

An Exploratory Study on Police Oversight in British Columbia: The Dynamics of Accountability for Royal Canadian Mounted Police and Municipal Police

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Abstract

Independent oversight of Canadian police has increased over the past decade in response to a number of high-profile cases of police misconduct and public dissatisfaction with internal police investigations. To date, however, the dynamics of the oversight process have not been subjected to critical analysis. This study examines the benefits and challenges of the oversight systems for the Royal Canadian Mounted Police (RCMP) and municipal police in British Columbia, Canada, as well as the role of oversight in increasing police accountability, improving public confidence, and modifying police behavior. Drawing on semi-structured interviews with persons ($n = 13$) from oversight agencies, police unions, special interest groups, and professional standards units, the study found that despite having one of the most progressive oversight models in Canada, the system faces major challenges. These include slow processing of complaints, the administrative burden of minor complaints, the difficulty in determining return on investment, and the two-tier complaint model.

Keywords

police oversight, complaints against the police, civilian oversight, police misconduct, Royal Canadian Mounted Police, Canadian police

Oversight plays an integral role in the police complaint system, serving as a system of checks and balances to hold police officers accountable for any potential abuse of power or misconduct (United Nations Office on Drugs and Crime, 2011). As police have the authority to arrest, detain, and use force, systems of oversight ensure officers perform their duties in a professional manner and within their legislated boundaries (Phillips & Trone, 2002). In Canada, sections 25.1–25.4 of the *Criminal Code* provide legal authorization for police to commit acts that are otherwise against the law when investigating criminal activity, including officers' actions when engaging in undercover police investigatory practices. Parent (2004) states these sections “exempt otherwise criminal actions from criminal liability” (p. 22). Although officers are authorized to engage in such acts to enforce compliance, an abuse of these powers is subject to measures of accountability and discipline.

Police misconduct harms the level of accountability and legitimacy held by the public toward law enforcement (Ferdik et al., 2013; Rojek et al., 2010). The most common forms include abuse of authority, neglect of duty, improper use of force, discreditable conduct, and discourtesy (Office of the Police Complaint Commissioner [OPCC], 2016).

Police investigating allegations of misconduct against other police is biased, unfair, and ineffective as a process (Murphy & McKenna, 2008; Pollock, 2010; Sewell, 2010). For these reasons, independent oversight of the police plays a critical role in upholding the accountability of the police. Independent police oversight agencies serve to ensure police are operating within their legislated power, particularly given the increased public awareness and media attention that has brought into question the level of fairness and impartiality of the internal police complaint process (Filstad & Gottschalk, 2011). The incorporation of civilian oversight into the police complaint system was designed to instill public trust in law enforcement (Buren, 2007).

A variety of civilian oversight models exist, ranging from hybrid models where civilians review the outcome of internal police investigations to more independent models where

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civilians are solely responsible for investigating public complaints and police are excluded from the process (Murphy & McKenna, 2008). As a result, civilian oversight is emerging as a remedy for enhancing the level of accountability in processing complaints and restoring public confidence in the police (Phillips & Trone, 2002; Stewart, 2006; Thomassen, 2002; United Nations Office on Drugs and Crime, 2011; Walker, 2001).

The rapid growth of independent civilian oversight over the past 10 years, both nationally and internationally, has largely been in response to severe cases of police misconduct made visible through mediated dissemination to a broad public audience, growing public dissatisfaction with internal police investigations, and demand for more accountability and transparency in the police complaint process (Ferdik et al., 2013; Murphy & McKenna, 2008; Stewart, 2006).

Policing and Police Oversight in British Columbia (BC)

Police services in BC are provided by the Royal Canadian Mounted Police (RCMP), 11 independent municipal police agencies, and one autonomous First Nations police service. The RCMP provides a mix of federal, provincial, and 63 municipal policing services across the province (British Columbia Ministry of Justice, 2015). The organization comprises approximately 73% of the sworn police officers in the province, with municipal police officers accounting for the remaining 27% (British Columbia Ministry of Justice, 2014).

In BC, there are two separate systems for handling public complaints against the police in the province,¹ the system that is used depends on whether the officer in question is a member of an independent municipal police service or a member of the RCMP (i.e., all sworn officers are governed by the federal *Royal Canadian Mounted Police Act*). Complaints made against a member of the RCMP are first investigated internally by a Professional Standards Unit (RCMP, 2012). Then, depending on the nature of the allegation, the RCMP with the consent of the complainant and officer involved may first try to resolve the complaint informally (Civilian Review and Complaints Commission for the RCMP, 2014). If informal resolution is not possible, an investigation will be conducted into the complaint and the results will be outlined in a final report that documents any potential action to address the complaint (Civilian Review and Complaints Commission for the RCMP, 2014). Discipline imposed after the investigation is done at the RCMP's discretion, which fits within a typical "police investigating police" model (Murphy & McKenna, 2008).

If the complainant is not satisfied with the outcome of the investigation, he or she can request an external review by the RCMP oversight body, the Civilian Review and Complaints Commission for the RCMP (CRCC). However, the CRCC only becomes involved if the complainant is dissatisfied with

the results of the original investigation conducted by the RCMP—the internal investigation process conducted without any form of oversight. This is in stark contrast to the oversight process in the municipal system, where complaint procedures are regulated through the province's *Police Act* (OPCC, 2016). Investigations of public complaints against municipal police are investigated by other officers working in the Professional Standards Section but are overseen by the OPCC—an impartial and independent oversight body (OPCC, 2015a). When a complaint is lodged, the file is assigned to an officer in the Professional Standards Unit of the officer's police department, who must send progress reports to the OPCC (OPCC, 2015b). The persistent presence of independent oversight in the investigation of municipal complaints provides a level of accountability and oversight not present in the RCMP model.

Before a full investigation into a complaint can be initiated, the complaint must pass an admissibility test and, if suitable, be considered for informal resolution. Both the *RCMP Act* and provincial *Police Act* outline admissibility requirements for complaints to ensure they are not frivolous or vexatious, not outdated, and are in accordance with the requirements in the legislation. Complaints that do not meet the requirements are deemed inadmissible and will no longer proceed to the investigation stage. Both acts also regulate and authorize the use of informal resolution. Depending on the nature of the allegations, along with the consent and willingness of the complainant and the officer(s), complaints can be informally resolved and bypass a formal investigation.

For formal investigations of public complaints against municipal police officers, the provincial *Police Act* specifies that investigations are to be completed within 6 months. The RCMP has lengthier legislated time limits for investigations into allegations against their officers. The *RCMP Act* stipulates that conduct hearings must be initiated within a 1-year period to have any violations against the Code of Conduct formally actioned and disciplined. If the 1-year period lapses, the subject officers could avoid facing charges for some offenses under the *Criminal Code* (Commission for Public Complaints Against the RCMP, 2009). Although investigations are not required to be completed within a certain time frame, if the misconduct warrants formal discipline under the Code of Conduct or *Criminal Code*, it must be completed within 1 year.

Given differences in the administration of oversight for municipal versus RCMP officers in BC, citizens may have very different experiences filing a complaint. Having two models of oversight present creates a disparity in the standardization of policing service standards across the province.

Public Confidence in the Police Complaints System in BC

In 2010, the RCMP conducted a national survey and found BC residents had less confidence than other Canadian residents on how public complaints investigations were handled

by the RCMP (Sherlock, 2011). Only 56% of BC respondents believed the RCMP was an accountable police service, compared with 78% of citizens in the national sample (Sherlock, 2011). In 2013, a public opinion poll conducted by Ipsos Reid also found that “Canadians are losing confidence in the RCMP and believe they’re doing a worse job when compared to a similar poll conducted 5 years ago” (Ipsos Reid, 2013, para. 1).

Comparatively, in 2005, the BC Police Services Division, a branch of the provincial Ministry of Justice, conducted a public awareness survey across 11 municipalities that operate independent police services to determine citizens perceptions of, and satisfaction with, the police complaint process. Of the 1,024 residents surveyed, 55% reported they were confident in the way complaints against the police were processed, 27% were neutral, and 18% lacked confidence (Police Services Division, 2006). The Police Services Division (2006) reported that “even though police investigating police was cited as the most common reason for lack of confidence with the complaint process, more than three-quarters (78%) of all respondents thought investigations into complaints were conducted fairly by their own police departments” (p. E-11).

Demand for Police Oversight Reform and Change

Several commissions of inquiry have made recommendations to reform the police complaint system in BC (Braidwood, 2010; Oppal, 1992; Wood, 2007). In a review of the BC police complaint process, Wood (2007) concluded, “There is still some distance to go before one-quarter of the population in BC can be fully confident that all complaints against their municipal police officers will be thoroughly investigated” (p. 89). The recommendations of this review were incorporated into several amendments to the provincial *Police Act* including the establishment of a civilian oversight body, expanding the role of the OPCC, amending the definition of a complaint and broadening the criteria to allow for third parties to file a complaint (OPCC, 2010).

Within the past decade, a series of high-profile incidents of police-involved death and serious injury have harmed the reputation and diminished the credibility of police across BC (Independent Investigations Office of British Columbia, 2013; MacAlister, 2012). Two specific police-related incidents played a key role in the progression of civilian oversight, the 1998 death of a First Nations man, Frank Paul² involving the Vancouver Police Department (VPD) and the 2007 Taser death³ of Polish immigrant Robert Dziekański at Vancouver International Airport involving RCMP officers (British Columbia Ministry of Justice, 2016). Subsequent investigations into these incidents recommended the creation of an independent civilian oversight body that would investigate police incidents involving death or serious harm (British Columbia Ministry of Justice, 2016).

In 2012, the police oversight system expanded with the creation of the provincial Independent Investigations Office (IIO), a new organization which would oversee both RCMP and municipal police agencies for a specific subset of cases. The IIO is an independent civilian-led body mandated to conduct criminal investigations into “police-related incidents of death or serious harm to determine whether or not an officer may have committed an offence” (Independent Investigations Office of British Columbia, 2019, para. 1). IIO’s creation was supported by various key stakeholders within the policing community, such as BC Civil Liberties, Pivot Legal Society, BC Association of Chiefs of Police, and the Commission for Public Complaints Against the RCMP (Independent Investigations Office of British Columbia, 2013).

The provincial government also took steps to increase civilian oversight over RCMP officers during negotiations with the federal government on the 20-year contract renewal of RCMP policing services. A key item in the contract was the provision that RCMP officers be subject to the oversight of the IIO in cases of officer-involved incidents resulting in death or serious harm (British Columbia Ministry of Justice, 2012). With jurisdiction over both municipal and RCMP officers in BC, the IIO represents a historical landmark in Canadian police oversight.

The accountability of RCMP officers was further strengthened in 2014 with the enactment of Bill C-42, the Enhancing Royal Canadian Mounted Police Accountability Act. A significant change was the replacement of the former Commission for Public Complaints Against the RCMP (CPC), with a new complaints commission, the aforementioned CRCC. This represented a shift from a former “discipline regime” to a more “robust conduct management system . . . [that] will focus on being remedial, corrective and educative” (RCMP, 2014, p. ii).

The changes resulted in the operation of three oversight agencies in BC: OPCC, IIO, and CRCC. Each organization has a distinct mandate and police jurisdiction, which outlines their oversight purpose, ranging from monitoring complaints to conducting criminal investigations (see Figure 1 which outlines the process for handling police complaints and criminal investigations against the police, inclusive of the oversight agencies and the police agencies they are responsible for overseeing).

The expansion of civilian oversight of the police in BC has not been accompanied by research to evaluate the effectiveness of these oversight models (Miller, 2002). From a review of literature, this marks the first study in BC and Canada to examine the dynamics of police oversight for both the RCMP and municipal police forces (Stelkia, 2016). In this study I consider the benefits and challenges of civilian oversight and analyze the similarities and differences between the RCMP’s and municipal police’s system of accountability. Findings will contribute to a gap in the literature on the topic by exploring the challenges of having two

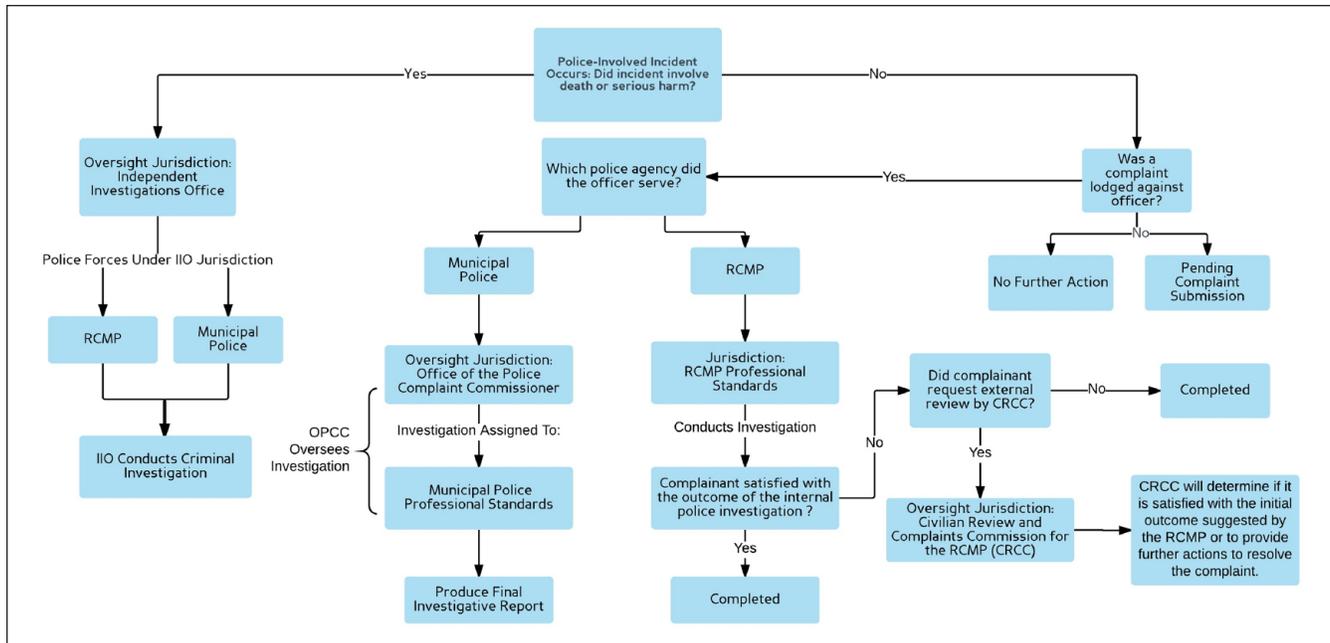


Figure 1. British Columbia police complaint and oversight system.

Note. RCMP = Royal Canadian Mounted Police; IIO = Independent Investigations Office; OPCC = Office of the Police Complaint Commissioner; CRCC = Civilian Review and Complaints Commission.

different oversight systems for police officers within the same province.

Method

Data for this study were gathered from 13 semi-structured interviews with individuals from several key, yet diverse, stakeholder groups within the BC police oversight system: representatives of police oversight agencies; professional standards officers in municipal and RCMP police services; personnel in the OPCC, CRCC, and IIO; associates from civil liberties associations; and representatives from municipal police unions.⁴ The interviews focused on participants' perceptions of, and experiences with, the system of civilian oversight.

A nonprobability purposive sampling methodology was used to recruit participants, where contact information for potential participants was gathered by visiting each organization's public website or through direct referrals. After contact information was obtained, an introductory email was sent to potential participants informing them of the research and inviting them to participate in the study.

Interviews were scheduled at the convenience of the participant, with nine interviews conducted in-person either at the participant's place of employment or at a mutually agreeable off-site location, such as a rented meeting room or local coffee shop. Due to geographical distance, four interviews were conducted by telephone. An informed consent handout

was provided to each participant and verbal informed consent was obtained prior to beginning interviews.

A separate interview schedule was created for each target population. While the topics of inquiry were consistent, questions were formulated around each group's professional terminology. Participants were asked 15 open-ended questions about their perspective on police oversight, the benefits and challenges to the current oversight system, and their recommendations for improving the system. A digital recorder was used to record each interview to ensure accuracy of participant's responses. The duration of the interviews ranged from 45 min to 2 hr.

Data Analysis

The recorded interviews were transcribed verbatim and the resulting data were imported into NVivo 11 for inductive coding. Transcripts were analyzed through an iterative thematic analysis wherein emerging patterns and concepts were identified, grouped, and refined into themes (Palys & Atchison, 2013). Any comments that provided insights into unique experiences/perspectives was also reviewed. Participant anonymity is ensured by the use of pseudonyms.

Sample

In total, 17 invitations to participate in the study were sent to potential research participants of which 13 agreed and were

Table 1. Interview Sample.

Population	Invitations to participate	Participants in sample
Police Oversight Agency Representatives	4	4
Special Interest Groups	4	3
Professional Standards Officers		
RCMP Professional Standards	2	2
Municipal Professional Standards	2	2
Police Unions or Professional Associations		
Municipal Police Union	2	2
RCMP Police Professional Association	3	0
Total	17	13

Note. RCMP = Royal Canadian Mounted Police.

subsequently interviewed (see Table 1 for participant demographics and occupational affiliation). Among the target population, there was 100% participation by persons from the provincial civilian oversight agencies and professional standards officers in municipal police services and the RCMP. In contrast, there was no response to invitations sent to the RCMP Police Professional Association representatives.⁵ In total, the research sample included four police oversight agency representatives, four professional standards officers, three representatives from special interest groups including Pivot Legal Society, and two police union executives.

Findings

Challenges to the Current Oversight System. The Two-Tier Oversight Model: RCMP and Municipal Police

Sixty-nine percent ($n = 9$) of interviewees identified the two-tier police complaint system that exists between the RCMP and municipal police as one of the greatest challenges facing police oversight and accountability in the province. Although two participants did suggest the two systems could not be compared due to their dissimilarity, the issues raised ranged from the ease of access for public complaints (the RCMP system was viewed as difficult to access), differences in the level of oversight and accountability, and variations in how discipline in the two systems was meted out.

Having a majority of police officers fall under one system and the remainder under another creates challenges for ensuring consistency and accountability in police services across the province. The two-tier system was described as confusing for members of the public. For example, a participant from a special interest group believes the existence of two systems only adds an unnecessary degree of difficulty for members of the public who are trying to address their concerns about officer conduct:

It's overly complicated first of all. I struggle myself sometimes to understand how the system is working and you know I'm a

trained lawyer who has been working in this field for years. For the average person, it is very difficult for them to understand . . . the boundaries first of all, what organizations overlap and covers which. I can't tell you how many times someone's told me, if someone has a complaint against the RCMP they should go to the Office of the Police Complaint Commissioner, not realizing that the Police Complaint Commissioner doesn't cover the RCMP. So, there are a lot of misconceptions out there.

The mistaken belief that RCMP officers fall under the jurisdiction of the OPCC demonstrates the municipal oversight body's strong public presence in the province. However, it simultaneously reveals the general public's lack of knowledge about how to appropriately file complaints against the RCMP and what agency is responsible for oversight.

There was the view among a number of the interviewees that the two-tier system, one for municipal officers and the other for RCMP officers, was unfair. As one representative of an oversight agency stated,

The problem I see is that municipal police are under such scrutiny and the RCMP really has a system that doesn't have the same level of scrutiny. I can tell you I have worked with the RCMP on matters and when they run into our system and we get involved, start doing our reviews and all that, it widens their eyes as to accountability. They go away and realize oh, this is not going to be a cakewalk. But I can tell you there are seven thousand RCMP and the level of accountability in their system is dramatically less, based on even their new process of doing oversight.

The view that RCMP officers should be subject to the same level of oversight as their municipal counterparts was expressed by many participants who either worked or were engaged within the municipal oversight system.

A majority of the respondents, except RCMP officers who were interviewed, expressed their belief that the RCMP model of oversight was ineffective and insufficient. The primary reason identified was that the CRCC only becomes involved in a complaint after a full investigation is completed by the RCMP. Furthermore, the CRCC has no legislative

power to impose discipline or to influence the disciplinary process and can only make recommendations to the Commissioner.

Another noted concern with the RCMP system was related to obtaining access to investigative material and other relevant information, to properly review files where complainants were not satisfied with the outcome:

One of the challenges dealing with the RCMP is always getting documents. It is almost daily we have a challenge getting information from the RCMP. How we've overcome it, not so sure if, I'm not really sure we have . . . Up until November 28th [2014] the legislation did not require the RCMP give us any documents. It's bizarre. So, they provided the documents voluntarily, now we have a legislative authority to demand them. (Police Oversight Agency Representative 1)

While the legislation has been updated to provide more support to the CRCC, participants spoke of the daily challenges within the RCMP oversight agency.

The Timely Processing of Public Complaints Against the Police

For a majority of the interviewees, 62% ($n = 8$), there was concern about the length of time it took to formally resolve complaints against the police and to render a disciplinary decision. An RCMP professional standards officer described how the statute of limitations plays out in the RCMP process:

If there is a serious investigation and we have six investigators here and we all have fifteen public complaint investigations on the go . . . all our other investigations stop and we work together as a team to investigate that file.

The RCMP professional standards units continuously reevaluate and prioritize cases as they are received with severe cases that can lead to discipline being prioritized versus those that can be investigated outside the 1-year time frame. While a majority of public complaints are received, investigated, and resolved within the legislated time frames established by law, there are still cases that extend for longer periods of time due to various administrative or legal processes. One participant expressed his or her disbelief in the length of time it took to formally resolve some complaints made against an officer under the current system:

The timeliness is outrageous. There is an officer who just received a 4-day suspension for pushing down a woman and someone mentioned to me, and I still almost can't believe it, they said it happened 4 years ago, and I thought it had happen like last year . . . I just cannot figure out how a push to the ground that is on videotape can take 4 years to resolve. That's crazy and the fact that nobody is saying it's crazy, is every

crazier . . . The only thing consistent about it is how inconsistent it is. (Police Oversight Agency Representative 3)

Several of the interviewees referred to a local case that was fully documented on video to illustrate the systematic inefficiencies to resolving complaints in a timely and fair manner. In the particular case of reference, a VPD officer was depicted on a CCTV recording forcefully shoving a disabled person while walking past her, on foot patrol, in a low-income Vancouver neighborhood. The investigation took 4 years, during which time the 1-day suspension imposed initially was increased to a 6-day suspension for the offending officer. A major area of discussion among participants was the fact the event was caught on video and still took more than 4 years to come to a final resolution. The fact that the matter took so long to resolve while the evidence was well laid out was viewed by several participants as an unreasonable and severe limitation of the system. Perhaps an unprecedented case, it nevertheless demonstrates the deficiencies in the system, wherein a large amount of resources, time, and legal fees are incurred in coming to a final resolution.

Concerns were also expressed regarding the negative impact of lengthy complaint processing on officer discipline. The view put forth was that when corrective or disciplinary measures are imposed against an officer for misconduct, for actions that occurred months or years ago, the effectiveness of that discipline is diminished and limits the potential to have remedial impact on the officer's behavior. Respondents highlighted the importance of effective, timely discipline and its role in improving or modifying unacceptable police behavior.

The issue of timeliness was also viewed as having a direct and long-term impact on the credibility, integrity, and accountability held by citizens toward the police complaint system. More specifically, when allegations of police misconduct are not dealt with in a timely manner, this may result in the public losing confidence in officers being held accountable for their actions.

Administrative Burden and Investigation of Minor Complaints

All six police participants, police union representatives ($n = 2$) and professional standards officers ($n = 4$), expressed concerns around the processing and investigation of minor complaints from members of the public due to associated increase in expenditures, resources, and human capital required to process them. Interviewees expressed frustration at the time spent investigating complaints that were either considered to be minor in nature or that could be best addressed through other avenues, outside the formal police complaint investigation. Despite the existence of legislated admissibility criteria for complaints and informal resolution, participants still expressed concern in the number of minor

complaints that are admitted and subject to a costly, time-consuming investigation. As one interviewee noted,

I think where it becomes cumbersome is with the threshold of the complaints coming in. On the former side of this house we investigate some complaints that would just make your head blur, going you've got to be kidding me that we're paying the Sergeant what we're paying him, we're paying all of these members to come in off the road because their coming in when they're on duty. (Professional Standards Officer 4)

The concept of having a two-tier complaint process, one for minor complaints and the other for more serious allegations, is premised on the idea that more resources should be a to complaints that require a more extensive investigation into more problematic misbehavior. Formal investigations can be quite costly due to the time, staffing, and resources required to thoroughly investigate a complaint. Thus, concerns prevailed that minor complaints consume too many resources and therefore take time away from the more serious allegations that required additional attention.

Police Resistance to Oversight

Participants also expressed concern that, while a majority of police seem to understand and accept the role that oversight plays within the modern policing profession, there was a significant percentage of officers who remain resistant to external forms of civilian oversight. When discussing the rationale for this resistance, members from police oversight organizations suggested it was grounded in a lack of knowledge or the inability to appreciate the important role of civilian oversight in encouraging public confidence in the police.

Among several of the police interviewees, concerns were voiced about being overseen by civilians with nonpolicing backgrounds and who lacked lived police experience. There was a belief that such civilian oversight members would not understand the types of scenarios, risks, and split second decisions required in the field. There was a widely held view among these study participants that oversight agencies should be staffed with former police officers or police executives. This is reflected in a comment made by a participant from the RCMP's oversight body who stated,

My relationship with the RCMP has been positive. It could be because the RCMP still thinks I'm one of them and think I'm going to cut them some slack. I don't know what's behind it but I do think that the police appreciate having people in senior positions because we understand policing. The police want people to understand them. So as long as I am fair, objective and do good things, that's one thing. But then there is a bit of "well he gets it, he understands this."

This statement demonstrates the presence of a certain mentality that still exists within policing culture.

Several interviewees noted the importance of an arms-length relationship between the police and oversight agencies. There were concerns expressed that oversight agencies should not work too closely with the police or specific officers. One representative noted the importance of maintaining a healthy tension between the police and the oversight agency:

If you are making a lot of friends in oversight, you are probably not doing your job. There needs to be a healthy tension. You need collaboration and cooperation between law enforcement and oversight but you also need some tension between them in order for it to really be effective . . . If you are working in oversight and doing the job well, you are generally going to be attacked by people on the right and the left, and sometimes on the same day on the same issue. So, you don't make a lot of friends. Another one that I always hear is "welcome to oversight, where for every decision you make you will make, you will make one temporary friend and one permanent enemy." (Police Oversight Agency Representative 3)

It takes a delicate balance to maintain one's professional integrity during interactions with members of policing organizations, a critical requirement for effective police oversight. Inappropriate behavior in this regard not only impacts the credibility of the employees of the oversight organization, but the agency itself.

The Return on Investment: Increased Oversight Cost Versus Outcomes

Determining whether the system of police oversight provides an adequate "return on investment" is a key issue identified in this study. More specifically, whether the resources expended deal with complaints in the most efficient manner have a deterrent effect on officer misconduct and increase public confidence in the police. With more resources being allocated to professional standards divisions and police oversight agencies, there is pressure to ensure all financial expenditures provide an adequate return on investment. Determining how this is to be measured was identified as a major issue among interviewees. Nearly all police participants interviewed discussed the challenges of working within limited budgets to investigate and resolve a steadily increasing number of police complaints over the past 5 years.

Participants identified complex and protracted judicial reviews and public hearings as contributing to the high cost of oversight. The financial investment required to prepare, attend, and resolve complaints through these processes were viewed as excessive. For example, a professional standards officer stated, "One time we were having a meeting with all the heads of all the professional standards sections. Another police agency said they had a verbal reprimand [discipline case] that cost them \$65,000" (Professional Standards Officer 4). This respondent expressed concern with the legal

expenses incurred by oversight agencies and its impact on the budgets of municipal police forces.

While judicial reviews can play an important role in ensuring that officers are appropriately disciplined for misconduct, the outcome of these proceedings was viewed as often disappointing by interviewees. In their view, the minor changes in disciplinary outcomes that often resulted from judicial reviews did not justify the time and expense. A police union representative shared his or her experience, discussing participation in several public hearings that have “taken longer than some homicide hearings in a criminal trial . . . just so that somebody can get a three-day suspension or a written reprimand. That’s a waste of everybody’s time and resources” (Police Union Representative 2). This officer, echoing others, noted that public hearings can be an integral part of the oversight system, but other cost and time-effective options should be used whenever possible.

Benefits of the Current System of Police Oversight System

Despite their concerns, many respondents identified a number of benefits to the current system of oversight in BC, including the increased level of accountability in processing public complaints against police. Participants, 69% ($n = 9$), referenced increased accountability as the greatest benefit of the current system. The role that independent oversight plays in enhancing and maintaining public confidence and trust were highlighted as the most important aspect of the current oversight system. Civilian involvement in oversight was generally viewed as a way to increase the accountability of police officers and to restore public confidence in police, particularly following a high-profile incident. The lack of legislated authority for the CRCC to influence discipline against RCMP officers was viewed as impacting public confidence and contributing to public skepticism about RCMP officers being held accountable for their actions.

Fifty-four percent ($n = 7$) of participants felt that the more effective civilian oversight is at increasing the level of accountability of the police, the more faith the public will have in the system. Similarly, a lack of impartial oversight was viewed as decreasing accountability and as reducing public confidence in the police. Participants clearly stated that fair, transparent, and meaningful oversight directly improves the level of public confidence in how complaints are processed and in overall policing. Improving the image of the police in the eyes of the public is one of the core principles of police oversight.

Closely linked to identifying trends in misconduct and recommending changes in policy or training, oversight has a powerful role in shaping the behavior of police officers when carrying out their duties. Participants discussed how, from their experience, when police officers are aware their conduct is subject to independent oversight, and that any

deviation from the Code of Conduct can result in a complaint being sustained against them, it directly impacts how they conduct themselves when on the job or dealing with the public.

Discussion and Conclusion

Although the model of police oversight in BC is considered to increase accountability in policing, improve public confidence, and contribute to police officers carrying out their tasks in a professional manner, there are still a variety of challenges that need to be addressed to ensure its optimal operational efficiency. The major challenges include the two-tier complaint model between the RCMP and municipal police, timely processing of complaints for effective and impactful discipline, the administrative burden of minor complaints, the lingering presence of pockets of police resistance to oversight, and the difficulty in determining return on investment. A need to streamline the police complaint system to reduce the administrative burden for processing complaints is also voiced. Although complaints of police misconduct need to be investigated, the number of minor complaints that are admitted into the system and subject to a costly, time-consuming investigation is concerning. The presence of oversight in BC, and in other jurisdictions, is an essential and valuable component in the police complaint system that ensures members of the public have an independent, third-party organization to address complaints against the police.

As this is the first study to examine police oversight for both municipal police and the RCMP collectively, the findings may help to advance police oversight system reforms and changes to policies to standardize the timely processing of complaints, address several administrative challenges, and align service standards for both organizations. While insight can be drawn from comparing the RCMP oversight model to the municipal police oversight model, they remain distinct models that stand independently. The findings may be useful to police officers, policy makers, and members of the public in learning more about the way complaints against the police are processed within the province of BC. The study may provide knowledge to police organizations who are interested in comparing the BC police oversight models to other existing multijurisdictional oversight models in other provinces and countries.

This study includes limitations. First, the findings are solely based on the perceptions of study respondents. While the participants sampled represented key perspectives within the oversight system and were experienced in their domain, their thoughts on the oversight system still require further examination to validate. Second, the small sample size is a limitation of this study. Despite the representation from key stakeholder groups in the current sample, future researchers using a larger sample and including more stakeholder agencies would improve generalizability.

Future Research

While the respondents in the present study perceived that the system of oversight had a positive impact on the conduct and behavior of officers, a number of unintended consequences of oversight were also identified including officers becoming risk adverse and a reduction in proactive policing. This, in turn, may have implications for public safety, the extent to which this occurs in practice should be explored by future researchers. Given that the RCMP have only recently been granted the right to unionize, exploring the views of RCMP officers' and labor representatives toward oversight and the complaint process would be a significant contribution to the ongoing dialogue on this issue.

Future research on the deterrent impacts of oversight on police officer misconduct is required. An empirical study to identify the impact oversight has on reducing police behaviors that result in misconduct would significantly contribute toward determining the long-term effectiveness of oversight agencies and their role in upholding accountability in the police. Also, a case study analysis on high-profile incidents of police misconduct that resulted in significant delays in rendering a final determination could be another area of exploration. Understanding why particular cases took years to resolve, such as the Taylor Robinson case, will expose the vulnerabilities in the system that can result in significant resources, time, and legal fees being expended in arriving at a final conclusion.

Author's Note

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Notes

1. See Figure 1.
2. On December 6, 1998, Vancouver Police Department (VPD) officers arrested Frank Paul for public intoxication. After Mr. Paul was refused admission into the jail, he was dragged outside by an officer and left in an alleyway, unconscious and in wet clothing, where he died of hypothermia a few hours later (Davies, 2009). After an internal police investigation, one officer received a 2-day suspension without pay, whereas the other officer received a 1-day suspension without pay (Davies, 2009).

3. On October 14, 2007, Robert Dziekański died in police custody at the Vancouver International Airport after being tasered five times by four Royal Canadian Mounted Police (RCMP) officers (Braidwood, 2010). While no formal discipline was administered by the RCMP, all four officers faced perjury charges in relation to their testimony before a public inquiry on the case. Two of the officers were acquitted and two were convicted (Omand, 2017).
4. Ethics approval for this study was provided by the Simon Fraser University Research Ethics Board.
5. Historically, the RCMP in Canada have not been authorized to form a labor union; rather, they operate a system of representatives. In 2015, the Supreme Court of Canada held that RCMP officers do have the right to unionize. One of the groups vying to represent RCMP officers as a union is the RCMP Police Professional Association (Fine, 2015). As of mid-2018, the RCMP has not formed a labor union.

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