

MINISTERIAL ORDER

Pursuant to Section 7 of the *Police Act*, S.N.S., 2004, c. 31

WHEREAS Victoria Paul was arrested by the Truro Police Service on August 28, 2009 for public intoxication, and was taken to the Truro Police Lock-Up Facility.

AND WHEREAS Ms. Paul was taken in an ambulance from the Truro Police Lock-Up Facility to the Colchester Regional Hospital later in the day of August 28, 2009.

AND WHEREAS Ms. Paul was transferred to the Queen Elizabeth II Hospital in Halifax, N.S., where she passed away on September 5, 2009.

AND WHEREAS the Halifax Regional Police was requested by the Truro Police Service to conduct an operational review into the circumstances surrounding Ms. Paul's death, including her arrest and detention.

AND WHEREAS the Halifax Regional Police conducted an operational review and concluded that there was no violation of the *Criminal Code* or other federal, provincial or municipal statute.

AND WHEREAS the public, Ms. Paul's family and the Aboriginal community, including the Nova Scotia Native Women's Association, have expressed concerns to the Minister of Justice and the Premier, who is the Minister responsible for Aboriginal Affairs, and have requested an independent process to review the actions of the Truro Police Service.

AND WHEREAS in February, 2011 a resolution supporting an inquiry into the detention of Ms. Paul was passed by the Atlantic Policy Congress of First Nations Chiefs.

AND WHEREAS the Minister of Justice has determined that an independent investigation of the circumstances of Ms. Paul's arrest, confinement and transfer to hospital is appropriate in the circumstances.

IT IS HEREBY ORDERED, in accordance with Section 7 of the *Police Act*, which allows the Minister of Justice to order an investigation into any matter relating to policing and law enforcement in the Province, including an investigation respecting the operation and administration of a police department, that Nadine Cooper- Mont conduct an investigation and provide a written report to me, with recommendations if they are deemed appropriate.

IT IS ORDERED that the scope of the investigation is to investigate the following:

- Whether the Truro Police Service complied with all appropriate training, policies, procedures, guidelines, Nova Scotia statutes and regulations, and the *Criminal Code (Canada)* in relation to the events of August 28, 2009, from the moment Victoria Paul was arrested and detained for public intoxication to the time an ambulance arrived to respond to

Ms. Paul;

- Whether the Truro Police Service provided appropriate monitoring of Ms. Paul's health and access to a medical assessment in a timely manner;
- Whether the Truro Police Service appropriately communicated with Ms. Paul's family having regard to all applicable training, policies, procedures and guidelines;
- Whether the Truro Police Service policies, procedures and guidelines relating to the manner in which it detains, monitors and responds to intoxicated persons, are adequate; and
- Whether the investigation by the Halifax Regional Police into Ms. Paul's death was adequate, performed faithfully and impartially, and free of actual or perceived conflict of interest or bias.

IT IS ORDERED that the written investigation report with recommendations, if appropriate, be provided to me by March 1, 2012, with the option for a 3 month extension with my approval.

In accordance with subsection 7(5) of the *Police Act*, the persons conducting this investigation have all of the powers and immunities of a peace officer during the investigation and any proceedings relating to this matter under investigation.

DATED this 25th day of August, 2011, Halifax Regional Municipality, Province of Nova Scotia.

Ross Landry
Minister of Justice and Attorney General