

Brant County O.P.P. Detachment Board Report

To: Chair and Members of the Brant O.P.P. Detachment Board
From: Cindy Stevenson, General Manager, Emergency & Protective Services
Date: October 22, 2024
Report #: RPT-0480-24
Subject: Review of Community Safety Groups
Purpose: For Information

Recommendation

WHEREAS the former Police Services Board requested a review of the three (3) area Community Safety Groups;

That the Brant County O.P.P. Detachment Board dissolve the Community Safety Groups based on their lack of standing under the Community Safety and Policing Act;

That community engagement continue to be held through initiatives directed by the local O.P.P. and Detachment Board;

AND that the current members of the area Community Safety Groups receive formal appreciation from the Detachment Board for their dedication, commitment and contributions to community safety.

Report

Background

The principle of civilian input into governance of local police has been an important element of policing within the province, supporting transparency, accountability, trust and fairness between police services and the communities they serve.

As indicated by the Ministry of the Solicitor General, the principles of civilian governance of policing are intended to:

- safeguard the police service from undue influence or interference
- link community needs to the provision of policing services
- provide accountability for policing to:
 - o the community for meeting local needs
 - o the municipality by providing fiscal stewardship
 - o the province for meeting legislated requirements
- monitor the delivery of police services to ensure the provision of adequate and effective policing

Under the current legislative framework, the primary mechanism for civilian governance of policing is the O.P.P. Detachment Board; however, this has not always been the case.

Brant has been fortunate to have members of the community interested and involved in community engagement with the O.P.P. and the Board for years. In the past, this has taken the form of Community Policing Committees and Citizens on Patrol, established under the former Police Services Act. At that time, the Police Services Board exercised the option under the Police Services Act to establish a Committee to advise the Board with respect to objectives and priorities for police services in the municipality.

As legislation has evolved, along with Board governance and the O.P.P.'s responsibilities, the role of community policing groups has changed. The Ontario Provincial Police Strategic Plan, local Action Plan and Community Safety and Well-Being plan are guiding documents for the local O.P.P. and the Board.

More recently, some of the community safety engagement opportunities have taken the form of Community Safety Groups (CSG), including Brant North, Paris, and Brant East. At the same time, community engagement driven collectively by the Board and the O.P.P. has increasingly become more robust, modernized and sophisticated.

In 2023, there were questions raised from the former Police Services Board regarding the Community Safety Groups' scope, relationship to the Board and O.P.P., insurance/liability and funding. A new Terms of Reference for all CSG's was under development and review for several months. This review was paused when the new Community Safety and Policing Act, 2019 (CSPA) came into effect in April of 2024. The new Detachment Board has not been in a position to meet until now, as an insurance policy only became available for O.P.P. Detachment Boards across the province very recently. The CSG's activities have been paused for a few months as well, given the gap in insurance coverage.

The County of Brant recently undertook a review of Advisory and Special Committees. The principles used in the County's review were utilized in the review of the CSG's where applicable, including:

- Assess committee structure and function
- Evaluate stakeholder engagement
- Review meeting processes and documentation
- Assess the impact of recommendations
- Evaluate transparency and accountability
- Identify challenges
- Provide actionable recommendations

These principles are considered in the analysis, below.

Analysis

Community Safety Group Activities

The CSG's do not have a formalized structure or terms of reference, leading to inconsistencies and lack of clarity across groups in purpose and effectiveness. The original review of the CSG's precipitated from lack of formal direction from the former Police Services Board and approval of activities, which could lead to misalignment with Board and O.P.P. priorities/policies/directives. This could create confusion in the community, as the CSG communications are perceived to be supported and sanctioned by the Board, the O.P.P, and the municipality. When submitted, the meeting minutes from the CSG's were included on the former Police Service Board (PSB) agenda as communications. Not all CSG's submitted meeting minutes to the PSB. Without clarity on CSG oversight and terms of reference, the activities lack transparency and accountability. There is also no formalized code of conduct for CSG's to adhere to.

Many of the CSG members have been on the CSG's for several years. This tenure brings history and experience, however, lacks involvement from the broader community. The groups are small in number and historically lacked diversity. The CSG's did not act as an advisory body to the former PSB. The activities of the CSG's vary between each group, summarized as follows:

- Group meetings, up to a frequency of once per month
- Communication to the community on resources available, where to report incidents
- Organize presentations to attendees on community safety topics

- Lock it or Lose it campaigns, Safety Crime & Prevention Walks
- Lead or participate in community bike rodeos
- Request and review of local policing crime statistics

The CSG's have been supported by O.P.P. liaison officers. O.P.P. liaison officers for the 3 Community Safety Groups spend on average 5-10 hours/ month with each of the groups. For 3 officers, this equates to a range of 180 to 360 hours per year of resources required. The O.P.P. resources needed to support the groups are typically after regular business hours and on weekends. Discussions in some groups focused on crime statistics and had a history of becoming adversarial in nature.

There is no formalized oversight of funding or accounts of the CSG's. The CSG's could apply for funding under the municipal grant program.

CSPA Legislation

In consideration of the function of CSG's following the enactment of the CSPA, the Detachment Board's Advisor from the Inspectorate of Policing, David Tilley, has confirmed that community safety groups, do not possess standing under the Community Safety and Policing Act. Specifically, they do not hold delegated powers of the Board as outlined in section 42 of the CSPA, and consequently are not encompassed by the various regulations, including the OPP Detachment Board Code of Conduct. The CSG's activities must not encroach on the Detachment Board's responsibilities under the CSPA, to remove any conflict in governance of police.

Section 42 of the CSPA states:

Delegation

42 (1) *A police service board may, by by-law,*

(a) establish a committee and delegate any of the board's powers under this Act to the committee; or

(b) if any power of the board under this Act is prescribed for the purposes of this section, delegate that power to an employee of the board who is not a member of the police service or to the chief of police.

Content of by-law

(2) A by-law made under subsection (1) may govern the name, powers, duties and quorums of the committee and may, subject to subsections (3), (4) and (5), govern the composition of the committee and appointment of individuals to the committee.

Composition

(3) A committee shall be composed of,

(a) at least two members of the police service board, subject to subsection (4); and

(b) any number of additional members, as long as a majority of the committee is composed of members of the police service board.

Exception

(4) Only one member of the police service board is required to sit on a committee if the board's power to bargain under Part XIII is the only power that has been delegated to the committee.

Eligibility

(5) An individual is not eligible to be an additional member of a committee if he or she would not be eligible to be a member of the police service board.

The Detachment Board is in the early stages of considering its plans. The Board may decide to delegate its powers to a Committee at a later date.

Insurance

The CSPA moves the OPP Detachment Board's insurance from being under the jurisdiction of the Municipal Act, and thus no longer a Board of Council. The municipal insurance policies are worded such that boards and committees of Council established under the Municipal Act only are covered. This change to OPP Boards means that the Board now falls outside of the definition of an "insured" under the County's policy. The Community Safety Groups could previously be considered under the umbrella of the municipal policy, but not under the new legislation.

The Detachment Board recently acquired a separate insurance policy from the municipal policy. In their current form, the CSG's would not be eligible for insurance coverage under the Board's insurance policy.

O.P.P. Community Engagement

The O.P.P.'s engagement, in collaboration with the board, with the community has evolved significantly over the years, both provincially and locally. Today, the O.P.P. benefit from in-house expertise in communications and media relations, and have formed an excellent partnership with the County of Brant's communications team. Liaison Officers engage with the community in a wide variety of settings and topics. Locally, the O.P.P. has connected with the Brant community through a variety of different avenues over the last couple of years, independent of the Community Safety Groups. Initiatives such as the following provided opportunities to encourage positive relationships within the community:

- The Dispatch Newsletter
- Social media posts
- Presentations to County Council
- Senior Fraud Safety presentations
- Internet Safety presentations
- Human Trafficking presentations
- Presentations to Service Clubs
- Connecting with other community social service agencies
- Securing grants to support the community (Community Safety Grant, Victim Support Grants)
- Brant Youth Academy
- Special Olympics events engaging with Special Olympians
- Attending youth camps throughout the County during summer months
- School Resource Officer has returned to the schools
- Recruiting events
- Christmas community events (food hamper support, toy drives)
- Auxiliary unit delivered Safe Guard presentations
- Booths at community events (the Air Show, fairs and festivals)

- Beverage with a Badge
- Participation in emerging local 4H-First Responder Club

This list continues to grow as the O.P.P. undertakes new initiatives every year.

There are other opportunities for community engagement built into strategic planning processes including the development of the O.P.P.'s local Action Plan and the Community Safety & Well-Being Plan. Residents may also request to attend a Detachment Board meeting as a delegation to present information.

In communicating important information to the public, the O.P.P. have sophisticated social media channels, which the County of Brant often re-shares on their own social media sites.

Summary and Recommendations

The review of the Community Safety Groups has concluded there are significant challenges with the continuation of the groups in their current form, including lack of standing with the CSPA, lack of insurance coverage, absence of formalized oversight, structure and terms of reference, concerns with misalignment with the Detachment Board and O.P.P. priorities, and overall effectiveness and efficiency in community engagement given finite resources available. The opportunities available for community engagement by the Board and the O.P.P. on local policing have evolved significantly and continue to grow. Based on this review, it is recommended that the Community Safety Groups be dissolved.

Consideration of funds under the auspices of the CSG's and options for future allocation is under review by the County's Treasury Division.

The CSG's members have provided valuable contributions to community safety, and it is recommended that their dedication, commitment and contributions receive formal appreciation.

Attachments

N/A

Reviewed By

Inspector Andrea Quenneville, Detachment Commander

Copied To

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