



BILL 175 – *SAFER ONTARIO ACT*

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Bill 175 - Safer Ontario Act

- Bill 175, *the Safer Ontario Act, 2017* was introduced on November 2, 2017, with second reading on November 14.
- Significant changes to policing and public safety including amendments intended to:
 - Improve police oversight and accountability, as well as Board governance
 - Establish a collaborative approach to community safety and well-being
 - Outline responsibilities that can only be performed by a sworn police officer
 - Outline community safety service delivery and support the sustainability of First Nations policing.

Board's Position During Consultation Phase

- The Board made submissions to Minister Naqvi during consultations in April 2016.
- Also made submissions to Justice Tulloch on the Police Oversight Review in November 2016.
- The Board's submission included proposals under the following themes:
 - **Community-Safety and Well-Being**
 - **Serving Vulnerable People**
 - **Modernization of Policing Duties**
 - **Technology and Community Safety**
 - **Education and Training**
 - **Governance and Accountability**
 - **Labour Relations**

Community Safety and Well-Being

Board Submission

- Called for a collaborative, multi-sector approach to community safety supported by provincial resources/funding
- A shared responsibility, with strong representation from all levels of government and across provincial ministries and social services, community stakeholders
- Responsibility should not lie predominantly with police or default to police

Bill 175: Community Safety and Well-Being Plans

- Municipalities mandated to develop advisory committees and develop community safety and well-being plans
- The advisory committee, established by municipalities, must include a person who represents a police services board, in addition to representatives from other community service providers

Serving Vulnerable People

Board Submission

- Police training should include de-escalation, decreased use of force, crisis intervention and sensitivity training as it relates to mental health
- Steps should be taken to reduce police intervention in these types of calls
- Province should enhance mental health supports

Bill 175

- Community Safety and Well-Being Plans – collaborative approach
- More supports and training on mental health – we will have to wait for regulations
- Requirement for Board to address in its Strategic Plan police interactions with youth, members of racialized persons, members of First Nations, Inuit and Métis communities
- And interactions with persons who appear to have a mental health condition.

Modernization of Police Duties

Board Submission

- More functions should be transferred to civilians, special constables and community safety officers and private security
- Changes to the PSA should clarify duties of non-sworn members and enable alternate service delivery options

Bill 175

- Clarifies the role of police officers and responsibilities of sworn members
- Any position that does not require police powers may be civilianized
- Supports outsourcing to deliver crime prevention services and assistance to crime victims and other specialized functions.

Education and Training

- **Board Submission**

- Mandatory post-secondary education for officers
- Successful completion of accredited program before being hired by the Board like other professionals
- Coordinated of college degree program with police college training to seek efficiencies

Bill 175

- Provides for more consistent training and standards across the province for police officers and special constables
- Creation of a Public Safety Institute to inform the delivery of police services, support evidence-based decision making and for research purposes

Governance and Accountability

Board Submission

- Strengthen and support police oversight/governance
- Board members selected against a set of competencies
- Mandated learning opportunities provided by Ministry
- Selection process to make Boards more inclusive
- Clarify role of Boards as it relates to operational matters
- Model of police governance must include elected officials

Bill 175

- There will be mandated training for board members including diversity training
- Police background checks for all board members
- Set of prescribed competencies (not listed yet)
- Board retain the current ratio of municipal and provincial appointments and will have choices between 5,7 or 9 member boards
- Municipality will be able to increase number of citizen appointments if it needs to

Governance and Accountability

Bill 175

- Diversity Plans will be developed by the municipality and will assist in making boards more inclusive and representative
- Police Service Board may give direction to the Chief
- Stipulates clearly what the board may not direct the Chief on

Labour Relations

- **Suspension without Pay**

- Ontario only province in which chiefs do not have discretion to suspend officers without pay when officer is charged with an offence or even convicted of offence (if under appeal).
- Only when officer is sentenced to prison

Bill 175

- Will allow officers to be suspended without pay
- Applied under very specific circumstances

- **Exclusions from the Bargaining Unit**

- Amend the Act to exclude both civilian and sworn members who are involved in bargaining from the bargaining unit (union)

Bill 175

- This issue is not addressed in Bill 175

Labour Relations

Interest Arbitration

- Require arbitrators to consider a municipality's capacity to pay based on other freely negotiated contracts in the municipality – not only emergency services
- Establish criteria to evaluate economic health in the community
- Request written reasons for the an arbitrator's award

Bill 175

This issue is not addressed in Bill 175

- **Probation**

Extension of probationary period of constables while on active duty

Bill 175

Has been extended to 18 months for police officer. The Chief may extend for up to six more months

Other Endorsed Submissions

Board Submission

- Supports oversight for SIU, OIPRD and OCPC
- Remove Board's role under Section 83(17) of the Act as it relates to Public Complaints (Delay Applications)

Bill 175

- Role of Ontario Ombudsman
- New appointment of provincial Inspector General of Policing to monitor and investigate police service boards, Chiefs, police services and others to ensure compliance with legislation.

Bill 175 – Board Implications

- **Board Size**

- Council may determine by resolution, Board size of 5, 7 or 9 members
- Ratio of provincial to municipal appointments are the same

- **Strategic Plan**

- Boards will be required to develop a Strategic Plan every four years which will be similar in content to the current Business Plan but with substantive additions
- Extensive consultation process
- Boards will consider community safety and well-being plans
- Board will consult with the Chief among many other stakeholders

- **Public and Private Board Meetings**

- Clarification on when meetings may be closed to the public – similar to provisions in *Municipal Act, 2001*.

- **Budget Disputes**

- No longer with OCPC but authority now with Ontario Police Arbitration Commission.

Next Steps for Board

- Several of the Board's recommendations are reflected in Bill 175
- Some areas not addressed in proposed legislation:
 - Labour Relations matters including Interest Arbitration, Exclusions from bargaining Unit and composition of bargaining committee