

Cutting police funding in Canada is stymied by political opposition and institutional barriers

[By Patrick White, *Globe and Mail*, Aug 16, 2020](#)

As activists across North America call on cities to redistribute police funding to community projects, Canadian municipalities have been far slower to act than their counterparts in the United States. There, Minneapolis, Los Angeles, New York, Seattle and other cities have pursued plans to shuffle money away from officers. Here, far more modest proposals for police funding cuts (one per cent in Vancouver, ten per cent in Toronto) have fizzled.

As a lapsed academic specializing in municipal governance, Vancouver Mayor Kennedy Stewart once earned his pay making sense of local government and explaining it to others. Lately, however, as he's helmed both city council and the city police board through a pandemic and widespread calls to cut police funding, it's been more difficult to find much logic in the structure of it all.

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The Vancouver Police Department is council's single-biggest expense, yet council has no direct control over the force. The six-member police board holds some power, but features just one member of council – the mayor. To further dilute council influence, Mr. Stewart is required to sit as chair of the police board, meaning he can't vote (except as a tie-breaker) or table motions. "It's a completely bizarre structure," Mr. Stewart said. "The board chair is really a figurehead position. I basically just make sure the meetings run smoothly and that everyone votes."

Every province and territory has its legislative quirks when it comes to governing police, but most carry a common theme that has been a tenet of local politics since before Confederation: Those who enforce the law must be independent from political interference. But the goal of buffering police forces from political pressure has had the undesired effect of fire-walling police departments from financial scrutiny, critics say.

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Mr. Stewart belongs to a growing cohort of municipal politicians calling for updates to policing legislation that would give city councils more control. "The overall funding mechanism for police is broken," he told *The Globe and Mail*. "You don't have much ability to punch back, but citizens think you do."

When Vancouver City Council requested a one-per-cent cut to the police budget in May – to make up for pandemic-related shortfalls, not because of anti-racism protests – the police board derided the proposal and accused council of overstepping its authority. Council was powerless to do anything more.

Mr. Stewart later told reporters that the provincial Police Act requires city councillors to be little more than a “rubber stamp” for police budgets and called on the province to overhaul the 45-year-old Police Act. Within days, Premier John Horgan announced an all-party review of the legislation.

Those frustrations extend across the country.

In Regina, rookie Councillor Andrew Stevens said he and his colleagues receive a private line-by-line budget briefing from senior police brass every year. But when it comes time to vote on the police budget, their only options are “yes” and “no.”

When Mr. Stevens objected to the purchase of an armoured vehicle, for example, he had no way to vote against the acquisition without also voting against the entire Regina Police Service budget. “We can’t adjust a dime of that budget,” he said.

Anti-racism activists have called on cities to cut funding for police services and redistribute the money toward community programs focused on public health, housing, food security, transit, libraries and anti-violence initiatives. Even if they could adjust police budgets more easily, it isn’t clear many city councils could make the investments activists seek. In Regina and elsewhere, the province, not the municipality, controls the purse strings for health, housing and most social services.

“We have very little power compared to our cousins in the U.S.,” Mr. Stevens said. “By legislation and convention, we’ve constructed a system that’s not prone to change.”

The limited authority Toronto City Council has over its police budget came to the fore in June, when Councillors Josh Matlow and Kristyn Wong-Tam tabled a motion to reallocate at least ten per cent of the city police force’s \$1.2-billion budget toward anti-racism education, community-led alternatives to policing, child care, food security and affordable housing.

Because the Toronto Police Services Board, and not council, determines the force’s budget, the motion had to be written as a request rather than a directive. “No one is going to stop me from a tabling a motion to adjust their budget,” Ms. Wong-Tam said. “But it’s a powerless motion because the board has the power to strike it. More importantly, the chief has the discretion to ignore it.”

Despite widespread community support – with people demonstrating for weeks in favour of it – the motion failed.

At its Aug. 18 meeting, the Toronto police board will consider a report from its chair that recommends devising ways of reallocating police spending to underfunded community programs that “eliminate the root causes of crime and proactively achieve community safety without law enforcement.”

That same report, however, warns that the board is prohibited both from making arbitrary cuts to the police budget and from reducing the number of officers such that adequate and effective policing would be compromised.

By law, boards have power over policy but not day-to-day operations at the police forces they oversee. The line gets blurry around budget time, with many chiefs arguing that any spending cut could trigger a change to operations beyond the board's legal authority.

"It's a short hop, skip and a jump from budget to operations," said Kent Roach, a professor of law at the University of Toronto who wrote a paper on police governance for the 2007 Ipperwash Inquiry Report, which examined the circumstances surrounding the police shooting of Indigenous protester Dudley George in 1995. "One of the things the Ipperwash Inquiry concluded was that political direction of police operations is not necessarily a bad thing as long as it's done in a very transparent way."

Councillors have more leeway to modify police spending in some jurisdictions. Halifax councillors get discretion over the force's capital spending. In June, they cancelled the purchase of a \$300,000 armoured vehicle and diverted the money to anti-racism initiatives. The rest of the budget, however, is largely up to the chief.

"The chief creates the budget, and we just give feedback," said Halifax Councillor Lindell Smith, who sits on the city's Board of Police Commissioners. "There needs to be some change in how that works."

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Lindell Smith is a Halifax city councillor on the city's Board of Police Commissioners.

Darren Calabrese/The Globe and Mail

Training for board members is scarce to non-existent in many jurisdictions, and unbiased legal advice is hard to come by.

The Halifax board relies on guidance from lawyers representing the city and the police force. “Their best interests are going to be with the city and the police force,” said Mr. Smith, who recently tabled a motion to hire independent legal counsel for the board. “There is a bit of a conflict there.”

In Winnipeg, police board members have expressed confusion about their roles and authority for years. In June, board chair Markus Chambers joined the chorus calling for legislative change, sending a nine-point plan for overhauling board governance to consultants currently reviewing Manitoba's policing laws.

There is one surefire way for a reform-minded board to get its way: hire a like-minded police chief.

Last year, Edmonton's police board appointed Dale McFee, a deputy minister with the Saskatchewan government who hadn't worn a uniform since 2012, when he was the chief of police in Prince Albert.

"We didn't just go for somebody who has been a police officer for 30 years, [who would] give us more of what they've done for 30 years," said Micki Ruth, chair of the Edmonton Police Commission.

When the city council voted last month to cut the police service's budget by \$11-million, Chief McFee avoided the usual budget showdown and uttered something to local media virtually unheard of from a chief facing a funding cut: "This actually could be a very good thing that could actually save a lot of money for the citizens of Edmonton and, more importantly, give better outcomes for the people that actually need the services."