



Policies and Protocols of Government or the Royal Newfoundland Constabulary with respect to the Security of the Premier and Cabinet Members

Protective Service Unit & Inspector Position

Background

Protective Service Unit

Protective services for the Premier of Newfoundland and Labrador can be traced back over 36 years, however, prior to 2012, it was staffed on an ad hoc basis. In 2012, the Protective Service Unit was formalized with the assignment of four full-time members and the introduction of formal policy. While this unit was formalized, there was no permanent supervisory rank identified. In 2014, the number of members assigned to the Protective Service Unit was reduced and the number of resources varied depending on the Premier. The mandate, however, remained constant.

The mandate of the Protective Service Unit as outlined in policy was two-fold:

- To provide close protection services to the Premier of Newfoundland and Labrador and other designated dignitaries;
- To gather intelligence on persons and groups of interest, demonstrations and other matters that could potentially cause direct or indirect harm to the Premier, the Office of the Premier or any other elected official.¹

On occasion, the Protective Service Unit has been viewed by some as a political perk rather than the need to ensure that elected officials who are tasked and given the responsibility to make sometimes unpopular decisions, are safe and free from violence, threats and harassment, just like any other worker throughout Canada.

A jurisdictional scan of protective service units in the provinces of Ontario, Quebec and Alberta shows that units in these provinces divide these functions into two different areas of responsibility, namely:

- Members assigned to close protection services are only responsible for the specific role of close protection
- Gathering of intelligence and the investigation of any matter that could cause direct or indirect harm to elected officials/dignitaries are assigned and investigated separately by

¹ Royal Newfoundland Constabulary Protective Service Policy

investigators in the Intelligence Unit of the police service responsible for the jurisdiction. They also have the responsibility to conduct threat and risk assessments.

These three provinces were selected for review because the Provinces of Ontario and Quebec have their own provincial police service similar to Newfoundland and Labrador; while Alberta has experienced a significant increase in the number of threatening or perceived threatening comments against their current Premier on social media.²

The Protection Service Units in Quebec and Ontario are staffed by members of the respective provincial police service; while Alberta's close protection service is provided by the Alberta Sheriff's Office. In each of these provinces there are legislative provisions in their police/peace act or memorandums of agreement with the government for the establishment of these units. Personnel are selected by the Chief or Manager of these units based on skill, ability, and merit with no involvement from the Government or other elected officials, thus making the unit free of political interference. Each unit has a formal reporting structure that remains intact regardless of whom or what party is elected to power, thus guaranteeing this unit from being politicized.

There is an expectation of all citizens of Canada that all law enforcement personnel or peace officers be free of political influence, and in fact, in the case of the Royal Newfoundland Constabulary, such expectations are outlined in the provisions of Section 7(1)(d) of the Royal Newfoundland Constabulary Regulations under the *Royal Newfoundland Constabulary Act*.³

The duties and responsibilities of all elected officials in a democratic society is a very difficult task and its citizens expect that those elected officials be permitted to do their job free from harassment, threats, perceived threats and violence directed towards them and their families. As a civilized progressive democratic society, the principles related to the safety of elected officials and their families should be and must be a high priority for all its citizens.

Inspector Position – Criminal Investigation Division (Intelligence and Organized Crime Section)

In October 2014, the RNC's Criminal Investigation Division was reorganized from three sections into four as the RNC Executive recognized that management oversight was deficient. The current structure includes the following sections, each of which are managed by one Inspector position:

- Crimes Against Persons
- Intelligence and Organized Crime
- Property and Economic Crimes
- Science and Technology

² National media reports from CBC and CTV

³ *Royal Newfoundland Constabulary Act* and Regulations

This reorganization was necessary to ensure adequate management oversight was in place to meet operational needs, address shortcomings identified during trials before the courts and to reduce liabilities. The primary structural change saw the movement of science and technology-based units into a new section, with an increased focus on organized crime and intelligence led policing.

At the time of this restructuring Staff Sergeant Joseph Gullage was assigned Acting Inspector as the Officer in Charge (OIC) of the Intelligence and Organized Crime Section. This Inspector position did not exist prior to that time and remains a temporary “unapproved” and “unfunded” position. The Intelligence and Organized Crime Section is comprised of the following units:

- Criminal Intelligence
- Crime Analysis
- **Protective Services**
- Compliance and Enforcement of Orders (CEO)
- National Weapons Enforcement Support Team (NWEST)
- Informant Control Officer
- Joint Forces Operations between the RNC and RCMP
 - Criminal Intelligence Service of NL (CISNL)
 - Crime Stoppers NL

In addition to regular duties, the Inspector oversees the management of undercover agents and their handlers. Furthermore, he is the point of contact with the Premier’s Office when protection services are required.

Since 2013, the RNC eliminated three (3) Staff Sergeant positions in the Criminal Investigation Division. The removal of these positions has resulted in added responsibilities for the Superintendent and Inspectors remaining in this division.

The RNC has one manager for every twenty-two employees as compared to one manager for every four employees in the core public service. These managers are responsible for supervision, labour relations, human resources, policy development and financial management. The ratio of 1 manager to 22 employees becomes even more precarious when considering the RNC’s hours of operation are 24/7.

In addition to regular duties, the management team is also responsible for a number of secondary duties including incident command, public order, tactics & rescue and honour guard, and serving on an on-call schedule in order to respond to after-hour/emergency situations. In keeping with the RNC’s Corporate Plan and being community-minded, RNC managers conduct after-hours work with numerous community organizations such as the John Howard Society, Stella Burry, United Way, Coalition of Persons with Disabilities and many others. Such work on external committees and boards serves the RNC and government well in meeting the unique needs of these community groups. As well, the work of the management team and front line

officers often overlaps with a number of government departments including Health and Community Services, Department of Children, Seniors and Social Development (DCSSD) Tourism, etc.

The RNC management team oversees and monitors police officers in front line roles. These roles directly relate to ensuring public safety, reducing liability and being accountable to the communities served.

Recommendations

- The Protective Services Unit should be given the sole mandate to provide close protection services for the Premier of Newfoundland and Labrador and other designated dignitaries.
- In consultation with the management commission responsible for the elected officials of the House of Assembly, transparent/clear policies and protocols of government and the RNC with respect to the security of the Premier and other elected government officials should be established.
- The mandate to gather intelligence on persons and groups of interest, demonstrations and any other matter that could cause direct or indirect harm to the Premier, the Office of the Premier, or to any other government official, should be transferred to the Intelligence & Organized Crime Section.
- One additional permanent Inspector position is required. The absence of this management position will result in:
 - reduced oversight of policies and protocols with respect to the security of the premier, cabinet members and other designated dignitaries
 - decreased sharing of intelligence between the various CID sections & units; and
 - significant workload increases for the three remaining Inspectors. These Inspectors recently lost the support of three Staff Sergeants which were eliminated in the 2013 budget.
- A permanent rank structure is required to ensure consistency and accountability in the Protective Services Unit.
- Members assigned to Intelligence and Organized Crime Section should receive formal training for the purposes of conducting formal risk and threat assessments.