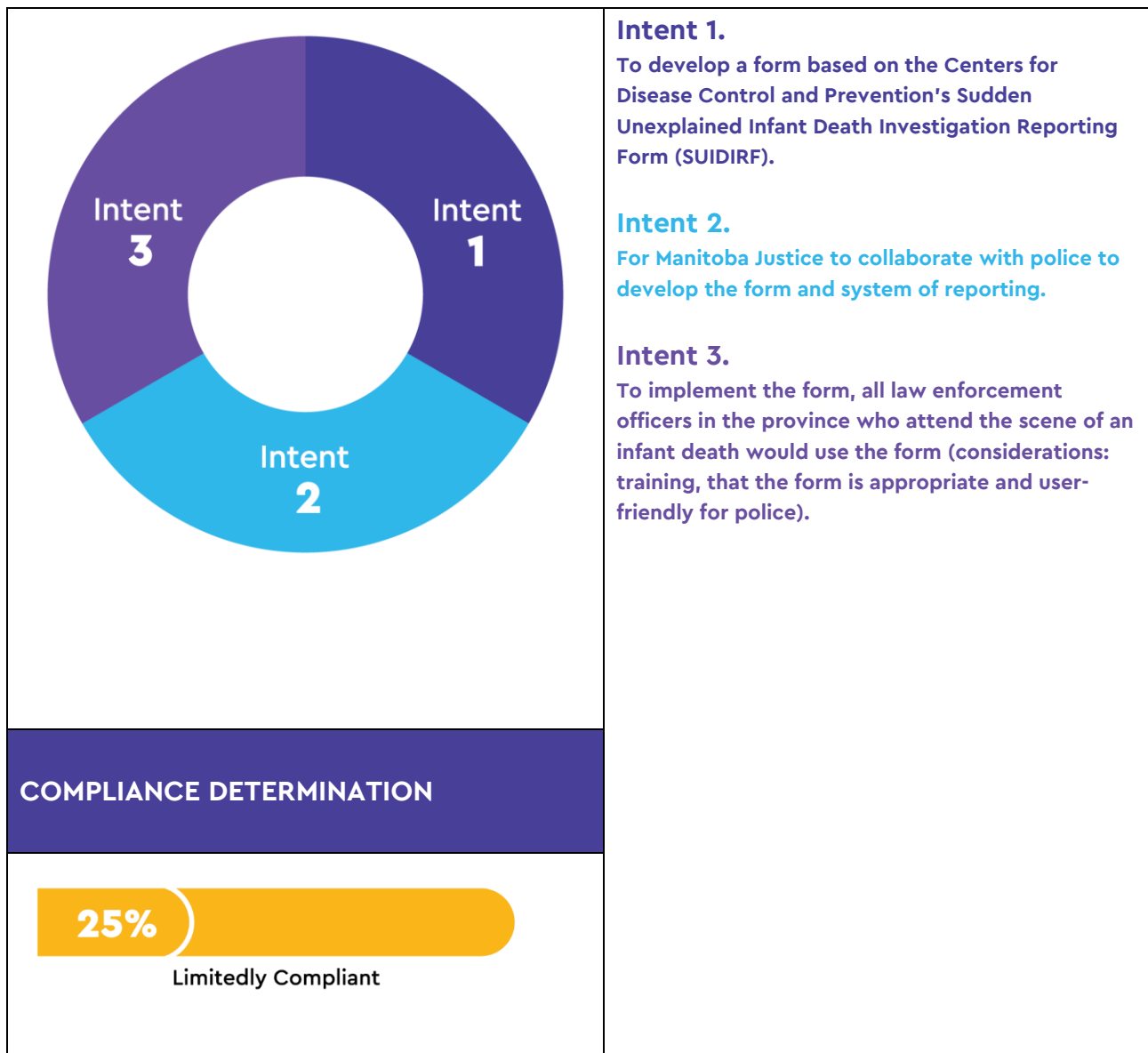


COMPLIANCE DETERMINATION

Safe Sleep – Recommendation 9

Recommendation Summary: Develop and implement a new data collection form to investigate the scene of an infant death.

Primary Public Body: Manitoba Justice



Recommendation Compliance Summary



This form details the assessment of compliance with recommendations made under Section 27 and Section 31 of *The Advocate for Children and Youth Act*. MACY assesses recommendations for compliance once a year but receives updates from the public bodies every six months.

1. Recommendation Information	
Report Name:	Safe and Sound: A Special Report on the Unexpected Sleep-Related Deaths of 145 Manitoba Infants
Date Released:	3/13/2020
Full Recommendation: (including details)	<p>Recommendation Nine: The Manitoba Advocate for Children and Youth recommends that Manitoba Justice and the Office of the Chief Medical Examiner work with RCMP and police services across the province to develop (if necessary) and implement a form based on the CDC's SUIDIRF data collection form, to be used by all law enforcement officers in the province who attend the scene of an infant death.</p> <p>DETAILS:</p> <ul style="list-style-type: none"> • A form that is appropriate and user friendly to police and RCMP for use during infant death investigations. • Officers will be trained in the use of this form. <p>IMPACT:</p> <ul style="list-style-type: none"> • Through the systematic collection and analysis of data, gaps in healthcare will be identified to inform and evaluate interventions that reduce infant mortality, in partial fulfillment of the Truth and Reconciliation <i>Call to Action</i> No. 19.
Intent(s) of Recommendation:	<ol style="list-style-type: none"> 1. To develop a form based on the Centers for Disease Control and Prevention's Sudden Unexplained Infant Death Investigation Reporting Form (SUIDIRF). 2. For Manitoba Justice to collaborate with police to develop the form and system of reporting. 3. To implement the form, all law enforcement officers in the province who attend the scene of an infant death would use the form (considerations: training, that the form is appropriate and user-friendly for police).
Issue:	Safe Sleep
Public Body	Manitoba Justice Office of the Chief Medical Examiner
Dates of Previous Official Updates from Public Body:	May 31, 2023
	June 30, 2022
	May 31, 2021
2. Compliance Determination	

Limitedly Compliant 0.25	Actions taken only implement a small part of the recommendation, requirements are only fulfilled to a limited degree by actions taken, resulting in significant deficiency in implementation.
Self-Assessment	Alternate Solution
Previous Compliance Determination	Limitedly Compliant

3. Rationale for Determination

(How did you reach this compliance determination)

Intent 1: To develop a form based on the Centers for Disease Control and Prevention's Sudden Unexplained Infant Death Investigation Reporting Form (SUIDIRF).

2023

- Manitoba Justice reported RCMP have an existing form, and have established a process for investigating deaths, for which officers are trained. The Department noted First Nations Policing and most municipal policing agencies would seek the support of RCMP in conducting investigations of this nature.
- The Department indicated Winnipeg Police Service and Brandon Police Service have implemented a form and developed guidelines and training around these investigations, and, therefore, would not create something new given the established/existing protocols which are reported to meet the intent. The forms referenced were not provided to MACY to be able to conduct an assessment in time for this review period; however, MACY has asked Justice to request the forms from the respective police services to be then provided to MACY.
- Manitoba Justice maintained while there is extensive police collaboration, Manitoba Justice is not in a position to direct specific forms, policies or procedures, but rather, require overarching guidelines; however, there is no evidence guidelines of this nature have been established.

2022

- Manitoba Justice reported that a new form is being used. The copy of the form shared with MACY is dated 2015, suggesting it is not new and that it is not based on the Centers for Disease Control and Prevention's Sudden Unexplained Infant Death Investigation Reporting Form, as called for by this recommendation

2021

- Manitoba Justice has presented the concept of a form to law enforcement officials, and it is being reviewed and will be looked at as part of *The Police Services Act* Review. There is no indication, however, whether the form in theory has been accepted, or is being implemented by WPS, RCMP, or other provincial police departments.
- Manitoba Justice reported that the RCMP currently use their own form to collect information when attending the scene of an infant death, and shared a copy of the

RCMP form with MACY as evidence.

Intent 2: For Manitoba Justice to collaborate with police to develop the form and system of reporting.

2023

- Manitoba Justice expressed the Department is committed to creating a Policing Standard requiring law enforcement to have a policy and procedure related to this type of case. Manitoba Justice reported engagement in ongoing meetings with the Manitoba Association of Chiefs of Police (MACP) in addition to participation in working groups with representation from policing services in co-developing standards to ensure communication and collaboration. MACY requested increased clarification on this point and further information on referenced meetings, though supplemental information requests were not responded to within this assessment period.
- Information provided by the Department does not indicate or provide evidence of collaboration between Manitoba Justice and police for the development of a form and associated system of reporting.

2022

- No update was provided on collaboration with police to develop the new form and system of reporting.

2021

- There is no update on Intent 2, as a presentation and exploration have only occurred. Next steps regarding the development of the form and a system of reporting will be determined as part of *The Police Services Act Review*.

Intent 3: To implement the form, all law enforcement officers in the province who attend the scene of an infant death would use the form (considerations: training, that the form is appropriate and user-friendly for police).

2023

- Manitoba Justice reported Winnipeg and Brandon Police Services have established protocols and training that guide the process for investigation of sleep-related infant deaths that follow the Sudden Unexpected Infant Death Investigation Report Form (SUIDIRF) created by the Centers for Disease Control and Prevention (CDC). The RCMP have a form and are called to lead investigations for sleep-related infant deaths on behalf of most Municipal and First Nations Policing Agencies. As such, Manitoba Justice maintained those agencies do not require this type of process.

- While referenced protocols were shared, no evidence of protocols, training, forms, or their implementation and use, were provided during this assessment period. Requests for information on whether a form is being used, or if current police training based around the content within the SUIDIRF form includes a requisite to use a form, were not responded to. At this time, it is unclear if a form is being consistently utilized across the province by all law enforcement officers during investigations of this nature.

2022

- The department reported that RCMP are using a form, but it is not clear if this is the form reported to be in use in 2021, which was not a new form.
- The department further reported that WPS will not use the form, and that it is "unnecessary for Municipal and First Nation Policing, [because] if there is a SUIDIRF they will contact RCMP for support." Further information is needed to understand why WPS is not using the form, to confirm that municipal and First Nation police (other than Brandon and WPS) are not using it given they call in RCMP for these types of investigations, and to understand if any additional work relevant to this intent is being done as part of *The Police Services Act* review in progress.

2021

- There is also no update on Intent 3, as presentation has only occurred. Next steps regarding implementation of the form by officers attending the scene of an infant death will be determined as part of *The Police Services Act* Review.
- MACY acknowledges Manitoba Justice's limitation in not having the authority to direct police.

Analysis Summary: It is not clear if the form in use by the RCMP during infant death investigations meets this recommendation, and movement on the form's implementation throughout police forces remains unclear. MACY acknowledges Manitoba Justice is limited in its ability to influence the Winnipeg Police Service, Brandon Police Service, the RCMP, etc., on how forms and reporting mechanisms by police are developed, and thus collaboration and movement of this recommendation may be limited. Guidelines and training established around sleep-related death investigations are a step in the right direction, but the spirit of the recommendation is to ensure consistent collection and reporting of data on the part of police to ensure known risk variables are consistently and easily identified. Manitoba Justice proposed an alternate solution for this recommendation, noting while it is able to make overarching standards, there is independence on the part of specific agencies to implement internal policies. It is unclear if Manitoba Justice has formally written an overarching standard requiring police departments to develop and implement a form. Pending review of the existing forms cited by Manitoba Justice and receipt of clarifying information requested to conduct a fully informed assessment, this recommendation remains Limitedly Compliant.