWS

WESTERN POLICE LABOUR CONFERENCE

New Westminster, British Columbia
October 15-17, 2007

REGISTRATION FEES:	BEFORE SEPT 7, 2007	\$350 (DELEGATE)
	LATE REGISTRATION SEPT 8, 2007 – OCT 13	\$400 (DELEGATE)
	ON SITE REGISTRATION	\$450 (DELEGATE)

The New Westminster Police Officers Association is pleased to invite you to the 2007 Western Police Labour Conference, formerly The Western Wage Conference

AGENDA

1. Local roundtable updates
2. Representing members in Criminal Cases
3. Dealing with critical incidents from a Union Position
4. Police investigating police from a management point of view.
5. Human Rights Issues
6. Accomodation Issues
7. LTD Appeals
8. Canadian Association of Civilian Oversight of Law Enforcement (CACOLE)
9. Police Act changes (Western Canada)

REGISTRATION INFORMATION

The registration fee is \$ 350.00 per delegate. Please make your cheque payable to the "Western Police Labour Conference" and return with your completed registration by Sept 7, 2007. Between Sept. 8- Oct. 13 the fee is \$400, and the on-site registration is \$450. On site registration will be October 14 – 1700-2000 and October 15 – 0730 –0900. Completed registration forms and cheques should be mailed to:

NWPOA
6157 129 A Street
Surrey, B.C.
V3X-1S2

HOTEL RESERVATIONS

The conference host property is the Inn at Westminster Quay. Reservations must be made by September 17, 2007 or the regular room rates will apply. When calling advise you are with the conference. Room rates are :

- 1) Singles - \$102
- 2) Doubles - \$102
- 3) Twin - \$112
- 4) Jacuzzi Class - \$132

Toll free 1-800-663-2001 or
reservations@innatthequay.com
900 Quayside Drive
New Westminster, B.C.

ALBERTA POLICE UNITE ON RECRUITING

Faced with difficulties attracting the new officers they desperately need, police services are working on an Alberta-wide strategy to entice those interested in law enforcement. Representatives from police services, associations and commissions and the Solicitor General's Department met in Red Deer a few weeks ago to discuss how best to lure potential police officers to the province.

Al Koenig, president of the Calgary Police Association, said recruiters are hampered by the housing market.

"A co-ordinated effort would be beneficial, but unfortunately police recruits are no fools. They're looking at what it costs to buy a house in Calgary," he said.

While Calgary police have hired about 100 new members this year, they anticipate 90 will retire by Dec. 31. The service is funded for 1,630 members on staff, but there were only 1,576 on the payroll as of last month.

(Source: The Calgary Herald, Sat 07 Jul 2007)

POLICE ASSOCIATION OF ONTARIO AFFIRMS THAT INCREASED POLICE RESOURCES ARE THE BEST WAY TO COMBAT RECKLESS DRIVING INVOLVING EXCESSIVE SPEED

TORONTO, July 5 /CNW/ - The Police Association of Ontario (PAO) representing over 30,000 front-line police personnel in every municipal police association including the Ontario Provincial Police Association (OPPA) has called for increased police resources in the wake of several tragic incidents involving speed and reckless driving on Ontario's streets and highways.

"As advocates of community safety, we understand why some organizations are calling for the reinstatement of photo radar to combat reckless driving" said Bob Baltin, President of the PAO. "However, none of these measures replace the impact of having additional front-line police officers to identify and apprehend drivers who needlessly put themselves, members of the community and police personnel in harms way due to excessive speed while driving."

Photo radar is a popular tool often cited as a means of deterring speed on Ontario's streets and highways. OPPA President, Karl Walsh noted that "taking a photo of a speeding vehicle does not target the person responsible for the illegal activity and that is the driver. If Ontarians want to deter excessive speed on our streets and highways then there must be more serious consequences for drivers who speed beyond the posted limit when they get behind the wheel of their vehicle."

(Canada News-Wire, July 5, 2007)

CPA ACTIVITIES

PRESIDENT CANNAVINO MEETS WITH MINISTER DAY

On July 5, 2007, CPA President Tony Cannavino met with the Federal Public Safety Minister Stockwell Day to discuss the following matters:

- The makeup of the RCMP Task Force,
- An Independent Association for the RCMP,
- The status of at least 2500 more police officers ([Click here](#) to see a July 10th response by Minister Day), and
- The Federal Guidelines for New Entrants to RCMP Municipal Policing (NEMP)

The meeting was very positive and our issues are moving forward.

NOTICE OF MOTION - BOARD PROXY VOTING

The enclosed Notice of Motion will be presented to the delegates for consideration at our 2007 AGM in Quebec City next month. The CPA Board, through its Governance Committee, has reviewed the use of alternates and proxy voting for Board of Directors Meetings. At their June meeting, the Board agreed to propose amendments to the CPA Constitution and By-Laws to strengthen the fiduciary responsibilities of the Board of Directors.

LEGISLATIVE AGENDA

Bills Already in the House or the Senate:

- C-9** *An Act to amend the Criminal Code (conditional sentence of imprisonment)*
PASSED BY PARLIAMENT
- CPA President, Tony Cannavino and Executive Officer, David Griffin appeared at the House of Commons' Justice Committee on September 26, 2006.*
- CPA Executive Officer appeared at the Senate Legal and Constitutional Affairs Committee on April 26, 2007.*
- C-10** *An Act to amend the Criminal Code (minimum penalties for offences involving firearms) and to make a consequential amendment to another Act*
CPA President, Tony Cannavino and Executive Officer, David Griffin appeared at the House of Commons' Justice Committee on November 27, 2006
- C-12** *An Act to provide for emergency management and to amend and repeal certain Acts*
- C-18** *An Act to amend certain Acts in relation to DNA identification*
- C-21** *An Act to amend the Criminal Code and the Firearms Act (non-registration of firearms that are neither prohibited nor restricted)*
- C-22** *An Act to amend the Criminal Code (age of protection) and to make consequential amendments to the Criminal Records Act*
CPA President, Tony Cannavino and Executive Officer, David Griffin appeared at the House of Commons' Justice Committee on March 22, 2007
- C-23** *An Act to amend the Criminal Code (criminal procedure, language of the accused, sentencing and other amendments)*
- C-27** *An Act to amend the Criminal Code (dangerous offenders and recognizance to keep the peace)*
CPA President, Tony Cannavino and Executive Officer, David Griffin appeared at the House of Commons' Committee on C-27 on June 6th, 2007
- C-32** *An Act to amend the Criminal Code (impaired driving) and to make consequential amendments to other Acts – aka Drug Impaired driving Legislation*
- C-35** *An Act to amend the Criminal Code (reverse onus in bail hearings for firearm-related offences)*
CPA President Tony Cannavino, Executive Officer David Griffin, TPA President Dave Wilson, FPPM President Yves Francoeur, and BCFED Board Member Daryl Tottenham appeared at the House of Commons' Committee on C-35
- C-52** *An Act to implement certain provisions of the budget tabled in Parliament on March 19, 2007*
- C-59** *An Act to amend the Criminal Code (unauthorized recording of a movie)*
- C-277** *An Act to amend the Criminal Code (luring a child)*
- C-299** *An Act to amend the Criminal Code, the Canada Evidence Act and the Competition Act (personal information obtained by fraud)*
- C-343** *An Act to amend the Criminal Code (motor vehicle theft)*
- C-376** *An Act to amend the Criminal Code (impaired driving) and to make consequential amendments to other Acts*
- C-392** *An Act to amend the Public Service Labour Relations Act (RCMP members and special constables) and the Royal Canadian Mounted Police Act*

(For a full outline of Bills of interest to the CPA, click on [Status of Bills](http://www.cpa-acp.ca) at www.cpa-acp.ca)

LABOUR REPORT

(PAO News, June 27th, 2007)

PERTH POLICE ASSOCIATION INTEREST ARBITRATION AWARD

The Seniority Pay issue remained outstanding for the Perth Police Association when they went before arbitrator W.A. Marcotte. Unfortunately the same arbitrator, a few weeks earlier, denied the Deep River Police Association on their submission for Seniority Pay.

The Perth Association proposal was in 2006 for .90% of a 1st class constable's pay for every 5 years experience for policing in Canada and in 2007 that would rise to 1.8% with a cap of 9%.

Arbitrator Marcotte ruled that "the Association's proposed trade-offs fall well short of a quid pro quo or value-for-value exchange" and he denied the Association's proposal.

PETERBOROUGH POLICE/CIVILIAN CONTRACT ARBITRATION

The Peterborough Police Association and their Police Service were able to resolve all but two contract matters in negotiations.

The two remaining issues were:

1. Senior uniform members responsibility pay 3% - 9 yrs, 6% - 17 yrs, 9% - 23 yrs
2. Civilian senior member responsibility incentive implementation date.

On the first issue the Association and the Police Service Board were at odds as to whether or not uniform members of the Service should receive the proposed responsibility pay from the current 2% - 5% scheme.

Arbitrator Mary Ellen Cummings in her decision stated:

*There is no doubt that 3/6/9 is a feature of the vast majority of police service collective agreements. The trend in the Big 13 has spread to the medium sized and smaller services. Just before our hearing, Cobourg, a near neighbour, settled for 3/6/9 in 2006. **Looking only at the factor of comparability, an important element in police arbitration, strongly points to awarding 3/6/9.***

The arbitrator awarded the 3-6-9 provision to the Association effective January 1, 2006.

On the second issue the Association negotiated a Civilian senior member responsibility incentive of 2% after 10 years and 5% after 20 years. The dispute with the Board was the implementation date. The issue was resolved with the Arbitrator Mary Ellen Cummings stating:

*In other municipalities, civilian collective agreements have typically seen the introduction of a long service pay some years after such provisions have been introduced in the uniform service. The uniform members of this Association bargained 2/5 in 2004. **A two-year delay before the civilian members can enjoy the same benefit seems long enough.***

The arbitrator set the implementation to the beginning of their contract which was January 1, 2006.

Congratulations to the Peterborough Association.

PAO AGM

The York Regional Police Association will be hosting the PAO's 75th Annual General Meeting at the Sheraton Parkway & Best Western Parkway Hotels in Richmond Hill from August 12 to 17. Plans are very close to being finalized and we are sure that you will enjoy their hospitality.

There will be no elections this year. Director Brian Miller is stepping down after seven years on the Board and Peterborough Police Association President Dave McFadden was acclaimed to take his spot. Brian's contribution will be recognized at the AGM as will that of OPPA Vice President Ron Middel who stepped down from the Board last fall and was replaced by Martin Bain.

The Awards Committee has confirmed Harry De Jong of Windsor as the winner of this year's Dennis Latten Award. The award is presented annually to honour an individual who has served the Police Association of Ontario and its members with long-standing dedication and excellence. The individual should, through his or her actions, have demonstrated a devotion to the Core Values of the PAO: Unity, Co-operation, Leadership and Accountability.

Fern Benoit of Sudbury and Doug Farrell of Timmins will receive the John Walker award. The award is presented annually to honour an individual who has served a member association of the Police Association of Ontario. The individual, through his or her actions, should exemplify the qualities of leadership, devotion and sacrifice in the face of adversity as demonstrated by John Walker in his role as President of the Belleville Police Association.

Congratulations to all three members on their well deserved recognition.

CPA AGM REGISTRATION

CPA ANNUAL GENERAL MEETING - Quebec City - August 23 - 25, 2007

We are happy to announce that **online registration for the CPA 2007 Annual General Meeting is now available!** The registration rate of \$450 is valid until Tuesday August 7, 2007. Click here for **online registration**

Register online by using your **own unique user name and password!** (If you need a friendly reminder of your username and password, please send me a quick e-mail). Conference registration is **required** for all attendees. Please assist us with confirming your attendance and completing the registration form **on-line**.

The CPA Conference this year combines first rate educational opportunities and professional development for all association experience levels, opportunities to network with your colleagues from across Canada and the chance to visit exhibits.

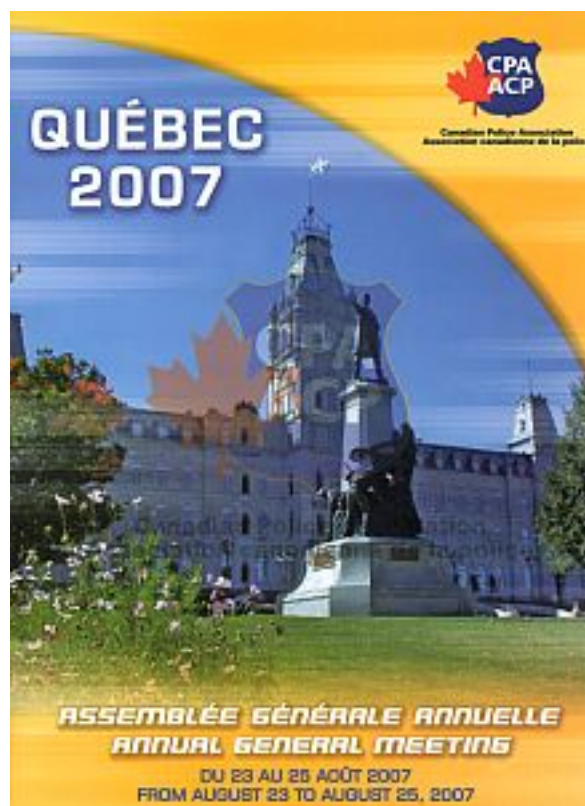
HOTEL RESERVATIONS

A block of rooms have been reserved at the Loews Le Concorde at 1225 Cours du Général De Montcalm or view on line at <http://www.loewshotels.com/en/Hotels/Le-Concorde-Hotel/Overview.aspx> Please call the reservation desk at 1-800-463-5256 or directly at (418) 647-2222 to make your reservations. The conference rate of \$ 168 has been extended three days before and after the conference. Please quote group code CPP20A.

AIRLINE INFORMATION

Air Canada has offered discount fares for travel to the AGM. You or your travel agent ***is requested to quote Convention event number EGM6OHRI*** to benefit from these reduced rates. Please ensure that your travel agent has properly entered the event number. <http://www.aircanada.com/en/home.html> or Air Canada 1-888-567-4160.

Please note: **No transportation from/to the airport is provided.**



CANADIAN POLICE AND PEACE OFFICERS' 30TH ANNUAL MEMORIAL SERVICE

**Sunday, September 30,
2007
Ottawa, Ontario**

On September 24, 1998 the Government of Canada officially proclaimed the last Sunday of September of every year as Police and Peace Officers' National Memorial Day. This National Memorial Day gives Canadians an opportunity each year to formally express appreciation for the dedication of police and peace officers, which made the ultimate tragic sacrifice to keep our communities safe.

Unfortunately, each year six to eight officers sacrifice their lives in the performance of their duties. We now have a total of approximately seven hundred officers on the Honour Roll. The importance of their sacrifice is overwhelming.

