



Date: Wednesday, January 10, 2024

From: Brittany Drury, Director of Corporate Services

Subject: Community Safety and Policing Act, 2019, Grey Bruce Detachment Joint Board

Report COR2024-002

This document and its attachments are public and available in an accessible format upon request.

Recommendation

Whereas, the Province of Ontario passed the *Comprehensive Ontario Police Services Act, 2019* (Bill 68), which established the *Community Safety and Policing Act, 2019* (CSPA, 2019), on March 26, 2019; and

Whereas, the *Community Safety and Policing Act, 2019* (CSPA, 2019), will be proclaimed on April 1, 2024; and

Whereas the Ministry of the Solicitor General has approved the creation of a joint, Grey Bruce Police Services Detachment Board, governing all municipalities and First Nations communities within the detachment area; and

Whereas the Grey Bruce Detachment Joint Board must be established and formalized prior to the date of proclamation; and

Whereas the Grey Bruce Detachment Joint Board will be composed of an elected official of all participating municipalities and First Nation communities, 4 Community Appointees and 3 Provincial Appointees;

Now Therefore, Council hereby appoints one Member to represent the Township of Georgian Bluffs on the Grey Bruce Detachment Joint Board; and

That an ad-hoc selection committee be formed to select and appoint the required allotment of community representatives to the Joint Board, herein known as the Grey Bruce Detachment Joint Police Services Board Community Appointee Selection Committee; and



That the same Member of Council appointed to the Grey Bruce Detachment Joint Board be appointed to the Grey Bruce Detachment Joint Board Community Appointee Selection Committee; and

Further, that staff be directed to jointly advertise for 4 Community Appointees to the Board, to be appointed at large throughout the detachment area.

Background

On March 26, 2019, Ontario passed the *Comprehensive Ontario Police Services Act, 2019* (Bill 68) and established the *Community Safety and Policing Act, 2019* (CSPA, 2019), which once proclaimed, will repeal the *Police Services Act, 1990*.

In February 2020, the Ministry of the Solicitor General conducted seven regional roundtable sessions across the province. Members of the Township Police Services Board attended the Orillia session on February 28, 2020. Discussions at these sessions focused on new OPP-related regulatory requirements under the CSPA, including dissolution of Section 10 and 5.1 Boards. The presentation, as provided at this session, has been attached to this report as 'Appendix A'.

Following extensive feedback sessions and variously structured roundtable sessions, the Ministry of the Solicitor General forwarded correspondence to all impacted municipalities, including those of Grey Bruce, outlining amendments to existing Section 10 and 5.1 Board structures as a result of the CSPA. Specifically, the CSPA will dissolve all existing Section 10 and 5.1 Boards, to create one joint Board per detachment.

Also included in said correspondence was a request that Grey Bruce detachment municipalities and First Nations work collaboratively to create one joint Board to replace single municipal and First Nations Boards. The Township of Georgian Bluffs lead the Joint Board initiative, bringing all detachment communities together to create and submit a joint proposal to the Ministry of the Solicitor General, outlining the structure and composition of the Grey Bruce Detachment Joint Board. The proposal was submitted on June 7, 2021 and later approved by the Ministry, with inclusion of Neyaashiinigiing First Nation (Chippewas of Nawash Unceded First Nation).

Analysis

Council considered report [LEG2021-15](#), and passed resolution RES2021-106, at their meeting on June 2, 2021, authorizing the approved structure of the Joint Board, including Council representation of the following Section 10 and 5.1 municipalities and First Nations communities: Township of Georgian Bluffs, Township of Chatsworth, Municipality of Meaford, Municipality of Grey Highlands, Township of Southgate, Town



of South Bruce Peninsula and Town of Northern Bruce Peninsula, Neyaashiinigiing First Nation and the Saugeen First Nation.

Per the regulations, the Joint Board is required to include a minimum of five members, with 20% community representatives and 20% provincial appointees. Unlike the existing requirements of the *Police Services Act, 1990*, the Mayor of each municipality is not a mandated member of the Joint Board.

Through the formation of the Joint Board, the Township will dissolve the current Police Services Board. While it is anticipated that the Joint Board will be formed some time after April 1st, no definite timeline has been established. As such, the existing Police Services Board will continue to meet until the first Joint Board meeting is called.

In accordance with the CSPA, the Grey Bruce Detachment Joint Board will be comprised of the following:

- Township of Georgian Bluffs – 1 elected official
- Township of Chatsworth – 1 elected official
- Municipality of Meaford – 1 elected official
- Municipality of Grey Highlands – 1 elected official
- Township of Southgate – 1 elected official
- Town of South Bruce Peninsula – 1 elected official
- Town of Northern Bruce Peninsula – 1 elected official
- Saugeen First Nation – 1 representative
- Neyaashiinigiing First Nation (Chippewas of Nawash Unceded First Nation) – 1 representative
- 3 Provincial Appointees (19%)*, and
- 4 Community Appointees (25%)

Totaling a Board of at least 16 members.

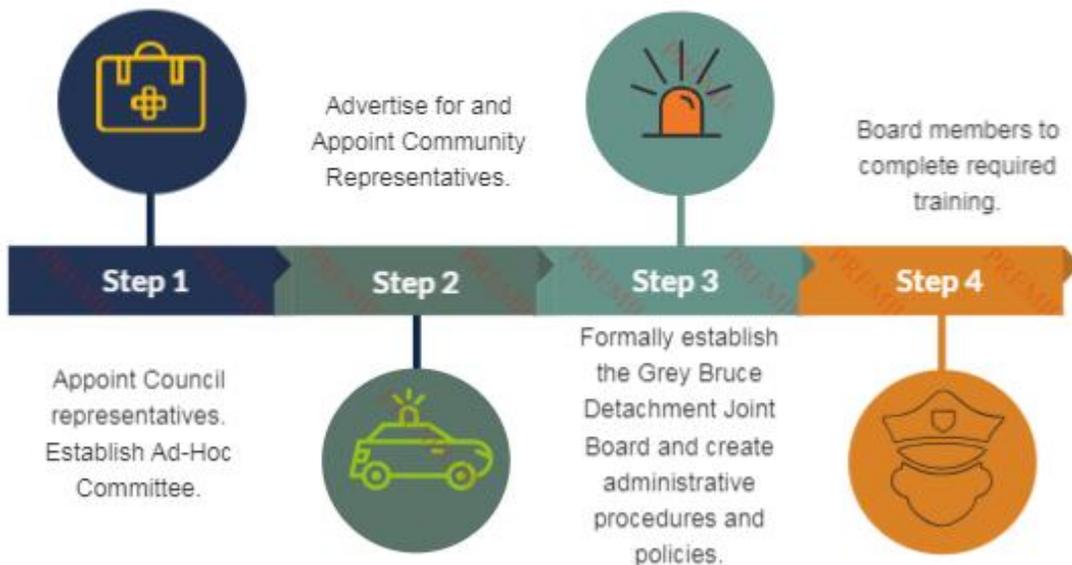
***Note** – with addition of the Neyaashiinigiing First Nation, the Provincial Appointees percentage falls below the mandated 20%. The Province has waived this requirement for the Grey Bruce Detachment Joint Board via approval of the amended proposal.



On December 18, 2023, members of the Grey Bruce Detachment Joint Board received correspondence from the Ministry of the Solicitor General, providing notice that the CSPA will be proclaimed on April 1, 2024. Said correspondence has been attached to this report as 'Appendix B'. As also included in the attached correspondence, all police services, and by extension, all police boards, are expected to be in compliance with the regulations of the CSPA by April 1st.

To ensure compliance with the CSPA by the established date, all Grey Bruce Detachment members must formalize appointments to and establishment of the Grey Bruce Detachment Joint Board. To do so, please consider the timeline provided below.

Community Safety and Policing Act, 2019 Implementation TimeLine



Step 1 – Appoint Council Representatives and Establish Ad-Hoc Committee

Upon presentation of this report, each respective participating Council in the Grey Bruce Detachment Joint Board must appoint one elected member to represent their municipality on the Joint Board. Each appointed member will also form part of an Ad-Hoc Committee, formed to select the remaining 4 Community Appointees.

As described in the Terms of Reference for the Ad-Hoc Selection Committee, attached to this report as 'Appendix C', the noted community appointees to the Joint Board will be appointed at large throughout the detachment area. Their appointments shall be for the duration of that of the Joint Board, ie. the Council term. Each participating community will not be represented by more than one (1) Community Appointee. In subsequent terms,



communities not represented during the past term of the Joint Board will be preferentially selected for Community Appointees. The purpose of this is to provide balance and fairness to all communities represented by the Joint Board over time. The process of selecting Community Appointments in subsequent terms of the Joint Board will be subject to the Board developing an approved procedure.

Council is requested to identify a member of Council who will be the elected representative for the Township on the newly formed Joint Board. It is anticipated that the new Board will meet approximately 6 times a year and that meetings will enable virtual participation and in person attendance. Meetings will be held in a location or locations across the service area of the new Board. The new Board Member will be required to undertake mandatory training; the extent, nature, format and timing for this training is not yet understood by staff, but will be an additional time commitment in 2024. As noted in this report, the timing for the first Joint Board meeting is not established as yet but will not be before April 1st, 2024, and could occur much later in the year.

Step 2 – Advertise for Community Members and Appoint

Following their appointment to the Joint Board, and by extension, the Ad-Hoc Selection Committee, the respective Council representatives will meet to select the community appointees to the Joint Board. Following their selections, the Committee will recommend to each participating Council, appointment of the chosen community appointees. Per guidance of the Ministry, community appointees to the Joint Board must be ratified by all participating Councils.

The CSPA defines terms for ineligibility of community appointees, however remains silent on any prequalification to hold a position on the Board. More specifically:

(4) The following persons are not eligible to be members of a police service board:

- 1. A judge or justice of the peace.*
- 2. A member of a police service, a special constable or a First Nation Officer.*
- 3. Any person who practises criminal law as a defence counsel or as a prosecutor.*
- 4. A director, officer or employee of a prescribed policing provider.*
- 5. Any other prescribed persons. 2019, c. 1, Sched. 1, s. 33 (4).*

Former members of a police service

(5) A former member of a police service is not eligible to be a member of a police service board unless,

(a) the police service board does not maintain a police service that the person was a member of; and



(b) at least one year has passed since the person ceased to be a member of any police service.

A joint advertisement for interested community members to apply for a position on the Board will be circulated in the first quarter of 2024, throughout all participating municipalities and First Nations communities. Any member of the public who resides within any participating municipality or First Nation community within the Joint Board detachment area is welcome to apply.

Step 3 – Create Board and Establish Procedures

The CSPA and the regulations therein define establishment procedures of the Joint Board, rendering a separate Terms of Reference unnecessary. Upon appointment of the municipal and First Nation elected officials, 4 community appointees and 3 provincial appointees (to be appointed by the Ministry), the Joint Board will be considered established and host its first meeting. It is anticipated that the Joint Board will meet on a bi-monthly to quarterly basis.

At their first meeting, the Joint Board will be expected to Elect a Chair and Vice Chair, adopt a Procedure By-law and establish procedures for operations of the Board. An implementation team, consisting of administrative resources from the Township of Georgian Bluffs, Town of South Bruce Peninsula, Township of Southgate, Township of Chatsworth and the Grey Bruce OPP Detachment has been established to create and present all aforementioned documents to the Joint Board. The Joint Board has yet to identify which participating body, being municipality, First Nation community or OPP, will provide long-term administrative support to the Board.

Step 4 – Training

Section 35 of the CSPA outlines training requirements for all members, elected, provincial and community, appointed to the Joint Board. While the regulations remain vague to the extent, specifics and costs of said training, the Ministry has been clear since conception of the CSPA that training will be a pillar of the Joint Board structure.

It is the intention of the implementation team to train all elected officials appointed to the Joint Board in advance of the April deadline, provided that training details have been finalized by the province. There has been no clear indication provided to date regarding training requirements or timelines for completion.

For clarity, at this time, staff understand that all Board Members of the newly formed Joint Board will be mandated to undertake a range of training to equip them to fulfill their roles on the Board. The extent and timing of this training is not yet known, but is, at this time, assumed to be delivered prior to the Boards formation



Next Steps

The Township of Georgian Bluffs Police Services Board received a presentation and information as contained within this report at their regular meeting on January 9th, 2024.

Through approval of the recommendations contained within this report, Committee of the Whole, (assuming ratification by Council on January 17th), will initiate Phase 1 of the discussed timeline, formalizing appointment of the Township's elected representative to the Joint Board. Regular updates will then be presented throughout the first quarter, outlining progress of the implementation team, Ministry and Joint Board.

Financial Impact

As each participating party will have only one elected representative on the Joint Board, expenses related to meeting remuneration and mileage are forecasted to decrease. However, as the administrative operations and training impact of the amendments to existing structures remain unknown, total costs to each participating party remain approximate.

It is recommended that all parties budget \$5000.00, in years 1 and 2, to allocate to costs associated with the Joint Board, including, but not limited to, meeting remuneration, mileage, training opportunities and staff resources. Upon incorporation of the Board, and following two years of participation, it is anticipated that costs associated with the Board will decrease.

Additional costs associated with administering the Joint Board including, but not limited to, meeting hosting, administrative services and staffing costs are anticipated. At this time, an Administrative Lead for the new Joint Board has not been identified and these costs are unknown.

As more information becomes available from the province regarding funding sources and training opportunities, staff will provide further detail regarding financial impacts.

Strategic Priorities

The recommendation as included in this report achieves the fifth strategic goal, Deliver Effective and Cost-Efficient Services, as included in the 2020-2024 Township of Georgian Bluffs Strategic Plan.

Conclusion

The *Community Safety and Policing Act, 2019* (CSPA, 2019), will dissolve all Section 10 and 5.1 Boards in place of a joint Board per detachment. The Ministry has announced that all Joint Boards are expected to be in compliance with the Act, including establishment of said Joint Board, by April 1, 2024. Through coordination of all



participating bodies, and implementation of the steps outlined herein, the Grey Bruce Joint Detachment Board will be established and in compliance prior to the noted date.

Respectfully Submitted:
Brittany Drury, Director of Corporate Services

Appendix A - *Community Safety and Policing Act, 2019*: Ontario Provincial Police Regulatory Requirements Presentation

Appendix B - All Chiefs Memo - In-force date of the Community Safety and Policing Act 2019

Appendix C - Terms of Reference - Ad Hoc Selection Committee



Report Approval Details

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| Document Title: | COR2024-002 - Community Safety and Policing Act, 2019, Grey Bruce Detachment Joint Board.docx |
| Attachments: | <ul style="list-style-type: none">- Appendix A - OAPSB_OPP_Material.pdf- Appendix B - All Chiefs Memo - In-force date of the Community Safety and Policing Act 2019 (002).pdf- Appendix C - Terms of Reference - Ad Hoc Selection Committee.pdf |
| Final Approval Date: | Jan 4, 2024 |

This report and all of its attachments were approved and signed as outlined below:

Niall Loble, Director of Community Services