

**PART 2.6**

**DEPARTMENT OF JUSTICE**

**ROYAL NEWFOUNDLAND CONSTABULARY - FIREARMS**

## RNC Firearms

### Executive Summary

The Royal Newfoundland Constabulary (RNC) was established in 1871 and operates under the authority of the *Royal Newfoundland Constabulary Act, 1992* and *Regulations*. The RNC is responsible for police services in three regions of the Province - the Northeast Avalon, Corner Brook, and Labrador West. The population of these regions was approximately 222,360 (Newfoundland and Labrador Statistics Agency – 1 July 2010). In providing these services, as at 18 October 2011, the RNC employed 415 police officers and 129 civilian staff.

In a report tabled on 31 March 1998, a Select Committee (the Committee) of the House of Assembly recommended that the arming policy of the RNC be amended to permit members on operational duty to wear side arms as part of the regular uniform. Based on this recommendation, the RNC provided side arms to their members and issued a Firearms Policy. As of November 2011, a total of 734 firearms were included in the RNC inventory system, consisting of 536 hand guns, 143 rifles and 55 shotguns.

The Committee also recommended that a firearms audit acceptable to the Minister of Justice (the Minister) be performed annually and submitted to the House of Assembly. To comply with this recommendation, the Chief of Police requested that the Office of the Auditor General (the Office) complete the required annual firearms audit for the seven year period from 1999 to 2006. In November 2007, the Department of Justice confirmed that the annual firearms audit, being conducted internally at that time by the Royal Newfoundland Constabulary, was acceptable to the Minister. As a result, the Office agreed to cease the annual review of firearms at the RNC.

The findings from our 1999 to 2006 firearms reviews included the following:

- firearms and ammunition inventory not accurate;
- non-compliance with Firearms Policy;
- Firearms Policy infractions not being properly followed up;
- inspections of firearms storage lockers not performed;
- personnel and equipment inspections not properly reported;
- training not being completed as required and training database not accurate;

## RNC Firearms

- Use of Force Review Board not active; and
- no Select Committee formed to review arming policy.

Given these findings, and that five years had passed since our last review, it was decided to again review firearms and other use of force equipment along with use of force training at the RNC during 2011.

Our current review was completed in December 2011 and covered the period from November 2009 to November 2011. The review included an assessment of the systems, policies and procedures relating to the inventory, storage and control of firearms and other use of force equipment at the RNC, as well as the training and reporting policies related to the use of force by members.

Our review identified concerns with controls over firearms, ammunition and other use of force equipment, non-compliance with the Firearms Policy and how firearm use is monitored. Furthermore, RNC officials could not provide documentation demonstrating that the annual internal firearms audits agreed to by the Minister of Justice had been completed for 2007, 2008 or 2009. Given the serious repercussions, i.e. the increase in risk to workplace and public safety that could result from issues related to firearms and other use of force equipment, it is critical that the RNC continue efforts to improve compliance with established policies and procedures. We found the following:

### **Controls over Firearms and Ammunition**

As part of our review, we conducted inventory counts of firearms, ammunition and other use of force equipment at the armories in the Northeast Avalon, Corner Brook and Labrador West regions. Based on the results of these inventory counts, we concluded that officials at the Corner Brook and Labrador West armories could not account for all items under their control. Examples included: seven firearms listed on the Labrador West inventory report that could not be located in the armory, one of which could not be located anywhere at the Labrador City office; two firearms located at the Corner Brook office which were not listed on the inventory report; three instances where there were differences between the amount of ammunition located within the Corner Brook armory and the inventory report, e.g. 525 rounds of 12 gauge ammunition listed in the inventory system could not be located in the armory; and three instances where there were differences between the amount of ammunition located within the Labrador West armory and the inventory report, e.g. 266 rounds of .40 calibre operational ammunition listed in the inventory system could not be located in the armory.

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We also found that quarterly firearms storage locker inspections were not being conducted as required by the RNC Firearms Policy. Without such inspections, significant infractions of the policy could go undetected. Our review of documentation supporting the completion of the quarterly inspections of firearms and firearms storage areas for the period November 2009 to November 2011 indicated that of a total of eight possible quarterly inspections during that period, the Northeast Avalon region could provide support for only two inspections being conducted, the Corner Brook region could provide support for only one inspection being conducted, and the Labrador West region could not provide support that any of the eight required quarterly inspections had been completed.

Furthermore, the inventory system is not accurate because not all required adjustments, including additions, disposals or internal re-assignments of firearms and other use of force equipment, were made on a timely basis. For example, we found that even though a member had transferred to a different region in September 2011, the inventory system, as of November 2011, had not been updated to reflect the transfer.

The 2011 firearms audit completed internally by the RNC's Audit Manager found serious issues with regards to firearms locker security. The report stated that while each locker has a key, there have never been controls in place that would have prevented the duplication of keys and/or ensured the returning of keys when a locker change occurs. It was also found that when keys are missing and no spares are known to exist, the lock cylinder is replaced by cylinders that are sometimes duplicates of other firearms storage lockers held at the RNC. RNC officials indicated that there was one instance when a member could not locate their firearm because it had been removed from their firearms storage locker by another member on a different shift because the two lockers were in close proximity and had identical keys.

### **Non-compliance with the Firearms Policy**

During our inspection of firearms storage lockers, we observed three infractions of the Firearms Policy at the Northeast Avalon region: two members had stored their firearms loaded; and one of those two members had also stored their firearm in their personal locker instead of in their approved firearms storage locker. We also observed two infractions at the Corner Brook region where members who were off duty did not have the correct amount of ammunition, as assigned to them per the firearms locker report, located in their firearms storage locker. The Firearms Policy states that every member is responsible for the safe storage of service firearms and ammunition and that the unloaded firearm, along with the issued ammunition and Oleoresin Capsicum (OC) spray, should be secured in the member's firearms storage locker at RNC facilities or in another approved location when the member is not on duty.

## RNC Firearms

An additional 12 infractions were noted where firearms (6) or other use of force equipment (6), assigned to one member per the firearms locker report, were found in another member's firearms storage locker.

### How Firearm Use is Monitored

RNC officials provided 1,034 use of force reports to support the 1,115 use of force incidents reported between November 2009 and November 2011. Of the 1,034 use of force reports that were available, we found that 17 were not signed as evidence of the required review by the District Inspector/Divisional Commander and none of the 1,034 reports evidenced the required review by the Firearms and Use of Force Instructors. Given that some use of force reports could not be provided and the lack of review of available reports, the RNC may be missing opportunities to identify inappropriate uses of force.

We also found that the Use of Force Training Database is neither accurate nor complete. As a result, we could not rely on the information contained within the database to demonstrate whether members were in compliance with the RNC's Use of Force Policy, or whether they had received all required training. We reviewed information entered into the database for 2010 and 2011, and found the following:

- 45 instances where the date for training was entered incorrectly; and
- 413 instances where training was completed but not entered into the database.

During our review of the Use of Force Training Database, it was found that the RNC is at risk of not complying with its policy on use of force training. For example, as at 24 November 2011, a total of 114 members had not yet completed the required Module 2 training (defensive tactics/handcuffing techniques and baton) in the 2011 calendar year, and 16 members had not yet completed the required Module 1 training (annual firearms training).

### Annual Firearms Audit Reports

RNC officials could not provide audit reports or other documentation to suggest that the annual internal firearms audits for the years 2007, 2008 and 2009 had been completed, or that the results of any audits had been communicated to the Department of Justice. As a result, the RNC could not demonstrate that the internal firearms audits, deemed to be acceptable to the Minister, had been conducted to provide assurance that members complied with the RNC's Firearms Policy for those three years.

Furthermore, the five-year review of the RNC arming policy, recommended by the Select Committee and expected to be completed covering the five years to 31 March 2003, has never been completed.

**RNC Firearms**

**Background**

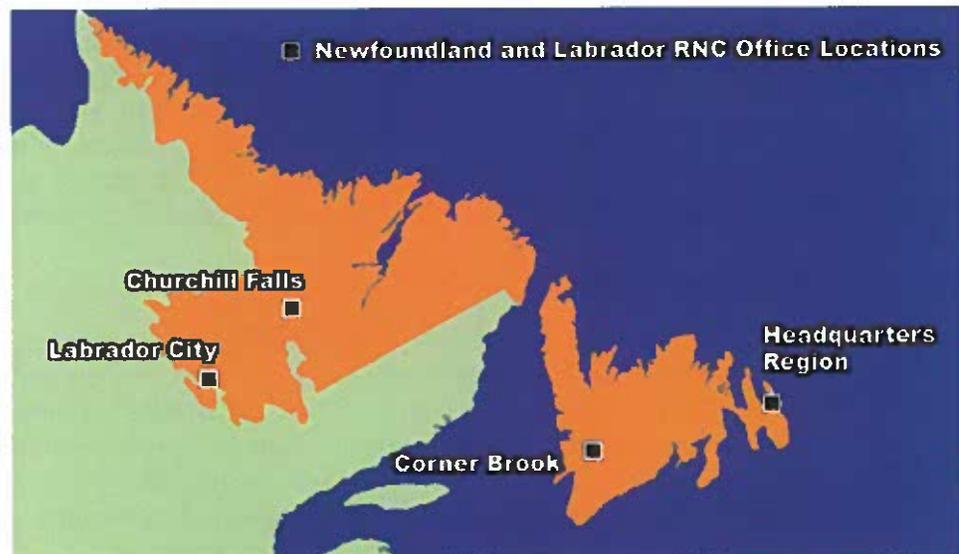
The Royal Newfoundland Constabulary (RNC) was established in 1871 and operates under the authority of the *Royal Newfoundland Constabulary Act, 1992* and *Regulations*. The Chief of Police, appointed by the Lieutenant-Governor in Council, is responsible for the RNC’s general control and administration, and reports to the Minister of Justice and the Attorney General. The vision of the RNC is to establish safer communities through policing excellence.

The RNC is responsible for policing three regions of the Province - the Northeast Avalon, Corner Brook, and Labrador West. Within these three regions, there are numerous offices. In the Headquarters region of the Northeast Avalon there is Headquarters (St. John’s), the Mount Pearl office, the Conception Bay South office and the Virginia Park office. Within the Corner Brook region this is the Corner Brook office and within the Labrador West region there is the Labrador City office and the Churchill Falls office.

Figure 1 shows the location of the RNC offices within the Province.

**Figure 1**

**Royal Newfoundland Constabulary  
Office Locations**



Source: RNC Website

## RNC Firearms

The population of these regions was approximately 222,360 (Newfoundland and Labrador Statistics Agency - 1 July 2010). In providing these services, as of 18 October 2011, the RNC employed 415 police officers and 129 civilian staff.

On 2 December 1997, a Select Committee (the Committee) of the House of Assembly was appointed to enquire into the arming policy of the RNC and report its findings. The Committee conducted research, viewed presentations by interested parties and held public hearings, and tabled its report to the House of Assembly on 31 March 1998. The report recommended that the arming policy of the RNC be amended to permit members on operational duty to wear side arms as part of the regular uniform. In addition, the Committee recommended that:

- the Chief of Police have discretion in the administration of the policy including discretion in assigning officers to operational duty;
- police officers' sidearms be stored in a secure locker at the station when they are not on duty;
- a firearm audit acceptable to the Minister of Justice be performed annually and submitted to the House of Assembly; and
- the arming policy be reviewed at the end of five years by a Select Committee of the House of Assembly (i.e. by 31 March 2003).

As a result of the recommendations of the Committee on the arming policy of the RNC, members on operational duty were permitted to wear sidearms commencing 14 June 1998. To provide specific direction to members on the control and usage of firearms, a Firearms Policy was also issued at that time. Over the years, it has been amended to reflect the changing needs of the organization. The last amendments were made 10 March 2010.

Figure 2 outlines the number of firearms maintained by the RNC as of November 2011 by region as per the RNC inventory system.

## RNC Firearms

**Figure 2**

**Royal Newfoundland Constabulary  
Number of Firearms by Region  
November 2011**

Type of Firearm	Northeast Avalon	Corner Brook	Labrador West	Total
Hand Guns	449	56	31	536
Shotguns	41	6	8	55
Rifles	137	0	6	143
<b>Total</b>	<b>627</b>	<b>62</b>	<b>45</b>	<b>734</b>

Source: RNC Inventory System

As of November 2011, a total of 734 firearms were included in the RNC inventory system, consisting of 536 hand guns, 143 rifles and 55 shotguns.

The Committee also recommended that a firearms audit acceptable to the Minister of Justice (the Minister) be performed annually and submitted to the House of Assembly. To comply with this recommendation, the Chief of Police requested that the Office of the Auditor General (the Office) complete the required annual firearms audit for the seven year period from 1999 to 2006. In November 2007, the Department of Justice confirmed that the annual firearms audit, being conducted internally at that time by the Royal Newfoundland Constabulary, was acceptable to the Minister. As a result, the Office agreed to cease the annual review of firearms at the RNC.

The findings from our 1999 to 2006 firearms reviews included the following:

- firearms and ammunition inventory not accurate;
- non-compliance with Firearms Policy;
- Firearms Policy infractions not being properly followed up;
- inspections of firearms storage lockers not performed;
- personnel and equipment inspections not properly reported;
- training not being completed as required and training database not accurate;
- Use of Force Review Board not active; and
- no Select Committee formed to review arming policy.

## RNC Firearms

Given these findings, and that five years had passed since our last review, it was decided to again review firearms and other use of force equipment along with use of force training at the RNC during 2011.

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### Audit Objectives and Scope

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#### Audit objectives

The objectives of our review were to determine whether:

- the RNC has adequate systems in place to record, monitor, and secure its firearm and other use of force inventory;
  - the RNC has adequate procedures in place to monitor members' compliance with the Firearms Policy and all related policies and where appropriate, test compliance with these policies; and
  - the RNC is in compliance with the recommendations contained in the *Report on the Select Committee on the Arming of the Royal Newfoundland Constabulary*.
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#### Audit scope

Our review of firearms and other use of force equipment at the RNC covered the period from November 2009 to November 2011. It included an assessment of the systems, policies and procedures relating to the inventory, storage and control of firearms and other use of force equipment at the RNC as well as the training and reporting policies that relate to the use of force by members.

The three RNC regions were visited over the course of our review. Within the Northeast Avalon region we visited Headquarters (St. John's), the Mount Pearl office, the Conception Bay South office, and the Virginia Park office. Within the Corner Brook region we visited the Corner Brook office and within the Labrador West region we visited the Labrador City office.

During our review we completed inventory counts of firearms, ammunition and other use of force equipment at the armories in the Northeast Avalon, Corner Brook and Labrador West regions; we tested the accuracy of the inventory listing by selecting all physical inventory items at the offices visited and comparing them to the inventory system. We also selected almost all of the use of force equipment from the inventory system to ensure that the equipment was located where listed in the inventory system.

## RNC Firearms

As part of our review, we attended three locker inspections as follows:

- Northeast Avalon Region - October 2011;
- Corner Brook Office - November 2011; and
- Labrador City Office - November 2011.

This represented approximately 99% of the firearms storage lockers located within the three regions.

The review also included a detailed analysis of use of force training to determine if officers had received the required use of force training over the last two calendar years. It included discussions with members involved with the firearms and other use of force equipment inventory and use of force training. Our review was completed in December 2011.

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## Detailed Observations

This report provides detailed audit findings and recommendations in the following sections:

1. Inventory Management
2. Firearms Policy
3. Use of Force Training
4. Use of Force Reporting
5. Select Committee Recommendations

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### 1. Inventory Management

#### Overview

The RNC has developed inventory control procedures to provide for the proper management of its firearms, ammunition and other use of force equipment. These procedures include the assignment of responsibility for control of firearms, ammunition and other use of force equipment, the maintenance of a perpetual inventory system, the requirement for inventory counts and reports thereon and procedures to update the inventory system for acquisitions, transfers, disposals and any required adjustments.

The RNC stores unissued use of force equipment in a secure room, known as the armory, in each region. The types of use of force equipment maintained within the RNC armories are as follows:

## RNC Firearms

- Handguns;
- Rifles;
- Shotguns;
- Ammunition;
- Batons;
- Oleoresin Capsicum (OC) spray;
- Tactical Equipment, such as tear gas and smoke grenades; and
- Distraction Devices.

According to Use of Force Policy, the Use of Force Training Section is responsible for controlling inventory and issuing orders to RNC members relating to firearms, ammunition and other use of force equipment and reconciling inventory with the inventory system.

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In completing our inventory count of firearms, ammunition and other use of force equipment we identified the following issues:

- A. Inventory System
- B. Inventory Procedures

Details are as follows:

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### 1A. Inventory System

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#### Introduction

The inventory system used by the RNC is a perpetual inventory system in that it is intended to be continually updated. Therefore, adjustments, including additions, disposals and/or internal re-assignments of firearms, ammunition and other use of force equipment, should be made on a timely basis to ensure information on inventory is accurate and up to date at any given point in time. Two types of reports can be generated from the inventory system, inventory reports and firearm locker reports.

**RNC Firearms**

Inventory reports provide a complete listing of all inventory items held by the RNC by region and are generated for each type of inventory category. The inventory report provides the serial number for firearms, batons and other use of force equipment owned by the RNC, as well as the location of the item within the region and the member assignment, if applicable. For ammunition, the inventory report provides the quantity on hand and the location of ammunition within the region. The function of the inventory report is to serve as a complete list of all items owned by the RNC at any given point in time.

The firearms locker reports are a listing of all firearms storage lockers in use by the RNC. The firearms locker report shows the name of the member assigned to each locker, and the use of force equipment that is assigned to that member. Firearm locker reports are used to conduct firearms storage locker inspections because they provide a list of the use of force equipment that should be stored in each locker when a member is off duty.

**Firearms,  
ammunition  
and OC spray  
inventory not  
always accurate**

While our inventory counts within the Northeast Avalon region did not result in any findings our review indicated that the inventory systems at the Corner Brook office and Labrador City office were not accurate as follows:

**Corner Brook November 2011 Inventory Count**

- There were two instances where firearms were physically located at the Corner Brook office but were not listed on the inventory report. In one instance the firearm was assigned to a member as per the firearms locker report, although it was not listed on the inventory report. In the other instance, the member's firearm did not appear on either the firearm locker report or the inventory report. Instead it was listed on the Labrador West firearms locker report and inventory report;
- There were three instances where the quantity of ammunition that was physically counted in the armory did not agree to what was recorded on the Corner Brook inventory report. Details are as follows:
  - 12 Gauge (7½) Ammunition – the report indicated 250 more rounds than could be located at the armory;
  - 12 Gauge 00 Buckshot Ammunition – the report indicated 275 more rounds than could be located at the armory; and

## RNC Firearms

- 38 Caliber Ammunition – the report indicated 5000 more rounds than could be located at the armory. RNC officials indicated that this ammunition was for firearms that were no longer being used by the RNC and thus the ammunition had been transferred to St. John's to be disposed; however, the transfer had not been reflected in the inventory system and thus was not showing on the inventory report.
- There was one instance where a unit of OC spray was physically located in the armory but was not listed on the inventory report. It was determined that the member that was assigned the OC spray had transferred to the Labrador West region. The OC spray was recorded as transferred in the inventory system but the OC spray was never physically moved to the new location.
- There was one instance where a baton was listed on the inventory report but could not be located within the armory. RNC officials indicated that the missing baton was assigned to a member who had retired in November 2010 but had not returned the baton. At the time of our review, in November 2011, the RNC had still not recovered the baton.

### Labrador West November 2011 Inventory Count

- There were seven instances where firearms appeared on the Labrador West inventory report but were not physically located in the armory. In five of the seven instances, the firearms had been assigned to members of the RNC but the assignment had not been recorded in the inventory system and was not showing on the inventory report. In one instance the firearm was assigned to a member who had transferred to Corner Brook but the transfer had not been recorded in the inventory system. In the remaining instance, the firearm recorded in the inventory system could not be located.
- There were three instances where the quantity of ammunition that was physically counted in the armory did not agree to what was recorded on the Labrador West inventory report. Details are as follows:
  - .40 Calibre Operational Ammunition – the report indicated 266 more rounds than could be located at the armory;
  - 12 Gauge Slugs Ammunition – the report indicated 75 more rounds than could be located at the armory; and

## RNC Firearms

- 12 Gauge 00 Buckshot Ammunition – the report indicated 66 less rounds than could be located at the armory.
- There were four instances where a unit of OC spray appeared on the Labrador West inventory report but could not be physically located at the armory.

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### 1B. Inventory Procedures

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#### Introduction

There are procedures available to the RNC that if completed would ensure information on firearms, ammunition and other use of force equipment within the inventory system is accurate and up to date at any given point in time. For instance, purchases, disposals, equipment transfers between regions and equipment issued to and received from staff should be recorded manually on stock slips and then recorded in the inventory system on a timely basis. In addition, inventory control total reconciliations should be completed. If these procedures were being performed, it would result in a more complete and accurate inventory system.

#### Stock slips not being used

Stock slips are used to initiate additions and disposals, to transfer inventory between regions and to issue/receive firearms and other use of force equipment to/from members. Transactions are recorded in the inventory system based on stock slips. In several instances, it was noted that stock slips were not available to support inventory transactions. Examples are as follows:

- There was no stock slip completed in the Corner Brook region to initiate the transfer of a member's firearm and baton from that region to the Labrador West region in September 2011. As a result, the member's firearm and baton still appeared on the Corner Brook inventory report and not on the Labrador West inventory report where the equipment was physically located; and
  - There were no stock slips completed in either the Corner Brook region or the Labrador West region to record the addition or disposal of ammunition from August to October 2011. Accordingly, there were system adjustments required for three ammunition types in the Corner Brook region and four ammunition types in the Labrador West region when the physical inventory counts were completed and compared to the balances in the inventory system.
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**RNC Firearms****Database functions not being utilized****Member transfers not completed in inventory system**

When members transfer between regions their firearm, ammunition and other use of force equipment must be transferred within the inventory system. The member's use of force equipment is signed back into the armory in their old region. The transfer is then initiated by that region to record the movement of the equipment. When the use of force equipment is physically received at the member's new location, the inventory system must be updated to accept the transfer electronically. The transfer must be accepted in the inventory system at the new location in order for the transfer to be fully complete; otherwise, the use of force equipment will appear on the inventory report of the member's old location, or possibly on no inventory report for any region.

There were two instances within the Corner Brook region where a member had transferred between units/regions but the transfer had not been updated in the inventory system. Details are as follows:

- A member had transferred from the Corner Brook region to the Labrador West region in September 2011. At the time of our locker inspection, November 2011, the member's firearm was listed on the inventory report for Corner Brook because the electronic transfer of the firearm had not been completed; and
- A member had transferred from Corner Brook region to the Northeast Avalon region in October 2011. At the time of the firearm locker inspection in November 2011, the member's firearm was still listed on the inventory report for Corner Brook because the electronic transfer of the firearm had not been completed.

**Use of force equipment assignments not completed in system**

Use of force equipment is electronically assigned to members in the inventory system. If use of force equipment is not assigned to members, it will appear on the inventory report as being in stock within the armory. If the assignment is not made electronically in the system, then the actual location of that particular piece of use of force equipment is not properly recorded in the inventory system. This could result in difficulties in locating the item.

There were six instances within the Labrador West region where members were not assigned a firearm as per the firearms locker report or the inventory report. Of these six members, two were also not assigned OC spray, batons or ammunition. As a result, per the inventory system, these items would appear to be in the armory as opposed to issued to members.

**RNC Firearms****Control total reconciliations not being completed**

We found that no control totals existed for the firearms, ammunition or other use of force equipment in use within the three regions of the RNC. A control total would take into account all acquisitions and disposals of firearms and other use of force equipment which would serve as a benchmark against which to complete inventory reconciliations.

In prior years, the RNC had completed reconciliations for items listed in the inventory system, with the last one being completed in 2009. However, there was no indication within that reconciliation that the inventory had been compared to a control total to ensure completeness over the total amount of firearms and other use of force equipment inventory in the possession of the RNC.

Our Office has completed these reconciliations in the past during our annual audits. In an attempt to reconcile the total number of firearms that existed at the time of our last review to the total currently recorded in the RNC inventory system, we requested acquisition and disposal information for the last five years. The RNC were unable to provide this documentation for 2007 and 2008 and thus the reconciliation could not be completed. Therefore, it could not be determined if all firearms, ammunition and other use of force equipment that had been acquired by the RNC was recorded in the inventory system and accounted for either in a RNC armory or assigned to a RNC member.

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As a result of these inventory counts, it was evident that officials at the Corner Brook and Labrador West armories could not account for all items under their control. Furthermore, the inventory system is not accurate because all required adjustments, including additions, disposals or internal re-assignments of firearms and other use of force equipment, were not made on a timely basis. In addition, the RNC cannot demonstrate control over the total number of firearms and other use of force equipment in their possession, as they do not perform control total reconciliations. Given the serious repercussions, i.e. the increase in risk to workplace and public safety that could result from issues related to firearms and other use of force equipment, it is critical that the RNC continue efforts to improve compliance with established policies and procedures.

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## RNC Firearms

### Recommendation

The Royal Newfoundland Constabulary should ensure that basic inventory management procedures and relevant inventory system functions are used to produce accurate and complete information on firearms, ammunition and other use of force equipment inventory.

## 2. Firearms Policy

### Overview

The RNC has a Firearms Policy which provides specific direction to its members on the control and usage of firearms. The policy outlines the authority and responsibility of members as it relate to firearms. These include:

- Carrying Firearms;
- Storage and Security;
- Types of Weapons and Ammunition;
- Issuance of Firearms;
- Handling of Firearms;
- Use of Firearms;
- Use of Force;
- Inspections;
- Maintenance; and
- Reporting Procedures.

In completing our review of the RNC's Firearms Policy we identified the following issues:

- A. Locker Inspections
- B. Firearms Storage
- C. Equipment
- D. Firearm Locker Reports
- E. Shotgun Policy
- F. Firearms Locker Security

Details are as follows:

**RNC Firearms**

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**2A. Locker Inspections**

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**Introduction**

The RNC Firearms Policy requires that unloaded firearms, ammunition and OC spray be secured in the members' firearms storage lockers at RNC facilities or in other approved locations when the member is not on duty. To monitor compliance with this policy, the officer in charge of the Use of Force Unit is responsible for the inspection of service firearms and firearm storage areas in the Northeast Avalon region. The Divisional Commanders are responsible for the inspections in the Labrador West and Corner Brook regions. Inspections are required to be completed on a quarterly basis and form part of the District/Divisional report to the Chief of Police. Certain infractions of this policy, such as firearms being stored loaded or use of force equipment being stored somewhere other than the approved firearms storage locker, are reported to the District Inspectors or the Divisional Commanders to follow up with the members.

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**Inspections not performed**

RNC officials from the three regions were requested to provide documentation supporting the completion of the quarterly inspections of firearms and firearms storage lockers for the period November 2009 to November 2011. We found that of a total of eight possible quarterly inspections:

- the Northeast Avalon region could provide support for only two locker inspections (December 2009 and August 2011);
- the Corner Brook region could provide support for only one locker inspection (April 2010);
- the Labrador West region could not provide any documentation to support the completion of any locker inspections.

Quarterly firearms storage locker inspections were not being conducted as required by the RNC Firearms Policy. Without such inspections, significant infractions of the Firearms Policy could go undetected.

**RNC Firearms**

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**2B. Firearms Storage**

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**Introduction**

The Firearms Policy states that every member is responsible for the safe storage of service firearms and ammunition, and that the unloaded firearm, along with ammunition and OC spray, should be secured in the member's firearms storage lockers at RNC facilities or in another approved location when the member is not on duty and that the firearms storage lockers must contain only the service firearm, ammunition, OC spray and magazines. The Firearms Policy also states that should a firearm or ammunition be unaccounted for, an immediate report will be made to the Chief of Police.

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**Firearm stored loaded and not always in firearms storage locker**

During the firearms storage locker inspections, we observed three infractions at the Northeast Avalon region where members' firearms were stored loaded and/or not stored in the approved firearms storage locker. Details are as follows:

- one member had a firearm stored loaded and it was stored in their personal locker instead of in the member's firearms storage locker; and
  - one member had a loaded firearm stored in their firearms storage locker.
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**Equipment missing from lockers**

During the firearms storage locker inspections we observed four infractions where there was use of force equipment, other than firearms, missing from firearms storage lockers. Details are as follows:

**Northeast Avalon Region**

- one member's firearms storage locker was empty. RNC officials indicated that this member was on secondment with the Royal Canadian Mounted Police but still uses their RNC issued firearm; however, no documentation was provided to indicate approval had been given to store their firearms in an alternate location.

## RNC Firearms

### Corner Brook Region

- one member did not have their OC spray stored in their firearms storage locker even though they were not on duty; and
- two members did not have the amount of ammunition stored in their firearms storage lockers as what was recorded in the firearms locker report, even though they were not on duty. The Firearms Policy requires members to use loading/unloading ports that are located in the in the firearms locker storage areas for loading and unloading firearms. RNC officials indicated that the missing bullets had likely fallen into the port.

### Incorrect equipment in firearms storage lockers

During the firearms storage locker inspections we observed twelve infractions where there was firearms or other use of force equipment found in a member's firearms storage locker that did not agree to what was issued to the member per the firearms locker report and the inventory report. Details are as follows:

### Northeast Avalon Region

- four members had firearms stored in their firearms storage lockers that were actually assigned to another member as per the firearm locker report and the inventory report; and
- six members had OC spray stored in their firearm lockers that were actually assigned to another member as per the firearm locker report and the inventory report.

### Corner Brook Region

- two members had firearms stored in their firearms storage lockers that were actually assigned to another member as per the firearms locker report and the inventory report.

This could result in an infraction being cited for the wrong member and also adds confusion when completing locker inspections.

**RNC Firearms**

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**2C. Equipment**

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**Introduction** According to the RNC's Firearms Policy, the Use of Force Training Unit shall maintain all RNC use of force equipment in serviceable condition. The OC spray issued to members of the RNC includes an expiration date. As per the Use of Force Training Unit, it is procedure that any OC spray found to be expired is replaced and then the expired item is disposed of.

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**Expired OC spray in operation** During the firearms storage locker inspections, we observed two infractions within the Corner Brook region where there was expired OC spray stored in the firearms storage locker of members who were assigned to operational duty. Using expired OC spray could pose a risk to both the member and any subject exposed to it.

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**2D. Firearm Locker Reports**

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**Introduction** According to a routine order issued in October 2007, firearms lockers are assigned by the Firearms Control Officer, therefore members who have to change lockers must make the necessary arrangements through the Firearms Control Officer prior to doing so.

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**Inaccurate firearms locker report** During the firearms storage locker inspections, we observed four instances within the Corner Brook region where a member's use of force equipment was found in a locker different than what was indicated on the firearms locker report. These members had changed lockers but the firearms locker report had not been updated to reflect this. This could result in an infraction being cited for the wrong member and also adds confusion when completing locker inspections.

**RNC Firearms**

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**2E. Shotgun Policy**

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**Introduction**

The Firearms Policy requires that one 12 gauge shotgun be contained in each Supervisor's Patrol Unit whenever the unit is in service. The shotgun is to be removed from each Supervisor's Patrol Unit and safely stored at the conclusion of each tour of duty or during any prolonged absence from the vehicle. Members are also to ensure that the shotguns assigned to specific Supervisor's Patrol Units are only deployed in the units to which they are assigned.

**No evidence that policy is being followed**

During previous annual firearms audits, a log book had been provided to record the logging in and out of shotguns for the purpose of complying with this policy.

During our review, we were informed that the log book for the Northeast Avalon region is no longer maintained. In addition, it was also observed during our inventory count that the shotguns assigned to the Headquarters armory in St. John's were all present at the time of inspection. This would suggest that the Supervisors were not on patrol or that they were out on patrol without a shotgun which is in violation of policy. In addition, RNC officials have indicated that there are no log books used in the Corner Brook and Labrador West regions; therefore, they have no documentation to support compliance with this policy.

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**2F. Firearm Locker Security**

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**Introduction**

The 2011 firearms audit completed internally by the RNC's Audit Manager found serious issues with regards to firearms storage locker security. The report stated that while each locker has a key, there have never been controls in place that would have prevented the duplication of keys and/or ensured the returning of keys when a locker change occurs. It was also found that when keys are missing and no spares are known to exist, the lock cylinder is replaced by cylinders that are sometimes duplicates of other firearms lockers held at the RNC.

## RNC Firearms

### No plan to correct firearm locker security issues

The Use of Force Training Unit confirmed that the five cylinder lock system currently used in the firearm lockers can result in a duplication of locks. RNC officials indicated that there was one instance where a member could not locate their firearm because it had been removed from their firearms storage locker by another member on a different shift because the two lockers were in close proximity and had identical keys. The Executive Director of Operations informed us that there are no plans in place to address these shortcomings of the firearms storage lockers.

RNC members have demonstrated several types of non-compliance with the Firearms Policy. Given the serious repercussions, i.e. the increase in risk to workplace and public safety that could result from issues related to firearms and other use of force equipment, it is critical that the RNC continue efforts to improve compliance with established policy.

## Recommendations

The Royal Newfoundland Constabulary should:

- ensure that members are in compliance with the Firearms Policy; and
- consider establishing a plan that addresses the firearm locker security issue.

## 3. Use of Force Training

### Overview

Use of force training consists of a basic one week use of force program plus four modules which are to be offered on a continual basis. The four modules include:

- Module 1 – Firearms;
- Module 2 – Defensive Tactics/Handcuffing Techniques and Baton;
- Module 3 – Tactical Room Entries/Weapons Retention; and
- Module 4 – Use of Force Continuum Lecture.

The Use of Force Policy requires that members complete Module 1 each calendar year and complete the remaining three modules on a cyclical basis over a three year period.

**RNC Firearms**

In completing our review of the Use of Force Policy we identified the following issues:

- A. Use of Force Training Database
- B. Use of Force Training Activity

Details are as follows:

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**3A. Use of Force Training Database**

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**Introduction**

Past reviews of the RNC use of force training have included an analysis of the RNC Training Database which was used to track training in use of force. Those reviews demonstrated that the database was incomplete and inaccurate. To correct this, the RNC Use of Force Training Unit developed a new database, the Use of Force Training Database, to attempt to maintain control over use of force training provided to members.

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**Training database inaccurate and incomplete**

We reviewed the information entered in this database from 1 January 2010 to 4 November 2011. We tested the accuracy of the inputs into the system and determined that the information was neither accurate nor complete. For example:

- in 45 instances the date for training was entered incorrectly; and
- in 413 instances training was completed but not entered into the database.

As a result, we could not rely on the information contained within the use of force training database to demonstrate whether members were in compliance with the Use of Force Policy and had received all required training.

**RNC Firearms**

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**3B. Use of Force Training Activity**

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**Introduction**

According to the RNC Use of Force Policy, all members will receive compulsory training as approved by the Chief of Police. As per the Use of Force Policy related to training, members are to complete Module 1 (firearms) each calendar year and the remaining three modules on a cyclical basis over three years. During the 2010 calendar year, all members were required to complete Modules 1 and 4 while during the 2011 calendar year, all members were required to complete Modules 1 and 2 unless exempted due to leave or valid medical reasons.

**Members without required training completed**

For 2010, there were 390 members included on the roster. It was determined that 4 members had left the RNC and 29 were not required to receive training due to medical reasons or because they were on some type of leave. This left 357 members who required the training during the calendar year. For the 357 members requiring Module 1 (firearms) and Module 4 (use of force continuum lecture) use of force training during 2010 we noted the following as of 31 December 2010:

- Of the 357 members, all of them had completed Module 1 training in the calendar year; and
- Of the 357 members requiring Module 4 training, 355 had completed the training in the required time frame while the remaining 2 did not receive the required training within the calendar year.

For 2011 there were 417 members included on the roster. It was determined that 2 members had left the RNC and that 23 were not required to receive training due to medical reasons or because they were on some type of leave. This left 392 members who required the training during the calendar year. For the 392 members requiring Module 1 (firearms) and Module 2 (defensive tactics/handcuffing techniques and baton) use of force training during 2011 we noted the following as of 24 November 2011:

- Of the 392 members requiring Module 1 training, 376 had completed the training while 16 had not yet completed the training. To comply with RNC policy, the remaining 16 members will have to receive Module 1 training by 31 December 2011.

## RNC Firearms

- Of the 392 members requiring Module 2 training, 278 had completed the training while 114 had not yet completed the training. To comply with RNC policy, the remaining 114 members will have to receive Module 2 training by 31 December 2011.

As a result, the RNC is at risk of not complying with its policy on use of force training as they have from 24 November 2011 to 31 December 2011 to train 16 members in Module 1 and 114 members in Module 2.

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### Recommendations

The Royal Newfoundland Constabulary should:

- ensure that all members are in compliance with established use of force training policy; and
- consider changing the existing inventory system or developing/acquiring a new system that would meet the needs of the Use of Force Training Unit.

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## 4. Use of Force Reporting

### Overview

The RNC Firearms Policy requires that members be fully versed in the use of force guidelines as outlined in the Use of Force Policy. These guidelines provide guidance with respect to when it is appropriate to use force and the level of force required to be used in various situations. The Use of Force Policy requires that when a member engages in use of force, with the exception of compliant handcuffing, a use of force report must be filed.

RNC Policy requires that these reports be reviewed by the member's immediate supervisor and the District Inspectors and/or Divisional Commanders, and submitted to the Chief of Police. In addition, the RNC has established a Use of Force Review Board to monitor the procedures, practices and training relating to use of force and to review all incidents of use of force.

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## RNC Firearms

In completing our examination of the Use of Force Policy we identified the following issues:

- A. Use of Force Reporting Policy
- B. Use of Force Review Board

Details are as follows:

### 4A. Use of Force Reporting Policy

#### Introduction

According to the RNC Use of Force Policy, reporting on the use of force is mandatory in all cases. When members use force they must complete a use of force report and forward it to their immediate supervisor and the District Inspectors and/or Divisional Commanders for review. On a monthly basis, each of the eight units/platoons completes a monthly summary with general comments, policy references and other recommendations and forwards it to the Office of the Chief of Police.

From the use of force reports provided by the RNC, we determined that there were 1,115 use of force incidents reported between November 2009 and November 2011. Of these 1,115 incidents, 53 related to firearms, 45 of which involved drawing and/or pointing a firearm at a person while the remaining 8 involved the discharge of a firearm regarding animals.

Figure 3 shows these statistics for the period November 2009 - November 2011.

**Figure 3**

#### Royal Newfoundland Constabulary Firearm Use of Force Statistics For the Period November 2009 – November 2011

Incidents	2011	2010	2009	Total
Total Number of Incidents	393	635	87	1,115
Total Number of Incidents related to Firearms	21	26	6	53
Number of Incidents - Drawing/Pointing at a Person	19	22	4	45
Number of Incidents - Discharge regarding Animals	2	4	2	8

Source: RNC - Use of Force Unit

## RNC Firearms

### Use of force reports not always being reviewed

RNC officials provided 1,034 use of force reports were provided to support the 1,115 use of force incidents reported between November 2009 and November 2011. Of the 1,034 use of force reports that were available, we found that 17 of them were not signed as evidence of the required review by the District Inspector/Divisional Commander.

### Use of force reports not provided

From our review of use of force reports we found:

- ten instances where we did not receive any Use of Force Reports pertaining to particular months for multiple platoons/units; and
- one instance where we only received a summary pertaining to a particular month for a platoon/unit.

The RNC could not demonstrate that all use of force reports were being reviewed by the District Inspector or Divisional Commander as dictated by policy. As a result, the RNC may be missing opportunities to identify inappropriate uses of force.

## 4B. Use of Force Review Board

### Introduction

According to the RNC Use of Force Policy, the RNC and its individual police officers have a vested interest in maintaining the highest standards in relation to use of force training and authorities granted under the Criminal Code of Canada. To accomplish this objective, ongoing evaluation of RNC procedures, practices and training in relation to the use of force is required. The responsibility for such evaluation rests with the RNC Use of Force Review Board (the Board). As per policy, this Board will review all instances of use of force, but will not act as a disciplinary committee. RNC officials indicated that all members of the Board receive copies of the Use of Force Reports. The Firearms and Use of Force Instructors, as well as the Solicitor and the Manager of Planning and Research, are responsible for reviewing the reports and advising which incidents warrant further discussion at Board meetings. Board meetings are held on an as-needed basis or as directed by the Chief of Police or his/her designate.

## RNC Firearms

### Lack of evidence indicating Board review

The Firearms and Use of Force Instructors could only provide 552 use of force reports out of approximately 1,034 that we received from other RNC officials. Of those 552, there was no evidence that they had been reviewed. In fact, there was no evidence that the Firearms and Use of Force Instructors had reviewed any of the 1,034 use of force reports.

Given that some of the use of force reports could not be provided and the lack of review of the available reports, the RNC could not demonstrate that use of force reports were being reviewed by the Firearms and Use of Force Instructors, on behalf of the Board. As a result, the RNC may be missing opportunities to identify inappropriate uses of force.

### Board meeting not documented

As per the Use of Force Policy relating to the Use of Force Review Board, the Board is required to meet on an as-needed basis. During the period of our review, RNC officials indicated that three Use of Force Review Board meetings had taken place. While officials were able to provide minutes for meetings for 17 February 2010 and 19 April 2011, they could not provide minutes for a meeting that was reported to have taken place during June or July of 2010. As a result, there is no official record that the meeting actually occurred and there is nothing to document matters discussed.

The RNC is in violation of their Use of Force Policy. Given that some use of force reports could not be provided and the lack of review of some available reports, the RNC may be missing opportunities to identify inappropriate uses of force.

## Recommendations

The Royal Newfoundland Constabulary should ensure that:

- all use of force reports are signed by required officials to indicate review to ensure compliance with policy ;
- the Firearms and Use of Force Instructors review all use of force incidents; and
- minutes are kept for all Use of Force Review Board meetings.

## RNC Firearms

### 5. Select Committee Recommendations

#### Overview

On 2 December 1997, a Select Committee (the Committee) of the House of Assembly was appointed to enquire into the arming policy of the RNC. The Committee tabled its report including recommendations to the House of Assembly on 31 March 1998. Included in the report tabled by the Committee was a recommendation that a firearms audit acceptable to the Minister of Justice be performed annually and submitted to the House of Assembly. To comply with this recommendation of the Committee, in 1999 the Chief of Police requested that the Office of the Auditor General complete the audit. The Office performed the annual audit from 1999-2006.

In addition, the Committee recommended in its report that the RNC arming policy be reviewed after five years by a committee appointed by the House of Assembly. Thus, this should have been completed covering the five years to 31 March 2003.

In 2007, the Chief of Police requested that the Minister of Justice (the Minister) approve the completion of the annual firearms audit internally by civilian audit staff at the RNC. In November 2007, the Department of Justice advised all parties that it was acceptable to the Minister that the Office of the Auditor General would no longer need to complete the annual firearms audit as it would be conducted internally by the RNC.

#### Annual firearms audits not completed

RNC officials could not produce audit reports or other documentation to suggest that the annual internal firearms audits for the years 2007, 2008 and 2009 had been completed, or that the results of any audits had been communicated to the Department of Justice. The annual internal firearms audit reports and evidence of their submission were provided for 2010 and 2011.

As a result, the RNC could not demonstrate that the internal firearms audits, deemed to be acceptable to the Minister, had been conducted to provide assurance that members complied with the RNC's Firearms Policy for those three years.

#### Arming policy not reviewed

As at December 2011, as per discussion with RNC officials, the five-year review of the RNC arming policy, recommended by the Select Committee and expected to be completed covering the five years to 31 March 2003, has never been completed.

## RNC Firearms

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### Recommendations

The Royal Newfoundland Constabulary should:

- ensure that a firearms audit acceptable to the Minister of Justice is completed and submitted annually; and
- consult with the Department of Justice as to whether to revisit the recommendation for a Select Committee to review the arming policy of the RNC.

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## RNC's Response

### General Comments

*We have reviewed this final audit report and most of these findings are relating to administrative issues. It is important to note that officers have received extensive and high quality firearms and use of force training. As well, no firearms are missing and all our firearms inventory is under tight control and there is no risk to the public. In addition, every use of force report is closely reviewed at multiple levels in the RNC.*

*We have taken or will be taking action to address all the issues raised in the report. In addition, we have now hired a new Audit Manager who is a qualified Chartered Accountant who will conduct our annual firearms in the future.*

*Furthermore, the RNC will be conducting a policy review to determine if our firearm and use of force policies meet our current operational needs and remain consistent with the standards of other police services across the country.*

*We would also like to comment on the detailed audit findings of the report. For those items where we have corrections or comments, we will outline the section titles for reference purposes. Our comments are as follows:*

**RNC Firearms****IA Inventory System**

*The operation of the RNC armory inventory system is a vast improvement to other attempts at inventory control in the past. This computer system and the procedures relating thereto, provide the basis of basic inventory management procedures. While there are instances of incomplete electronic transactions, the paper trail of inventory movements in the majority of instances is complete and accurate. It is important to highlight that the North East Avalon represents 85% of the total RNC inventory and this has 100 percent compliance with the inventory system.*

**Corner Brook November 2011 Inventory Count**

*You identify that one firearm in Corner Brook was signed out to a member but not listed on the inventory report. This was in relation to two transfers. To transfer firearms from one location to another is a two-step procedure. It requires the firearms officer to transfer the firearm electronically from the sending region, but it also requires the receiving region to accept or the transfer does not happen. This is what happened in this instance. This is something that will have to be addressed further with the IT development of the system.*

*The report indicates errors with the amount of ammunition on hand verses what the Corner Brook inventory reports indicated. The inventory shows 250 more rounds of one type of ammunition and 275 less of another similar type of ammunition. This was an error in that the Constable counted one type of ammunition for another and that actually the count was short by just 25 rounds.*

*The report indicates 5000 rounds of 38 caliber ammunition that the Corner Brook inventory indicates should be on hand but was not. This type of ammunition is no longer used by the RNC and was sent out to St. John's to be destroyed but still appears on the Corner Brook inventory.*

**Labrador West November 2011 Inventory Count**

*Regarding the Labrador West November 2011 Inventory Count, you noted that a firearm located in the inventory system could not be located.*

*Working with the serial number of the specific firearm, it was established that it had been transferred from our Corner Brook region to our Labrador West region and was assigned to a member who had recently transferred to one of the detachments within the region. The armory system permits assignment of inventories to Labrador City and Churchill Falls detachments from the Labrador West region inventories and so this was simply an instance of a transfer not taking place in the computer system. There is no missing firearm.*

## RNC Firearms

*During the inventory counts in the Labrador West region where both an Auditor and the regional Firearms Officer were present, differences were identified that could not be explained. However, during subsequent counts, completed by the RNC, additional information was obtained to account for some of the differences. The RNC does acknowledge there is a lack of documentation in some instances.*

*The report indicates there are more rounds of .40 caliber operational ammunition identified on the Armory inventory system than there are in the Labrador armory. The total number of rounds unaccounted for are 276. These rounds would have been disposed of during the course of annual requalification and not noted on a stock sheet and not removed from the system.*

*Also there are more 12 gauge slug rounds listed than can be accounted for in the Labrador West armory. A subsequent count revealed a difference of 40 rounds.*

*The report indicates there are less rounds of 12 gauge 00 Buckshot ammunition than could be located in the Labrador West armory. A subsequent count revealed a difference of 40 rounds. The forty (40) rounds not accounted for would have been disposed and not recorded or removed.*

*It also indicates that there were 4 instances where a unit of OC spray appeared on the Labrador West inventory report but could not be physically located at the armory. Again, this is an instance of incomplete computer transactions as opposed to missing inventories. This is a major difference as the inventories are not missing and thereby, no increased risk to public safety.*

*Please be advised one of the OC spray canister was issued to a member within our Labrador West region, but was disposed of last year and the officer was issued another OC spray. The remaining OC spray said to be missing were all assigned to members within the Labrador West region.*

*Overall, the inventory system is the central source for the RNC armories. While all adjustments are not made immediately, the adjustments to the system are made as timely as possible at most times.*

**RNC Firearms****IB Inventory Procedures*****Member transfers not completed in inventory system***

*It is highlighted that a transfer from Corner Brook to the Northeast Avalon region in October 2011 was not completed electronically in the system as at November 2011. It is important to note that the Use of Force Team are actively working with the new Recruits during the fall months and actively working on training requirements at any open times, thereby, it is possible that such a delay will take place in completing electronic documentation. The paper trail of such transfer is available.*

*If there was ever a question regarding the transferred member during this timeframe, the Use of Force team are involved and would foremost ensure that the electronic system reflects the actual location of the member and equipment. While the electronic system is the source of information, the Use of Force team drives this system. Hence, while the Use of Force team is extremely busy, particularly during active recruit training, the nature of some tasks cannot be completed immediately.*

*Comparing the actual training of members and completing the second level of inventory control procedures, it is obvious that the second level of documentation must not always be the main priority and thereby, is not completed immediately at times. This is part of the priority and risk management approach that must be taken. It is imperative to note on this matter that the Use of Force team considers this fact if any armory questions are to be investigated or confirmed.*

*To further highlight the conclusion in this section of the report, the RNC does not entirely agree with the statements. It is accepted that the Corner Brook and Labrador West officials require further attention to detail in managing the armories. However, it is important to note that such inventory roles are secondary in these locations and thereby, the attention to detail is not always available and this is simply due to the staffing requirements and available resources in these areas.*

*It is also important to note that routine counts are completed throughout the year and any such issues noted at these times are indeed documented, corrected and reflected in the armory inventory system. To note that the inventory system is not accurate - this is a statement of time. As identified before, system updates are not made immediately and hence, some of the issues noted by you are simply a matter of timeliness and the paper documentation of inventories is available, meaning there is no definite loss or lack of control of such armory inventories.*

**RNC Firearms****2A Locker Inspections**

*The report indicates that various quarterly inspections of firearms and firearms storage lockers were not completed for the period of November 2009 to November 2011. However, there were additional inspections completed that were not formally recorded, thus could not be provided to your office. In particular, a former member was assigned as our Inspections Officer until his retirement in March, 2011.*

*Finally, it is important to note that upon requalification training each year, the firearms are inspected again for every officer. We will also be conducting research with other police services but it is our understanding that other police services do not conduct quarterly inspections, therefore we may be revising our policy in this area to an annual audit only.*

**2B Firearms Storage**

*The report stated, "During the firearms storage locker inspections, we observed three infractions at the Northeast Avalon region where members' firearms were stored loaded and/or not stored in the approved firearms storage locker.*

- one member had a firearm stored loaded and it was stored in their personal locker instead of in the member's firearms storage locker; and*
- one member had a loaded firearm stored in their firearms storage locker."*

*We would like to clarify that our firearms officer was present during this finding and in the first instance, the firearm belonging to the officer was stored in their "locked" personal locker.*

*In the second instance, the firearm was stored in the officer's locked firearms locker with a magazine in the firearm, but it was not fully charged.*

*In neither incident was the public at risk.*

*A further comment on this issue relates to the ongoing assignments and checks and controls by the Use of Force team or as otherwise arisen. As noted in your report, there are over 400 police officers whereby each and every officer is communicated policy and then, the onus is on the officer to comply with all policies and procedures at all times. This is the case in the finding by you in relation to firearms being stored in personal lockers.*

**RNC Firearms**

*During locker inspections or otherwise, such compliance issues are investigated internally and the officers are reprimanded as required and according to policy. Similarly, the findings relating to OC Spray located in a specific officer's locker being assigned to another member is one of the common findings by our Use of Force team and former Audit Manager. During operational and training exercises, the OC canisters are often accidentally switched as one member simply picks a canister. As this finding is a continuous communication issue during firearms training and/or assurance procedures, the importance of viewing one's serial ID will become more paramount and routine for the officers.*

*The report references two members in Corner Brook had firearms in their lockers which belonged to another member. One of the officers has indicated that his firearm and another officer's firearm were inadvertently switched during a recent firearm training session. This concern has been addressed and we have taken steps to prevent such occurrences in the future.*

*It also references two members having OC spray that was expired which has since been rectified. This has now been reviewed and we have replaced those which have expired.*

*There were also four instances where members' use of force equipment was located in a different locker than was assigned. This has since been updated in the system to accurately reflect proper ownership of lockers to address this problem.*

**2F Firearm Locker Security**

*The report indicates that there are serious issues with regards to firearms storage locker security and that there could be serious repercussions (i.e. increased risk to workplace and public safety). However, we feel the security is strong since they are in locked steel boxes only accessible by our officers and monitored by a security camera inside a locked room inside a secure building. Therefore, the public is not at risk. As well, when the new RNC Headquarters Building redevelopment is completed, there will be an enhanced gun locker system implemented.*

**3A Use of Force Training Database**

*The report indicates that in 413 instances training was completed but not entered into the database.*

*The key here is, of course, that the training was completed for these members. However, it was actually recorded twice – in the database and again on an Excel spreadsheet. The database is old software (access 97) and that is why we are now using a spreadsheet system as well.*

**RNC Firearms**

*In the past year, there were significant upgrades to the Use of Force database in correspondence with the Office of the Chief Information Officer (OCIO) to try to make the database salvageable and useful to our Force. While these upgrades were ongoing, the use of the excel spreadsheets for 100% accuracy and reliability was commenced. Due to the previous issues with the database, the excel spreadsheets are continued. The most recent issues with the database will either result in more required reporting improvements if possible or abolishment of the electronic database. Nevertheless, as noted, the most important message is that all training is being tracked and that there is a source to determine which members still require any training.*

**3B Use of Force Training Activity**

*As reported, the training success rate for the RNC is excellent for 2010. All members requiring module 1 training received it and all, but two, members received the module 4 training in the calendar year.*

*The audit report also notes that as of November 2011, not all training is yet completed for modules 1 or 2 in the current calendar year. However, there is a further update to the 2011 training statistics contained in the audit report and we are pleased to report as follows:*

- *Of the 392 members requiring module 1 training, 380 (not 376) have now completed the training while 12 (not 16) had not yet completed the training.*
- *Of the 392 members requiring module 2 training, 388 (not 278) have now completed the training while 4 (not 114) have not yet completed the training.*

**4A Use of Force Reporting Policy**

*The report indicates that 17 of the 1034 use of force reports were not signed as evidence of the required review by the District Inspector/Divisional Commander. This represents only 1.6% of the reports, however most importantly, while this may be the case, we can assure you that we take the review of all these reports very seriously and they were all not only reviewed by the District Inspector/Divisional Commander, but also at the Deputy Chief level. We, at the RNC, feel confident in our review mechanisms and recognize that while the signature of evidence for your audit may not be present, we are confident that the review is completed by senior ranks.*

**RNC Firearms****4B Use of Force Review Board**

*The report indicates that we could not demonstrate that all use of force reports were being reviewed by the firearms and use of force instructors. While this may be the case, we can assure you that they thoroughly review all use of force reports and will initial them in future accordingly. Again, this is an instance whereby the RNC does not consider this a significant audit finding as the confidence of the review procedures is assured but, the documentation of that is lacking. This signature of evidence will be available in all future instances.*

**5. Select Committee Recommendations**

*The report indicates that there were no annual internal firearms audits for the years 2007, 2008 and 2009. This requires some explanation as follows:*

*During November 2006, it was proposed that a new RNC civilian management position, entitled Operational Audit and Compliance Manager ("Audit Manager"), should be responsible for completing the annual firearms audit. However, it was not until 14 October 2008, that a conclusion was reached whereby the Minister of Justice and the Department agreed that this was an acceptable approach and accordingly, reported this to the Office of the Auditor General.*

*While this new position was originally filled in October 2007, the individual occupying this role did so only for a short period of time. Thereby, it was actually 1 December 2008 when this position was filled again for the long term.*

*When this position was originally filled, the individual commenced the firearms audit for 2007. While this was ongoing, it was not completed prior to the position becoming vacant again and that particular audit was not continued by the new manager. Instead, it was determined that it was primarily necessary to act upon the findings previously reported by the Auditor General as it related to the Royal Newfoundland Constabulary's armory system and armory controls. As a result, the Operational Audit and Compliance Manager actively monitored the reconciliation of the armories held by the RNC. This included consultations with the Audit Manager to identify a controlled process for managing the armories, as well as recommendations to direct an accurate and controlled approach to complete the armory reconciliation.*

*Our commitment is to continue to conduct annual firearms audits and we are pleased to announce that we have now hired a very experienced Chartered Accountant who will be our new Audit Manager.*

**RNC Firearms**

*Also, the audit report indicates that the five-year review of the RNC arming policy, recommended by the Select Committee and expected to be completed covering the five years to 31 March 2003, has never been completed. However, the appointment of this Select Committee is not within the control of the Royal Newfoundland Constabulary and the RNC executive has not received any indication that this will take place and we do not hold the intention to revisit this matter.*

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