

COMPLIANCE DETERMINATION

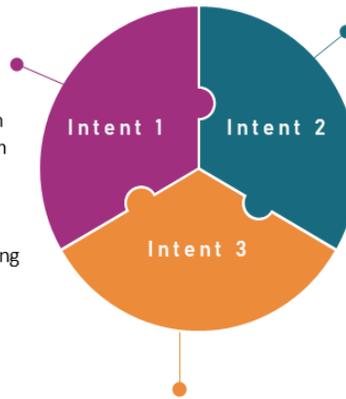
Safe Sleep – Recommendation 9

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

Primary Public Body: Manitoba Justice

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

Manitoba Justice reported that an existing form is being used by the RCMP. The copy of the form shared with MACY is dated 2015, suggesting it has not been revised based on the Centers for Disease Control and Prevention's Sudden Unexplained Infant Death Investigation Reporting Form, as called for by this recommendation. More information is needed about this form, what is being used by other police forces, and existing training for investigating infant deaths.



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

Manitoba Justice can make overarching standards but has to allow for independence of police agencies to implement specific policies that fall within the framework. There is no evidence that any such standards have been developed in collaboration with police.

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 and that the form is appropriate and user-friendly for police).

This Intent is dependent on the creation of the form (per Intents 1 and 2). The department reported that RCMP are using a form, but the form provided was dated 2015, suggesting it has not been revised.

COMPLIANCE DETERMINATION

0.25

Limitedly Compliant

Recommendation Compliance Summary

In accordance with subsection 11(1) clause (d) of *The Advocate for Children and Youth Act* (ACYA), the Advocate retains the responsibility "to monitor the implementation of recommendations included in reports made under section 27 (investigation) or special reports made under section 31."

This form details the assessment of implementation of compliance made under the referenced subsection of the ACYA. MACY assesses implementation of compliance with recommendations once a year but receives updates from public bodies every six months.

1. Recommendation Information	
Special Report Name:	Safe and Sound: A Special Report on the Unexpected Sleep-Related Deaths of 145 Manitoba Infants
Date Released:	3/26/2020
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:	<p>The intent(s) of the recommendation are:</p> <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	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	Fully Compliant
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).

2022

- Manitoba Justice reported that an existing form is being used by the RCMP. The copy of the form shared with MACY is dated 2015, suggesting it has not been revised based on the Centers for Disease Control and Prevention’s Sudden Unexplained Infant Death Investigation Reporting Form, as called for by this recommendation. More information is needed about this form, what is being used by other police forces, and existing training for investigating infant deaths.

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.

2022

- Manitoba Justice can make overarching standards but has to allow for independence of police agencies to implement specific policies that fall within the framework. There is no evidence that any such standards have been developed in collaboration with police.

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).

2022

- This Intent is dependent on the creation of the form (per Intents 1 and 2). The department reported that RCMP are using a form, but the form provided was dated 2015, suggesting it has not been revised.
- 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 what WPS and Brandon police are using, what form WPS will not use, why the department does not intend to make the use of a singular process/form required for all police agencies, and if work relevant to this intent is still

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 the intent of this recommendation and movement on the form's implementation throughout police forces appears to be stalled. MACY acknowledges that Manitoba Justice is limited in its ability to influence the Winnipeg Police Service and the RCMP on how the form and a reporting mechanism by police are developed, and thus collaboration may be limited. Pending further review of the form, clarifying information, and the outcome of *The Police Services Act* review, implementation of this recommendation remains limitedly compliant.