

Clause 17 in Report No. 4 of Committee of the Whole was adopted, without amendment, by the Council of The Regional Municipality of York at its meeting held on March 29, 2018.

17

Bill 175, Safer Ontario Act, 2017  
Community Safety and Well-being Plans

Committee of the Whole recommends:

1. Receipt of the memorandum from Joy Hulton, Regional Solicitor dated March 1, 2018 regarding “AMO Submission on Bill 175, Safer Ontario Act and The Regional Municipality of York’s Written Submission to the Standing Committee on Justice Policy” and endorsement of AMO’s submissions and the written submissions to be made on behalf of Regional Council in support of AMO’s position.
2. Receipt of the communication from the Association of Municipalities of Ontario dated February 12, 2018 regarding “AMO’s Submission on Bill 175, Safer Ontario Act”.
3. Adoption of the following recommendations contained in the report dated February 16, 2018 from the Commissioner of Community and Health Services:
  1. The Ministry of Community Safety and Correctional Services be requested to extend funding to municipalities required to complete a Community Safety and Well-being Plan in the amounts made available during the community pilots.
  2. Council confirm the direction to proceed, subject to budget consideration, with completion of a Community Safety and Well-being Plan to meet the statutory requirements once they have been established.
  3. Council direct the Commissioner of Community and Health Services to revise the Terms of Reference for the Human Services Planning Board of York Region to also meet the requirements of the “Advisory Committee” set out in Bill 175, and report to Council in June 2018 with a revised Terms of Reference for approval.
  4. The Regional Clerk circulate this report to the Association of Municipalities of Ontario, the local municipalities, the Human Services Planning Board of York Region and the Chief of York Regional Police.

Report dated February 16, 2018 from the Commissioner of Community and Health Services now follows:

## 1. Recommendation

It is recommended that:

1. The Ministry of Community Safety and Correctional Services be requested to extend funding to municipalities required to complete a Community Safety and Well-being Plan in the amounts made available during the community pilots.
2. Council confirm the direction to proceed, subject to budget consideration, with completion of a Community Safety and Well-being Plan to meet the statutory requirements once they have been established.
3. Council direct the Commissioner of Community and Health Services to revise the Terms of Reference for the Human Services Planning Board of York Region to also meet the requirements of the “Advisory Committee” set out in Bill 175, and report to Council in June 2018 with a revised Terms of Reference for approval.
4. The Regional Clerk circulate this report to the Association of Municipalities of Ontario, the local municipalities, the Human Services Planning Board of York Region and the Chief of York Regional Police.

## 2. Purpose

This report informs Council about the province’s proposed requirements that will mandate municipalities to develop Community Safety and Well-being Plans and to establish an Advisory Committee as part of Bill 175, Section XIII, Safer Ontario Act, 2017. It recommends advocating for funding to cover costs of preparing the Plan, directing staff to proceed with completion of a Plan to meet the statutory requirements once they have been established, and amending the Terms of Reference for the Human Services Planning Board of York Region to meet the requirements of the “Advisory Committee” set out in Bill 175.

Bill 175, Safer Ontario Act, 2017 (the Bill) has received Second Reading and was referred to the Standing Committee on Justice Policy. The Committee held public hearings in the City of Toronto on February 22, 2018 and March 1, 2018.

### 3. Background

The Ontario Government has developed a new framework for community safety with the introduction of Bill 175, Safer Ontario Act, 2017

On November 2, 2017, the Province of Ontario introduced [Bill 175, Safer Ontario Act, 2017](#) a comprehensive public safety legislative package that, if passed, would represent the largest policing transformation in a generation.

Although the proposed Bill focuses largely on policing issues, it also requires each municipality in Ontario to develop a Community Safety and Well-being Plan (the Plan) and to establish an Advisory Committee to guide the Plan.

In 2012, the Ministry of Community Safety and Correctional Services (the Ministry) began working with municipal, policing and community safety stakeholders to address the rising cost of policing and local community concerns. Main components of the Ministry's work were focused on Community Safety and Well-being Plans. Most recently, the Ministry released a booklet [Community Safety and Well-Being Planning Framework: A Shared Commitment in Ontario](#) that includes a toolkit for Community Safety and Well-being Planning, including the establishment of advisory bodies and implementation teams.

As part of a provincial initiative, eight municipalities were selected by the Ministry to pilot aspects of Community Safety and Well-being Planning to ensure that they are as practical and helpful as possible. These municipalities include: the Regions of Waterloo and Chatham-Kent, the Cities of Greater Sudbury, Brantford, Sault Ste. Marie and Kenora, the Town of Bancroft and the Township of Rama. Provincial grants were provided to each municipality, ranging from \$80,000 - \$185,000. In addition, Halton Region and the Halton Region Police Services recently jointly prepared a Community Safety and Well-being Plan.

The Community Safety and Well-being Plans must identify risk factors to the community and identify holistic strategies to reduce prioritized risk factors

Provincially, the concept of Community Safety and Well-being Planning has been championed by the Ontario Working Group on Collaborative, Risk-driven Community Safety (a subcommittee of the Ontario Association of Chiefs of Police) and the Ontario Ministry of Community Safety and Correctional Services. In 2014, the Ontario Working Group released the report [New Directions in Community Safety](#) which encourages Community Safety and Well-being Planning within four levels of intervention. The levels include:

- **Social Development:** Addressing the underlying causes of social issues through upstream approaches that promote and maintain individual and community wellness. This includes opportunities for employment, income, adequate housing, access to education and other supports that promote social and economic inclusion.
- **Prevention:** Applying proactive strategies to known and identified risks that are likely to result in harm to individuals or communities if left unmitigated.
- **Risk Intervention:** Identifying and responding to situations of acutely elevated risk and mobilizing immediate interventions before an emergency or crisis-driven response is required.
- **Emergency Response:** Circumstances that require intervention by first responders such as police, paramedics and other crisis-driven services in the human services system.

Community Safety and Well-being Planning is a collaborative process so that people in need of help receive the right response, at the right time, and by the right service provider

This approach to planning recognizes that complex risks to safety and well-being cannot be addressed in isolation by any one organization or sector. Too often, situations rooted in issues like mental health, addictions, a lack of safe and affordable housing, inadequate access to services or social isolation require an emergency response from the police, paramedics, hospital emergency department or other crisis-driven services. In many cases, these issues could be addressed earlier and more effectively through greater collaboration among sectors including police, paramedics, education, public health, healthcare, social services and community-based human services agencies (Community Safety and Well-Being in Halton, 2017).

#### 4. Analysis and Implications

Community Safety and Well-being Plans will require municipal government, police and the community to work together to address crime, victimization and community safety

The purpose of these Plans is for municipal government, police, community-based organizations and other sector representatives to work collaboratively to find solutions to crime, victimization and community safety by mobilizing resources. As currently drafted, the Bill states the Plans must:

- Identify risk factors in the municipality such as systemic discrimination and other social factors that contribute to crime, victimization, addiction, drug overdose and suicide and other prescribed factors
- Identify which risk factors the municipality will treat as a priority
- Identify strategies to reduce risk factors, including providing new services, changing services, improving integration and coordinating existing services in a different way
- Set out measurable outcomes
- Address any other issues that the municipal government may prescribe by regulation

Council must also:

- Publish the Plan
- Monitor, evaluate and report on the progress of the Plan
- Review the Plan within timelines to be established by regulation
- Provide information to the Minister such as how the Plan was prepared, implementation and outcomes. If a municipality does not meet its Community Safety and Well-being obligations, the Minister may appoint a Community Safety and Well-being Planner, with costs to be paid by the municipality.

Municipal councils must prepare and adopt their first Community Safety and Well-being Plan within two years of the Bill coming into force. Timelines for review and implementation, details for the Plan and Advisory Committee requirements will be set out in regulation.

Municipalities would be required to establish an Advisory Committee to guide preparation of Community Safety and Well-being Plans

The Advisory Committee must be representative of the municipality (or municipalities), having regard for the diversity of the population. Subject to the regulations, membership at a minimum must include representatives from the Local Health Integration Network, healthcare, education, social services, child services, a municipal employee or a member of municipal council, a person who represents the police services board and others as prescribed.

Municipalities are also required to consult with members of the public, including racialized groups and members of First Nation, Inuit and Metis communities. The province may prescribe other consultation requirements.

Under Bill 175 Community Safety and Well-being Plans can be developed individually or jointly by municipalities

Bill 175 does not differentiate between upper and lower tier municipalities when referencing a municipality or council. While the details of implementation will be set out in regulation, as it is currently written York Region may develop Plans in the following ways:

- One joint Region-wide Plan with the nine local municipalities; or
- Ten separate Plans by the Region and each of the nine local municipalities; or
- Somewhere between one and ten Plans, depending upon whether groups of municipalities chose to jointly prepare Plans.

Initial indications from local municipal staff are that they are interested in having one joint Region wide Plan. York Regional Police has also expressed interest in a partnership with the Region to develop and implement the Plan.

There is potential for the Human Services Planning Board to take on the Community Safety and Well-being Advisory Committee function

A recent review of existing boards/committees which align with the conditions set out by the Province, indicates that York Region's Human Services Planning Board may be most suited to take on this additional mandate for the Region.

Human Services Planning Board membership already includes representatives from most of the sectors required. The current membership includes:

- Catholic and Public school boards
- Southlake and Markham-Stouffville Hospitals
- Central Local Health Integration Network
- York Regional Police
- The United Way of Toronto and York Region
- Members of Regional council

- Business community
- Social services organizations
- Community leaders
- Federal and provincial governments

Additional representatives would need to be added to meet the minimum requirements set out in the Bill, for example, a person who represents the police services board, child services and social services and representatives of all local area municipalities participating in development of a joint plan. Coordination and support to the Board would continue to be provided by the Community and Health Services Department with Regional staff from other departments participating as required.

The Human Services Planning Board's Terms of Reference would need to be changed to reflect the new mandate to act as the Advisory Committee

The Human Services Planning Board is currently in the final year of its term. Subject to approval of recommendation three, staff will report back to Council in June 2018, with a revised Terms of Reference for approval.

Community Safety and Well-being Plans align with existing Regional priorities and plans

One of the objectives of York Region's Official Plan is to promote human health and well-being in York Region; a place where people can live, work, play and learn in accessible and safe communities. Community Safety and Well-being Plans have a major focus on identifying risks and proactive solutions.

The Region has a number of well-established boards/committees, programs and plans based on the same or similar outcomes which the Community Well-Being and Safety Plans would be based on, such as:

- The Human Services Planning Board
- York Region Mental Health Hub Steering Committee
- The Crisis Intervention Working Group
- The Region's 10-year Housing Plan

The Association of Municipalities of Ontario does not support mandating municipalities to develop Community Well-Being and Safety Plans, and will be making a submission to the Standing Committee on Justice Policy

The Association of Municipalities of Ontario does not support the mandated development of a Community Safety and Well-being Plan or the requirement to establish an Advisory Committee. It believes the Province has not fully considered what the new requirements set out in Bill 175 would mean for municipal governments in terms of capacity to deliver, costs and ability to implement, or what the risk of non-compliance would mean to communities.

Regional staff have identified further areas of concern including a lack of clarity on the timelines for review, municipal implementation expectations and associated costs as well as the requirements of the Advisory Committee, such as approval of members.

In addition, the Bill does not include a specific role for the police services to take part in the Advisory Committee, outside of having a person who represents the police services board on the Committee. This is somewhat of a shortcoming given the positive and productive experiences we have had with York Regional Police on a number of joint initiatives (such as Mental Health Matters and the Rapid Response table) and shared activities (such as participation on the Human Services Planning Board and the York Region Seniors Strategy).

## 5. Financial Considerations

Mandating municipal Community Safety and Well-being Plans and Advisory Committees would have financial implications to the Region

Development of the Plan, implementation and monitoring represent a new work load for the Region, as well as all local municipalities. The extended consultation requirements and amount of work required to develop, monitor and evaluate the Plan could become significant and may not be absorbed within existing resources.

Depending on the Advisory Committee design, the Region may need to provide additional secretariat support which could have resource implications such as: staffing, administrative support, public engagement costs, research and publication of a Plan.



To date, the province has not committed any funding for this additional work. Staff will assess the required resources and potential costs once the Bill is enacted. This will be brought forward as part of future budget submissions. Provincial funding in the amounts granted for municipal pilots (\$80,000-\$185,000) would help offset cost implications. It is recommended that the province be requested to fund its legislated direction.

## 6. Local Municipal Impact

Creating safe, complete and healthy communities represents a common goal for local municipalities and Community Safety and Well-being Plans. These Plans will help to ensure that risks to community safety in areas such as mental health, addiction, homelessness and housing concerns are addressed without the use of emergency resources.

## 7. Conclusion

The expectation is that implementation and monitoring details will be finalized once regulations are added before the Bill receives Royal Assent. The development of a Plan along with an Advisory Committee is a positive step towards a framework that is community-focused, accountable, sustainable and culturally responsive, but the need for provincial financial assistance is evident.

This provincial direction is more prescriptive than the work currently being carried out by a number of cross-functional, inter-governmental and agency groups. Recommendations coming from an “Advisory Committee” will have financial implications for the province (e.g. healthcare and community services) and municipalities, and will likely need to be prioritized for consideration in budgets.

Staff will continue to monitor the Bill and assess potential impacts on the Region as it progresses through the legislative process. A full overview of the legislation will be communicated to Council once the Bill has been finalized.

For more information on this report, please contact Lisa Gonsalves, Director, Strategies and Partnerships Branch at 1-877-464-9675 ext. 72090.

The Senior Management Group has reviewed this report.

February 16, 2018

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Accessible formats or communication supports are available upon request



Office of the Regional Solicitor  
Legal & Court Services Department

## Memorandum

To: Members of Committee of the Whole

From: Joy Hulton  
Regional Solicitor

Date: March 1, 2018

Re: **AMO Submission on Bill 175, *Safer Ontario Act***

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On February 12, 2018 the Association of Municipalities of Ontario (AMO) made written submissions to the Standing Committee on Justice Policy regarding Bill 175, *Safer Ontario Act, 2017*. AMO shared its submissions with its members and encouraged municipal governments to make written submissions to the Committee to reinforce the concerns identified in the submission. The deadline for written submissions to the Standing Committee is March 1, 2018 at 6:00 p.m.

This memo is provided to Committee of the Whole to recommend that Council endorse AMO's submissions, and to seek Council's endorsement of written submissions to be made on Council's behalf in support of AMO's position. Given the short timeframe for submissions, staff were not able to bring this matter to Council in advance of the deadline. Any additional comments from Committee's consideration of the submission will be included before it is submitted.

Bill 175 focuses on community safety planning and police oversight

Bill 175 was introduced on November 2, 2017. It represents the most comprehensive amendments to policing legislation in more than 25 years. The legislation focuses on five main themes:

- Shifting to a collaborative approach to Community Safety and Well-being Planning;
- Enhancing police accountability to the public;

- Strengthening the police oversight system;
- Outlining police responsibilities and community safety service delivery; and,
- Ensuring sustainability of First Nations policing

The most significant changes in Bill 175 are in the areas of police accountability. New legislation will implement many of the recommendations of the Report of the Independent Police Oversight Review conducted by Justice Tulloch in 2016.

Community consultation focused on community safety planning and sustainability of policing costs

Prior to introducing this legislation, the Province conducted consultations with stakeholders including community representatives, municipalities, and police services boards and police services. While the focus of the public consultation was community safety and police accountability, police employers and the municipalities responsible for police services also raised concerns about the costs of the policing and sought changes to the *Police Services Act* to enable improvements to the efficiency of effectiveness of policing. Such changes have been the goal of municipal elected officials for many years, and was the subject of study and consultation between the Province, AMO and other stakeholders for over 5 years.

Despite extensive review and the important initiatives identified during the consultation with municipal stakeholders, Bill 175 does little to modernize the delivery of police services and provides no relief to the burden on taxpayers to sustain municipal police services.

Written submissions on behalf of Council will endorse AMO's submission and focus on three areas of concern to York Region

Staff recommend that the attached written submission be provided to the Standing Committee on Justice Policy to reflect Council's endorsement of AMO's submissions and to support the call for changes in the proposed legislation to address issues of concern to municipalities. It highlights three areas of particular concern to municipalities:

1. Community Safety and Well-Being Plans;
2. Appointments to the Police Services Board;
3. Responsibility for appointment and oversight of Special Constables.

## Community Safety and Well-being Plans

Under Bill 175, every municipal council will be required to prepare and adopt a Community Safety and Well-being Plan. Further details on the Community Safety and Well-being are set out in the Report the Commissioner of Community and Health Services (item G.2.4). The written submission supports the recommendations set out in that report, including calling on the Province to provide funding for the development of the Plan and ensuring that police services are represented on the Advisory Committee.

## Appointments to the Police Services Board

Bill 175 will introduce changes to the appointment of members of council to the police services boards. Every municipality that maintains a police services board will be required to prepare and, by resolution, approve a diversity plan to ensure that the members of the board appointed by council are representative of the diversity of the population in the municipality. Plans must be reviewed at least every four years.

The Province also appoints members to the boards. In the case of a seven-person board such as York Region's, the Province appoints three members. There is nothing in Bill 175 to require the Province to have regard for the municipality's diversity plan in making its appointments to the board. Staff recommend that Bill 175 be amended to ensure that all appointments are made in accordance with council's diversity plan. The submission also calls on the Province to amend its appointment process to ensure that appointments are made in a more timely fashion. Currently, most boards including York Region's experience prolonged vacancies due to extensive delays in appointments.

## Appointment and oversight of Special Constables

Currently, Special Constables must be appointed by the local police services board even if they are employed by another employer. YRT Special Constables are employed by York Region but appointed by the York Regional Police Services Board. Under Bill 175, the Region will become responsible for the appointment and oversight of its Special Constables. In addition, under Bill 175 all Special Constables will fall within the mandate of the Special Investigations Unit. These changes bring new responsibilities to non-police employers. Staff recommend that implementation of these changes be deferred to allow for a reasonable transition.

Bill 175 still requires Third Reading and Royal Assent

Bill 175 is expected to receive Third Reading and Royal Assent before the Legislature rises for the provincial election. It is likely that implementation of the bill will be phased through a series of Proclamation dates. Many provisions still require regulations which have yet to be drafted.

Staff will continue to monitor the progress of Bill 175 and report to Council on the full implications of this legislation once it is enacted.

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Joy Hulton  
Regional Solicitor

Attachment (1)

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Attachment 1

**THE REGIONAL MUNICIPALITY OF YORK  
WRITTEN SUBMISSION TO THE STANDING COMMITTEE  
ON JUSTICE POLICY**

*Bill 175, Safer Ontario Act, 2017*

Joy Hulton, Regional Solicitor

**March 1, 2018**

The Regional Municipality of York (“York Region”) respectfully makes the following submissions to the Standing Committee on Justice Policy (the “Committee”) on Bill 175, *Safer Ontario Act, 2017*.

### **Introduction**

York Region is comprised of 9 local municipalities (Township of King; Towns of Aurora, East Gwillimbury, Georgina, Newmarket, Richmond Hill and Whitchurch-Stouffville; and the Cities of Markham and Vaughan) with a total population of 1.187 million. York Region is policed by the York Regional Police, under the governance of the Regional Municipality of York Police Services Board. Municipal taxpayers bear most of the burden of policing costs, while municipalities are also required to deliver a multitude of other services, including those directed at the health, safety and well-being of residents.

### **Summary**

As a municipality, York Region supports the modernization of policing and police oversight. Bill 175 focuses on modernization of police oversight and includes some operational changes that will be positive for police services. However, despite years of consultation on the cost of policing and modernization of service delivery, the proposed legislation does little to provide meaningful legislative change to enable improvements in the efficiency and effectiveness of policing, nor does it address the fiscal sustainability of policing. The lack of tools to address the cost of policing is concerning to municipalities. Bill 175 also introduces new requirements for municipal governments and police services boards which are of concern.

Although the proposed Bill focuses largely on policing issues, it also introduces a new requirement that each municipality in Ontario develop a Community Safety and Well-being Plan and to establish an Advisory Committee to guide the Plan. No funding has been provided to support the development of such plans despite the fact that they represent a new area of responsibility for municipalities.

In addition, Bill 175 shifts responsibility for non-police special constables from police services boards to employers who employ special constables, and broadens the mandate of the Special

Investigation Unit to include special constables whether or not they are employed by a police service. This will create new obligations and requirements for municipal employers who employ special constables, including those like York Region who employ special constables for their transit services. Time and resources will be required for non-police employers to prepare for the new measures required of them under Bill 175.

York Region supports the principle that police modernization should focus on enabling municipalities to meet the demands for service and safety in today's society, and to enhance accountability in policing. However changes must also address the financial sustainability of delivering such service. Given the additional administrative burden that Bill 175 would create for municipalities, along with absence of any measures to address fiscal pressures, municipalities will continue to be challenged to sustain high levels of service and community safety.

### **York Region endorses AMO's submissions to the Standing Committee**

York Region endorses the submissions made by the Associations of Municipalities of Ontario (AMO) to the Standing Committee in writing on February 12 and orally on February 22, 2018. In particular, York Region endorses AMO's submissions with respect to changes that impact the obligations of municipal governments and that otherwise negatively impact municipal taxpayers.

### **York Region Submissions**

While fully endorsing AMO's submissions, York Region submits the following additional comments and recommendations with respect to the proposed amendments set out in Bill 175 with respect to:

1. Community Safety and Well-Being Plans;
2. Appointments to the Police Services Board;
3. Responsibility for appointment and oversight of Special Constables.



## **1. Community Safety and Well-Being Plans**

York Region supports the objectives of community safety planning. York Region already engages in extensive stakeholder consultation and collaboration for such planning but we share AMO's concerns about the mandatory nature of the requirements set out in Bill 175. York Region shares AMO's concerns with respect to the requirement that municipalities will be responsible for ensuring the participation of representatives and stakeholders over whom the municipality has no jurisdiction. York Region agrees with AMO's position that the impact of this requirement on municipalities has not been fully considered.

York Region is also concerned that Bill 175 does not include specific reference to the role of police services in the mandatory Advisory Committee. Collaboration with other stakeholders is important but all appropriate stakeholders need to be involved for Plans to be effective.

A municipal council's responsibility for establishing these plans must be supported financially by the Province in order to develop a plan that can best meet the needs of a community. The Ministry of Community Safety and Correctional Services began working with stakeholders on community plans in 2012. Eight municipalities were selected by the Ministry to pilot aspects of community safety planning and each received funding in the range of \$80,000 to \$185,000. Funding should be made available to all municipalities to meet the obligations imposed by Bill 175 in the amounts that were available during the community pilots. In addition, further guidance and resources, in addition to financial support, from the Province are necessary for optimal Plan development.

Finally, York Region submits that the mandatory requirements for Community Safety and Well-Being Plans should be sufficiently flexible to allow each municipality to comply in a manner that best reflects its community, resources and existing working relationships with other stakeholders.

**We respectfully submit that Bill 175 should be clarified to ensure that police services are represented on the Advisory Committee**

**We also request that funding be provided to support an effective collaborative process to developing Community Safety and Well-Being Plans (Part VIII, Section 187)**

## **2. Appointments to the Police Services Board**

Bill 175 will require municipal councils to prepare a diversity plan for appointments to their police services board to ensure that the board members are representative of the diversity of the population in the area they serve. Under Bill 175, the Province will continue to appointment members to police services boards. Currently, Provincial appointments are not made in consultation with the municipality or board, and there is nothing in Bill 175 to require that the Province must have regard for the municipality's diversity plan in making its appointments to police services boards. York Region submits that the Province must be legislated to comply with municipal and board diversity plans in making appointments to police services boards.

In addition, changes should be introduced to the appointment process to require that the Provincial appointments be done in a more timely fashion to avoid the significant periods of vacancies under the current system. Such vacancies undermine the governance of police services and present challenges to the practical administration and coordination of board business.

To ensure consistency, the Province should provide guidance, resources and financial assistance for the development of municipal diversity plans.

**We respectfully submit that Bill 175 be amended to ensure that provincial appointments to the police services board are done in consultation with the municipality and in accordance with the municipality's diversity plan to ensure that the Board composition requirements are met (Part IV, s. 28, 29, 33)**

### **3. Responsibility for appointment and oversight of Special Constables**

Under the proposed legislative amendments, the responsibility for non-police Special Constables will be transferred from police services boards to employers who employ individuals with special constable designations. In addition, Special Constables will come under the oversight jurisdiction of the Special Investigations Unit.

Municipalities and other non-police employers of special constables have little or no experience with the legislative obligations related to the appointment, potential for investigations into conduct, discipline or termination of special constables. Municipal employers were not consulted on this issue and most were unaware of it until Bill 175 was introduced. They will require sufficient time to implement policies and resources necessary to carry out these new responsibilities.

While York Region takes no position on the transfer of responsibilities from police services boards to employers of special constable employers, it does submit that implementation of this responsibility should be deferred to allow employers of Special Constables time to prepare for the responsibilities they will assume.

**We respectfully submit that proclamation of Part VII allow for a reasonable transition period for the assumption of responsibilities of Special Constables (Part VII, Sections 124, 125, 126)**

#### **Conclusion**

We respectfully submit that the above noted technical amendments and issues be considered by this Committee in its consideration of Bill 175.

The legislation as currently drafted has significant administrative and financial impacts on municipal budgets and does not allow for sufficient flexibility in service delivery. Any changes to the legislation and scope of responsibility will impact our operating budget greatly and we ask for consideration of all recommendations put forth in this document.

Thank you for taking the time to review our submission.

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**From:** AMO Communications [<mailto:communicate@amo.on.ca>]

**Sent:** February-12-18 5:25 PM

**To:** Hulton, Joy

**Subject:** AMO Policy Update - AMO Makes Submission on Policing - Bill 175, Safer Ontario Act

February 12, 2018

## **AMO Makes Submission on Policing - Bill 175, Safer Ontario Act**

The Association of Municipalities of Ontario has made a written submission to the Standing Committee on Justice Policy concerning Bill 175, *Safer Ontario Act, 2017*.

The full submission is available [here](#). AMO also supports the call of the Ontario Association of Police Service Boards (OAPSB) that Boards be assured access to professional advice when at the bargaining table negotiating collective agreements. AMO also supports the measures included in Schedules 2-4 which focus on oversight agencies and processes.

Ontarians pay the highest policing costs in the country. Democratically elected local officials must provide for the full range of municipal services that keep Ontarians safe and healthy. That includes, but is not limited to, the financial needs of police services across the province and the OPP's municipal mandate.

AMO encourages municipal governments to make written submissions to the Committee to reinforce the above themes and/or share other municipal concerns. A request to make an oral presentation is due February 16 by 10:00am; written submissions are due March 1 by 6:00pm. Hearing details are available [here](#).

Areas of the bill of keen interest to municipal leaders include the following:

### **1. Mandating municipalities to develop Community Safety and Well-Being Plans (Part VIII, Section 187)**

#### **Proposed Municipal Changes:**

1. Limit the scope of this mandate based on the size of a municipality or where an acute local public safety need exists.
2. Require participation of the Police Chief (or police service representatives).

3. Instead of legislation that punishes municipalities for non-compliance, encourage the development of such plans through outreach and financial support.

## **2. Civilianization (Use of Personnel, Part III, Section 13)**

### **Proposed Municipal Changes:**

1. Permit the civilianization of court security and prisoner transportation functions.
2. Permit the civilianization of all specific functions listed in the Bill to include corporate entities.
3. Permit the civilianization of minor property offences, directing traffic, and crime scene security.

## **3. Consolidation of OPP Police Service Boards and Role (Schedule 1, Part V)**

### **Proposed Municipal Changes:**

1. Provide assurance in law that all municipalities will be represented on OPP Boards.
2. Provide some greater assurance in law that powers of an OPP Board are as similar as possible to those of an own-force board.
3. The OPP Police Governance Advisory Council should establish a mechanism to receive and provide advice to the Minister of Community Safety and Correctional Services and the President of the Treasury Board with respect to the fiscal position of municipal governments to inform the government's bargaining position with the Ontario Provincial Police Association.

## **4. Police Service Boards (Part IV, own force)**

### **Proposed Municipal Changes:**

1. Either mandate diversity plans for both police service boards and police services or strike diversity plan requirement for boards.
2. Require in law that the provincial government expedite the appointment of its representatives to boards and in so doing, increase the diversity on a Police Service Board. This is consistent with the findings of shortcomings and delays noted by the Auditor General of Ontario's report on Public Appointments.
3. Diminish restrictions on former police officers servicing on a board to within one year of employment by a service.

## **5. Establishment of a Provincial Inspector General (Part VI)**

### **Proposed Municipal Changes:**

1. Supporting boards in fulfilling their function should be a mandate of this office.
2. The Inspector General should be an independent office of the Legislative Assembly.

## **6. Suspension without Pay (Part IX, Section 150)**

### **Proposed Municipal Changes:**

1. AMO support further amendments which ensure the ability of a Chief to maintain discipline within the police service.

## **7. Waterways Policing (Part III, Section 6)**

### **Proposed Municipal Changes:**

1. Provide greater legislative clarity to avoid overlap with waterways currently policed by the OPP.

**AMO Contact:** Matthew Wilson, Senior Policy Advisor, [mwilson@amo.on.ca](mailto:mwilson@amo.on.ca), 416-971-9856 ext. 323.

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