



Commission of Inquiry Respecting the Death of Donald Dunphy

Submissions Invited for Phase 2 of the Inquiry

Phase 2, a one-day symposium, will be held March 9, 2017.

In advance of Phase 2 of the Commission of Inquiry Respecting the Death of Donald Dunphy, the Commission invites written submissions from the general public on the following topics:

Investigation of Officer-Involved Serious Incidents in Newfoundland and Labrador

- Treating investigations as criminal until determined otherwise?
- Investigations of police by police?
- Investigations by civilian-led serious incident response teams?
- Potential for contracting with agencies outside of the Province?

Suggested reading:

- Police Involved Deaths: The Need for Reform, © 2012 BC Civil Liberties Association, David MacAlister et al.
- Police Involved Deaths: The Failure of Self-Investigation, © 2010 BC Civil Liberties Association, David MacAlister
- Report of Gareth Jones to the Commission of Inquiry Respecting the Death of Donald Dunphy

Police Communications to the Public Following Serious Incidents and During Active Investigations

- How to balance the integrity of the investigation with the public's right to know?
- Specifically in the case of Donald Dunphy could there have been more communication to the public, for example:
 - With respect to proactive policing
 - Training and the Use of Force
 - Single officer home visits
 - Role of the Premier's Security Unit

Suggested reading:

- Report of Gareth Jones to the Commission of Inquiry Respecting the Death of Donald Dunphy
- Submission of the Royal Newfoundland Constabulary
- Special Investigations Unit (Ontario) Operations Policy 015 Media Relations

Use of Force Training for Police, including De-escalation Techniques for Dealing with People in Crisis

- Trends in police training, including an examination of work done in other Canadian provinces

Suggested reading:

- Commission of Inquiry into the Death of Donald Dunphy (CIDDD) - A review undertaken for the Commission (Dr. Terry Coleman and Sgt. Mike Massine)
- Report of Inquiries into the Sudden Deaths of Norman Edward Reid and Darryl Brandon Power, December 16, 2003, The Honourable Donald S. Luther
- Braidwood Commission on the Death of Robert Dziekanski, May 20, 2010. Thomas R. Braidwood Commissioner, ISBN 978-0-7726-6252-1
- Police Encounters with People In Crisis, July 2014, Honourable Frank Iacobucci, Copyright Toronto Police Service
- A Matter of Life and Death, June 2016, Ombudsman Report, Paul Dube
- TEMPO: Police Interactions, Mental Health Commission of Canada, June 2014, Terry Coleman and Dorothy Cotton

Protecting Freedom of Expression in an Age of Social Media

- The use of social media in promoting the public's right to free expression and as a tool for critiquing government policy and action
- The monitoring of and response to social media by Government or the Royal Newfoundland Constabulary and, specifically, the potential risk of such activities having a chilling effect on freedom of expression

Suggested reading:

- Ad Hoc Coalition for Civil Liberties: Social Media and Civil Rights in Light of the Death of Donald Dunphy
- Protecting Freedom of Expression over the Internet: An International Approach, Notre Dame Journal of International & Comparative Law, Alan Sears, Citation: 5 Notre Dame J. Int'l Comp. L. 171 2015
- The Dangers of Surveillance, Harvard Law, Neil M. Richards, Citation: 126 Harv. L. Rev. 1934 2012-2013
- Social Media Use in Law Enforcement: Crime prevention and investigative activities continue to drive usage, LexisNexis Risk Solutions. (2014) [Survey of Law Enforcement Personnel and Their Use of Social Media]
- Social Media Surveillance and Law Enforcement (10.27.2015) Alexandra Mateescu et al, Data & Civil Rights: A New Era of Policing and Justice

Policies and protocols of Government or the Royal Newfoundland Constabulary with respect to the security of the Premier and Cabinet Members

- A consideration of depoliticizing security

Suggested reading material is posted on our website at www.ciddd.ca under Phase 2.

Submissions can be forwarded to admin@cidd.ca or delivered to the Commission's office at:

Commission of Inquiry Respecting the Death of Donald Dunphy
Unit 1, 425 Topsail Road
St. John's, NL A1E 5N7

Submissions should include the name and contact information of the submitter. Names and submissions may be published.

The deadline for submissions is **March 7, 2017**.