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## **INTEGRATED POLICING TO COMBAT ORGANIZED CRIME IN CANADA**

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# **INTEGRATED POLICING TO COMBAT ORGANIZED CRIME IN CANADA**

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For the past thirty years, the Royal Canadian Mounted Police in Canada has been involved in developing the concept of integrated policing and is continuing with that evolutionary process today. The role that integrated policing has played in Canada and with our international partners has been recognized as one of the most effective tools in our fight to combat organized crime.

One of the first approaches the RCMP undertook toward integrated policing occurred in the early 1970's. The RCMP drug sections, Municipal Police Officers and Provincial Police Officers joined together to attack organized crime groups involved in narcotics trafficking. The 1970's were evolutionary periods in Canada, when the obligation for narcotics investigations were moved from the sole responsibility of the RCMP to the current system where narcotics' enforcement involves all police agencies. The combined forces initiative was beneficial to all the participants. It was a successful method of training many municipal and provincial police officers in narcotics investigations, added many new resources into the narcotic's enforcement area and it allowed for the sharing of intelligence. Today there are still many joint forces narcotics operations in Canada; however, several of the initial partners have grown to the extent that they now have their own narcotic's investigation units within their departments.

At about this same time, the RCMP's relatively new Commercial Crime Sections were forming partnerships outside of the police environment. They developed a close working relationship with investigators from Revenue Canada Taxation as a method of removing the proceeds of crime from criminal organizations through prosecutions for Income Tax Evasion. This initiative did have some successes; however, the confidentiality

requirements under the Income Tax Act made it very difficult to share information and to have a true partnership. Through this arrangement only unsophisticated criminals were apprehended.

In the late 1980's, there was a recognition by the RCMP that criminal organizations were making tremendous amounts of money from narcotics trafficking. There were insufficient dedicated resources to investigate, seize and forfeit the proceeds of crime. Attempts to control drug trafficking in Canada had for years consumed considerable human and fiscal resources, with questionable results. Narcotics' enforcement initiatives traditionally have been to target solely on the seizure of drugs with little concern for the proceeds that have been derived from the sale. In response to this situation, the RCMP established Anti-Drug Profiteering Sections (ADP) who used then existing legislation under the Criminal Code and the Income Tax Act to forfeit the proceeds of crime from the sale of narcotics. The addition of Anti-Drug Profiteering members to the Drug Sections gave a new dimension and direction to Narcotics Enforcement, but it quickly became very apparent that the existing legislation in Canada and the resources provided to conduct these investigations was totally inadequate.

In 1992, the Government of Canada recognized the need for a truly integrated **and multi-discipline** approach toward investigating organized crime involved in narcotics trafficking. They agreed to specially fund, on a five-year trial basis, three Integrated Anti-Drug Profiteering Enforcement Units that were located in Montreal, Toronto and Vancouver. Their mandate was to investigate, restrain, seize and forfeit the proceeds of crime in relation to narcotics' offences. The Units consisted of RCMP, Municipal and Provincial Police Officers, Department of Justice Lawyers, and Forensic Accountants. The three ADP Units worked closely with the substantive drug sections and were successful in forfeiting fifty-three million dollars between 1992 and 1996. The Units were found to be effective method of removing the proceeds from drug trafficking.

As a result of the success of the ADP Units, the Government of Canada agreed in 1996 to expand this specially funded initiative. Ten additional Integrated Units were established in major cities across Canada. The Units were renamed "**Integrated Proceeds of Crime Sections ( IPOC)**" to reflect the expanded mandate to investigate money laundering offence

relating to designated drug and enterprise crime offences under the Narcotic Control Act, Criminal Code and specific offences under the Customs and Excise Acts. In addition to the original partners, who participated in the Anti Drug Profiteering Sections, new partnerships were formed with Canada Customs and the Seized Property Management Directorate created under the Seized Property Management Act. Memorandums of Understanding were negotiated among the partners to ensure that the roles were clearly defined. As with any marriage, at the outset there was a need 'for give and take' on the part of all the participants to make this long-term arrangement work. Cooperation and trust were the most important considerations in maintaining a good working relationship.

Prior to the formation of the Integrated Proceeds of Crime Sections, it was common for investigative units to join together for specified periods of time to work on identified targets through formal or informal **Joint Forces Operations (JFO's)**. The Integrated Proceeds of Crime approach is unique in that the Units are a permanent integrated multi-discipline working group dedicated to the disruption of organized crime through the restraint, seizure and forfeiture of criminal assets. Because asset forfeitures in Canada are based on convictions for designated offences, a close working relationship is required with substantive investigative Units such as the Narcotics Sections and Economic Crime Sections.

The success of the IPOC Sections over the past ten years has demonstrated the benefits of the integrated policing model. In recent years the Integrated Proceeds of Crime Sections have expanded with the addition of personnel from Revenue Canada Taxation joining our team. In the past, it has not always been possible to forfeit suspected criminal assets as the nexus between the criminal offence and the asset could not be substantiated to the degree required by Canadian law. With investigators from Revenue Canada Taxation working in the Units, combined investigations under the criminal code and the Income Tax Act is now carried out in most cases. Prosecutions for possession of proceeds and income tax evasion utilizing the same information ensures that maximum forfeitures are obtained. As the mandate of the Integrated Proceeds of Crime Units is to remove the proceeds of crime from criminal organizations, how those assets are forfeited is not important. Revenue Canada personnel also assist in the preparation of net worth analysis which is used for both the proceeds of crime and tax evasion

charges.

Under the IPOC model the Police and Canada Customs investigators have the primary responsibility for initiating investigations and the gathering of evidence to support criminal charges.

Forensic Accountants from the Forensic Accounting and Management Directorate of Public Works and Government Services are responsible for reviewing and interpreting documents relating to financial transactions. They then prepare a net worth analysis which is critical in demonstrating to the court that assets were obtained from designated criminal enterprises.

The department of Justice has a dual role in the integrated Units. In addition to their normal role as prosecutors, they also serve as dedicated in-house counsel to the IPOC Sections. In this capacity they provide daily guidance and advice to investigators on legal issues, assist in the preparation of legal documents and appear in court on applications for restraint and forfeiture orders.

Under the Seized Property Management Act, which was proclaimed in 1997, the Seized Property Management Directorate is responsible for the management of proceeds that are seized, restrained and forfeited in relation to a Federal Statutes. Seized Property Management Directorate personnel work with investigators to develop an asset management plan prior to the seizure or restraint of assets or property. This planning ensures that valuable assets are professionally transported, stored and eventually disposed of according to court orders. Asset management can be an onerous task that most police departments are not equipped to perform; therefore, the work of SPMD is indispensable. However, even with the expertise of the Seized Property Management Directorate the police operate under the golden rule "if it eats don't seize it." Unfortunately, some past experiences have taught us to always consider the costs of maintaining an asset compared to its value when it is eventually forfeited!

The RCMP integrated approach to attacking organized crime is a work in progress and is continuing to expand. In the 2001 Directional Statement of RCMP Commissioner Zaccardelli, one of his five strategic priorities was "**to develop Integrated Policing domestically and internationally in pursuit**

**of the RCMP's strategic priorities."** In line with this directional statement, major RCMP projects are required to be conducted as integrated multi-discipline investigations. Based on intelligence gathered on criminal organizations, integrated multi-discipline teams are formed through the secondments of investigators from Specialized Sections and outside agencies. Usually, the largest component of these teams consists of police investigators from the RCMP, municipal and Provincial police departments. The investigators are selected due to their expertise in a variety of areas such as: narcotics, economic crime, proceeds of crime, customs and immigration. There may also be a need to include non-police agencies such as Canada Customs, Revenue Canada or Canadian Immigration in the team composition depending on the type of offences under investigation.

Investigation of criminal organizations on an international scale requires partnerships with police agencies in foreign jurisdictions. Bringing the agencies into the investigation in the early stages is preferable, rather than have them playing catchup part way through an investigation.

Traditionally, police investigators closely guard information and are reluctant to share information with outside agencies, and in some cases, within their own organization. For the integrated approach to work, it is extremely important that information and intelligence be shared amongst all the stake holders.

In today's environment where Criminal Organizations freely travel throughout the world committing a wide range of offences, it is exceedingly important for the police to be able to respond to these investigations with a wide variety of expertise through an integrated approach. It is also imperative that police organizations take advantage of opportunities to develop international cooperation. Joint international investigations, the sharing of intelligence and conferences such as this one are in my opinion ideal ways to foster future relations.

I have provided a brief overview of Integrated Policing within the RCMP, which may not be different from that practiced in many other countries. It is a concept that is gaining support throughout Canada and in my opinion appears to be the most efficient and effective use of resources to fight organized crime.