

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-0486-24
Subject: Overview of Community Safety and Policing Act, 2019
Purpose: For Information

Recommendation

That RPT-0486-24, Overview of Community Safety and Policing Act, 2019, be received as information.

Report

Background

The Community Safety and Policing Act, 2019 (CSPA), came into force on April 1, 2024. This legislation replaced the former Police Services Act.

Under the CSPA, a new governing body, the OPP Detachment Board, was created to provide civilian input in relation to policing delivered by the OPP. In Brant, this Board replaces the former Police Services Board. The Ministry of the Solicitor General confirmed that the County of Brant's proposal for the OPP Detachment Board was approved by the Solicitor General. The following board composition was approved:

Board	Communities Serviced	Council Seats	Community Representative Seat(s)	Provincial Appointment Seat(s)	Total Seat(s)
1	County of Brant	2	2	2	6

To date, two (2) Council seats, two (2) Community Representative seats, and one (1) Provincial Appointment seat have been confirmed.

Analysis

In fulfilling the Detachment Board's role and responsibilities, a summary of key elements contained in the CSPA are highlighted below.

Role of OPP Detachment Boards

OPP detachment boards are not police service boards as defined in the CSPA. Police service boards maintain their own police services while OPP detachment boards oversee OPP policing. The Commissioner of the OPP has the responsibility to provide adequate and effective policing in the OPP's area of responsibility. OPP detachment boards provide civilian input about how policing is provided in their local communities by the OPP. Detachment boards must report to the municipal councils and band councils of the communities in their detachment area by June 30 every year regarding the policing provided by the detachment in their municipalities.

Detachment Board responsibilities

The Detachment Board's responsibilities are outlined in section 68 of the CSPA, which include the following:

- (a) consult with the Commissioner regarding the selection of a detachment commander and otherwise participate, in accordance with the regulations made by the Minister, in the selection of the detachment commander;
- (b) determine objectives and priorities for the detachment, not inconsistent with the strategic plan prepared by the Minister, after consultation with the detachment commander or his or her designate;
- (c) advise the detachment commander with respect to policing provided by the detachment;
- (d) monitor the performance of the detachment commander;
- (e) review the reports from the detachment commander regarding policing provided by the detachment; and
- (f) on or before June 30 in each year, provide an annual report to the municipalities and band councils regarding the policing provided by the detachment in their municipalities or First Nation reserves.

In addition, the OPP detachment board must: consider any community safety and well-being plan adopted by a municipality that receives policing from the detachment.

Board meetings

The detachment board can hold a meeting if there is a quorum of at least (four) 4 appointed members present, and must hold at least four (4) meetings per year. Board meetings must be open to the public, except in specific circumstances. Notice of meetings must be published on the Internet a minimum of seven (7) days in advance. The Board will be presented a Draft Procedural By-law at the first meeting that for the Board to consider in establishing its own rules and procedures in performing its duties under this Act and the regulations. The Board may also consider establishing a Terms of Reference.

Strategic plan

The Minister must prepare and adopt a strategic plan for the provision of adequate and effective policing by the Commissioner of the OPP in accordance with the needs of the population of the areas for which he or she has policing responsibility. The Commissioner must file an annual report with the Minister that addresses the implementation of the Minister's strategic plan and the achievement of the performance objectives identified in the strategic plan.

Local Action plan

A detachment commander must prepare and adopt a local action plan for the provision of policing provided by that detachment. There must be consultation with a number of groups and organizations in preparing the local action, including with the OPP detachment board and municipal council.

Local policies

The OPP detachment board may establish local policies with respect to policing after consultation with the detachment commander. A local policy must not be inconsistent with the strategic plan or local action plan. The OPP detachment board must publish any local policies on the Internet.

Selecting and Monitoring the Detachment Commander

The Commissioner of the OPP appoints the detachment commander with input from the detachment board. The OPP detachment board has a responsibility to monitor the performance of its detachment commander. The duties of the OPP detachment commander include: ensuring that his or her detachment provides policing in accordance with the local policies of his or her OPP detachment board; providing the OPP detachment board with reports regarding policing provided by the detachment at the board's request.

Budget Estimates

The OPP detachment board must prepare estimates, in accordance with the regulations, of the total amount that will be required to pay the expenses of the board's operation other than the remuneration of board members. If there is a dispute about the prepared estimates between the OPP detachment board and a municipality, they may jointly appoint an arbitrator within 60 days or they may apply to the OPAAC Commission Chair to appoint an arbitrator.

OPP Detachment Board Member Responsibilities

Board members are expected to:

- successfully complete training that is approved by the Minister
- participate in the election of a chair at the first meeting in each year, which may also include electing a vice-chair
- follow and adhere to the Members of OPP Detachment Board Code of Conduct (O. Reg 409/23)
- attend meetings as determined by the board, with no fewer than four meetings each year

Inspector General of Policing

The Inspector General will monitor and inspect OPP detachment boards to ensure they comply with the Act and regulations. The Inspector General investigates complaints of misconduct.

Detachment Board Calendar

With the new Board's roles and responsibilities in mind, a draft Detachment Board 2024 calendar (Attachment 1) has been prepared for the Board's reference, and may be added to as the Board's work evolves. The 2025 calendar will be drafted prior to year-end, following selection of the 2025 Board meeting dates by the Board. Key milestones throughout the year include the following:

- Election of Chair, and may elect a Vice-Chair, at the first Board meeting of each year.
- Schedule a minimum of four (4) Board meetings per year. Publish meeting agenda a minimum of seven (7) days in advance of each meeting.
- On or before June 30 in each year, provide an annual report to County of Brant Council regarding the policing provided by the detachment.
- Prepare budget estimates and submit to County of Brant Council in accordance with annual municipal budget timelines.

Summary and Recommendations

That RPT-0486-24, Overview of Community Safety and Policing Act, 2019, be received as information.

Attachments

1. 2024 Brant County O.P.P. Detachment Board Calendar

Reviewed By

N/A

Copied To

Alison Newton, CAO