

Summary of Discussions from the Committee's April 20, 2021 Meeting

6.1 Email from Jas Dhillon, Community Relations Coordinator, Hamilton Police Service

- Members stated that they were unclear if the requests fall under the mandate of the Committee (i.e. advising the Hamilton Police Service on how to establish their own advisory committee may not fall under our mandate).
- The Committee is, however, able to make a recommendation to City Council but the Committee is not sure if it's even within the City of Hamilton's purview to make a recommendation to the Hamilton Police Service about how to set up their own advisory committee.
- The issue of whether or not an Advisory Committee is permitted to directly work with the Hamilton Police Service, or the Hamilton Police Services Board, remains unclear in light of the complaint filed against the LGBTQ Advisory Committee Chair alleging that this conduct may be inappropriate. The Advisory Committee Handbook has not been updated to make this clear and there has been no decision from the office of the City Clerk on this matter.

6.2 Summary of Email from Staff regarding Options for Responding to the Hamilton Police Service's Delegation at the March Meeting and Subsequent Correspondence

- There are options to respond to the Hamilton Police Service (see the attachment on the Agenda).
- Members were neither in agreement to have it as a standing item on the Committee's Agenda nor to set up a specific Working Group for a number of reasons including requiring the constant presence of police and police-related topics as part of these meetings. Some members suggested that if the Hamilton Police Service need advice from members of Two Spirit and LGBTQIA+ communities that they figure out how to get that

advice but that the LGBTQ Advisory Committee was not in a position to provide that advice (see a clear list of reasons for this below).

- There was a fair amount of hesitancy around sending correspondence because, ultimately, that correspondence would have to go first to the Audit, Finance and Administration Committee and then to City Council before it could be sent. This is a months-long process that may ultimately result in the correspondence being changed or amended by either of these bodies.
- Members are concerned that this process is too laborious and that the office of the City Clerk has not provided clarity about whether or not the City is even able to provide advice on this front to the Hamilton Police Service. It is not clear what the relationship is between Advisory Committees, the Hamilton Police Service, the Hamilton Police Service Board, and City Council. Until such time as the City is willing to clarify these relationships, members don't feel comfortable participating in this process. Specifically, the discomfort comes around an Integrity Commissioner complaint that alleges, in its final report, that it may be inappropriate for Advisory Committees to interact in this way. The Integrity Commissioner made both findings and recommendations that have not been addressed by the City. As such, the Advisory Committee Handbook has not been updated to reflect any additional clarity around these matters. The Advisory Committee will wait for clarity from the City before proceeding.
- Members expressed confusion as to why the Hamilton Police Service did not first discuss their delegation request with staff before submitting their original email. Our only option, under the circumstances, was to invite the Hamilton Police Service to provide a delegation to our Committee, knowing that the outcome and the conversation would be subject to the rules outlined in the City of Hamilton's Procedural By-law and the Advisory Committee Handbook.
- Ultimately, members of the Committee did not have confidence in the advice given to them by email from the office of the City Clerk because, as has been the practice in the past, that advice may be overruled by City Council in their pursuit of a complaint to the Integrity Commissioner. In the most recent instance, and the only one we're aware of ever having occurred, the City Clerk herself gave us advice. We followed the advice

given to us. City Council chose to ignore that advice, or was unaware of it, and filed a complaint against the Chair of our Committee with the Integrity Commissioner.

9.2 Jennifer Hohol, Senior Project Manager, Healthy and Safe Communities, City of Hamilton and Grace Mater, Director, Children's Services and Neighbourhood Development, City of Hamilton regarding Community Safety and Well-Being Plan

- Seeing the list of the organizations and institutions that make up the advisory panel, a member asked if the advisory panel was still actively accepting members? If still actively doing so, is the membership still growing? The member remarked that youth and seniors were missing from the panel.
- A member remarked that while the Province may be prescriptive about who must be on the committee, it did not strictly limit who could be on it. on who should be part of the advisory committee, but what is needed is a sustainable governance structure, could involve smaller teams working in priority areas. Moving forward, would like to engage in broader communities to get them involved in the decision making
- Member asked what the outcome would look like? Will it be a report? Guidelines that are enforceable? Who is responsible for delivering these results?
- Delegate stated that membership on the committee was provincially mandated in terms of the broad type of person who sits at the table. Also stated that they would be continuing to gather input and feedback from a number of community stakeholders, even if they weren't included on the panel itself. Service providers have been part of the conversation and have been checking in based on their capacity to engage during the pandemic and given the volume of work that they're experiencing.
- A member asked to what extent is the hate prevention and mitigation process woven into the community safety and well-being plan? The delegate replied that there is a clear link between that work and this work and that there are strong links between staff supporting both areas to

ensure that there is not a duplication of efforts. That being said, the delegate suggested that this plan, in and of itself, could not specifically address all of the planned outcomes from the hate prevention and mitigation process.

- Members concurred that it would be best if organizations specifically representing Two Spirit and LGBTQIA+ communities were part of the committee / panel. At present, based on the list shown during the meeting, there were not any such organizations. Being that the Committee's mandate is focused on representing these groups, members felt it was important that they were represented.

11.2 Motion to Draft Correspondence to the Hamilton Police Service regarding their Delegation at the March Meeting and Subsequent Correspondence

- See comments under items 6.1 and 6.2 above as similar comments were made during this discussion
- Members noted that there was a request that the Committee provide a list of key qualifications and experiences that facilitators must have. Members expressed that Committee could not provide "must haves".
- Members encouraged the Hamilton Police Service to reach out to organizations representing Two Spirit and LGBTQIA+ communities in Hamilton, including Pride Hamilton, to gather feedback about how best to proceed.
- Members stated that any correspondence should include a thank you for the delegation made and point out that it was good to have started this public conversation for the first time since Pride 2019 (and likely the first time in public since amalgamation in 2001).
- A member stated that it was not clear to them what they could do outside of a Committee meeting in order to engage in a dialogue with police and that both the Hamilton Police Services Board and City Council have made it nearly impossible for the Committee to engage in this conversation. In February 2020, the Committee Chair went to the Hamilton Police Services

Board to read out the Committee's correspondence, at the Committee's request. After having read out the correspondence, it was received and the Chair was dismissed from the meeting. While this matter remains one of contention, and a complaint filed by City Council, it was an opportunity for police to open a dialogue with the Committee. As the Hamilton Police Services Board is the governing body for the Hamilton Police Service, and included representation from the Hamilton Police Service (including Chief Eric Girt and Deputy Chief Frank Bergen, the latter who appeared before us in March 2021), it is unclear why there was no offer of dialogue in February 2020. In fact, the Mayor, and the Chair of the Hamilton Police Services Board, went to an Audit, Finance and Administration Committee meeting, about a week later, to complain that the Committee had made the delegation in the first place. It cannot be up to an Advisory Committee to sort out this obviously complex problem that has been created by the Hamilton Police Services Board, City Council, and City of Hamilton staff. Staff and City Council need to come up with a solution and advise all Advisory Committees as to how they are permitted to proceed (through an update to the Advisory Committee Handbook and associated training).

- The Committee feels that it is not able to do anything else at this time.