

Exploring Criminal Justice in British Columbia*

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This supplement to *Exploring Criminal Justice in Canada* provides additional content about crime and the responses of the police, courts, and corrections that is specific to British Columbia (BC), including issues related to urban and rural crime and innovative crime control strategies being developed in the province, such as predictive policing. The summary ends with a review of a number of criminal cases that drew the world's attention, such as the murder of Reena Virk and the missing women on Highway 16 (the Yellowhead Highway), which has become known as the Highway of Tears. Altogether, these cases, events, and information specific to BC enable readers to better understand the provincial context that can't be covered in a textbook that focuses on the entire nation.

BRITISH COLUMBIA: CRIME AT A GLANCE

Of the 10 provinces, BC falls within the mid-range of rates of reported crime and victimization. British Columbians are less likely to be victimized than those living in the three Prairie Provinces, although rates of violent and property crime in BC are somewhat higher than those reported in Ontario and Quebec. Like the rest of Canada, rates of crime reported to the police have been dropping since the 1990s and the rate of offences per 100,000 residents reported to the police in BC is lower today than rates in the 1970s. Perreault (2015, p. 7) found the proportion of British Columbia residents who reported being victims of violent crimes dropped by 35 per cent between 2004 and 2014. We are awaiting the results of the 2019 General Social Survey on victimization to see if this positive finding has continued and those results should be published by the Canadian Centre for Justice Statistics by 2021. There is other good news: the rate of youth accused of crime in BC is the second lowest in the nation. As a result, there are fewer youth

cases being heard in the courts, and the number of incarcerated youth dropped by 83 per cent between 2001 and 2018 (Statistics Canada, 2020a).

While *Exploring Criminal Justice* described the interprovincial differences in the Crime Severity Index (CSI), the following figures show differences in homicide, drug crime, as well as rates of reported crime in British Columbia's largest cities. Figure 1 shows the homicide rate per 100,000 residents for 2018 and the BC rate of 1.8 is the same as the national average. There were 89 murders in British Columbia in 2018, which was down by over one-quarter from 2017 (Moreau, 2019). Moreau explains that most of that decrease was the result of fewer gang murders and gun-related crimes. Of the largest BC cities Roy and Marcellus (2019) found that the murder rate per 100,000 residents was highest in Abbotsford (3.1), which was followed by Vancouver (1.7), Abbotsford-Mission (1.6), Kelowna (1.0), and Victoria (0.5).

A large proportion of BC homicides are related to gang or organized crime activities, and the number of victims of gang homicides that happened between 2005 and 2018 is shown in Figure 2. During

*The ten provincial summaries follow a common template and although the examples presented in this supplement differ from the other nine, some of the content is very similar or will have identical text.

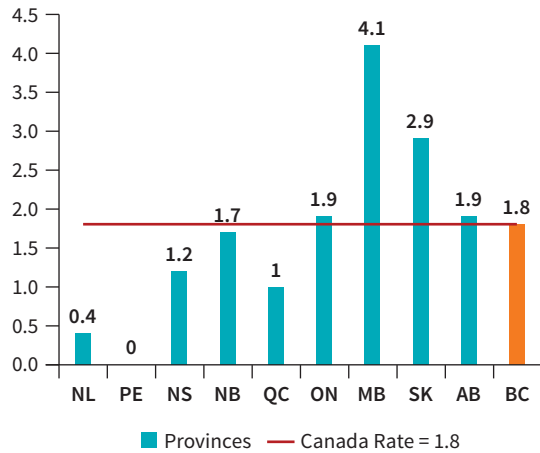


FIGURE 1 Provincial Homicide Rates (per 100,000 residents), 2018

Source: Adapted from Moreau (2019)

those years Statistics Canada (2020b) reports that 27.4 per cent of all murders in the province were related to these activities, while the national average during that time period was 19.8 per cent. The line in this figure shows an upward trend, and we are waiting to see whether the drop starting in 2018 continues. The number of homicides does not tell us the entire story about the impacts of gang violence, as there are some people wounded for every person who is murdered. Ference and Company Consulting (2019) report that almost one-half of all the reports of shots fired for the entire province happened in the lower mainland region. These acts can increase our fears of crime and may have an economic impact on a community as few

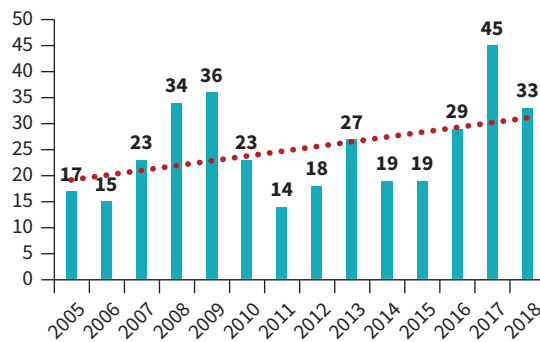


FIGURE 2 British Columbia Gang Homicides, 2005 to 2018.

Source: Adapted from Statistics Canada (2020b), Table 35-10-0075-01.

businesses want to move to places with high rates of violence.

Whereas most gang murders in Canada and the US are carried out in impoverished neighbourhoods, Kane and Smart (2019, para. 5) report that:

Police officers say the gang conflict in British Columbia’s lower mainland is unlike any other in North America. Many young members come from middle- to upper-class homes. They aren’t driven by poverty, but instead by their desire to belong, to be protected or to emulate the gangster lifestyle flashed by other teens on social media. Some become trapped in gangs once they join, while others just met the wrong friends and find themselves caught in the crossfire.

As marijuana was legalized in 2018 it will be interesting to see the long-term impact on the number of drug crimes and gang conflicts, such as the ones occurring in Surrey.

Moreau (2019, p. 3) found that after decreasing for 11 years, the CSI in Canada increased in 2018 for the fourth year in a row. The one-year increase from 2017 to 2018 for the entire nation was

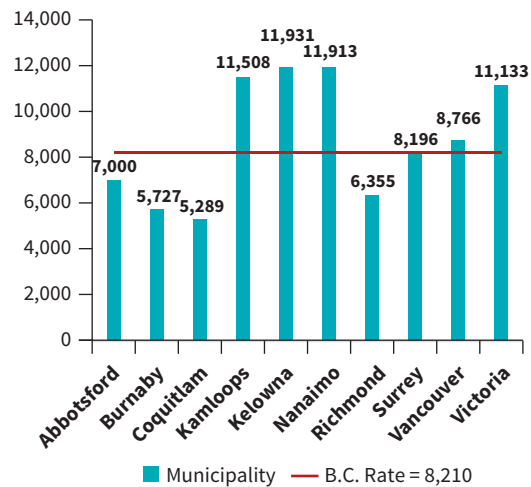


FIGURE 3 Total Crime Rate per 100,000 Residents, Largest BC Cities, 2018

Source: Adapted from Statistics Canada (2020f), Table 35-10-0184-01

2 per cent while there was no increase in British Columbia. Figure 3 presents the crime rates for the 10 largest BC cities for 2018, and this figure shows the variation in the amount of crimes in the largest cities: Coquitlam, for example, has one-half as much police-reported crime as Victoria. One question that criminologists like to ask is why crime differs so much. Are people in Victoria, for example, more likely to commit crimes, or are those differences related to people in Victoria being more likely to report crimes than their counterparts in Coquitlam?

British Columbia is a leader in some forms of crime, including violations of the *Controlled Drugs and Substances Act*. Cotter, Greenland, and Karam (2015, p. 9) note that “Since 1982, British Columbia has reported the highest rate of drug-related crime among the provinces each year, with the exception of 2012, where Saskatchewan reported a slightly higher rate.” BC continues to lead the nation in illicit drug use, and in 2018 rates of opioid-related crimes were three times the national average (Moreau, 2019, p. 10). This substance abuse has translated into a high number of overdose deaths, although the BC Coroners Service (2020, p. 2) reports that the

number of overdose deaths decreased by over one-third in 2019.

The results of the National Inquiry into Missing and Murdered Indigenous Women and Girls published in 2019 has brought renewed attention to the issue of violence towards women. Prior to the release of that report the Chief Public Health Officer of Canada (2016) called family violence a serious public health issue and reports that more than 200 men and women are victimized every day and a woman is killed by a family member every four days in Canada. With respect to family violence, risks of victimization increase for women, Indigenous women, people with disabilities, and those who identify as lesbian, gay, bisexual, trans, or questioning, and some people experience a number of these risk factors simultaneously; placing them in further jeopardy of victimization (Chief Public Health Officer of Canada, 2016, p. 6). The findings of self-report surveys show that most incidents of family violence are never reported to the police, for a number of personal, relational, and psychological reasons. According to the 2014 General Social Survey (GSS) “4 per cent of Canadians in the provinces with a current or former spouse or common-law partner reported having been physically or sexually abused by their spouse during the preceding 5 years” (Burczycka, 2016, p. 3). We are awaiting the results of the 2019 GSS on victimization to see whether there has been any changes in those trends.

How serious is the family violence problem in BC? The findings of self-report surveys show that few of these incidents are ever reported to the police. Figure 5 shows that victimization that is reported to the police in British Columbia is much lower than the national average. The risks of family violence may increase during times of economic hardships as unemployment and poverty place additional stresses on families (Golden, Perreira, & Durrance, 2013). As a result, the turn-down in the national economy that started in 2020 after the COVID-19 pandemic might result in higher rates of family violence.

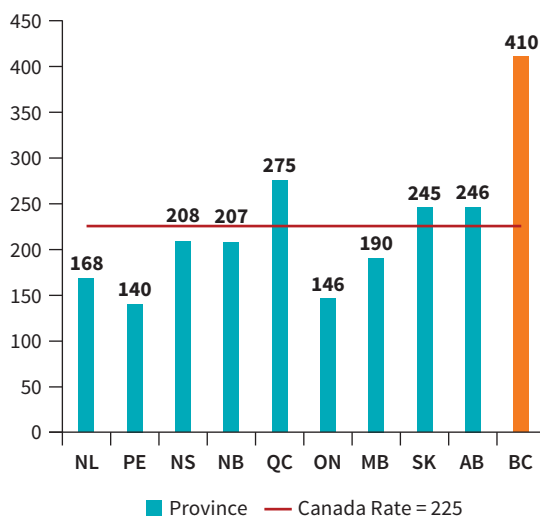


FIGURE 4 Police-reported total drug violations (rate per 100,000 residents), 2018

Source: Adapted from Moreau (2019).

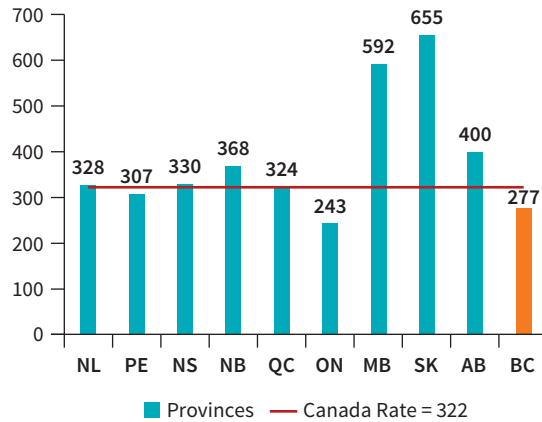


FIGURE 5 Victims of Police-Reported Intimate Partner Violence, 2018

Source: Adapted from Burczycka (2019).

There is also increased attention being paid to the issue of sexual violence since the #MeToo movement began in 2016 and 2017. As noted in *Exploring Criminal Justice*, sexual offences are among the least reported crimes. Perreault (2015, p. 3) analyzed the results of the 2014 GSS and estimated that as few as 5 per cent of all sexual offences are actually reported to the police (and only a fraction of those cases result in convictions). Rotenberg and Cotter (2018) found that the number of sexual assaults reported to the police increased by 24 per cent after #MeToo went viral in October 2017, although the increase in BC (16 per cent) was slightly less than the national average. Moreau (2019, p. 47) reports that the rate of sexual assault in BC is less than the national average (63 and 78 offences per 100,000 residents, respectively). Those results are consistent with Perreault's (2015, p. 31) findings from the 2014 GSS, which also shows that BC falls below the national average. Although crime statistics indicate that BC has rates of sexual violence lower than the national average, we lack a full understanding of the true number of these offences and what happens to the persons accused of these crimes; how many are found guilty, and what types of sentences do they receive?

Although some of the crime-related information coming from BC presented so far has

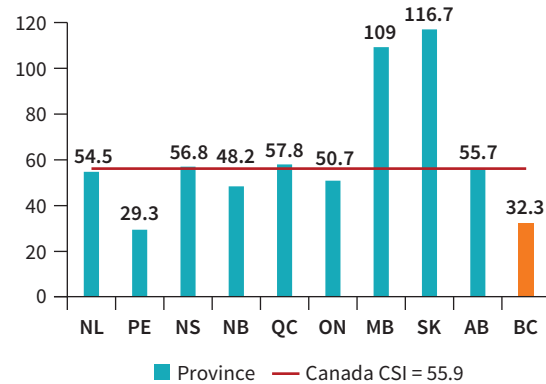


FIGURE 6 Youth Total Crime Severity Index by Province, 2018

Source: Adapted from Moreau (2019).

emphasized what is going wrong, there are reasons to be optimistic about the future. Moreau (2019) reports the total youth CSI (persons aged 12 to 18 years) reported to the police in 2018 and that information is presented in Figure 6. Moreau found that BC had the second lowest total youth CSI for the entire nation in 2018 (and also the second lowest youth violent CSI: PEI had the lowest rates).

Critical Thinking Questions

1. Why would BC have higher rates of drug use than the rest of the nation?
2. What factors might explain why BC has the second lowest rates of youth crime in the nation after PEI?
3. Why do we lack information about violence toward women?

A STORM IS COMING: COVID-19 AND CANADA'S CRIMINAL JUSTICE SYSTEM

Three months into the pandemic—in mid-May 2020—the media isn't reporting significant national-level increases in the volume or seriousness of crime, but the types of crimes being

committed are changing due to the number of people who are self-isolating, out-of-work, low on spending money, and suffering from stress and uncertainty. Some criminologists say that it is irresponsible to make predictions about the impact of a one-time crisis on crime as there are few prior examples and too many unknowns. We do predict, however, that the crime-related impacts of the pandemic will differ throughout the nation. Some cities and provinces may be more resistant to the ill-effects of the economic downturn while parts of the country that were already suffering—such as Alberta or Newfoundland and Labrador—may be doubly disadvantaged.

The number of people turning to alcohol and drugs, committing suicide, and engaging in crime often increases in tough economic times. Police officials are reporting that the number of residential break and enters have decreased while commercial break-ins increased, as have domestic violence incidents and street robberies (Fitzpatrick, 2020; Howell, 2020). Hate crimes directed toward East Asians are also said to have increased since the start of the pandemic (Hager, 2020). We might not consider how some social and legal changes affect criminal activities. Wells (2020) reports that closing the borders reduced the supply of illicit drugs coming into the country and prices increased; causing some users to turn to more lethal drugs. People involved in the sex trade can no longer sell their services due to the fear of transmitting the virus. Workers in some long-term care facilities in eastern Canada allegedly abandoned their clients and some elderly people died alone in these places. Furthermore, because schools have closed, it may be harder to detect cases of child abuse because teachers are no longer reporting these crimes. Last, although there are fewer cars on the road people are driving faster and the number of dangerous driving offences have increased in some provinces. We will not have a full accounting of the impact of COVID-19 pandemic until the 2020 police-reported crime statistics are released in the summer of 2021.

All three parts of the justice system are adapting to the pandemic, and the following briefly

describes some initial impacts on the police, courts, and corrections:

Police: Luscombe and McClelland (2020) found that some police services have enforced social distance bylaws more aggressively than others, and many people receiving tickets for violating these bylaws are already socially marginalized. It is proving difficult for some police services to strike a balance between ensuring public safety—including the health risks for officers and the people who get stopped, searched, and/or arrested—and resisting the expansion of police powers. Anecdotal accounts suggest that some police services directed their officers to ignore low-level crimes given the risks of contracting the COVID-19 virus in the interactions between suspects and officers.

Courts: Most courts closed because of social distancing and virtual and/or video hearings became more commonly used. Bail hearings were prioritized, although judges were reluctant to detain accused persons in jail given the risks of contracting the virus. There was a growing backlog of cases that need to be heard sometime in the future and some predict that jury trials will not resume until 2021 (Powell, 2020). There is likely to be a backlog of family matters and civil cases that further tie up the courts given the number of lawsuits that will be launched due to broken contracts.

Corrections: The virus swept through correctional facilities and inmate deaths were reported throughout the country. In order to reduce the risks of spreading COVID-19, about one-quarter of provincial inmates in Ontario were released from custody; the other nine provinces took a similar approach (and released about a similar proportion of inmates). The federal and provincial prisoners who remain in custody say that tensions in these facilities have increased as the people living behind bars feel powerless to avoid the virus, and family visits—which reduce tensions—have been cut to avoid importing the virus

into these facilities. As a result, family members have expressed fear that their loved ones might die behind bars without their support.

We know that the criminal justice system will weather the unpredictable future, but question the long-term impacts of the pandemic. By the time you read this summary, some of the issues we raised will have been resolved, but the long-term impact of the COVID-19 virus on the economy and jobs will shape the types of crimes that are occurring, and the operations of the police, courts, and corrections for years to come. As governments respond to manage a greater demand for services, their operating budgets maybe cut because of the economic downturns. Prior research has shown that recessions often result in less funding for the police, courts, and corrections at the same time that crime increases and the people involved in the criminal justice system have a greater set of unmet needs.

RURAL CRIME

We tend to think of rural areas as having relatively low rates of crime and violence, but as noted in *Exploring Criminal Justice*, some rural places have higher levels of property and violent crime than any city. According to Statistics Canada (2019), about 631,000 persons, or almost 14 per cent of BC residents, live in the countryside. Writing about rural Canada, Hutchins (2019, para. 6) observes that:

Canada's growing opioid crisis is hitting rural regions hard—harder, arguably, than cities with emergency services and health care supports for the addicted. Rural property crime has farmers on edge, leading some to vent against a growing population of Indigenous young people, who in turn say systemic racism is depriving them of job opportunities.

So, how bad is crime in rural BC? Table 2.2 in *Exploring Criminal Justice* which reports the results

of research carried out by Perreault (2019), shows that the overall CSI in BC urban areas is higher than that reported for rural areas (91 and 73.2, respectively) although the violent CSI is slightly higher in rural British Columbia (76.5) than in the urban areas (75.3).

In order to better understand rural and urban differences, Simon Fraser University researchers examined violent and property crime rates throughout the province using a number of different methods of comparison (Carleton, Brantingham, & Brantingham, 2014). Like Perreault (2019), they found that rates of reported crime were higher in Northern BC. Carleton and colleagues (2014) find that “The more violent jurisdictions appear to be those that are Northern district and more rural” (p. 614) and that “there is a prevalence of small rural violent towns across the British Columbia landscape” (p. 616). These researchers caution against applying that finding to the entire province as there are areas of both high and low rural crime.

During tough economic times, the number of rural property crimes can increase as farms and ranches are often unattended and vulnerable to theft. Offences such as stealing livestock (rustling), harvested grain, or farm chemicals can be very profitable. It might, for example, only take a half-hour to load a dozen cattle into a trailer—and those animals might have the same value as a modest new car. No farm creature is immune from theft and a review of media reports found that entire colonies of bees were being stolen throughout Canada, including hives in British Columbia (Baker, 2018; CBC, 2012). Even though losses from some bee thefts have exceeded \$50,000, it is doubtful that all of these offences are reported, as a beekeeper's insurance rarely covers these thefts because most hives are unattended.

Although marijuana was legalized in October 2018, there are still about 20,000 unlicensed grow-ops throughout the province (Smyth, 2019). Growing marijuana has been called a high-reward and low-risk activity as few of these operations come to the attention of the police, and of those charged, only a small percentage were ever

incarcerated (Beeby, 2011; CBC, 2010). Media accounts throughout 2019 reported police raids on large-scale grow ops throughout some rural BC communities (Potenteau, 2019). The long term impacts of the legalization of marijuana have yet to be determined, but we do know that the street price of illicit marijuana in British Columbia of \$5.95 per gram is a fraction of the legal price of \$9.32 per gram (see Statistics Canada, 2020c). Those lower street prices suggest that the illicit supply is plentiful.

Critical Thinking Questions

1. What would explain the higher rates of violent crime in rural BC?
2. Why would people travel from the city to commit crimes in rural BC?
3. Why would the illicit urban cultivation of marijuana differ from growing marijuana in the countryside?

THE 2014–2018 CRIME INCREASE

One of the key themes in Chapter 2 of *Exploring Criminal Justice* was that police-reported crime was at the lowest point in decades. Moreau (2019, p. 33) says that there were 11 years of decline between 2004 and 2014, but from 2014 to 2018 the CSI, which indicates the overall volume and seriousness of crime, increased every year. Most of the national-level increase was due to a greater number of cases of sexual assault (level 1), drug offences (and specifically methamphetamine, ecstasy, heroin, and opioids such as fentanyl), shoplifting, and fraud. But there are also substantial differences within the provinces. The overall CSI in BC dropped 28 per cent from 2008 to 2018 and the violent CSI dropped 2 per cent. The CSI for the rest of the nation, by contrast, decreased by 17 per cent and the violent CSI increased by 1 percent. Table 1 shows that each province and territory undergoes some annual changes in the violations driving the

one-year changes in provincial CSI from 2017 to 2018. Most criminologists would agree that we shouldn't be too alarmed by a one-year increase or decrease in the overall crime rate as there are often yearly fluctuations. The four-year increase for the entire nation, however, is surprising and we wonder whether this trend will continue?

INNOVATIVE CRIME CONTROL STRATEGIES: PREDICTIVE POLICING

One of the main points in *Exploring Criminal Justice* is that crime is a complex social problem that defies simple solutions (e.g., “Lock up all the criminals and throw away the key!”). Simple solutions haven't worked in the past because complex problems require long-term solutions that involve organizations, interest groups, and people who have a stake in solving these problems. A number of strategies are emerging throughout the nation to reduce antisocial behaviour and crime. For example, at over 115 sites throughout Canada the police are leading interventions to work with individuals or families who are at risk of drifting into crime and are helping them address their unmet needs (Corley & Teare, 2019). Other crime reduction strategies were pioneered by BC criminologists to deter crime by changing physical barriers in the environment (Brantingham & Brantingham, 1981). One emerging strategy being used by a growing number of BC police services is predictive policing.

Predictive policing has been defined as “any policing strategy or tactic that develops and uses information and advanced analysis to inform forward-thinking crime prevention” (John Morgan as cited by Bowman, 2010, p. 2). Using this approach, police gather information from a variety of sources—data about prior crimes (and the people committing them), and other data that might be only somewhat related to crime at all, such as neighbourhood or city unemployment rates. These data are usually “real time,” meaning that the officers are using data gathered in the previous

TABLE 1 Changing Crime Severity Index (CSIs) in Canada, 2017–2018

	% Change	Violations Driving the Change in CSI
Canada	+2	Increase in fraud, sexual assault (level 1), shoplifting and theft over \$5,000 (Decrease in B&E and robbery)
Newfoundland and Labrador	+4	Increase in weapons violations and fraud (Decrease in B&E)
Prince Edward Island	+17	Increase in B&E, sexual assault (level 1), and theft of \$5,000 or under.
Nova Scotia	-2	Decrease in homicide, child pornography, and B&E (Increase in sexual assault – level 1, and fraud)
New Brunswick	+4	Fraud (Decrease in B&E)
Quebec	-2	Decrease in B & E
Ontario	+6	Increase in fraud, B&E, homicide and sexual assault (level 1)
Manitoba	+6	Increase in robbery, fraud, shoplifting of \$5,000 and under, and B&E
Saskatchewan	-3	Decrease in administration of justice statistics and sexual violations against children (Increase in fraud and B&E)
Alberta	0	Increase in fraud (Decrease in homicide)
British Columbia	0	Increase in fraud, theft over \$5,000 and sexual assault (level 1) (Decrease in homicide)
Yukon	-7	Decrease in homicide (Increase in assault (level 2) and mischief)
Northwest Territories	+5	Increase in homicide, mischief, administration of justice violations and fraud (Decrease in cocaine related offences and sexual assault (levels 1 and 2))
Nunavut	+6	Increase in mischief, homicide, attempted murder, administration of justice violations and aggravated sexual assault (level 3) (Decrease in B&E).

Source: Adapted from Moreau (2019)

weeks—rather than depending on statistics that are several years old. These data are analyzed or “mined” to enable crime analysts to predict where and when a crime might occur, or who might engage in these offences. Using this approach officers might be directed to increase their patrols at a specific time and place when they are not responding to other calls for services. Civil libertarians are very concerned about the amount of data collected on the public by the police and how this information is used.

A key point raised in *Exploring Criminal Justice* is that justice systems are reactive because we respond to crimes that have already occurred. Some scholars call predictive policing the holy grail of policing as the focus is on crime prevention (see

Ferguson, 2017). Supporters claim this approach is unbiased because these strategies are based on using information on crime and the people committing these acts. For example, crime tends to happen in predictable places and times—an example is assaults where crowds of young people gather—such as Friday and Saturday evenings at a popular bar. As a result, by directing the police to patrol at these hot spots they may deter offences from occurring.

The attention of predictive policing, however, seems to be shifting from when and where a crime might occur to who might become involved in an offence. Ferguson (2017) cites an example from Chicago where potential shooting victims and people at-risk of committing crimes are identified

based on factors such as gang involvement, their criminal histories, whether their friends or associates are engaging in crime, and if the potential offender's or victim's involvement in crime is increasing or decreasing. In some cases the police also track their social network use. Once a person is identified as being at high risk of being involved in crime, a team of officials (e.g., police detective, community leader, and social worker) meet with these potential victims/offenders and try to develop strategies to reduce their risks of victimization. Ferguson calls this a shift from hot spots to hot people. Although the predictive policing approach undertaken in BC does not focus on people, one might question whether that would change if these strategies are proven effective.

Meijer and Wessels (2019, pp. 1033–1036) listed the benefits and drawbacks of predictive policing (see Table 2).

In the economic downturn that started in 2020, all public safety organizations are being asked to “do more with less.” As a result, strategies such as predictive policing are of interest to the police. Predictive policing is still in its infancy in Canada and although it has been widely adopted in the US, there has been very little research to show whether it reduces crime. As a result, researchers such as Ryan Prox, who led a pilot study on predictive policing for the Vancouver Police Department (VPD), maintain that we should move slowly and make decisions based on the effectiveness of this strategy. Readers interested in learning more about predictive policing can access a short online article about the VPD, written by Prox, available at: <https://www.policechiefmagazine.org/lessons-learned-on-implementing-big-data-machine-learning/?ref=e64ad9c58622b2dbfc8c98489c736e25>

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Critical Thinking Questions

1. Is the shift from “hot spots” to “hot people” a logical step for crime prevention and what implications does this have for policing?
2. Could this strategy be used to reduce gang-related shootings in the lower mainland? Why or why not?
3. Some critics have called predictive policing “high-tech racial profiling.” Do you agree with that assessment?

BRITISH COLUMBIA'S JUSTICE SYSTEM AT A GLANCE

The Police in British Columbia

Earlier we described how British Columbia's crime rates fall within the mid-range in Canada and are generally close to the national average. On 1 July 2018, a total of 9,246 police officers were employed in BC, or 1.85 officers for every 1,000 residents, which is slightly more than the national average of 1.82 officers per 1,000 residents (Conor, Robson, & Marcellus, 2019). BC has a somewhat different approach to policing compared to most provinces, as most large municipalities contract with the Royal Canadian Mounted Police (RCMP) to provide police services. As a result, there are

TABLE 2 Benefits and Drawbacks of Predictive Policing

Benefits	Drawbacks
Police and other agencies involved in crime control can be deployed more effectively in place and time.	Predictive policing may stigmatize individuals and groups – leading to their discrimination or profiling.
Identify individuals who might be involved in crime as a victim or offender.	May reduce the privacy of individuals; which might reduce the public's trust in the police.
Using new tools in innovative ways may advance policing	There is a lack of transparency on how predictive software is developed.

Source: Meijer and Wessels (2019).

only 11 municipal police departments in the province employing 2,572 officers. The three largest municipal police services—Vancouver, Victoria, and Abbotsford—employed over two-thirds (69 per cent) of the municipal officers in the province.

All of the remaining municipalities and rural areas are policed by the RCMP “E” Division, which has more personnel than any other province. The RCMP in BC employed 6,674 officers on 1 July 2018 (Conor et al., 2019, p. 24) and they policed an area of about 935,287 km² (99 per cent of the province), which is more than three times the size as the entire United Kingdom (Britain and Northern Ireland have an area of 243,610 km²).

Some police agencies in British Columbia serve distinctive populations or places. The Stl’atl’imx Tribal Police, for example, is an Indigenous police service that polices 10 communities and has detachments in Lillooet and Mount Currie. The Stl’atl’imx Tribal Police are a self-administered police service, which means that the First Nations provide the oversight for these agencies, just like a municipal government, although this agency’s operations are entirely funded by the federal and pro-

vincial governments. There are 38 self-administered Indigenous police services in Canada, and the Stl’atl’imx Tribal Police, which was established in 1999, is the only such agency in the province.

Other police officers are employed to respond to antisocial behaviour and crime in transportation-related industries. These officers have the same powers of arrest as municipal police officers, carry firearms, and receive the same training. The Transit Police (also known as the Metro Vancouver Transit Police) was founded in 2005 to provide a single police service to ensure the safety of Vancouver’s transit system. With almost 200 officers, this agency is the fourth largest police service in the province. In addition to the municipal and RCMP police, both the Canadian National and Canadian Pacific Railways employ sworn police officers in BC. What is distinctive about these officers is that they are employed by private corporations and can enforce any *Criminal Code* violation, as well as engage in traffic enforcement, just like their counterparts with a municipal agency or the RCMP.

Table 3 presents the police strength and the 2018 CSI and violent CSI (see Conor et al., 2019;

TABLE 3 Police Officers and Crime Severity Index (CSI) in Canada, 2018

	Police Officers per 1,000 Residents (2018)	Total CSI (2018)	Violent CSI (2018)
Newfoundland and Labrador	1.7	65.9	70.2
Prince Edward Island	1.4	53.7	48.1
Nova Scotia	1.9	65.2	78.2
New Brunswick	1.6	71.8	76.1
Quebec	1.9	56.6	71.8
Ontario	1.8	60.0	73.4
Manitoba	1.9	125.8	169.8
Saskatchewan	1.9	139.2	138.1
Alberta	1.7	112.1	97.1
British Columbia	1.9	87.7	73.4
Yukon	3.3	170.3	208.7
Northwest Territories	4.2	324.4	421.6
Nunavut	3.5	319.9	550.5

Sources: Adapted from Conor, Robson, and Marcellus (2019); Moreau (2019)

Moreau, 2019) for the provinces and territories. Although the number of police officers for every 1,000 residents is similar across the nation, there is a lot more variation in crime rates. BC is in a five-way tie with the provinces of Nova Scotia, Quebec, Manitoba and Saskatchewan for the highest provincial per capita number of police officers (1.9), yet it has the lowest CSI and violent CSI in Western Canada. This suggests that officers in British Columbia regularly respond to fewer criminal offences than officers in other provinces.

Police Training in British Columbia

All municipal police officers in British Columbia receive their training at the Justice Institute of British Columbia (JIBC), which is located in New Westminster. Only individuals who have been hired by a municipal police service can participate in this training. According to the JIBC (2019, np) training is comprised of three parts:

- Block I, which takes 13 weeks, places heavy emphasis on police skills (such as driver training, firearms, arrest and control, investigation and patrol techniques), legal studies, physical fitness, foot drill (dress and deportment), and an introduction to the social sciences.
- In Block II, the recruit constable returns to her or his home police department for a period of 13 to 17 weeks. During this field-training component, the recruit works under the guidance and continuous assistance of an experienced, specially trained constable (known as a field trainer), who is responsible for ensuring that the recruit receives a wide exposure to general police work.
- In Block III, which lasts an additional 8 weeks, the recruit constable returns to the police academy, bringing experience from their field placements.

After successfully completing Block III, the recruit graduates as a qualified municipal constable. The approach of the municipal services in BC

is somewhat different than the training given to RCMP officers.

All RCMP officers in Canada are trained at their academy in Regina which was established in 1885 and is called the “Depot.” RCMP training lasts for 26 weeks and unlike the JIBC training that BC municipal officers receive, most of these hours are academy-based, and RCMP recruits do not have much exposure to the “streets” prior to their graduation. Once recruits graduate from the academy, they are required to complete a six-month Field Coaching Program, where they receive on-the-job training from an experienced field training officer, who is called a field coach. Table 4 summarizes the specific training areas.

Replacing the Surrey RCMP with a Municipal Police Service

The City of Surrey contracts with the RCMP to provide police services to the city and there were 784 RCMP officers working there in 2018, making it the largest RCMP detachment in the nation (Conor et al., 2019). In February 2020 the City of Surrey received approval from the province to end its contract with the RCMP and form its own police service (Zytaruk, 2020). It will most likely take several years before the new police service is formed and there are many unanswered questions about who will be employed in this new agency. Surrey’s mayor has said that as many as half of the current RCMP officers will join Surrey’s new

TABLE 4 RCMP Recruit Training

Topic	Hours
Applied police sciences	432
Firearms	104
Police defensive techniques	94
Police driving	67
Operational conditioning	45
Drill and deportment	37
Other	41
Total	820

Source: Adapted from RCMP (2019).

police service, but nobody knows how many will actually stay. As RCMP officers are paid much less than most municipal police services, this change is expected to be very costly.

Critical Thinking Questions

1. Do you think the length of time and areas covered in the two models of police training presented above are enough, too little, or too much in order to fully grasp the complexity of police work?
2. Which approach to police training seems more effective: the classroom based model used by the RCMP, or the JIBC approach that blends experience and classroom training?
3. Surrey residents were not given a referendum to vote on the formation of a new police service—but the mayor said he intended on replacing the RCMP in the election prior to this change—should the public have a greater involvement in these decisions? Why or why not?

British Columbia's Courts

Adult and youth criminal matters in BC are heard in 89 court locations, of which 45 are full-time courts staffed throughout the week. The remaining circuit courts are only open when court is

scheduled. For example, court in Kitimat is held on the first Thursday and Friday of each month. Circuit courts are often held in makeshift facilities such as schools, community centres, or band offices on First Nation reserves. As a result, many lack proper security or the privacy for lawyers to meet with their clients. On the other hand, these circuit courts give rural residents better access to the courts, and this reduces the number of failure to appear in court offences.

Table 5 shows the court structure in the province and the staffing levels of the Provincial and Supreme Courts, and the Court of Appeal. In addition to judges listed below, the province also employs over 30 full- and part-time judicial justices to preside over applications for detention and bail, and many hear matters related to traffic. Another 300 justices of the peace, who work throughout the province, also support the operations of the court system and often preside over small claims courts, schedule trials, and deal with matters related to bail hearings.

British Columbia Provincial Courts hear cases related to criminal and family matters (including youth court cases), small claims cases (which are civil disputes of less than \$25,000), and matters related to traffic violations and bylaws. Judges in the Supreme Courts, by contrast, hear cases related to serious criminal offences, matters related to divorce, and civil cases in excess of \$25,000. The Court of Appeal for British Columbia is the highest

TABLE 5 British Columbia's Courts

Type	Number	Judges
Provincial Court	Permanent (45) Circuit (44)	Twenty-two Senior Judges and 123 full-time equivalent Judges, and supernumerary justices*
Supreme Court of British Columbia	Lower Mainland (3) Vancouver Island (7) Northern Interior (8) Southern Interior (10)	Chief and Associate Chief Justice, 90 justices, and supernumerary justices
Court of Appeal of British Columbia	Vancouver, and as needed in Victoria, Kamloops, and Kelowna	Chief Justice, 14 justices, and supernumerary justices

*Supernumerary judges are semi-retired judges who sit part-time.

Source: Adapted from Court of Appeal for British Columbia (2020); Provincial Court for British Columbia (2020).

level of court and hears appeals from Provincial and Supreme Courts. The Court of Appeal sits in Vancouver and Victoria, and, on an irregular basis, in Kamloops, Kelowna, and Prince George.

Figure 7 shows that the number of adult criminal cases heard by British Columbia courts has decreased between 2001–2 and 2017–18. In 2017–18, BC courts heard 34,086 cases, which was down from 49,159 cases in 2001–2 (that total does not count youth or traffic court cases). Of those cases, 72 per cent resulted in guilty verdicts in 2017–18; which was among the highest in the nation: by contrast, Ontario had the lowest, with only 53 per cent of the cases resulted in a guilty verdict. Although the number of cases has been decreasing, the median case processing time, which is the number of days from a person's first appearance until the case is finished (not shown on Figure 7) has increased from 95 days in 2001–2 to 111 days in 2017–18. With respect to appeals, a total of 219 criminal matters were filed with the Court of Appeal for British Columbia in 2019 and they were almost evenly split between appeals of the sentence, and appeals of the individual's conviction (Court of Appeal for British Columbia, 2020, p. 11).

Specialized Courts

Specialized courts are being introduced throughout Canada to better manage distinctive types of offenders, such as persons charged with family violence. As

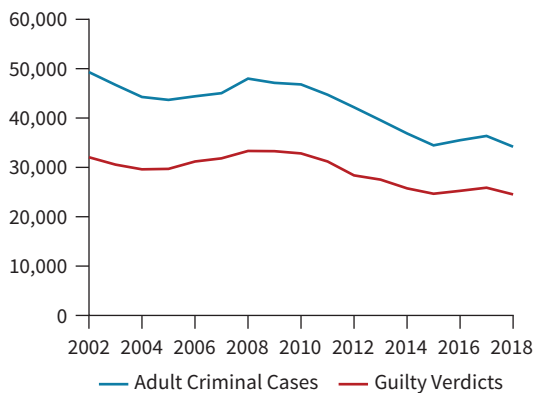


FIGURE 7 Criminal Cases Heard in BC Courts, 2001–2 to 2017–18

Source: Adapted from Statistics Canada (2020d), Table 35-10-0027-01.

highlighted in Chapter 7 in *Exploring Criminal Justice*, members of the courtroom work group develop specialized knowledge and expertise about the individuals before these courts and are able to develop more effective strategies than traditional courts in reducing their recidivism. For example, in order to better reduce recidivism for persons with mental illnesses and problems with substance abuse Vancouver's Downtown Community Court was established in 2008. Most of the individuals before the court have been charged with relatively minor offences, such as mischief, theft, and possession of drugs, as well as common assaults. The objective of this court is to develop sentences that access resources from health and social service agencies. Most of these people are required to complete community service hours to help repay the community for the harms they committed. A short video describing the court's operations can be accessed at <http://www2.gov.bc.ca/gov/content/justice/criminal-justice/vancouver-downtown-community-court/the-community-court-s-story>.

Other problem-solving courts in British Columbia include the Victoria Integrated Court which seeks to develop interventions with frequent users who often struggle with mental illness, addictions, and homelessness. Other examples of specialized courts include the Drug Treatment Court of Vancouver, and there are also domestic violence courts in Duncan and Nanaimo; domestic violence cases also are heard in Kelowna and Penticton on specific dates. Last, there are Indigenous and First Nations courts in Duncan (established 2013), Kamloops (established 2013), New Westminster (established 2006), Nicola Valley (established 2017), North Vancouver (established 2012), and Prince George, which was founded in 2018. These courts were introduced to provide a rehabilitative and restorative orientation that takes into account the distinctive challenges that many Indigenous persons face (Provincial Court of British Columbia, 2019).

Court Security?

Court security is an important, but often overlooked, aspect of the justice system. The BC Sheriff Services provides court security for all provincial,

supreme, and appeal courts, and is responsible for transporting prisoners from places of detention to courts and from courts to provincial or federal correctional centres. Prior to the 1990s many of these roles were carried out by sworn police officers, but as sheriffs are not trained investigators, their salaries are lower than sworn officers, which reduces court costs. Like police officers, deputy sheriffs receive training at the Justice Institute of British Columbia, although they require fewer hours of classroom training (14 weeks while police cadets receive 22 weeks). Unlike sheriffs in some provinces, BC sheriffs are issued sidearms as they are increasingly responsible for transporting high-risk individuals, such as gang members.

Provincial Corrections

Ten correctional centres throughout the province hold remanded or sentenced adults and they range in size from fairly small facilities, such as the Ford Mountain Correctional Centre with an average count of 98 inmates, to larger facilities that hold inmates from an entire region, such as the Surrey Pretrial Services Centre, that had an average count of 524 inmates in 2016–17 (British Columbia Ministry of Public Safety and Solicitor General, 2018). Some of these facilities, such as the North Fraser Pretrial Centre, primarily hold adult inmates who are remanded in custody, while other facilities hold a mix of sentenced and remanded inmates, and these facilities are shown in Table 6.

In 2017–18 there was an average of about 2,600 adult inmates in BC custody facilities on any given day. When looking only at the total correctional population, the average number of provincial inmates has remained fairly stable, with an average of 69 inmates per 100,000 provincial residents in 2001–2002 to 66 inmates in 2017–18. According to Malakieh (2019, p. 17) only Nova Scotia had a lower incarceration rate and the national average is 83 inmates per 100,000 provincial or territorial residents. In order to limit the number of people who could be exposed to the COVID-19 virus, correctional officials granted early releases to some inmates and there were about 1,805 inmates incarcerated in April 2020, which was much less than the

TABLE 6 Adult Correctional Centres and Average Daily Population, 2016/2017

Facility	Average Daily Count
Alouette Correctional Centre for Women	158
Ford Mountain Correctional Centre	98
Fraser Regional Correctional Centre	457
Kamloops Regional Correctional Centre	257
Nanaimo Correctional Centre	134
North Fraser Pretrial Centre	506
Okanagan Correctional Centre (opened Jan. 2017)	26
Prince George Regional Correctional Centre	261
Surrey Pretrial Services Centre	524
Vancouver Island Regional Correctional Centre	311
Total	2,734

Source: Adapted from British Columbia Ministry of Public Safety and Solicitor General (2018).

2017–18 total reported above (Wadhwani, 2020). Of those inmates most were remanded to custody, and there has been a shift in the number of people awaiting their court dates (remands) and individuals who have been sentenced, and this is shown in Figure 8. During that time the number of sentenced inmates decreased by 36 per cent while people awaiting their court dates increased by 129 per cent. What factors might explain those changes?

Incarcerating people is a costly undertaking and Malakieh (2019) reports that the average daily cost to house an inmate in British Columbia was \$255, which was higher than the national average of \$233. These costs, however, are much less than housing a federal inmate—which cost \$330 in 2017–18 (Malakieh, 2019, p. 17). Phrased another way, it costs \$93,075 for one year in a BC facility whereas it costs \$120,450 to house an individual

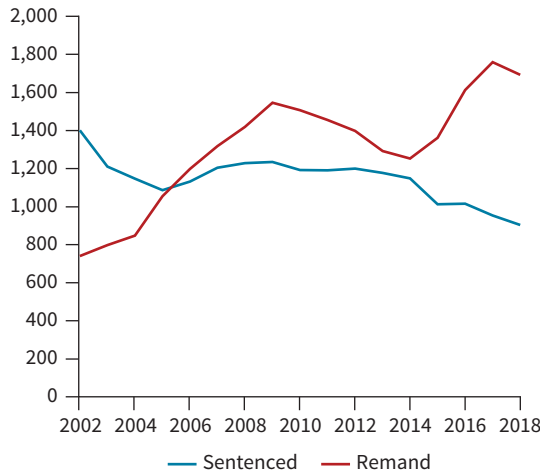


FIGURE 8 British Columbia Adult Custody Populations, 2001-2 to 2017-18

Source: Adapted from Statistics Canada (2020e) Table 35-10-0154-01

in a federal prison. While many members of the public believe that incarceration is a good investment in public safety, it costs almost the same to keep someone in a British Columbia correctional facility than sending them to Harvard University (tuition, room, and board costs \$101,866 CDN in 2020—see Harvard, 2020).

Given the high costs of incarceration, and the harm to public safety when ex-prisoners return to the community and commit further offences, there is an interest in lowering recidivism rates. British Columbia, like most provinces, offers inmates the opportunity to participate in various work-related opportunities within the facilities, as well as traditional rehabilitative programming, such as working toward their education and vocational training. In addition, BC Corrections

(2020a, np) has developed a number of rehabilitative programs (based in the community and in custody facilities), including the following interventions that address an individual’s risks and unmet needs, and they include:

- Substance Abuse Management Program: A 12-unit program (each lasting 90 minutes) that helps inmates understand the factors that contribute to their abuse of alcohol and drugs.
- Thinking Leads 2 Change: Women inmates participate in a 12-unit program (each lasting 105 minutes) where they learn about overcoming approaches that leads to problematic behaviour.
- Living Without Violence: Inmates participate in a 10-unit program (each lasting 150 minutes) that helps them recognize why they become angry, and to replace those thoughts with non-violent problem-solving and to develop more effective communication skills.
- Relationship Violence Prevention: Participants learn about the impacts of their abusive behaviours and how to avoid these acts in their relationships. Inmates participate in 23 sessions delivered by correctional staff and therapists.

In addition to providing gender-specific rehabilitative interventions, such as Thinking Leads 2 Change, BC Corrections has also developed programs that consider the distinctive cultural backgrounds of Indigenous peoples, who account

TABLE 7 Incarceration Costs, British Columbia and Canada, 2018

	Daily Cost	Annual Cost
Cost to House an Inmate in a Provincial Facility in British Columbia	\$255	\$93,075
Cost to House an Inmate in a Provincial Facility (Average: All Provinces)	\$233	\$85,045
Cost to House an Inmate in a Correctional Service of Canada Prison	\$330	\$120,450

Source: Adapted from Malakieh (2019).

for almost one-third of the admissions to BC correctional facilities (Malakieh, 2019). Furthermore, there is a growing awareness of trauma informed correctional care; which recognizes that many of the people who are incarcerated have experienced trauma. BC Corrections (2020b, np) note that their personnel receive training that “minimize triggers, reduce critical incidents, and de-escalate situations for individuals with a history of violence and trauma.”

Officials in British Columbia have also introduced a number of community-based restorative justice (RJ) programs throughout the province. As noted in *Exploring Criminal Justice* these programs attempt to restore the harm that occurred when a person committed a crime. Restorative initiatives can occur pre-charge (usually through police discretion), as part of the sentencing (e.g., a sentencing circle), or post-charge, such as when the individual has been sentenced but then participates in a restorative process, such as but not limited to Alternatives to Violence Programs (AVP) to facilitate accountability and healing. Restorative processes focus not just on the offender but also on all parties with a stake in the offence, such as the victim and community, who are often ignored or excluded from mainstream justice.

Federal Corrections

Federal prisoners are serving terms of imprisonment two years and longer; and about one-quarter are “lifers” who will be under correctional supervision for the rest of their lives (whether they are residing in an institution or the community). There are eight federal facilities in the Pacific Region (which includes Yukon), although all are in BC. Only the Fraser Valley Institution for Women holds women inmates. The remaining institutions offer a range of different security settings. Kent Institution, for example, is a maximum security facility whereas the William Head Institution houses prisoners in a minimum security setting. In recognition of the high proportion of Indigenous offenders in the province, the Correctional Service of Canada

(CSC) established a small minimum security facility in 1975—the Kwikw̓elw̓elhp Healing Village—that provides culturally relevant programs, teachings, and services to these prisoners. Historically, most of the individuals in the healing village were serving life imprisonment sentences and most of the 87 imprisoned people in 2020 are of Indigenous ancestry (Parole Board of Canada, 2020).

As a large percentage of federal offenders are suffering from mental illnesses, the Regional Treatment Centre, with 509 beds, provides psychiatric care in a multi-level security setting (there are minimum, medium, and maximum security units). In addition to the penitentiaries, a number of Community Correctional Centres are operated by the CSC, or non-profit organizations that contract with the CSC. They house people who are returning to the community from prison on day parole or conditional release, which is a type of early release. These community-based facilities are located in Abbotsford, Chilliwack, Kamloops, Kelowna, Lantzville, Maple Ridge, Nanaimo, New Westminster, North Vancouver, Prince George, Surrey, Vancouver, and Victoria.

TABLE 8 Federal Penitentiaries in British Columbia

Facility	Rated Capacity
Fraser Valley Institution for Women (Abbotsford)	112
Kent Institution (Agassiz)	378
Kwikw̓elw̓elhp Healing Village (140 km east of Vancouver)	50
Matsqui Institution (Abbotsford)	446
Mission Institution (Mission)	540
Mountain Institution (Agassiz)	440
Pacific Institution—Regional Treatment Centre (80 km east of Vancouver)	509
William Head Institution (25 km west of Victoria)	200

Source: Adapted from Correctional Service of Canada (2017).

Youth Corrections

Youth aged 12 to 18 years who have been remanded or sentenced to custody are placed in youth facilities operated by the provincial government in either secure custody (e.g., higher security) or open custody, which are community-based low security operations. Figure 9 shows that the average number of youth being held in custody has decreased significantly between 2001–2 and 2017–18: from a daily average of 288 to 49, an 83 per cent drop. The decrease in youth incarceration during this time was made primarily on youth who were sentenced to open or secure custody—which dropped by over 90 per cent—while youth remanded to custody dropped by about one-half. In 2017–18, there was only an average of 14 sentenced youth in custody in the entire province. These findings are consistent, however, with BC having the second lowest youth CSI in the nation (see Figure 6). The number of youth under community supervision also decreased during the same period, from an average of 2,670 youth on probation in 2001–2 to 418 youth in 2017–18. Webster, Sprott and Doob (2019) say that the drop in youth correctional populations was the result of:

1. restraint in the use of imprisonment; which has been a core value for Canadians since the early 1900s

2. political willingness to reject high youth imprisonment policies
3. the introduction of the *Youth Criminal Justice Act* in 2003, which made it law to reduce the use of custody

Altogether, after the introduction of the *Youth Criminal Justice Act*, the provinces took steps to hold youth accountable in the least restrictive environment and youth were supervised in the community rather than incarcerating them.

REPORT CARD ON BRITISH COLUMBIA’S CRIMINAL JUSTICE SYSTEM

Perrin and Audas (2018) developed a report that graded provinces and territories on their performance on public safety, support for victims, cost and resources, fairness and access to justice, and efficiency, and these marks for the entire nation are shown in Figure 10. Six provinces earned a B, British Columbia and Saskatchewan earned a C+, and Manitoba earned a C grade. With respect to the territories, while Nunavut

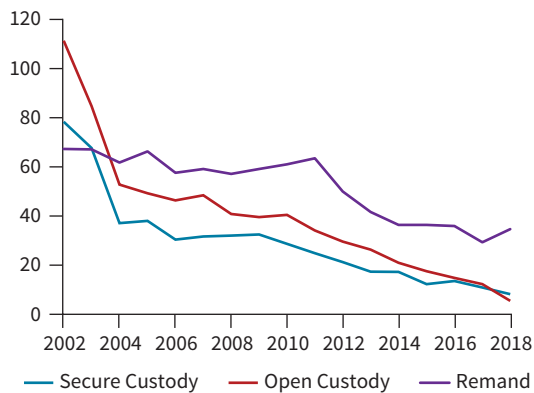


FIGURE 9 Average Number of Youth in Custody, British Columbia, 2001–2 to 2017–18

Source: Adapted from Statistics Canada (2020a), Table 35-10-0003-01



FIGURE 10 Report Card for the Provinces and Territories

Source: Adapted from Perrin and Audas (2018).

TABLE 9 Report Card on British Columbia's Justice System

Objective of Justice System	Indicators	BC Overall Grade
Public Safety	<ul style="list-style-type: none"> The fundamental purpose of the justice system is to protect society by holding offenders accountable, but also by providing supports to rehabilitate offenders. Measured by (a) crime and clearance rates; (b) public perceptions about police enforcing the law, ensuring safety, and satisfaction with safety. 	C
Support for Victims	<ul style="list-style-type: none"> Victims have rights related to information, protection, participation, and restitution. Measured by (a) proportion of offenders given restitution orders; (b) referrals to victim's services; and (c) public perceptions about police supplying information and being approachable. 	C
Cost and Resources	<ul style="list-style-type: none"> The justice system should be run in a cost-effective manner while meeting its core objectives. Measured by (a) per capita cost of public safety; (b) per capita cost of corrections, (c) average daily inmate cost; and (d) number of police per capita. 	B
Fairness and Access to Justice	<ul style="list-style-type: none"> The justice system must guarantee the constitutional rights of accused persons and provide them with fair and impartial trials, as guaranteed by the <i>Charter</i>. Measured by (a) legal aid expenditures per crime; (b) percentage of trials with a guilty outcome; (c) proportion of Aboriginal persons in custody versus their prevalence in the population; and (d) public perceptions about the police being fair. 	D
Efficiency	<ul style="list-style-type: none"> A well-functioning criminal justice system should ensure prompt and thorough investigations and timely prosecutions and trials. Measured by (a) Criminal Code incidents per police officer; (b) accused on remand per 1,000 crimes; (c) average criminal case processing time; (d) percentage of cases stayed or withdrawn; and (e) public perceptions about the police responding promptly. 	B

Source: Adapted from Perrin and Audas (2018, p. 9).

has a grade of C+, the Northwest Territories and Yukon were given a C grade (Table 9 shows how these marks were awarded). The report card for BC is shown in Table 9 and Perrin and Audas (2018, p. 35) give British Columbia high marks for having low rates of failure to appear and persons being unlawfully at large. These researchers were critical that British Columbia had high property crime rates and low clearance rates (fewer crimes were solved) and very high rates of breach of probation.

WRONGFUL CONVICTIONS: THE IVAN HENRY CASE

The public's trust and confidence in the justice system is shaken when people are convicted and punished for offences they didn't commit. Wrongful convictions date back thousands of years and 23 Canadians who were wrongfully convicted have been exonerated and released from prison due to the efforts of Innocence Canada (2020). Other wrongfully convicted persons were released from

prison before Innocence Canada was established, or they received help from other lawyers, so we don't know the actual number of people whose convictions were overturned. Almost 100 other prisoners have asked for help from Innocence Canada and 18 are from British Columbia (Innocence Canada, 2020).

One of the most high-profile exonerations of a wrongfully convicted person occurred in BC: Ivan Henry, who served 27 years in prison after being convicted of 10 sexual offences in 1983. Throughout his trial and after his conviction, Henry maintained his innocence and claimed the police had focused on him without considering the actions of another potential suspect, a person named D.M., who lived near Henry and who had been arrested and charged with a number of trespassing and break-and-enter offences. D.M. ultimately pled guilty to a number of sexual offences, which were similar to those Henry was accused of committing (Postmedia News, 2016a).

In June 2016 Ivan Henry was awarded \$8 million in compensation by a BC judge. According to Woo (2016):

BC Supreme Court Chief Justice Christopher Hinkson said the Crown “seriously infringed” Mr. Henry’s right to a fair trial and demonstrated a “shocking disregard” for his *Charter* rights when it withheld evidence that could have raised reasonable doubts about his guilt.

“If Mr Henry had received the disclosure to which he was entitled, the likely result would have been his acquittal at his 1983 trial, and certainly the avoidance of his sentencing as dangerous offender,” the Chief Justice said in his written decision.

Justice Hinkson found that the province was liable for the wrongful conviction. One of the reasons Henry was convicted was that the prosecution withheld information from the defence counsel, including information contained in “police notes, reports, lab information, interviews, witness statements and Vancouver police property

and exhibits” (Postmedia, 2016a). The Henry case reinforces the importance of the Crown providing full disclosure of evidence to the defence counsel, the right to which was recognized in the 1991 *Stinchcombe* decision of the Supreme Court of Canada. According to his lawyer, “Henry filed more than 50 court applications from prison in an effort to get his conviction quashed. But nobody listened to him . . . so he’s been through a tremendous ordeal” (*Daily Courier*, 2014). His case was ultimately heard by the Supreme Court of Canada, and the Court ruled that Henry could use the *Charter of Rights and Freedoms* to sue the government for the actions of the police and prosecutors.

Critical Thinking Questions

1. Ivan Henry was awarded \$8 million in compensation for his wrongful conviction and subsequent punishment: Was that a fair amount of compensation?
2. How do we hold the persons who make such miscarriages of justice accountable?
3. How do cases of wrongful conviction influence our perceptions of the police, courts, and corrections?

KEY BC CRIMINAL CASES AND ISSUES

Every province has cases that draw considerable public attention, and in Chapter 4 in *Exploring Criminal Justice* the issue of celebrated cases was described. These cases are interesting to us because they involve celebrities, the crimes are particularly violent or unusual, or because of the vulnerability of the victims. The following section highlights two celebrated cases that happened in British Columbia. In addition, the ongoing issue of women who disappeared on the “Highway of Tears” (Highway 16) that runs between Prince Rupert and Prince George. While reviewing these summaries, it may be worthwhile to think about the factors that draw our attention to these acts, and how we can prevent similar crimes.

Reena Virk Murder

In some respects Reena Virk could be described as an outsider who wanted acceptance: she was a 14-year-old East Indian girl from a highly religious Jehovah's Witness family living in Saanich. She was often humiliated, harassed, and bullied by the other girls at school due to her physical appearance (Steinberg, 2009). On 14 November 1997 some of her female classmates planned to punish her because they thought she was trying to steal one of their boyfriends. Reena was invited to a large party after school where she received a vicious beating, including having a cigarette stubbed out on her forehead. Most of her assailants were girls. While walking home after the attack, she was again assaulted and drowned by a male and female. Although some youths allegedly knew about the killing and talked about it at school, Reena's body was not found by police for eight days (News in Review, 2000).

The Virk case drew international attention due to the viciousness of the attacks, the issues of youth violence, female violence, race, and her vulnerability. In addition to being widely reported on television the case was highlighted in several books (see Godfrey, 2007). Virk's murder was likened to the murder of the youth described in the novel *Lord of the Flies* (News in Review, 2000). Like other celebrated cases, the legal matters took a considerable amount of time before it was finally resolved in 2009. The six girls who participated in the initial assault were all incarcerated, although none served more than one year (Steinberg, 2009). Of the two youths who carried out the murder, the male, Warren Glowatski (who was 16 years old at the time of the offence) was convicted of second-degree murder and sentenced in 1999 to life imprisonment and was granted full parole in 2010. Between 1997 and 2009 Kelly Ellard (who was 15 years of age when Virk was murdered) was tried three times and her case was heard by the Supreme Court of Canada in 2008. She has been incarcerated since the murder and was granted day parole in February 2017. Ellard, who was in her late 30s in 2020, now has two children, and

will remain on day parole until at least July 2020 as she is participating in a gradual release to the community where she lives in a community residential facility for three days and week, and with her family for the remaining four days (Canadian Press, 2020).

Robert Pickton: BC's Most Prolific Serial Killer

Robert "Willie" Pickton, from Port Coquitlam, was originally charged in 2002 with the murder of 26 women, but was eventually convicted and sentenced to life imprisonment in 2007 for killing 6 women. Although 65 women went missing in the Downtown Eastside of Vancouver between 1978 and 2001 we won't ever know the true number of people Pickton actually murdered, although he "confessed to killing a total of 49 women to an undercover police officer posing as a cellmate" (Post-media News, 2016b). Pickton operated a pig farm and police retrieved the DNA evidence or remains of 33 women on his land (Bains, 2014).

The Pickton case drew international attention due to the seriousness of his crimes as well as the fact that his victims, many of whom were often involved in the sex trade, were from marginalized groups (e.g., were poor, had mental health or addictions problems, and many were Indigenous women). Many allege that the police were slow to investigate these murders because of the marginalized status of these women. One of the Vancouver police investigators who worked on the case wrote that the police were indifferent to the plight of the victims and the case was mishandled. He observed that "There was a mindset that these were disposable women, that these victims chose this life . . . so we're not going to put ourselves out in quite the same way that we might if it's somebody's daughter from UBC" (Canadian Broadcasting Corporation, 2015a).

The Missing Women Commission of Inquiry was established in 2010 to investigate the factors that led to the large number of missing and murdered women in the Vancouver area, and it focused primarily on Pickton's crimes. The Commission gathered evidence for over a year and

Wally Oppal (2013, p. 160), the Commissioner, concluded that the police investigations were a blatant failure, observing that these women were “forsaken twice: once by society at large and again by the police.” Oppal made numerous recommendations about making improvements to the justice system to reduce the likelihood of similar miscarriages of justice occurring in the future. Commissioner Oppal’s report can be accessed at <http://www.missingwomeninquiry.ca/obtain-report/>.

Pickton currently resides in a CSC prison in Quebec and is not eligible for parole until 2032, when he will be in his eighties. Although sentenced in 2007, Hainsworth (2020, para. 8) reports that the RCMP has applied to the BC Supreme Court to destroy the evidence related to his case and those items include “videos of crime scenes, shoes, hypodermic needles, sex toys, rosary beads, knives, a gun, pieces of ammunition and licence plates.” Like other high-profile cases described in *Exploring Criminal Justice*, these cases are often reported by the media for decades.

Missing Women and the Highway of Tears

The RCMP has estimated that at least 19 women have disappeared or were murdered on the 720-kilometre section of Highway 16 between Prince George and Prince Rupert from the 1970s to 2015. These cases are controversial for the same reason as the victims of Robert Pickton in Vancouver as many are young Indigenous women. McDiarmid (2019) says the number of missing women may be twice the RCMP’s estimate (see also: Human Rights Watch, 2013) and the case has received international attention. Carolyn Bennett, the former federal Minister of Indigenous and Northern Affairs, observed that:

One reason to doubt the estimate by the Royal Canadian Mounted Police, she said, is that the police often immediately deemed the women’s deaths to be suicides, drug overdoses or accidents, over the protests of relatives who suspected foul play. “There was no investigation,” she said, citing one recent case. “The file folder’s empty.” (Levin, 2016)

Levin notes that the RCMP established a task force to investigate these missing women, and the Civilian Review and Complaints Commission for the RCMP has investigated the issue of policing in northern British Columbia, including how missing person cases are handled. That report was released in February 2017 and is available at: <https://www.crcc-ccetp.gc.ca/pdf/northernBC-finRen.pdf>

Hume (2016) reports that at least one BC government official involved with the investigation allegedly “triple deleted” emails related to the Highway of Tears investigation after a Freedom of Information request was made. The inability of the police to solve some of these cases and the deletion of emails have created further distrust from Indigenous peoples. Baum (2016) observes that “Police services have been working to rebuild trust with the aboriginal community after decades of tension,” but the efforts of the police might not be very effective until these issues are resolved.

In her book entitled the *Highway of Tears*, McDiarmid (2019, p. 291) writes that three women have either vanished or were murdered in the areas adjacent to the Highway of Tears between 2017 and 2018. Thus, the controversies surrounding the Highway of Tears continues.

Critical Thinking Questions

1. How can police services restore trust with Indigenous peoples given crimes such as Pickton’s murders or the missing women on Highway 16?
2. How can we protect young people, such as Reena Virk, from being preyed on by other youth?

SUMMARY

The amount and seriousness of crime varies across the country and this supplement shows that British Columbia has rates of property and violent crime that are fairly close to the national average, although

the province has the second lowest rates of intimate partner violence and youth crime. Those positive findings are contrasted against the nation's highest rates of drug-related offences and high fatality rates from overdoses of illicit drugs. Despite the fact that rates of reported crime are at the lowest levels in decades, there is still fear of crimes such as sexual assault, and these fears reduce the quality of life for many women and girls throughout the province. Moreover, while the BC crime statistics reveal an average for the entire province, there are differences throughout the province and some rural and northern communities have very high rates of crime (Carleton et al., 2014; Perreault, 2019), and places like Surrey have high levels of gang-related violence.

Because every province has a different history, population characteristics, levels of economic development, political values, and cultural beliefs, the crime control solutions will be different as well. As a result, the personnel in British Columbia's adult and youth justice systems may respond to antisocial behaviour and crime in a slightly different manner than is the case in neighbouring provinces or territories. A report card on the operations of the justice system developed by Perrin and Audas (2018) suggests that some progress is needed. Learning about the differences in crime problems and how we respond to them makes exploring criminal justice in Canada an interesting undertaking!

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