



**HALTON
POLICE
BOARD**
EXCELLENCE IN GOVERNANCE

Public Agenda

Date: Thursday, September 28, 2023

Time: 9:00 a.m.

Location: Community Room, HRPS Headquarters/Zoom Video Conference
Livestream at <https://haltonpoliceboard.ca/>

Members of the public and other interested parties are welcome to watch the livestream of this meeting at the link above.

1. GENERAL

- 1.1 Regrets
- 1.2 Disclosure of Conflicts of Interest
- 1.3 Confirmation of Minutes of Meeting P23-07 held Thursday, September 28, 2023
(Agenda Pages 1 – 8)

2. PRESENTATIONS/DELEGATIONS

3. INFORMATION REPORTS

- 3.1 **P23-09-I-01** - Community Safety and Well-Being Plans
(Agenda Pages 9 – 12)
- 3.2 **CGO23-09-I-02** - Forthcoming Provincial Regulations
(Agenda Pages 13 – 46)

4. RECOMMENDATION REPORTS

- 4.1 **P23-09-R-02** - Mid-Year Performance Report
(Agenda Pages 47 – 68)

4.2 **CGO23-09-R-01** - Proposed 2024 HPB Governance Budget
(Agenda Pages 69 – 72)

5. OPERATIONAL VERBAL UPDATES

6. ACTION REGISTRY

6.1 Public Information Action Registry
(Agenda Pages 73 – 76)

7. RECEIPT OF PUBLIC CORRESPONDENCE

8. NEW BUSINESS

9. MOVE INTO CLOSED SESSION

10. CLOSED SESSION REPORT

11. ADJOURNMENT



Public Minutes

MEETING NO. P23-07

DATE OF MEETING: Thursday, August 31, 2023
9:00 a.m.

LOCATION: Community Room, HRPS Headquarters

MEMBERS PRESENT: Jeff Knoll (Chair)
Councillor Lisa Kearns, Councillor Clark Somerville, Curt Allen,
Navdeep Dhaliwal, Ingrid Hann, Jane McKenna

STAFF PRESENT: Chief Stephen Tanner
Deputy Chief Roger Wilkie
Deputy Chief Jeff Hill
Ken Kelertas, Director of Legal Services and Legal Counsel
Paul Lavergne, Director, Corporate Services
Tracy Dottori, Director, Human Resources
Inspector Anita Laframboise
Inspector Glenn Mannella
S/Sgt. Tamara Sandy
Sgt. Matt Floyd
Ellie Bale, President, HRP
Fred Kaustinen, Chief Governance Officer
Kimberly Calderbank, Board Media Consultant
Chris Lallouet, Yellow Robot Communications
Graham Milne, Board Secretary

GUESTS: David Tilley, Ministry of the Solicitor General

1. GENERAL

The Chair welcomed new Board Member Navdeep Dhaliwal to his first meeting.



1.1 Regrets

None.

1.2 Disclosure of Conflicts of Interest

The Chair called upon Board members to declare any conflicts of interest they might have on the agenda. No declarations were made.

1.3 Confirmation of Minutes of Meeting P23-06 held Thursday, June 29, 2023

Moved by: C. Allen

Seconded by: J. McKenna

“THAT the Minutes of Meeting P23-06 held Thursday, June 29, 2023 be adopted as circulated.”

Carried.

2. PRESENTATIONS/DELEGATIONS

None.

3. INFORMATION REPORTS

3.1 P23-08-I-05 - Semi-Annual Complaints Statistical Report – Public/Internal – January-June 2023

Moved by: C. Somerville

Seconded by: N. Dhaliwal

“THAT Report No. P23-08-I-05 - Semi-Annual Complaints Statistical Report – Public/Internal – January-June 2023 be received for information.”

Carried.



3.2 P23-08-I-06 - FOI/Summary/IPC Annual Report

Moved by: C. Somerville
Seconded by: N. Dhaliwal

“THAT Report No. P23-08-I-06 - FOI/Summary/IPC Annual Report be received for information.”

Carried.

3.3 P23-08-I-01 - Quarterly Human Resources Summary

Moved by: I. Hann
Seconded by: C. Allen

“THAT Report No. P23-08-I-01 - Quarterly Human Resources Summary be received for information.”

Carried.

3.4 P23-08-I-02 - Financial Report and Forecast – Second Quarter 2023

Moved by: C. Somerville
Seconded by: N. Dhaliwal

“THAT Report No. P23-08-I-02 - Financial Report and Forecast – Second Quarter 2023 be received for information.”

Carried.

3.5 P23-08-I-03 - Purchasing Activity Report – January – June 2023

Moved by: C. Somerville
Seconded by: N. Dhaliwal

“THAT Report No. P23-08-I-03 - Purchasing Activity Report – January – June 2023 be received for information.”

Carried.



3.6 SEC23-08-I-01 - Semi-Annual Board Governance Expenditure Report

Moved by: C. Somerville
Seconded by: N. Dhaliwal

“THAT Report No. SEC23-08-I-01 - Semi-Annual Board Governance Expenditure Report be received for information.”

Carried.

3.7 P23-08-I-04 - Board Trust Fund Statement/Community Fund as at June 30, 2023

Moved by: C. Somerville
Seconded by: N. Dhaliwal

“THAT Report No. P23-08-I-04 - Board Trust Fund Statement/Community Fund as at June 30, 2023 be received for information.”

Carried.

3.8 2024 Budget Directions from Regional Council - Correspondence from Cyndy Winslow, Halton Region Commissioner of Finance and Regional Treasurer

Chief Tanner provided an overview of the process of preparation of the 2024 Budget. Fred Kaustinen, Chief Governance Officer, explained the Board’s expectations in line with Board policies G07 - Governance Calendar and A03 – Financial Conditions and Activities, which states:

7. The Chief of Police shall report, in accordance with the Governance Calendar, the following:

7.1 budget options for policing, articulating how each option relates to the Board’s Strategic Plan as well as the comparative benefits and relative return-on-investment of each budget option;

Moved by: C. Somerville
Seconded by: L. Kearns

“THAT the Correspondence from Cyndy Winslow, Halton Region Commissioner of Finance and Regional Treasurer be received for information.”

Carried.



3.9 CGO23-08-I-02 - Forthcoming Provincial Regulations

Moved by: C. Somerville
Seconded by: N. Dhaliwal

“THAT Report No. CGO23-08-I-02 - Forthcoming Provincial Regulations be received for information.”

Carried.

3.10 CGO23-08-I-01 - Police Records Check Reform Act (PRCRA) 2015 – Five-Year Review

Moved by: C. Somerville
Seconded by: N. Dhaliwal

“THAT Report No. CGO23-08-I-01 - Police Records Check Reform Act (PRCRA) 2015 – Five-Year Review be received for information.”

Carried.

4. RECOMMENDATION REPORTS

4.1 P23-08-R-08 - Capital Projects/Programs Status – June 30, 2023

Moved by: C. Somerville
Seconded by: C. Allen

“THAT the Halton Police Board approves the closure of the following Capital Accounts/Projects:

#T6902A	Burlington Court Antenna	\$ 9,947
#T6868B	ESU Robot Replacement	61
#T6906A	Night Vision Equipment	<u>28,015</u>
	Total	<u>\$ 38,023</u>

and further,

THAT the combined surplus funds of \$38,023 available as a result of the above recommendation be returned to the Police Capital Reserve and the Development Charge Reserves as appropriate.”



Carried.

5. OPERATIONAL VERBAL UPDATES

There were no operational verbal updates.

6. ACTION REGISTRY

6.1 Public Information Action Registry

The Budget and Strategic Workshops have been scheduled (Item 4.4).

Moved by: C. Allen

Seconded by: L. Kearns

"THAT the Public Information Action Registry be received."

Carried.

7. RECEIPT OF PUBLIC CORRESPONDENCE

Moved by: I. Hann

Seconded by: L. Kearns

"THAT the Public Correspondence for August 31, 2023 be received."

Carried.

8. NEW BUSINESS

Councillor Somerville thanked the Service for their efficiency in performing records checks for constituents.

There was no other new business.

9. MOVE INTO CLOSED SESSION

Moved by: C. Somerville

Seconded by: I. Hann

"THAT the Board do now convene into closed session."



Carried.

10. CLOSED SESSION REPORT

The Chair reported that during the closed session, the Board considered legal and personnel matters and motions were approved by the Board regarding these matters.

11. ADJOURNMENT

Moved by: N. Dhaliwal
Seconded by: J. McKenna

"THAT the Halton Police Board do now adjourn this meeting."

Carried.

The meeting adjourned at 12:08 p.m.

Jeff Knoll
Chair

Graham Milne
Board Secretary



Halton Regional Police Service Public Agenda Information Report

To: Chair and Police Board Members

From: Chief Stephen J. Tanner

Subject: COMMUNITY SAFETY AND WELL-BEING PLANS

Report #: P23-09-I-01

Date: September 28, 2023

INTRODUCTION AND BACKGROUND:

Halton continues to be a leader in community safety and well-being because collaboration, planning and action are central to the work we do to keep our community safe and healthy.

CONSULTATION:

Deputy Chief R. Wilkie
Inspector B. Dickson
Alex Sarchuk, Region of Halton
Dr. Hamidah Meghani, Region of Halton
Susan Alfred, Region of Halton

A handwritten signature in black ink, appearing to be "S. J. Tanner", written over a horizontal line.

Stephen J. Tanner
Chief of Police

:JR

Attachments: Community Safety and Well-Being Status Report – May-September 2023



Halton Regional Police Service

Community Safety and Well-Being Status Report May 2023 – September 2023



The Regional Community Mobilization Bureau provides updates on community safety and well-being planning (CSWB) in Halton. The aim of this status report is to maintain a timely, consistent flow of information relating to CSWB progress and performance.

Report Period: May 2023 – September 2023

Submitted To: Halton Police Board

Community Safety and Well-Being Updates

Halton Regional Police Service Naloxone Distribution Pilot Project Update

Rates of overdose and opioid-related harm continue to increase in Halton and nationwide. Between January 1 and July 31, 2023, Halton Regional Police Service (HRPS) officers have responded to more than 270 known or suspected overdoses involving either illicit substances, prescription drugs, and/or over-the-counter medications. Close to half involved men and women between the ages of 18 and 34. Unfortunately, 28 of the individuals did not survive and succumbed to addiction.

Ensuring the safety and well-being of the residents of Halton Region is our number one priority. We continue to make efforts to reduce harm through prevention, emergency response, risk intervention, and social development for those managing substance use.

HRPS's Overdose Coordination Group has worked hard to ensure that our frontline officers are equipped to respond, save lives, and provide the people we serve with the information and resources needed to stay safe.

In November 2022, the Naloxone Distribution Pilot Project launched, expanding the availability of free, life-saving Naloxone kits to everyone released from Central Lock-up – no questions asked, no records kept. Fifty-three of our Special Constables working in Central Lock-Up have been trained in the use of Naloxone and in strategies to connect those interested with additional community supports. As a result of this ground-breaking program, more than 130 men and women of all ages have benefitted from these vital first-aid tools.

Building Safer Communities Action Table Update

Halton Region has been selected to receive a funding allocation of approximately \$3.9M over four years through the Building Safer Communities Fund (BSCF), a federally-funded initiative under Public Safety Canada (PSC). The BSCF is a four year program to develop community-based prevention and intervention strategies to reduce, and ultimately prevent, gun and gang violence.

In response, key service providers in Halton assembled a Community Safety and Well-Being (CSWB) Action Table to lead the Building Safer Communities initiative. On August 28, 2023, with the support of the Action Table, Halton Region introduced the opportunities under the Building Safer Communities in Halton Grant (BSCG), opening applications for consideration. The process enables for the allocation of funds to eligible

COMMUNITY SAFETY & WELL-BEING STEERING COMMITTEE

HRPS Deputy Chief Roger Wilkie

HRPS Inspector Bruce Dickson
Regional Community Mobilization Bureau

Alex Sarchuk
Commissioner of Social and Community Services
Halton Region

Dr. Hamidah Meghani
Commissioner and Medical Officer of Health
Public Health, Halton Region

Susan Alfred
Director Healthy Families
Public Health, Halton Region

COMMUNITY SAFETY & WELL-BEING WORKING GROUP

HRPS Sergeant Jacqueline Ross
Regional Community Mobilization Bureau

HRPS Constable Ashley Lilliman
Regional Community Mobilization Bureau

Samantha Jackson
Manager Human Services Planning and Program
Support, Social and Community Services
Halton Region

Kendra Habing
Decision Support Advisor – CSWB
Initiatives, Social and Community Services
Halton Region

Kaitlin Callegari
Decision Support Analyst,
Social and Community Services,
Halton Region

Harmeet Sandhu
Community Partnerships Analyst
Social and Community Services
Halton Region



Halton Regional Police Service

Community Safety and Well-Being Status Report May 2023 – September 2023



programs and initiatives. Upon the closing of the application intake on September 22, 2023, The Action Table will begin reviewing all applications to determine the distribution of the funding.

Encampment Action Table

Encampments In Halton are being established at a rapid rate, bringing with them an increased level of concern and attention within the Region. Lack of affordable housing, economic hardship, addictions, and physical and mental health challenges are all factors that have contributed to the prevalence of encampments throughout the Region.

Although all areas are susceptible, certain communities are reporting greater incidents. Small encampments within Burlington and Oakville have been identified; within them are individuals who present with complex mental health and addictions issues. Not all of these individuals are homeless, however they do commonly lack access to the support services required to address their acuties.

In July of 2023, the Homelessness Action Table was re-activated in an effort to investigate the emerging issues of encampments and related causes of street homelessness in Halton.

The goal of the work is to improve the existing situation in Halton and signal community action. It will also help build closer relations and intersectionality across all key players in the homelessness/supportive housing space.

CSWB Frequently Asked Questions Document:

Halton's Community Safety and Well-Being Team has developed a frequently-asked questions document to provide an overview of Community Safety and Well-Being planning and Halton information relevant to the initiative. The document can be found on [Halton.ca](https://www.halton.ca) or [accessed here](#).

To learn more about our [community safety and well-being initiatives](#), visit [Halton.ca](https://www.halton.ca).



Public Information Report

To: Halton Regional Police Services Board

From: Fred Kaustinen
Chief Governance Officer

Subject: Forthcoming Provincial Regulations

Report #: CGO23-09-I-02

Date: 28 Sep 2023

INTRODUCTION AND BACKGROUND:

Before the Government of Ontario will make the 2019 Community Safety and Policing Act into effect (expected Spring 2024), it intends to complete several associated Regulations it considers key to the successful implementation of the Act.

Fourteen (14) draft provincial regulations have been brought before the Board, with comments, thus far this year.

DISCUSSION/ANALYSIS:

As part of its consultative process, the Ministry of the Solicitor General has posted four (4) additional draft Regulations, for public consideration and feedback. These Regulations are summarized in the chart below.

Draft Regulation	Comments Due to SOLGEN By	Comments	Next HPB Steps (upon Regulation finalization)
Ontario Police Arbitration Adjudication Commission (OPAAC)	2 Oct 23	<ul style="list-style-type: none"> • Outlines the provincial Arbitrator Committee membership of chair, 3 police board reps and 3 police association reps • Outlines the provincial Adjudication (discipline) Committee membership of chair, 3 police chief reps and 3 police association reps 	No action required

Draft Regulation	Comments Due to SOLGEN By	Comments	Next HPB Steps (upon Regulation finalization)
Ontario Police Arbitration Adjudication Commission (OPAAC) Cost Recovery of Hearing Costs	2 Oct 23	Police boards will be charged by OCAAP the cost of Adjudication (discipline) hearings, in graduated steps until 31 Mar 27 when the full cost of hearings will apply	• Budgetary considerations
Procedural Rules for Adjudication Hearings	10 Oct 23	Prescribes the rules of procedure for OPAAC Adjudication (discipline) hearings. Boards have no role, other than funding (refer to Cost of Recovery of Hearing Costs above)	No action required
Minimum Weapons and Equipment requirements for Public Order Units and Emergency Response Teams/Units/ Members	10 Oct 23	Outlines the minimum weapons and equipment required within public order units and various emergency response teams (containment teams, tactical and hostage rescue teams, crisis negotiators, incident commanders, canine units, explosive disposal units, ground and waterways search, and underwater search and recovery).	Policy implications, shared-service implications, Budget implications

Attachments: Draft Regulations:

- Ontario Police Arbitration Adjudication Commission (OPAAC)
- Ontario Police Arbitration Adjudication Commission (OPAAC) Cost Recovery of Hearing Costs
- Minimum Weapons and Equipment requirements for Public Order Units and Emergency Response Teams/Units/ Members
- Procedural Rules for Adjudication Hearings

Caution:

This consultation draft is intended to facilitate dialogue concerning its contents. Should the decision be made to proceed with the proposal, the comments received during consultation will be considered during the final preparation of the regulation. The content, structure, form and wording of the consultation draft are subject to change as a result of the consultation process and as a result of review, editing and correction by the Office of Legislative Counsel.

CONSULTATION DRAFT

ONTARIO REGULATION

to be made under the

COMMUNITY SAFETY AND POLICING ACT, 2019

ONTARIO POLICE ARBITRATION AND ADJUDICATION COMMISSION

Composition

1. (1) The Ontario Police Arbitration and Adjudication Commission shall consist of,

- (a) the Commission Chair;
- (b) any Commission Vice Chairs; and
- (c) the members of the committees referred to in subsection 147 (5) of the Act.

(2) The Commission Chair and any Commission Vice Chairs shall be appointed by the Lieutenant Governor in Council.

(3) All other members of the Commission shall be appointed by the Minister.

Arbitration committee

2. (1) The committee referred to in clause 147 (5) (a) of the Act shall consist of the following members:

1. Three members appointed by the Minister on the recommendation of a police association or an organization representing police associations.
2. Three members appointed by the Minister on the recommendation of a police service board or an organization representing police service boards.
3. If at least one First Nation board has been constituted under section 32 of the Act,
 - i. one member appointed by the Minister on the recommendation of a police association representing the members of a police service maintained by a First Nation board or an organization representing such police associations, and
 - ii. one member appointed by the Minister on the recommendation of a First Nation board.
4. The Commission Chair.

(2) The Commission Chair shall act as the chair of the committee.

(3) The committee shall select members of, and maintain, one or more registers of arbitrators who are available for appointment to conduct an arbitration under Part XIII of the Act.

(4) The committee shall fix fees of arbitrators appointed by the Commission Chair under section 229 of the Act.

(5) The committee shall fix fees of conciliation officers appointed by the Commission Chair under the Act.

Adjudication committee

3. (1) The committee referred to in clause 147 (5) (b) of the Act shall consist of the following members:

1. Three members appointed by the Minister on the recommendation of a police association or an organization representing police associations.
2. Three members appointed by the Minister on the recommendation of a chief of police or an organization representing chiefs of police.
3. If at least one First Nation board has been constituted under section 32 of the Act,
 - i. one member appointed by the Minister on the recommendation of a police association representing the members of a police service maintained by a First Nation board or an organization representing such police associations, and
 - ii. one member appointed by the Minister on the recommendation of a chief of police of a police service maintained by a First Nation board or an organization representing such chiefs of police.
4. The Commission Chair.

(2) The Commission Chair shall act as the chair of the committee.

(3) The committee shall consider the following factors in selecting members of, and maintaining, a roster of adjudicators who are available for appointment to hold hearings under the Act:

1. A prospective member's legal education and experience.
2. A prospective member's understanding of policing in Ontario.
3. A prospective member's experience and training as an adjudicator in any field.

(4) To be selected as a member of the roster of adjudicators until 18 months after clause 147 (5) (b) of the Act comes into force, an individual must,

- (a) be a member of the Law Society of Ontario in good standing who is licensed to practise as a barrister and solicitor;
- (b) be a former judge of an Ontario court;
- (c) have conducted proceedings to which the *Statutory Powers Procedures Act* applies, such as hearings under the *Police Services Act*; or
- (d) have conducted arbitrations in Ontario.

(5) During the first 18 months after the day clause 147 (5) (b) of the Act comes into force, an individual selected as a member of the roster of adjudicators must complete the training approved by the Minister within three months of being selected to the roster or within three months of the training being approved by the Minister, whichever is later, in order to remain on the roster.

(6) To be selected as a member of the roster of adjudicators as of the day that is 18 months after the day clause 147 (5) (b) of the Act comes into force, an individual must meet the following criteria:

1. The individual must have completed, within the previous year, training approved by the Minister.
2. The individual must not be a member or former member of a police service.
3. The individual must,
 - i. be a member of the Law Society of Ontario in good standing who is licensed to practise as a barrister and solicitor,
 - ii. be a former judge of an Ontario court,

- iii. have conducted proceedings to which the *Statutory Powers Procedures Act* applies, such as hearings under the *Police Services Act*, or
- iv. have conducted arbitrations in Ontario.

(7) If an individual is qualified to be selected as a member of the roster of adjudicators under clause (4) (a) or subparagraph 3 i of subsection (6), and they do not meet any of the other qualifications to be selected as a member of the roster, they must remain a member of the Law Society of Ontario in good standing who is licensed to practise as a barrister and solicitor in order to remain a member of the roster.

(8) As of the day that is 18 months after the day clause 147 (5) (b) of the Act comes into force, an individual selected as a member of the roster of adjudicators must meet the following requirements to remain a member:

1. They must not be a member or former member of a police service.
2. They must have successfully completed, within the previous 36 months, the training approved by the Minister.

(9) The committee shall promptly remove from the roster any individual who is no longer eligible to remain a member of the roster.

(10) An individual who is no longer eligible to remain a member of the roster of individuals available to be appointed as adjudicators may complete any hearings that the individual has already been appointed to hear.

(11) The Chair shall not appoint an individual who is a member or former member of a police service to be an adjudicator at a hearing involving a member of the same service.

(12) If the Minister has not made a regulation under section 149 of the Act fixing the amount of fees for adjudicators appointed to hold hearings under the Act, the committee shall fix those fees.

(13) If the Minister has made a regulation under section 149 of the Act fixing the amount of fees referred to in subsection (12) of this section, but has fixed a minimum fee, maximum fee or

a permissible range of fees rather than the exact amount, the committee shall fix the exact amount in accordance with the Minister's minimum, maximum or permissible range.

Commencement

4. [Commencement]

Caution:

This consultation draft is intended to facilitate dialogue concerning its contents. Should the decision be made to proceed with the proposal, the comments received during consultation will be considered during the final preparation of the regulation. The content, structure, form and wording of the consultation draft are subject to change as a result of the consultation process and as a result of review, editing and correction by the Office of Legislative Counsel.

CONSULTATION DRAFT

ONTARIO REGULATION

to be made under the

COMMUNITY SAFETY AND POLICING ACT, 2019

COST OF ADJUDICATION HEARINGS

Fees charged to municipal board

1. (1) The Arbitration and Adjudication Commission shall, in accordance with subsection (3), charge a municipal board that employs a police officer in relation to whom there is an adjudication hearing under section 201, 202, 207 or 210 of the Act for all fees paid to the adjudicator in respect of holding the hearing.

(2) For the purpose of subsection (1), the fees paid to adjudicators in respect of holding adjudication hearings include, without restriction, fees paid to adjudicators in relation to pre-hearing conferences, motions, preparation for a hearing, presiding at a hearing and writing reasons.

(3) The Arbitration and Adjudication Commission shall charge a municipal board for the fees referred to in subsection (1) in accordance with the following rules:

1. If a hearing concludes on or before March 31, 2025, 20 per cent of the fees.
2. If a hearing concludes after March 31, 2025 but on or before March 31, 2026, 50 per cent of the fees.

3. If a hearing concludes after March 31, 2026 but on or before March 31, 2027, 80 per cent of the fees.
4. If a hearing concludes after March 31, 2027, the full amount of the fees.

Costs of holding hearing

2. (1) The Arbitration and Adjudication Commission may charge a municipal board that employs a police officer in relation to whom there is an adjudication hearing under section 201, 202, 207 or 210 of the Act for the cost of holding the hearing, other than the fees referred to in section 1, in accordance with the following rules:

1. If a hearing concludes on or before March 31, 2025, 20 per cent of the cost of holding the hearing.
2. If a hearing concludes after March 31, 2025 but on or before March 31, 2026, 50 per cent of the cost of holding the hearing.
3. If a hearing concludes after March 31, 2026 but on or before March 31, 2027, 80 per cent of the cost of holding the hearing.
4. If a hearing concludes after March 31, 2027, the full cost of holding the hearing.

(2) For the purpose of subsection (1), the cost of holding the hearing includes all costs, other than the fees referred to in section 1, incurred at all stages of the hearing including costs related to holding pre-hearing conferences and motion hearings.

First Nation boards

3. The Arbitration and Adjudication Commission may not charge a First Nation board that employs a police officer in relation to whom there is an adjudication hearing under section 201, 202, 207 or 210 of the Act for the cost of holding the hearing.

Commencement

- 4. [Commencement]**

Summary of Weapon Approvals, Specifications and Standards for Use

The definitions of “firearm”, “handgun” and “less lethal projectile” from the PSA Equipment and Use of Force Regulation would apply to the proposals in this document.

1. Firearms deployed with less lethal ammunition:

- a) The only less lethal projectile permitted for use in shotguns used by frontline members is a bean bag round in a “sock” configuration.
 - i. “Frontline member” means a member of a police service who is primarily assigned to perform policing functions on patrol or in response to calls for service and is not a member of a specialized team such as a tactical unit, public order unit, containment team or hostage rescue team.
- b) Extended range impact weapons of 37 mm or 40 mm calibre may be used by members of tactical teams, hostage rescue units, containment teams, and public order units, provided the following requirements are met:
 - i. The only ammunition used in the weapons is less lethal projectiles.
 - ii. Ammunition is factory loaded, unless the ammunition is loaded solely for training purposes.

2. Aerosol weapons:

- a) Aerosol weapons, the active ingredient of which is oleoresin capsicum (OC), may be used by a member of a police service if the following requirements are met:
 - i. the weapon must be a hand-held canister;
 - ii. the weapon may dispense a foam, gel or spray;
 - iii. the active ingredient is subject to a maximum Major Capsaicinoid (MC) percentage of 1.33 as measured by a High Performance Liquid Chromatograph (HPLC) test;
 - iv. there must be a legible serial number and expiry date on the weapon;
 - v. the weapon must be able to be continuously deployed from any angle or orientation;
 - vi. the weapon must be equipped with a safety device to prevent unintentional discharge;
 - vii. the propellant must be high pressure, non-flammable, non-ozone-depleting, chemically inert and toxicologically safe;
 - viii. the contents must not contain any carcinogenic ingredients, or probable carcinogens;
 - ix. weapon must be CEW-compatible (i.e., the contents will not be ignited by a CEW deployment); and
 - x. the contents must not be blended with tear gas (CS or CN).

- b) Despite the above requirements, an aerosol weapon, the active ingredient of which is oleoresin capsicum (OC), used by a member of a public order unit, tactical unit, hostage rescue team, or containment team does not need to meet the above requirements.

3. PepperBall System:

- a) A member of a tactical unit, hostage rescue team or public order unit may use the weapon known as the PepperBall.

4. Tear Gas:

- a) Only 2-Chlorobenzylidenemalononitrile (CS) may be used, and it may only be used by a member of a tactical unit, hostage rescue team or public order unit
 - i. For greater certainty, chloroacetophenone (CN) is not permitted.
- b) Tear gas may not be applied intentionally in concentrated form directly to a person.

5. Batons:

- a) A baton may be used if it meets the following requirements:
 - i. be of fixed length or expandable;
 - ii. be straight or handled;
 - iii. be rigid at all times, including when expanded; and
 - iv. have a minimum length (when expanded in the case of an expandable baton) of 16 inches.
- b) Despite the above requirement, a baton used by a member of a public order unit is not required to meet the above specifications.

6. Conducted Energy Weapons:

- a) A conducted energy weapon of the following type may be used:
 - i. TASER X26P
 - ii. TASER X2
 - iii. TASER 7
- b) A member of a police service shall not use a conducted energy weapon on a person unless the member reasonably believes that,
 - i. the person is,
 - a) without the consent of another person, applying force intentionally to that person, directly or indirectly, or
 - b) attempting or threatening, by an act or a gesture, to apply force to another person, if the person has, or causes that other person to believe on reasonable grounds that the person has, present ability to effect this purpose; or

- c) taking into account the totality of the circumstances, there is an imminent need for control of the person in order to,
 - i. arrest the person, or
 - ii. prevent the commission of an offence.

Proposed Rules for Adjudication Hearings

Application and General

1. These rules apply to adjudication hearings under the Act.¹
2. These rules shall be liberally construed to:
 - a. Secure the just, most expeditious and cost-effective determination of every proceeding on its merits;²
 - b. Allow the parties to participate effectively in the process; and
 - c. Ensure that the process for resolving disputes between parties is proportionate to the importance and complexity of the issues in the proceeding.
3. In these rules,

“*Act*” means the *Community Safety and Policing Act, 2019*;

“*Adjudicator*” means an adjudicator appointed by the Commission Chair³ from the roster of adjudicators maintained by the Arbitration and Adjudication Commission, and includes a Pre-Hearing Adjudicator as the context requires;

“*lesser discipline hearing*” means a proceeding before an Adjudicator pursuant to section 201 of the Act;

“*deliver*” means to serve and file with proof of service in accordance with [rules regarding Service];

“*demotion/termination hearing*” means a proceeding before an Adjudicator pursuant to section 202 of the Act;

“*discipline hearing*” means:

- a) a lesser discipline hearing,
- b) a demotion/termination hearing,
- c) a suspension hearing, or
- d) an expungement hearing;

whether held in person, in writing or by electronic means such as a telephone or video conference.

“*document*” includes information stored or recorded by means of any device, including written or pictorial communications, audio or visual recordings, and electronically stored data;

“*electronic hearing*” means a hearing held by telephone or video conference or some other

¹ The regulation-making authority is generally para 58 of s. 261 (1).

² Based on SPPA s. 2

³ This is a defined term in the Act, i.e., Ontario Police Arbitration and Adjudication Commission

form of electronic technology allowing persons to hear one another;⁴

“*expungement hearing*” means a proceeding before an Adjudicator pursuant to section 207 of the Act;

“*hearing*” means a motion hearing or a discipline hearing;

“*motion hearing*” means a proceeding before an Adjudicator where evidence or submissions are heard or received, whether in person, in writing, or by electronic means, such as by phone or video conference, relating to a motion with respect to a discipline hearing;

“*pre-hearing conference*”, in relation to a proceeding, means a meeting for the purpose of considering:

- a) the settlement of any or all of the issues;
- b) the simplification of the issues;
- c) facts or evidence that may be agreed upon;
- d) the dates by which any steps in the proceeding are to be taken or begun;
- e) the estimated duration of the hearing; and
- f) any other matter that may assist in the just and most expeditious disposition of the proceeding.

“*Pre-Hearing Adjudicator*” means an Adjudicator appointed by the Commission Chair to preside at a pre-hearing conference under section [1st under Pre-Hearing Conferences].

“*representative*” means a person authorized under the *Law Society Act*, or an agent, who is authorized to represent a person in the proceeding pursuant to the Act;

“*SPPA*” means *Statutory Powers Procedure Act*, and

“*suspension hearing*” means a proceeding before an Adjudicator pursuant to section 210 of the Act.

Application of *Statutory Powers Procedure Act*

4. For greater certainty, in respect of proceedings to which this Regulation applies, a reference in the SPPA to a tribunal or one or more members of a tribunal, but not the chair of a tribunal, shall be interpreted as a reference to an Adjudicator.⁵
5. Despite anything in the SPPA, the Chair of the Arbitration and Adjudication Commission shall only appoint a single Adjudicator to hear a matter, subject to the rules regarding pre-hearing conferences.⁶

⁴ Based on SPPA s. 1 (1)

⁵ Reference to the chair of a tribunal in the SPPA is not relevant in the context of the CSPA. For example, s. 5.3 (2) of the SPPA says: The chair of the tribunal may designate a member of the tribunal or any other person to preside at the pre-hearing conference. This document would instead give this power to the Chair of OPAAC, but does not specify that this is “despite” s. 5.3 (1) of the SPPA because that SPPA provision wouldn’t apply anyways.

⁶ Note this document would allow for one adjudicator to preside at a pre-hearing conference while a different adjudicator presides at a motion or discipline hearing, but not for multiple adjudicators to hear the same matter simultaneously. Sections 4.2 and 4.2.1 of the SPPA in particular may create ambiguity about the ability to have multiple adjudicators hear the same matter simultaneously if it is not expressly indicated otherwise.

6. For greater certainty, the rules contained in this Regulation are made pursuant to the Act and not pursuant to section 25.1 of the SPPA.

Processing Application for Hearing

7. The rules under this heading apply instead of section 4.5 of the SPPA.
8. Where the Act permits a chief of police, another police officer, a police service board or the Minister to apply to the Commission Chair to appoint an adjudicator to hold a hearing, the chief, officer, board or Minister, as applicable, shall apply to the Commission Chair in writing and include any information required under this Regulation [under Hearing-Specific Rules] or in a form required by the Arbitration and Adjudication Commission, if any.
9. Upon receiving the written information referred to in [provision immediately above], the Commission Chair may decide not to appoint an adjudicator if,
 - a. the information required to be submitted is incomplete; or
 - b. there is some other technical defect in the application.⁷
10. The Commission Chair or the staff of the Arbitration and Adjudication Commission shall give notice of its decision under section [immediately above] to the party who applied to have an adjudicator appointed and shall set out in the notice the reasons for the decision.⁸

Service of Documents

11. Subject to section [immediately below], where this Regulation requires service, service shall be effected by sending a document by email.
12. The Adjudicator may authorize or direct service to be effected by any other means, including the following means, at the request of a party or on the Adjudicator's own initiative:
 - a. by personal delivery;
 - b. by regular, registered or certified mail to the last known address of the person or their representative; or
 - c. by courier, including Priority Post, to the last known address of the person or their representative.
13. If it is impractical to effect service by any means, the Adjudicator may dispense with service.
14. Service is deemed to be effective,
 - a. if sent by email before 4:00 pm, on the day of delivery;

⁷ Based on SPPA s. 4.5 (1)

⁸ Based on SPPA s. 4.5 (2)

- b. if sent by email after 4:00 pm, on the day after it was sent;
 - c. if sent by personal delivery before 4:00 p.m., on the day of delivery;
 - d. if sent by personal delivery after 4:00 pm the day after delivery;
 - e. if sent by mail, on the fifth day after the day of mailing;
 - f. if sent by courier, on the second day after the document was given to the courier;
 - g. if sent by any other means authorized or directed by the Adjudicator, on the date specified by the Adjudicator in its direction.
15. Section [immediately above] does not apply where a person who acts in good faith does not receive the notice until later or at all.
16. Where there is a requirement to serve other parties, the serving party must file an affidavit of service with the Adjudicator, or provide a supporting email or letter indicating who has been served, what documents have been served, when they were served and by what method, or provide such other proof as the Adjudicator may require.

Hearing-Specific Rules

Lesser discipline hearings

17. Subject to section [immediately below], and despite section 5.2 of the SPPA,
- a. lesser discipline hearings shall be held as in-person hearings,
 - b. any motion hearing that is part of lesser discipline proceedings shall be held as electronic hearings,
 - c. any pre-hearing conference that is part of lesser discipline proceedings shall be held virtually, and
 - d. any other steps in a lesser discipline proceeding shall occur virtually or in writing as the Adjudicator determines is appropriate.
18. Despite sections 5.1 and 5.2 of the SPPA, the Adjudicator may order that a lesser discipline hearing or any part of a lesser discipline proceeding shall occur in a different format if:
- a. All of the parties consent;
 - b. It is necessary to accommodate an individual in accordance with the *Human Rights Code*; or
 - c. The format required by section [immediately above] is likely to cause a party significant prejudice and the alternate format is likely to remedy the prejudice.
19. The police officer who is the subject of the disciplinary measure shall include in an application for a lesser discipline hearing:
- a. A description of the disciplinary measure the chief imposed on the officer; and
 - b. The date the disciplinary measure referred to in (a) was imposed.

20. The parties to a lesser discipline hearing shall adhere to the following timelines, unless an Adjudicator orders otherwise as a result of extenuating circumstances:
- a. Within 15 days of the date an Adjudicator was appointed by the Commission Chair, the chief of police, police service board or Minister, as applicable, shall submit the following to the Adjudicator:
 - i. A statement setting out:
 - 1) the misconduct the police officer is alleged to have committed or that the officer is alleged to have had unsatisfactory work performance, as applicable,
 - 2) the particulars of the alleged misconduct or unsatisfactory work performance, and
 - 3) the disciplinary measure imposed;
 - ii. Proof that the statement described in (i) has been served on the police officer whose conduct is the subject of the hearing.
 - b. Within 15 days of the deadline referred to in (a), the chief of police, police service board or Minister, as applicable, shall submit the following to the Adjudicator:
 - i. If the disciplinary measure was imposed in relation to unsatisfactory work performance, any information relating to the steps described in subsection 201 (2) of the Act;
 - ii. Any other information or documents required by this Regulation, including the information required by section [1st provision under Production and Witnesses]; and
 - iii. Proof that the information described in (i) and (ii) has been served on the police officer whose conduct is the subject of the hearing.⁹
 - c. Within 60 days of the date an Adjudicator was appointed by the Commission Chair, the police officer whose conduct is the subject of the hearing shall submit to the Adjudicator:
 - i. any information or documents that are required by this Regulation, including the information and documents required by section [1st provision under Production and Witnesses];
 - ii. Proof that the information and documents described in (i) have been served on the chief of police, police service board or Minister, as applicable.
 - d. Within 30 days of the deadline referred to in (b), the Adjudicator shall ensure a Pre-Hearing Conference takes place.
 - e. At least 30 days before the lesser discipline hearing commences, the police officer who is the subject of the disciplinary measure shall submit to the Adjudicator:

⁹ I.e., in accordance with section above re: affidavit of service.

- i. Any additional information or documents that they intend to rely on at the lesser discipline hearing or that are required by this Regulation; and
 - ii. Proof that the information and documents described in (i) have been served on the chief of police, police service board or Minister, as applicable.
- f. Within six months of the date of the Pre-Hearing Conference, the lesser discipline hearing shall commence.
 - g. The lesser discipline hearing shall be completed as soon as reasonably possible after it commences.

21. The lesser discipline hearing shall be bifurcated as follows:

- a. The first part of the hearing shall determine whether it has been proven on clear and convincing evidence that the conduct of the police officer constitutes misconduct or unsatisfactory work performance.
- b. If it has been proven that misconduct or unsatisfactory work performance has occurred, the second part of the hearing shall determine the disciplinary measure or measures to be imposed, if any.

Demotion/Termination Hearings

22. Subject to section [immediately below], and despite section 5.2 of the SPPA,

- a. demotion/termination hearings shall be held as in-person hearings,
- b. any motion hearing that is part of demotion/termination proceedings shall be held as electronic hearings,
- c. any pre-hearing conference that is part of demotion/termination proceedings shall be held virtually, and
- d. any other steps in a demotion/termination proceeding shall occur virtually or in writing as the Adjudicator determines is appropriate.

23. Despite sections 5.1 and 5.2 of the SPPA, the Adjudicator may order that a demotion/termination hearing or any part of a demotion/termination proceeding shall occur in a different format if:

- a. All of the parties consent;
- b. It is necessary to accommodate an individual in accordance with the *Human Rights Code*; or
- c. The format required by section [immediately above] is likely to cause a party significant prejudice and the alternate format is likely to remedy the prejudice.

24. The chief of police, police service board, Minister, or Complaints Director¹⁰ as applicable, shall include in an application for a demotion/termination hearing:
- a. Whether demotion or termination is being sought; and
 - b. A description of the conduct in relation to which demotion or termination is being sought.
25. The parties to a demotion/termination hearing shall adhere to the following timelines, unless an Adjudicator orders otherwise as a result of extenuating circumstances:
- a. Within 15 days of the date an Adjudicator was appointed by the Commission Chair, the chief of police, police service board or Minister, as applicable, shall submit the following to the Adjudicator:
 - i. A statement setting out:
 - 1) the misconduct the police officer is alleged to have committed or that the officer is alleged to have had unsatisfactory work performance, as applicable,
 - 2) the particulars of the alleged misconduct or unsatisfactory work performance, and
 - 3) whether demotion or termination is being sought;
 - ii. Proof that the statement described in (i) has been served on the police officer whose conduct is the subject of the hearing.
 - b. Within 15 days of the deadline referred to in (a), the chief of police, police service board, Minister or Complaints Director, as applicable, shall submit the following to the Adjudicator:
 - i. If demotion or termination is being sought as a result of unsatisfactory work performance, a description of the steps taken for the purpose of subsection 202 (2) of the Act;
 - ii. Any other information or documents required by this Regulation, including the information required by section [1st provision under Production and Witnesses]; and
 - iii. Proof that the information described in (i) and (ii) has been served on:
 1. the police officer whose demotion or termination is being sought; and
 2. if the application arose as a result of an investigation under Part X of the Act, the complainant in that investigation, if any.¹¹
 - c. Within 30 days of the deadline referred to in (b), the Adjudicator shall ensure a Pre-Hearing Conference takes place.

¹⁰ The Complaints Director is automatically a party if the Complaints Director directed the chief of police to initiate the hearing and the chief of police declines to participate as a party, pursuant to s. 202 (5) of the Act.

¹¹ The complainant is automatically a party to the hearing, pursuant to s. 202 (4) of the Act.

- d. At least 30 days before the demotion/termination hearing commences, the police officer whose demotion or termination is being sought and the complainant, if any, shall submit the following to the Adjudicator:
 - i. Any information or documents that are required by this Regulation, including the information and documents required by section [1st provision under Production and Witnesses], and
 - ii. Proof that the information and documents described in (i) have been served on the other parties.
- e. Within nine months of the date of the Pre-Hearing Conference, the demotion/termination hearing shall commence.
- f. The demotion/termination hearing shall be completed as soon as reasonably possible after it commences.

26. The demotion/termination hearing shall be bifurcated as follows:

- a. The first part of the hearing shall determine whether it has been proven on clear and convincing evidence that the conduct of the police officer constitutes misconduct or unsatisfactory work performance.
- b. If it has been proven that misconduct or unsatisfactory work performance has occurred, the second part of the hearing shall determine whether demotion or termination of the officer's employment, or any other disciplinary measure permitted under the Act, should be imposed.

*Suspension Hearings (Expedited)*¹²

27. Subject to section [immediately below], and despite section 5.2 of the SPPA,

- a. suspension hearings shall be held as in-person hearings,
- b. any motion hearing that is part of suspension proceedings shall be held as electronic hearings,
- c. any pre-hearing conferences that is part of suspension proceedings shall be held virtually, and
- d. any other steps in a suspension proceeding shall occur virtually or in writing as the Adjudicator determines is appropriate.

28. Despite sections 5.1 and 5.2 of the SPPA, the Adjudicator may order that a suspension hearing or any part of a suspension proceeding shall occur in a different format if:

- a. All of the parties consent;
- b. It is necessary to accommodate an individual in accordance with the *Human Rights Code*; or

¹² Subsection 210 (12) requires that hearings regarding suspension without pay under s. 210 be held on an expedited basis.

- c. The format required by section [immediately above] is likely to cause a party significant prejudice and the alternate format is likely to remedy the prejudice.
- 29. Despite anything in the SPPA, no party shall introduce evidence at a suspension hearing or bring a motion relating to a suspension hearing unless the Adjudicator determines it is necessary to do so.
- 30. The police officer who is the subject of a suspension without pay shall include in an application for a suspension hearing whether the suspension without pay is under paragraph 2 or paragraph 3 of subsection 210 (1).
- 31. The parties to a suspension hearing shall adhere to the following timelines, unless the Adjudicator orders otherwise as a result of extenuating circumstances:
 - a. Within 30 days of the Adjudicator being appointed by the Commission Chair, the police officer seeking the hearing shall submit the following to the Adjudicator:
 - i. If the suspension without pay is under paragraph 2 of subsection 210 (1), a copy of the conditions of judicial interim release and an explanation of why the officer believes that the conditions of judicial interim release do not substantially interfere with the officer's ability to perform the duties of a police officer;
 - ii. If the suspension without pay is under paragraph 3 of subsection 210 (1) of the Act, a copy of the notice referred to in s. 210 (1) (3) (ii) (B) of the Act, if applicable, and an explanation of why the officer believes the criteria set out in paragraph 3 of subsection 210 (1) of the Act have not been met;
 - iii. The written notice provided to the officer pursuant to subsection 210 (4) of the Act;
 - iv. Any other information or documents that are required by this Regulation; including the information and documents required by section [1st provision under Production and Witnesses]; and
 - v. Proof that the information in (i) to (iv) has been served on the chief of police, police service board or Minister, as applicable.
 - b. Within 30 days of the deadline referred to in (a), the chief of police, police service board, or Minister, as applicable, shall submit to the Adjudicator:
 - i. Any information or documents beyond what is described in section [immediately above] that they intend to rely on at the suspension hearing or that are required by this Regulation; and
 - ii. Proof that the information or documents described in (i) have been served on the police officer who sought the hearing.
 - c. At any point before the hearing commences, the Adjudicator may order the parties to participate in a pre-hearing conference.
 - d. Within 30 days of the deadline referred to in (b), the suspension hearing shall commence.

- e. The suspension hearing shall be completed as soon as reasonably possible after it commences.

Expungement Hearings

- 32. Despite section 5.1 of the SPPA and subject to section [immediately below], expungement hearings shall be held in writing, except that any hearing or part of a hearing in relation to which the Adjudicator has granted leave [pursuant to section two below] to have live witness testimony shall be held as an in-person hearing.
- 33. Despite section 5.2 of the SPPA, the Adjudicator may order that the expungement hearing or any part of it shall be held as an in-person hearing or an electronic hearing if it is necessary to accommodate an individual in accordance with the *Human Rights Code*.
- 34. Despite anything in the SPPA, no party shall introduce evidence at an expungement or bring a motion relating to an expungement hearing without leave of the Adjudicator.
- 35. The chief of police, police service board, or Minister, as applicable, applying for the expungement hearing shall include the following in the application:
 - a. A description of the record they are seeking to retain for longer than five years; and
 - b. The date on which the record would be required to be expunged if the Adjudicator does not order an extension.
- 36. The parties to an expungement hearing shall adhere to the following timelines, unless the Adjudicator orders otherwise as a result of extenuating circumstances:
 - a. Within 15 days of the Adjudicator being appointed by the Commission Chair, the chief of police, police service board, or Minister, as applicable, shall submit to the Adjudicator:
 - i. A statement setting out:
 - 1. A description of the disciplinary record at issue, and
 - 2. The grounds on which the record should be retained for longer than 5 years as a result of extenuating circumstances; and
 - ii. Proof that the statement described in (i) has been served on the police officer whose disciplinary record is at issue.
 - b. Within 60 days of the Adjudicator being appointed by the Commission Chair, the chief of police, police service board or the Minister, as applicable, shall submit the following to the Adjudicator:
 - i. A copy of the record they are seeking to retain for longer than five years;
 - ii. An explanation of the extenuating circumstances referred to in subsection 207 (4) of the Act;
 - iii. Any information or documents the chief of police, police service board or Minister, as applicable, believes the Adjudicator requires to make a decision;

- iv. Any other information or documents that are required by this Regulation, including the information and documents required by section [1st provision under Production and Witnesses];
 - v. Proof that the information in (i) to (iv) has been served on the police officer who is the subject of the record.
- c. Within 60 days of the deadline referred to in (b), the police officer to whom the record relates shall submit to the Adjudicator:
- i. Any information or documents that are required by this Regulation, including the information and documents required by section [1st provision under Production and Witnesses], and
 - ii. Proof that the information and documents described in (i) have been served on the other parties.
- d. Within 60 days of the deadline referred to in (c), the police officer to whom the record relates shall submit to the Adjudicator:
- i. any additional information or documents that they intend to rely on at the expungement hearing or that are required by this Regulation; and
 - ii. Proof that the information and documents described in (i) have been served on the chief of police, police service board or Minister, as applicable.
- e. At any point before the hearing commences, the Adjudicator may order the parties to participate in a pre-hearing conference
- f. The Adjudicator shall render a decision as soon as reasonably possible after receiving all written submissions.

Pre-Hearing Conferences

37. The Commission Chair shall appoint an Adjudicator to preside at a pre-hearing conference where such conference is required by these Rules or ordered by an Adjudicator.¹³
38. Despite anything in the SPPA and subject to section [immediately below], pre-hearing conferences shall be held electronically.
39. Despite sections 5.1 and 5.2 of the SPPA, the Adjudicator may order that the pre-hearing conference or any part of it shall be held in person or in writing if:
- a. All of the parties consent;
 - b. It is necessary to accommodate an individual in accordance with the *Human Rights Code*; or

¹³ This would be a Pre-Hearing Adjudicator as defined. Note the SPPA would give this power to the chair of a tribunal instead (s. 5.3 (2) SPPA).

- c. Holding the pre-hearing conference electronically is likely to cause a party significant prejudice and the alternate format is likely to remedy the prejudice.
- 40. A pre-hearing conference, including any settlement discussions, shall be held in the absence of the public.
- 41. Evidence filed or statements made for the purpose of settlement or otherwise filed or made “without prejudice” for the purpose of a pre-hearing conference shall not be revealed or communicated to the Adjudicator who is conducting the hearing, except with the consent of the parties.
- 42. The Pre-Hearing Adjudicator shall cause any orders, agreements or undertakings that are made at the pre-hearing conference to be recorded and provided to all parties and the Adjudicator at the hearing, in writing.
- 43. Subsection 5.3 (3) of the SPPA shall not be interpreted as permitting the Pre-Hearing Adjudicator to make orders regarding any substantive issues that would otherwise be decided at a hearing, unless all of the parties consent.
- 44. For greater certainty, an Adjudicator may direct the parties to a proceeding to attend a pre-hearing conference even if this Regulation does not require a pre-hearing conference.

Alternative Dispute Resolution

- 45. The rules under this heading apply instead of section 4.8 of the SPPA.
- 46. The Adjudicator may direct the parties to a proceeding to participate in an alternative dispute resolution mechanism for the purposes of resolving the proceeding or an issue arising in the proceeding if all parties consent to participating in the alternative dispute resolution mechanism.¹⁴
- 47. In section [immediately above], “alternative dispute resolution mechanism” has the same meaning as in the SPPA.¹⁵
- 48. For greater certainty, the parties may settle a matter in accordance with subsection 201 (9), 202 (8), or 207 (7) of the Act, as applicable, after participating in alternative dispute resolution in accordance with section [same as previous], but are not required to participate in alternative dispute resolution in order to settle a matter under those subsections of the Act.

Motions and Motion Hearings

- 49. The rules under this heading are subject to the Hearing-Specific Rules in the event of any conflict.
- 50. Where bringing a motion is permitted under this Regulation, a party may bring a motion:

¹⁴ Based on SPPA s. 4.8 (1)

¹⁵ I.e., it includes mediation, conciliation, negotiation or any other means of facilitating the resolution of issues in dispute. Based on SPPA s. 4.8 (2)

- a. At a motion hearing, in accordance with sections [the rules under this heading], or
 - b. At the commencement of the discipline hearing or during the discipline hearing, if permission is sought and obtained from the Adjudicator and where it has been established that the facts or issues upon which the motion is based were not previously known or available to the moving party despite the exercise of due diligence.
51. Despite anything in the SPPA and subject to section [immediately below], motion hearings shall be held as electronic hearings and for greater certainty, any live witness testimony that may be required shall be heard by electronic means.
52. Despite sections 5.1 and 5.2 of the SPPA, the Adjudicator may order that the motion hearing or any part of it shall be held as an in-person hearing or a written hearing if:
- a. All of the parties consent;
 - b. It is necessary to accommodate an individual in accordance with the *Human Rights Code*; or
 - c. An electronic hearing is likely to cause a party significant prejudice and the alternate format is likely to remedy the prejudice.
53. A party bringing a motion shall file the following with the Adjudicator, in the form provided by the Arbitration and Adjudication Commission, if any, at least 14 days before the motion hearing:
- a. A notice of motion,
 - b. A factum,
 - c. A brief of authorities; and
 - d. Proof that the documents in (a) to (c) have been served on all other parties to the proceeding and any third party that would be affected by the order.
54. In the case of a motion relating to the powers or duties of the Complaints Director, the Complaints Director is deemed to be a third party that would be affected by the order for the purpose of section [immediately above].
55. For greater certainty, a party bringing a motion raising constitutional issues must also comply with section 109 of the *Courts of Justice Act*, if applicable.
56. A notice of motion referred to in section [three above] shall set out the grounds for the motion and the relief requested, and shall be accompanied by any evidence to be relied upon, which may include an affidavit setting out the facts.
57. A party who wishes to respond to the motion shall file the following with the Adjudicator in accordance with the timelines established by the Adjudicator:
- a. Any evidence to be relied upon, which may include an affidavit setting out the facts,
 - b. A factum;
 - c. A brief of authorities; and
 - d. Proof that the documents in (i) to (iii) have been served on all other parties.

58. A party may cross-examine another party's affiant, or where the evidence filed is based on information and belief from another person, that person, on matters contained in or arising out of an affidavit, and the party that filed the affidavit is responsible for ensuring the affiant or other person as applicable can attend to be cross-examined. Such cross-examination shall take place before the Adjudicator, subject to any direction provided.

Production and Witnesses

59. All parties shall provide the other parties with the following information:

- a. A list of all arguably relevant documents in their possession, unless the party is the police officer whose discipline, suspension without pay or record is the subject of the hearing, or the party is a public complainant, as applicable;
- b. Where a privilege is claimed over any document referred to in (a), a description of the nature of the document and why privilege is claimed;
- c. A list of documents upon which the party intends to rely; and
- d. A copy of each document referred to in (c).

60. Any party to a proceeding may serve a request for a document referred to in (a) of [section immediately above] on the party having possession of the document, and the party having possession of the document shall provide a copy of it to every other party, subject to any claim of privilege, within 15 days of the request being served.

61. No party may rely on any document that was not included on a list described in clause (c) of section [two above] and provided to the other parties in accordance with section [two above], except with leave of the Adjudicator.

62. If a party intends to introduce evidence and is permitted to do so under this Regulation, the party shall provide the other parties to the proceeding with a list of their potential witnesses and a brief summary of the witnesses' anticipated evidence.

63. The parties may rely upon information or documents produced by other parties to comply with section [immediately above].

64. Despite subsection 5.4 (1) of the SPPA, and subject to sections [the following two] the Adjudicator may, at any time or at any stage in the proceeding before all hearings are complete, make orders for:

- a. the exchange of documents;
- b. the oral or written examination of a party;
- c. the exchange of witness statements and reports of expert witnesses;
- d. the provision of particulars; or
- e. any other form of production of information or documents.¹⁶

65. Section [immediately above] does not authorize the making of an order requiring

¹⁶ Adapted from s. 5.4 (1) SPPA, omitting the condition of having s. 25.1 rules.

production of privileged information.¹⁷

66. Section [two above] does not authorize the making of an order requiring the officer whose discipline, suspension without pay or record is the subject of the hearing to produce anything other than what this Regulation expressly requires the officer to produce.
67. Parties and their representatives shall not use or disclose documents obtained relating to the hearing for any purpose other than in the proceeding before the Adjudicator.
68. If a complainant is a party to a hearing, the complainant and their representative shall complete a written undertaking not to use or disclose documents obtained as a result of the hearing process for any purpose other than the hearing, prior to receiving any such documents.

Production of Documents from Third Parties

69. The Adjudicator may order production of a document that is in the custody or control of a person who is not a party to the proceeding and that is not privileged, after giving the person notice and an opportunity to be heard, if the Adjudicator is satisfied that, the document is important to resolving a material issue in the proceeding.
70. Where privilege is claimed for a document referred to in section [immediately above], or where the Adjudicator is uncertain of the importance of the document to resolving a material issue in the proceeding, the Adjudicator may inspect the document to determine the issue.
71. The moving party is responsible for the reasonable cost incurred by the third party to produce a document referred to in section [two above], unless the Adjudicator orders otherwise.

Summons To Witness

72. Despite subsection 12 (2) of the SPPA, if the Arbitration and Adjudication Commission has required a summons to a witness be in a particular form pursuant to its authority to approve forms and provide for or require their use under subsection 147 (8) of the Act, it shall be in that form and the form shall be signed by the Adjudicator.
73. A party requesting a summons shall, write to the Adjudicator with the name and address of the witness, along with a draft proposed summons.

Rules of Examination

74. In the section below, “police officer” means the police officer whose conduct (in relation to ss. 201 and 202), suspension without pay (in relation to s. 210) or disciplinary record (in relation to s. 207) is the subject of the hearing, as applicable.
75. Subject to the discretion of the Adjudicator, the order of examination of witnesses, where applicable, shall be as follows:

¹⁷ Based on SPPA s. 5.4 (2). Subsection (1.1) was intentionally omitted.

- a) In the case of witnesses called by the chief of police, police service board, Minister or Complaints Director, as the case may be:
 - a. Chief, board, Minister or Complaints Director examination-in-chief
 - b. Complainant cross examination, if there is a complainant
 - c. Police officer cross-examination
 - d. Chief, board, Minister or Complaints Director reply examination
- b) In the case of witnesses called by a complainant, if there is a complainant:
 - a. Complainant examination-in-chief
 - b. Chief, board, Minister or Complaints Director cross-examination
 - c. Police officer cross-examination
 - d. Complainant reply examination
- c) In the case of witnesses called by the subject officer:
 - a. Police officer examination-in-chief
 - b. Chief, board, Minister or Complaints Director cross-examination
 - c. Complainant cross-examination
 - d. Police officer reply examination

Expert Evidence

76. For the purpose of this section, “expert evidence” includes but is not limited to:
- a. Medical reports, letters and notes, including those expressing diagnosis or medical opinion on issues arising in the hearing;
 - b. The necessary technical or scientific basis upon which to properly assess the evidence presented; and
 - c. Inferences and opinions made by an expert in a special field or with special or peculiar knowledge.
77. A party who intends to call an expert witness at a hearing shall serve on every other party a report, signed by the expert, containing the following information:
- a. The expert’s name, address and area of expertise,
 - b. The expert’s qualifications, employment and educational experiences in their area of expertise,
 - c. The instructions provided to the expert in relation to the proceeding,
 - d. The nature of the opinion being sought and each issue in the proceeding to which the opinion relates,
 - e. The expert’s opinion respecting each issue and, where there is a range of

opinions given, a summary of the range and the reasons for the expert's own opinion within that range,

- f. The expert's reasons for his/her opinion, including,
 - i. a description of the factual assumptions on which the opinion is based,
 - ii. a description of any research conducted by the expert that led him or her to form the opinion, and
 - iii. a list of every document, if any, relied on by the expert in forming the opinion, and
 - g. An acknowledgement of expert's duty in the form required by the Arbitration and Adjudication Commission, if any, that is signed by the expert.
78. A party who intends to call an expert witness at the hearing to respond to the expert witness of another party shall serve on every other party a report, signed by the expert, containing the information listed in section [immediately above].
79. An expert witness shall not testify with respect to an issue, except with leave of the Adjudicator, unless the substance of their testimony with respect to that issue is set out in,
- a. A report served under [Expert Evidence heading]; or
 - b. A supplementary report served on every other party in accordance with any timelines required by this Regulation.
80. Where a party intends to submit and rely upon expert evidence, the onus is on that party to establish its relevance and necessity and to properly qualify the expert witness.

Joint Hearings

81. Despite section 9.1 of the SPPA, if two or more proceedings involve the same or similar questions of fact or law, the Commission Chair may only do the following with the consent of the parties:
- a. combine the proceedings or any part of them,
 - b. assign an Adjudicator to hear the proceedings at the same time,
 - c. hear the proceedings one immediately after the other, or
 - d. stay one or more of the proceedings until after the determination of another one of them.¹⁸
82. Where the combining of proceedings or the hearing of proceedings together unduly complicates or delays the proceedings or causes prejudice to a party, the Adjudicator may order that the proceedings or the hearing be continued separately.

Adjudicator Powers

¹⁸ Based on SPPA s. 9.1 (1)

83. The Adjudicator may exercise any of the Adjudicator's powers on their own initiative or at the request of a party unless otherwise specified in this Regulation.
84. Despite subsection 4 (1) of the SPPA, the Adjudicator may waive or vary any rules in this Regulation with the consent of all parties, taking into account the impact of the waiver on procedural expediency and efficiency.
85. Where matters are not addressed by this Regulation, the Adjudicator shall control the process for the proceeding as the Adjudicator considers just.
86. Despite anything in the SPPA, an Adjudicator shall not:
 - a. Make rules under section 25.1 of the SPPA, or
 - b. Establish guidelines under section 16.2 of the SPPA.

Hearings Procedure

87. The oral evidence given at a hearing shall be recorded.
88. Should a party require a copy of a transcript for any reason, the party shall be responsible for the cost of the transcript and shall provide a copy of the transcript to the Adjudicator and each of the other parties.
89. No party shall communicate directly or indirectly with the Adjudicator in relation to the subject matter of the hearing unless all parties to the hearing are present or all parties consent to the communication.
90. If the Adjudicator has decided that a hearing or part of a hearing will be held in the absence of the public in accordance with section 9 of the SPPA, the Adjudicator may make orders the Adjudicator considers necessary to prevent the public disclosure of matters revealed at the hearing, including orders banning the publication or broadcasting of those matters.¹⁹

Accommodation of Human Rights Code Related Needs

91. A party, representative, witness or support person is entitled to accommodation under the *Human Rights Code* by the Adjudicator and should notify the Adjudicator as soon as possible if accommodation is required.

Non-Compliance with the Rules

92. The Adjudicator may take any action that the Adjudicator considers just to remedy non-compliance with this Regulation.
93. For greater certainty, without limiting the generality of section [immediately above], under that section:
 - a. Where a party fails to provide information or documents to another party or

¹⁹ Based on *Regulated Health Professions Act, 1991*, Sched 2 (Health Professions Procedural Code), s. 45 (3)

person as required by this Regulation, the Adjudicator may refuse to consider the information or documents.

- b. The Adjudicator may refuse deal with a motion that is not filed in compliance with this Regulation.
- c. Where a party seeks to present evidence or make submissions at a motion hearing with respect to a fact or issue that was not raised in the motion, the Adjudicator may refuse to allow the party to present evidence or make submissions about the fact or issue unless the Adjudicator is satisfied that there would be no substantial prejudice to any party and no undue delay to the proceedings if the evidence or submissions were heard.

Costs

- 94. The rules under this heading apply despite section 17.1 of the SPPA.
- 95. Subject to section [immediately below], an Adjudicator may order a party to pay all or part of another party's costs in a proceeding and request submissions regarding a party's costs.²⁰
- 96. An Adjudicator shall not make an order under section [immediately above] unless:
 - a. the conduct or course of conduct of a party has been frivolous, vexatious or an abuse of process, or
 - b. a party has acted in bad faith²¹.
- 97. Any submissions for a costs order requested under section [two above] shall be made in writing, unless the Adjudicator is satisfied that this requirement is likely to cause the party significant prejudice and an alternate format is likely to remedy the prejudice.²²

²⁰ Based on SPPA s. 17.1 (1)

²¹ Based on SPPA s. 17.1 (2)

²² Based on SPPA s. 17.1 (7)

For Reference Only – List of Applicable SPPA Provisions

Based on the draft rules set out above, these sections of the SPPA would generally apply, though some of their subsections may not, e.g., if they refer to s. 25.1 rules.

- a) s. 4.6 – dismiss proceedings because frivolous, vexatious, outside jurisdiction, etc.
- b) s. 4.9 – mediators not compellable as witnesses
- c) s. 5 – parties are as specified under Act
- d) s. 5.2.1 – combination of hearing types
- e) s. 6 – notice of hearing
- f) s. 7 – effect of non-attendance at hearing after due notice
- g) s. 8 – where character of party in issue
- h) s. 9 – hearings to be public, exceptions (note the rules in this document would add express publication ban authority in addition to this provision)
- i) s. 10 – representatives
- j) s. 10.1 – examination of witnesses
- k) s. 11 – right of witness to representation
- l) s. 12 – summonses (except with respect to form)
- m) s. 13 – contempt proceedings
- n) s. 14 – protection from incrimination for witnesses
- o) s. 15 – evidence
- p) s. 15.1 – previously admitted evidence
- q) s. 15.2 – witness panels
- r) s. 16 – notice of facts and opinions
- s) s. 16.1 – interim decisions and orders
- t) s. 17 – decisions
- u) s. 18 – notice of decision (note s. 18 (1) (d) and s. 18 (4) will just not be relevant)
- v) s. 19 – enforcement of orders
- w) s. 20 – record of proceedings
- x) s. 21 – adjournments
- y) s. 21.1 – correction of errors
- z) s. 22 – administration of oaths
- aa) s. 23 – powers re control of proceedings
- bb) s. 24 – notice where normal rules impractical

cc) s. 25 – stay pending appeal – note there are only appeals in relation to demotion/termination hearings, to Div Ct (s. 204 CSPA), and the intent (consistent with police associations' position) was always for there to be a stay pending appeal of these decisions

dd) s. 28 – substantial compliance

ee) s. 29 – prohibition on photography, recording, offence



Halton Regional Police Service Public Agenda Recommendation Report

To: Chair and Police Board Members

From: Chief Stephen J. Tanner

Subject: MID-YEAR PERFORMANCE REPORT

Report #: P23-09-R-02

Date: September 28, 2023

RECOMMENDATION:

"That the Halton Police Board receives Report P23-09-R-02 for information and discussion."

Stephen J. Tanner
Chief of Police

:KM

INTRODUCTION AND BACKGROUND:

This report presents an overview of the Service's January-to-June 2023 performance in a number of key statistical measures compared to previous years, along with a discussion about noted trends. It also provides an overview of the Service's 2022 full-year performance in comparison to other large police agencies in Ontario, based on data released by Statistics Canada in August.

The impacts of the COVID-19 pandemic were significant in a number of crime and performance metrics in 2020 and 2021 and the data from 2022 and the first six months of 2023 shows a return to pre-pandemic levels has been completed (and in some cases, surpassed).

DISCUSSION / ANALYSIS:

2023 Mid-Year Statistical Summary

This section of the report provides a statistical summary for the January–June 2022 and 2023 timeframes, in addition to presenting a summary of five-year trends. Data was obtained from the in-house Niche Records Management System (RMS) and was prepared and analysed by the Analytics and Decision Support Unit. The crime categories are slightly different to those reported by Statistics Canada at each year's end due to the reporting requirements and data processes utilized by Statistics Canada. The Niche RMS statistics are valid for internal comparison purposes.

Analysis indicates that 535 more criminal offences were reported in the first six months of 2023 (7,616) than were recorded in the same period in 2022 (7,081). This is a raw number increase of 7.6%, but represents an increase in the crime rateⁱ of 5.4% when Regional population growth is taken into account.

Violent crimeⁱⁱ offences decreased by 4.9% from 1,343 in 2022, to 1,277 in 2023. This represents a violent crime rate decrease of 6.8% due to population increase. These crimes accounted for 16.8% of all criminal offences, down from 19.0% in 2022.

Property crimeⁱⁱⁱ increased by 13.8% from 4,728 in 2022 to 5,380 in 2023. This represents a property crime rate increase of 11.5%.

The “Other Crimes”^{iv} category of offences was down by 5.0% in 2023 (from 1,010 to 959 offences). This represents a crime rate decrease of 7.0% in this category of crimes. The 2023 clearance rate^v (41.3%) was lower than the 2022 value (43.1%).

Other Trends:

Motor vehicle collision totals were 18.4% higher during 2023 (up from 4,052 to 4,799). Property Damage collisions^{vii} were up from 3,637 to 4,345 (+19.5%). Injury collision^{viii} totals were up from 412 to 445 (+8.0%). Fatal collisions increased from 3 to 9.

Impaired driving apprehensions were up 15.3% in 2023 (from 203 to 234).

Warning Notices (Warns) provide officers with an opportunity to document an offence and educate the public, but proceed by way of a warning option instead of a charge. Total enforcement (Provincial Offence Notices issued, plus Warns) was down by 1,953, or 9.2%, to 19,196 (from 21,149 in 2022).

Total CAD Events^{vi} increased by 2,151, or 3.2%, to 69,400 (from 67,249 in 2022).

Statistical Trend Discussion

Drilling down into the data for the first six months of the year, the following key trends have been identified:

- Violent crime is down about 5% (66 occurrences) and this represents a drop in the violent crime rate of approximately 7%. This decline was driven largely by the following decreases:
 - Assault (down 54, -7.5%)
 - Robbery (down 35, -42%)
- Property crime is up nearly 14% (652 occurrences) and this represents an increase in the property crime rate of 11.5%. This increase is due almost entirely to the following:
 - Theft of Motor Vehicle (up 240, +45%)

- Shoplifting Under \$5,000 (part of the Theft Under \$5,000 category) - up 528, +54%
- Break & Enter (up 81, +24%)
- The overall clearance rate is down from 43.2% to 41.4%. This is likely directly related to the increase in the less solvable property crimes noted above (the property crime clearance fell from 24.1% to 20.9%). Violent and Other Crime clearances increased over 2022.

Five Year Statistical Trends

The following four tables provide a summary of crime and workload trends over the past five years for a selection of key crime types and measures. The statistics presented below, excluding the clearance rate, are expressed as a rate (per 100,000 population) to remove the impact of population growth:

Halton Region:

	2019	2020	2021	2022	2023	5-Year Average
Robbery	8	9	6	13	7	9
Assault	110	101	84	114	104	103
Sexual Assault	19	13	15	22	16	17
Violent Crime	182	170	157	213	198	184
Break and Enter	76	65	48	53	65	62
Auto Theft	36	37	48	84	120	65
Theft	292	254	274	403	464	337
Fraud	104	77	89	108	101	96
Property Crime	598	515	546	750	836	649
Other Criminal Code	144	117	157	160	149	145
Total Crime	924	803	861	1,123	1,183	979
Impaired Driving	37	33	38	32	36	35
Property Damage Collisions	744	452	339	577	675	557
Personal Injury Collisions	78	48	45	65	69	61
PONs and Warns Issued	4,721	3,723	3,912	3,354	2,983	3,739
CAD Events	13,128	11,690	11,205	10,665	10,784	11,494
Crime Clearance Rate	55.3%	56.1%	45.7%	43.1%	41.3%	48.3%

District 1:

	2019	2020	2021	2022	2023	5-Year Average
Robbery	4	7	8	10	10	8
Assault	140	115	98	110	90	111
Sexual Assault	16	16	5	19	11	14
<i>Violent Crime</i>	<i>202</i>	<i>176</i>	<i>150</i>	<i>187</i>	<i>176</i>	<i>178</i>
Break and Enter	52	49	49	35	39	45
Auto Theft	27	28	31	88	98	55
Theft	336	284	210	286	318	287
Fraud	69	82	53	74	66	69
<i>Property Crime</i>	<i>564</i>	<i>533</i>	<i>409</i>	<i>568</i>	<i>596</i>	<i>534</i>
<i>Other Criminal Code</i>	<i>175</i>	<i>196</i>	<i>154</i>	<i>227</i>	<i>259</i>	<i>202</i>
Total Crime	941	905	713	982	1032	915
Impaired Driving	50	44	39	34	30	39
Property Damage Collisions	664	418	300	558	N/A	-
Personal Injury Collisions	80	57	47	78	N/A	-
PONs and Warns Issued	4,014	3,785	2,829	2,681	2,759	3,214
CAD Events	11,896	11,706	9,137	8,864	9,424	10,205
Crime Clearance Rate	56.1%	55.1%	67.1%	48.4%	55.9%	56.5%

District 2:

	2019	2020	2021	2022	2023	5-Year Average
Robbery	9	9	6	17	6	9
Assault	115	95	75	101	96	96
Sexual Assault	19	13	16	24	16	17
<i>Violent Crime</i>	192	179	149	206	173	180
Break and Enter	84	66	45	60	64	64
Auto Theft	39	38	46	85	147	71
Theft	285	242	267	375	458	325
Fraud	112	99	93	112	98	103
<i>Property Crime</i>	603	534	546	723	835	648
<i>Other Criminal Code</i>	127	98	85	78	65	91
Total Crime	922	812	780	1,006	1,073	918
Impaired Driving	32	30	27	21	27	27
Property Damage Collisions	735	414	337	515	N/A	-
Personal Injury Collisions	74	40	40	48	N/A	-
PONs and Warns Issued	5,055	3,381	4,422	3,371	3,026	3,851
CAD Events	12,586	10,599	10,848	9,803	9,784	10,724
Crime Clearance Rate	61.9%	52.3%	40.2%	37.2%	31.3%	44.6%

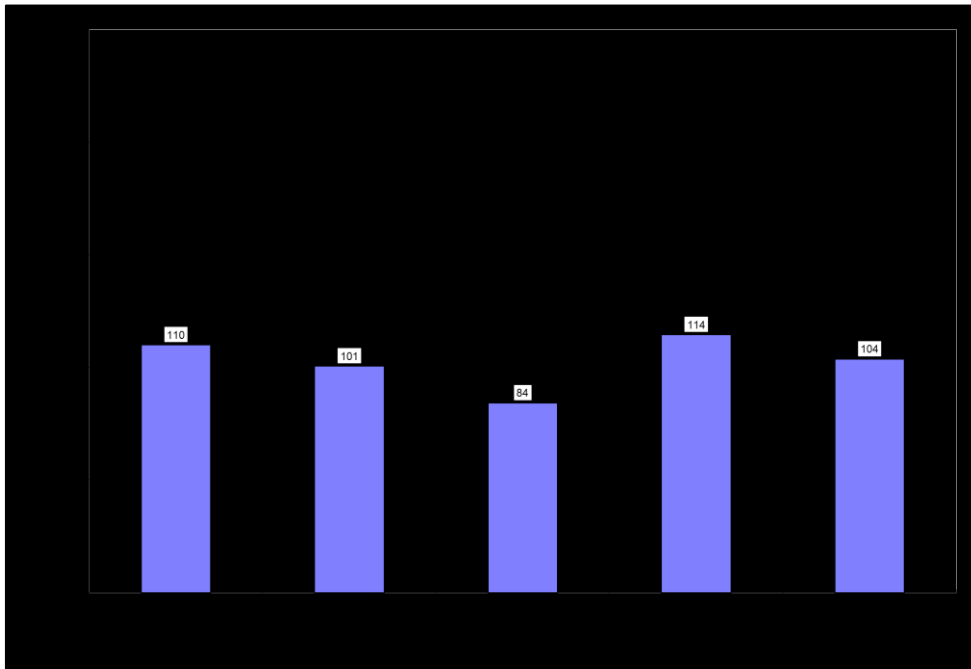
District 3:

	2019	2020	2021	2022	2023	5-Year Average
Robbery	11	10	9	13	5	10
Assault	120	127	107	142	130	125
Sexual Assault	29	26	16	25	22	24
<i>Violent Crime</i>	<i>218</i>	<i>212</i>	<i>182</i>	<i>266</i>	<i>257</i>	<i>227</i>
Break and Enter	122	98	93	71	98	96
Auto Theft	52	50	61	79	107	70
Theft	381	370	376	576	651	471
Fraud	149	92	118	151	147	132
<i>Property Crime</i>	<i>822</i>	<i>715</i>	<i>780</i>	<i>1018</i>	<i>1130</i>	<i>893</i>
<i>Other Criminal Code</i>	<i>122</i>	<i>108</i>	<i>97</i>	<i>188</i>	<i>105</i>	<i>124</i>
Total Crime	1,162	1,036	1,060	1,471	1,492	1,244
Impaired Driving	43	34	61	47	48	46
Property Damage Collisions	1072	577	438	710	N/A	-
Personal Injury Collisions	101	58	55	75	N/A	-
PONs and Warns Issued	6,203	4,094	4,770	3,927	2,478	4,294
CAD Events	17,648	14,162	14,903	13,464	11,939	14,423
Crime Clearance Rate	48.1%	49.6%	47.6%	45.1%	37.5%	45.6%

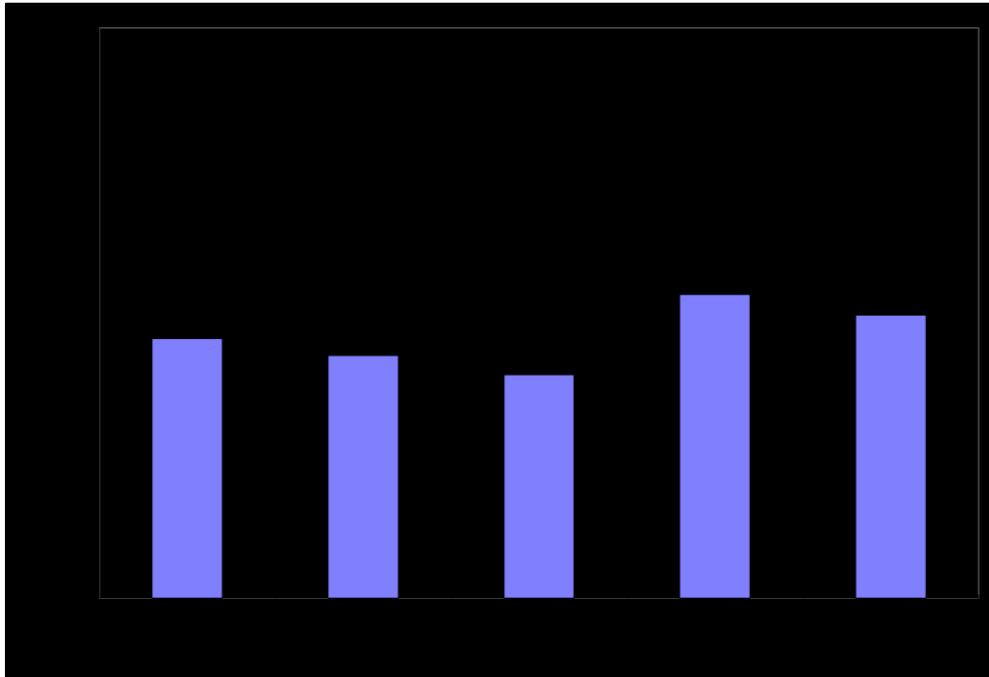
Key Trends

The following graphs give a quick visual update of the five-year trends in key measures tracked by the Service. The statistics presented below, excluding the clearance rate, are ***expressed as a rate*** (per 100,000 population) to remove the impact of population growth. A number of categories were significantly impacted by the Covid-19 pandemic, particularly in 2020 and 2021. The following data is for the Halton Region as a whole (January – June):

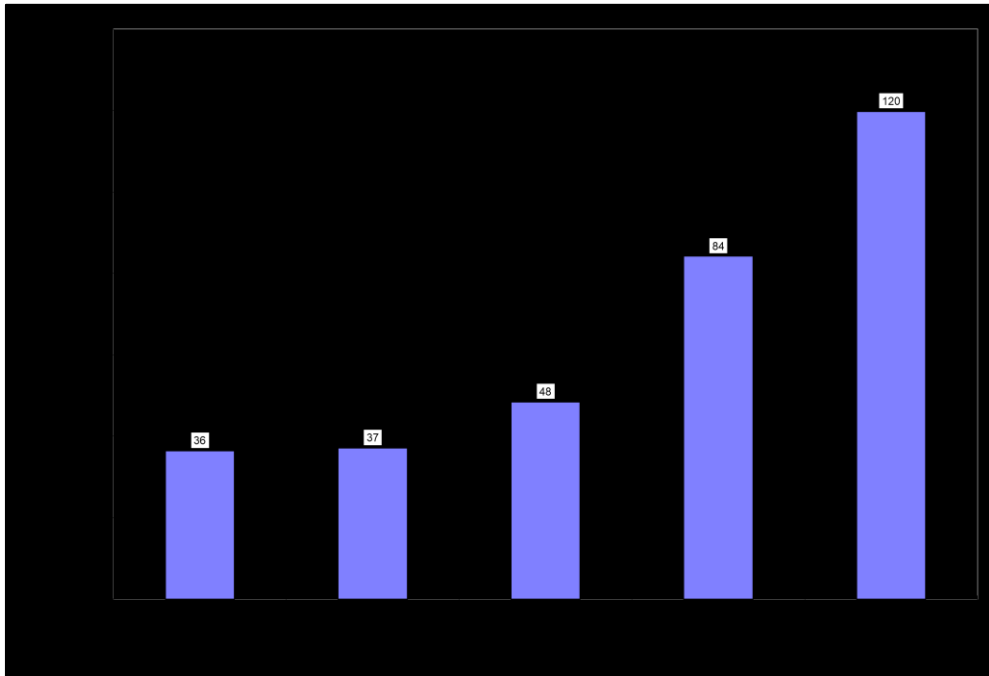
Assault Rate



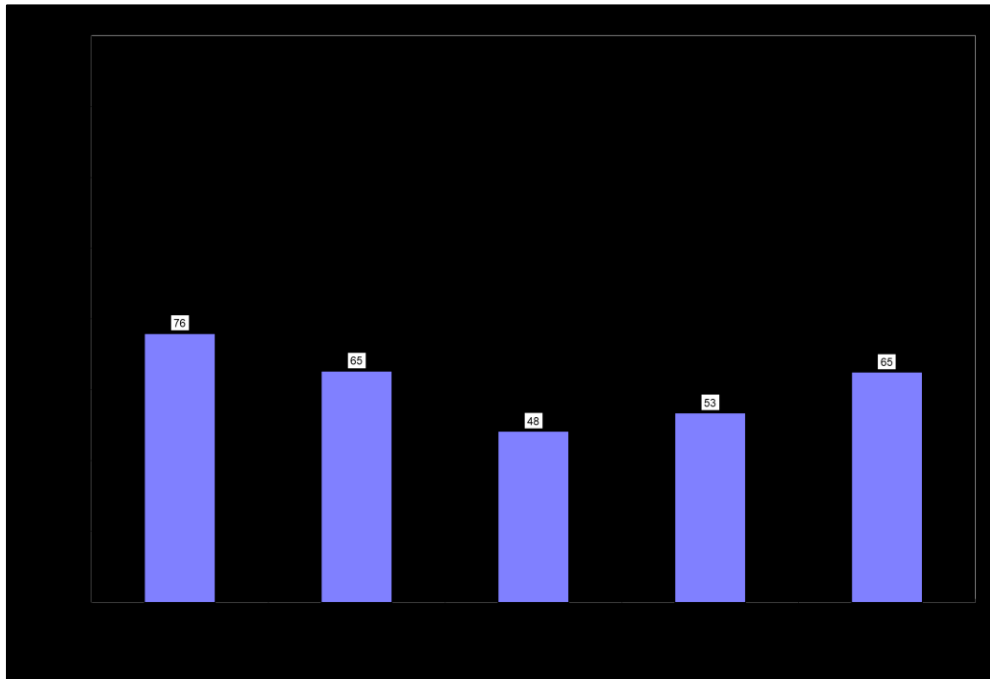
Violent Crime Rate



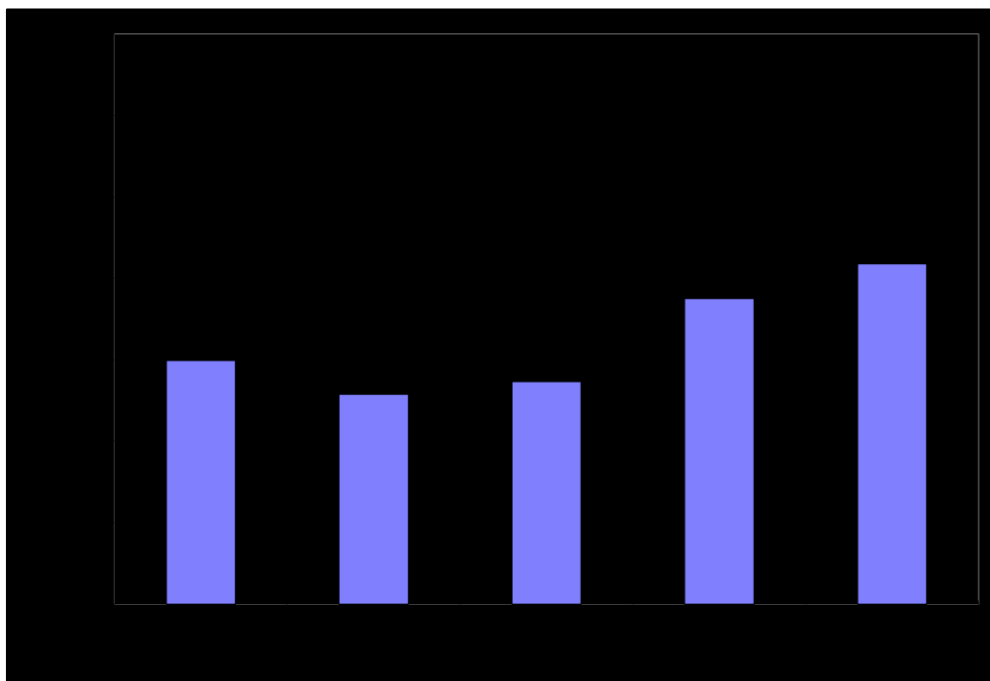
Auto Theft Rate



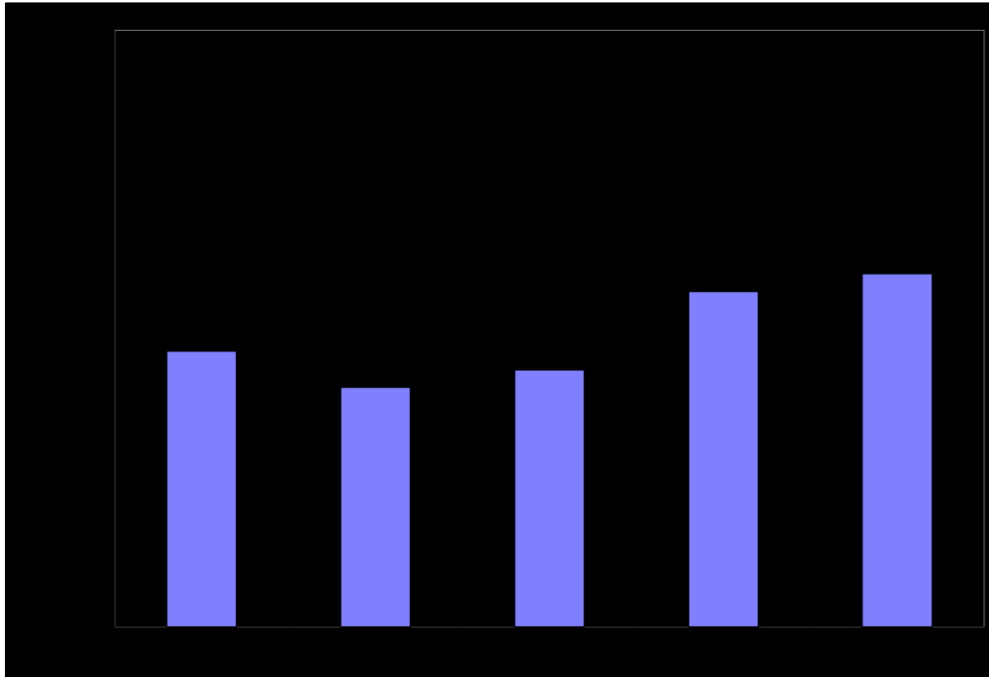
Break and Enter Rate



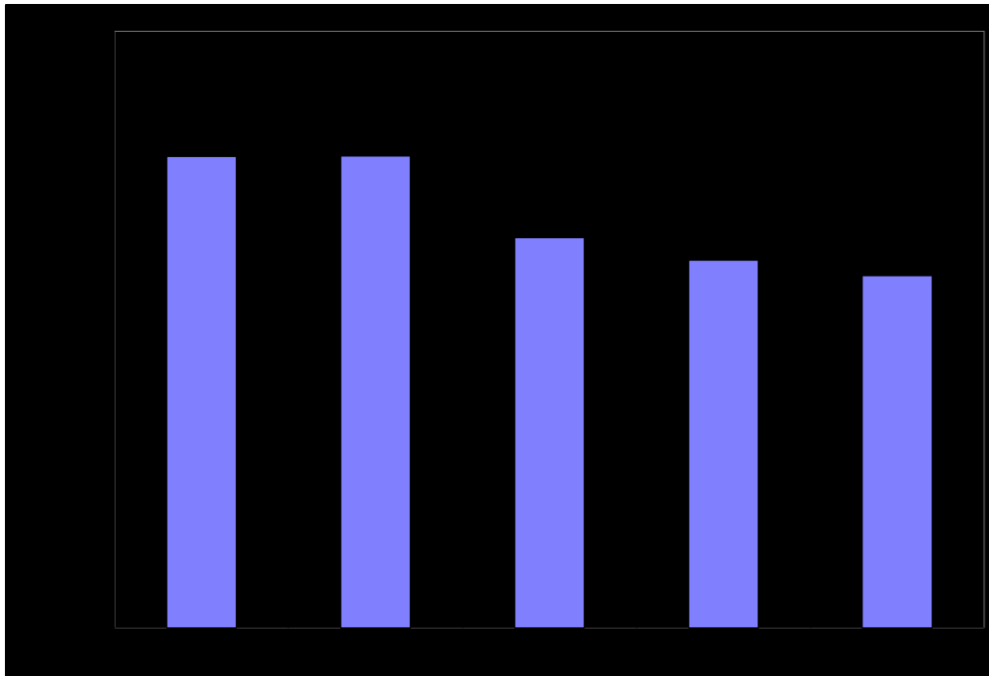
Property Crime Rate



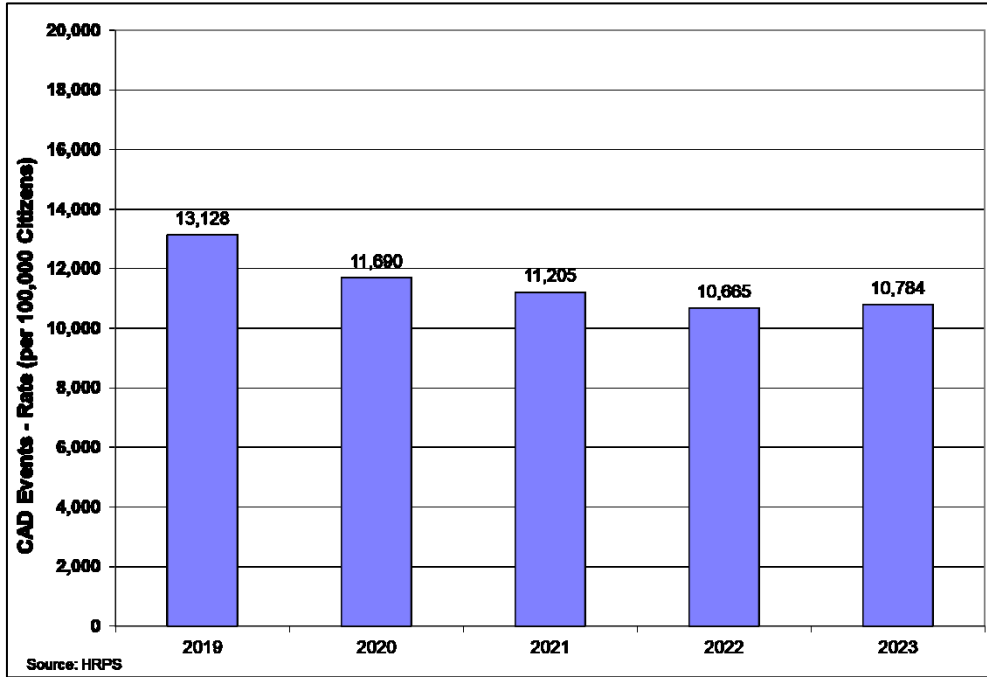
Overall Crime Rate



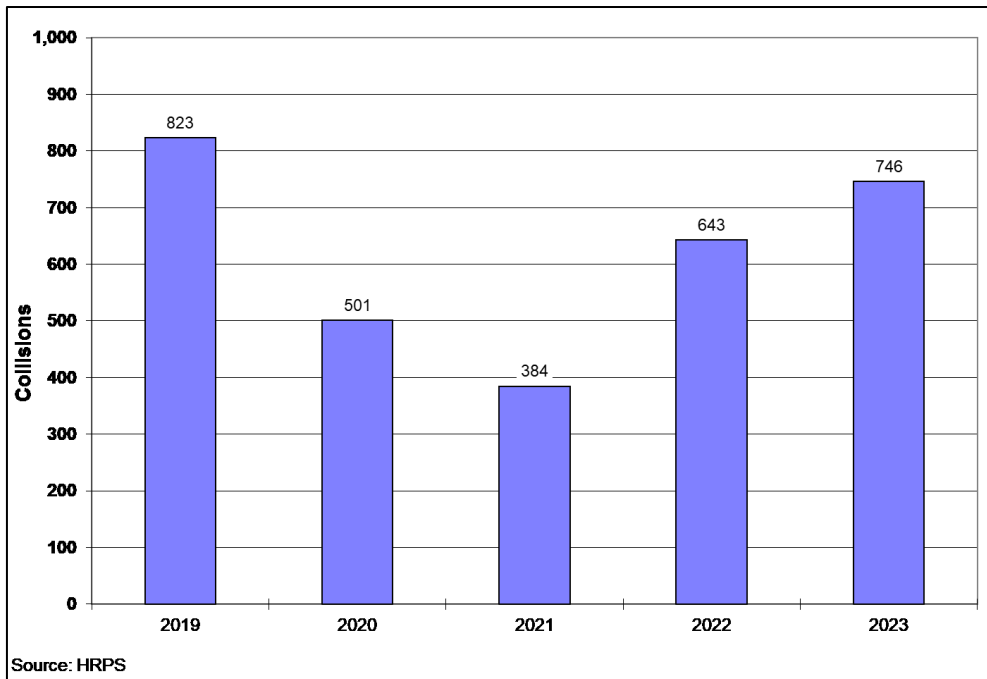
Crime Clearance Rate



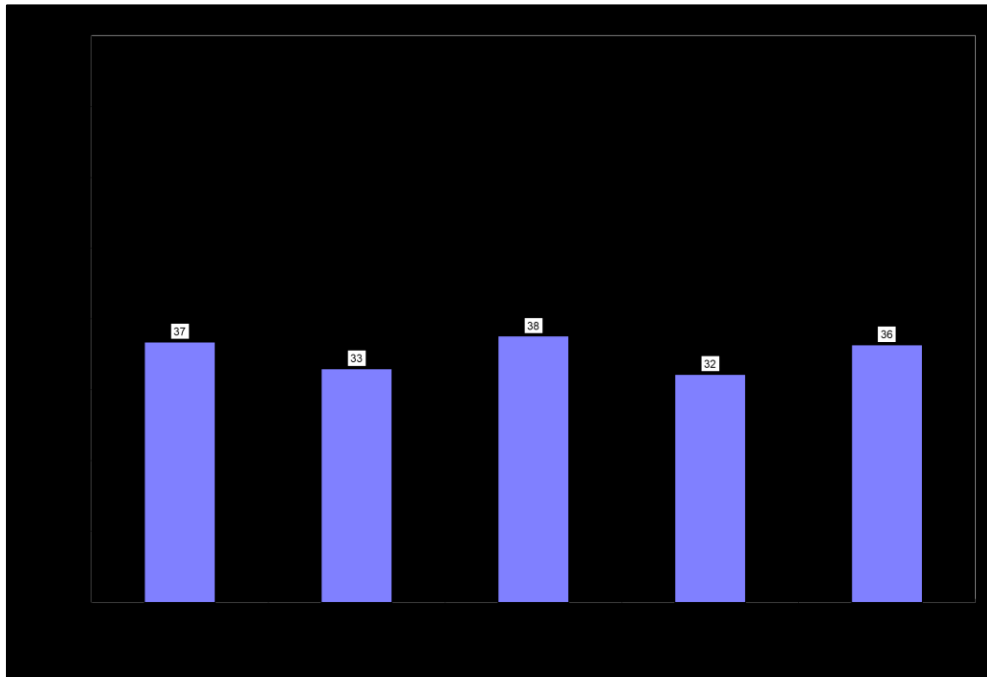
CAD Events



Total Collision Rate



Impaired Driving



Halton Data in Context and 2022 Statistics Canada Data

This section provides additional data to provide some context for the mid-year data presented above. Staff recently obtained year-end 2022 data for the largest police services in Ontario (from Statistics Canada) and graphs showing this data are provided below.

Although growth may not be occurring at exactly the rate projected by the Region in 2011 (the date of the last official population projection), the population in Halton is still increasing and the relative sizes of the four communities continue to adjust. Figure 1 below highlights the overall change within Halton.

Figure 1 – Population Change (Source: Region of Halton)

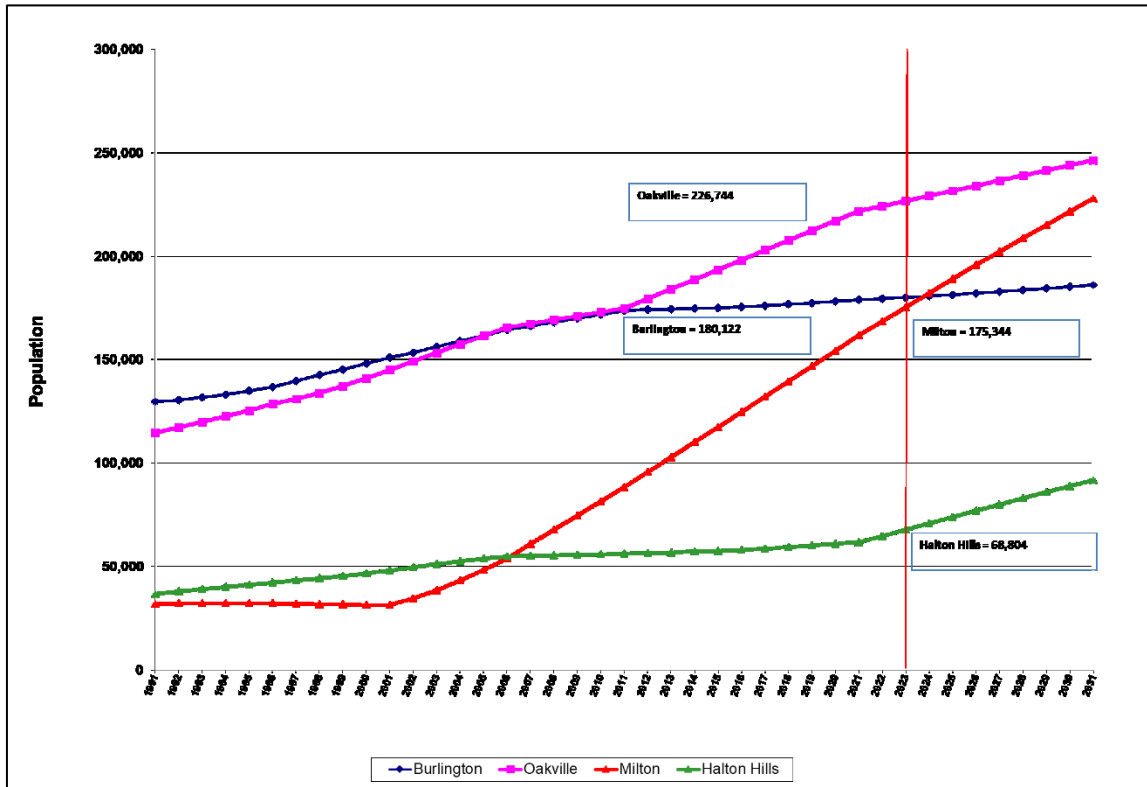


Figure 2 shows how the overall crime rate in Halton has changed over the years since regionalization in 1974. Matching the pattern seen across much of the western world, crime rates have declined since the early 1990s and remain close to the lowest levels experienced in Halton’s history, although there has been a post-pandemic uptick that has taken levels back to those seen last in the 2011-12 period.

Figure 2 – Halton’s Crime Rate



Recently released data (July 2023) from Statistics Canada indicates that Halton’s 2022 crime rate was lower than every major police service in Ontario. Figures 3, 4 and 5 below show the rankings for various crime categories:

Figure 3 - Overall Crime Rate (2022 – crimes per 100,000 population)

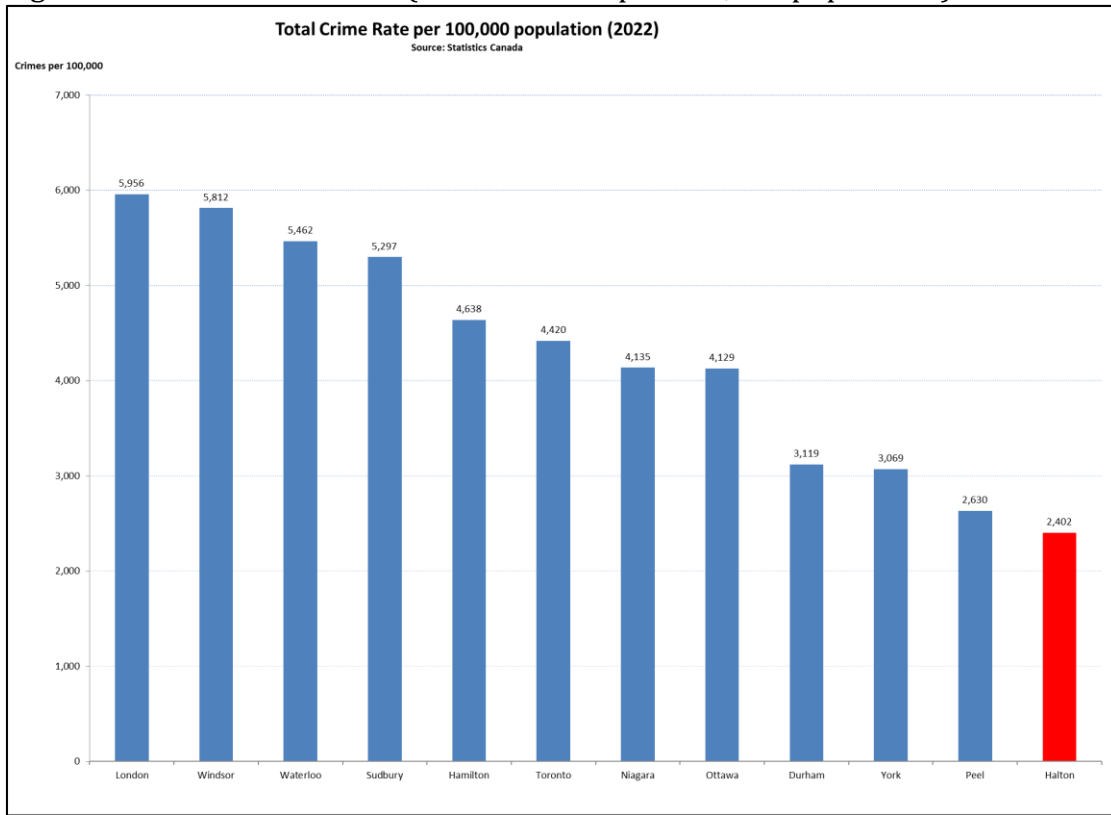


Figure 4 - Violent Crime Rate (2022 – crimes per 100,000 population)

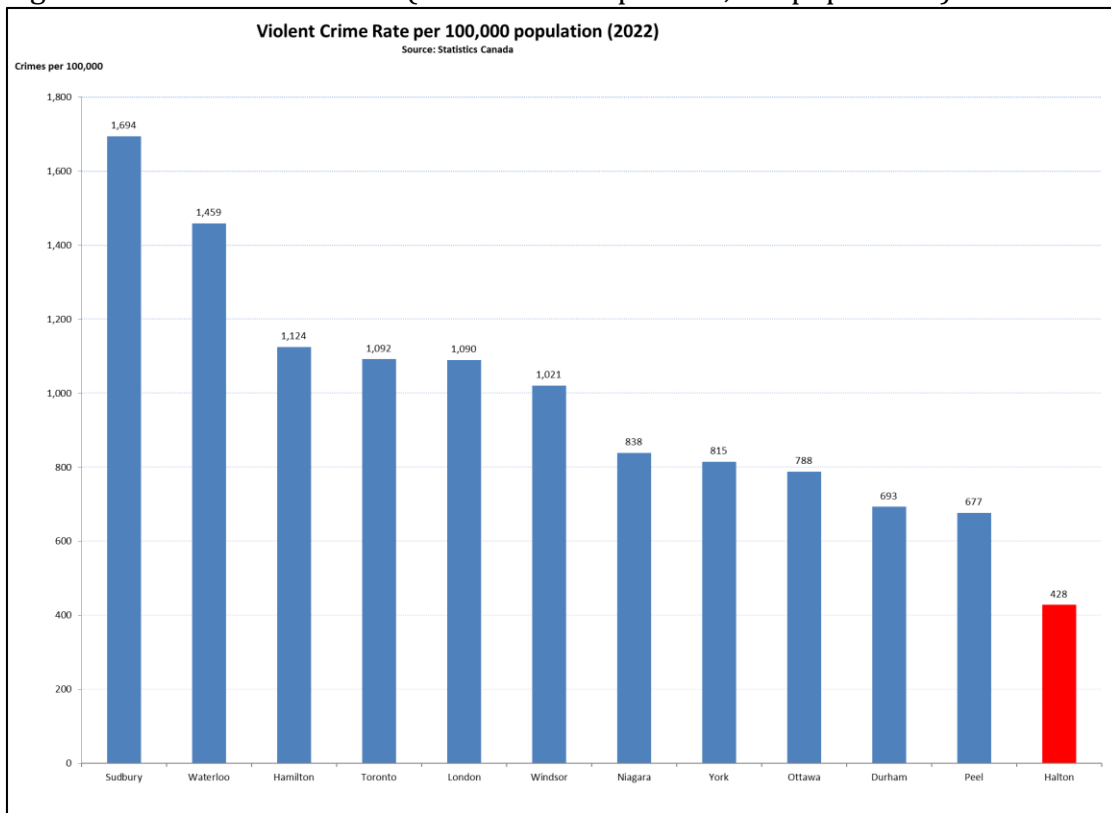
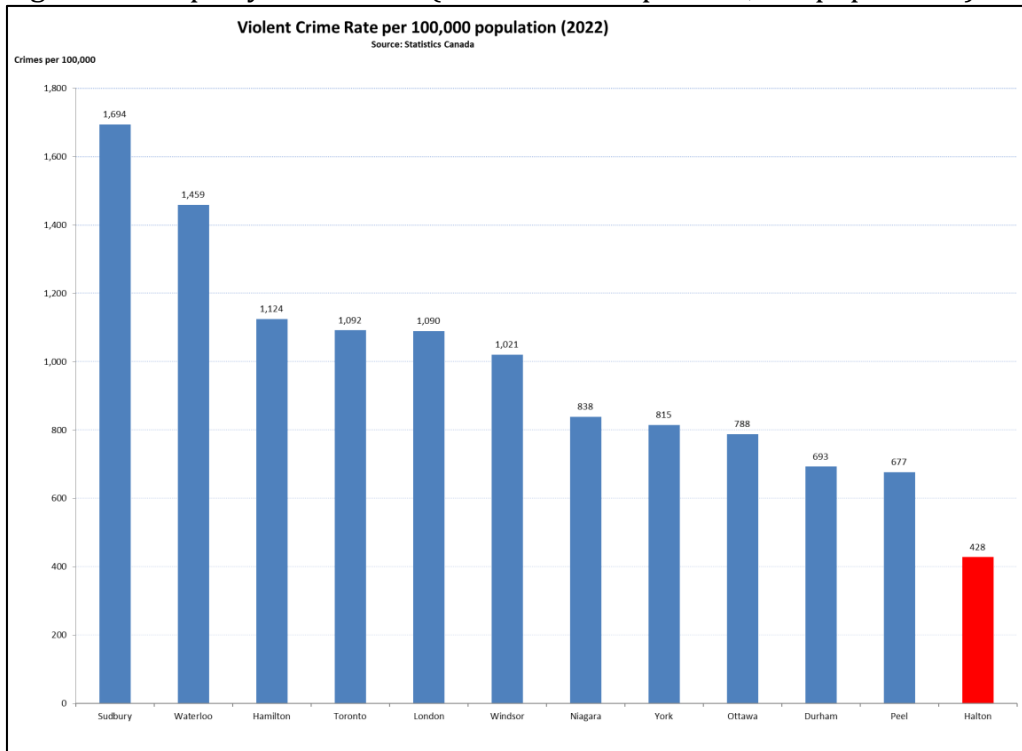


Figure 5 - Property Crime Rate (2022 – crimes per 100,000 population)



Figures 6 and 7 show the clearance rates for overall crime and violent crime respectively. Halton’s crime clearance rates exceed the majority of the Big 12 in both categories.

Figure 6 - Overall Crime Clearance Rate (2022)

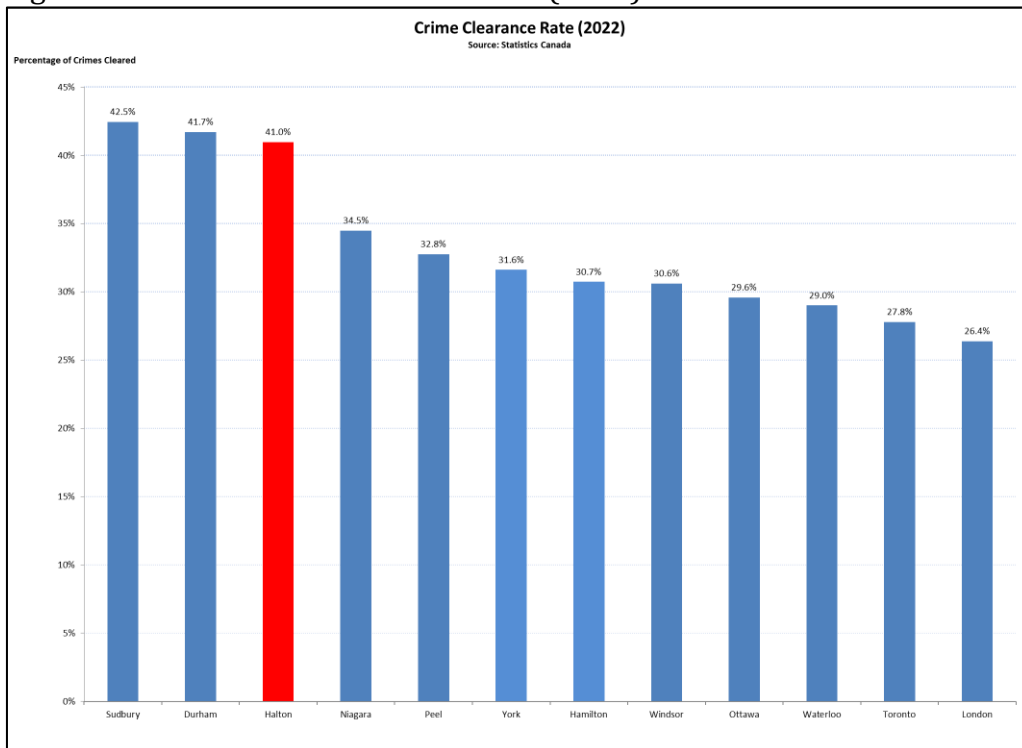
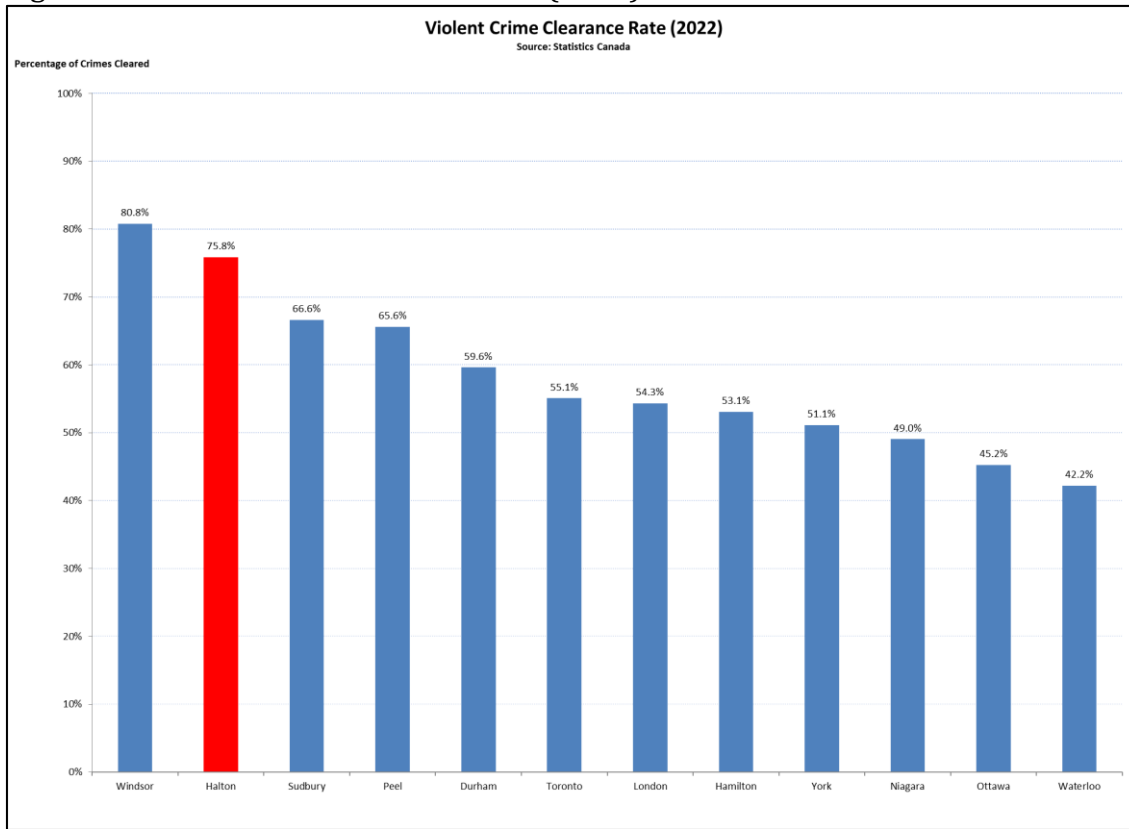


Figure 7 - Violent Crime Clearance Rate (2022)



Data released by Statistics Canada in July indicates that Halton had the best ranking (compared to Ontario’s other large police services) in all the measures of the national Crime Severity Index in 2022 (Overall, Violent and Non-Violent) and the third highest Weighted Clearance Rate, as shown in Figures 8 – 11.

Figure 8 - Overall Crime Severity Index (2022)

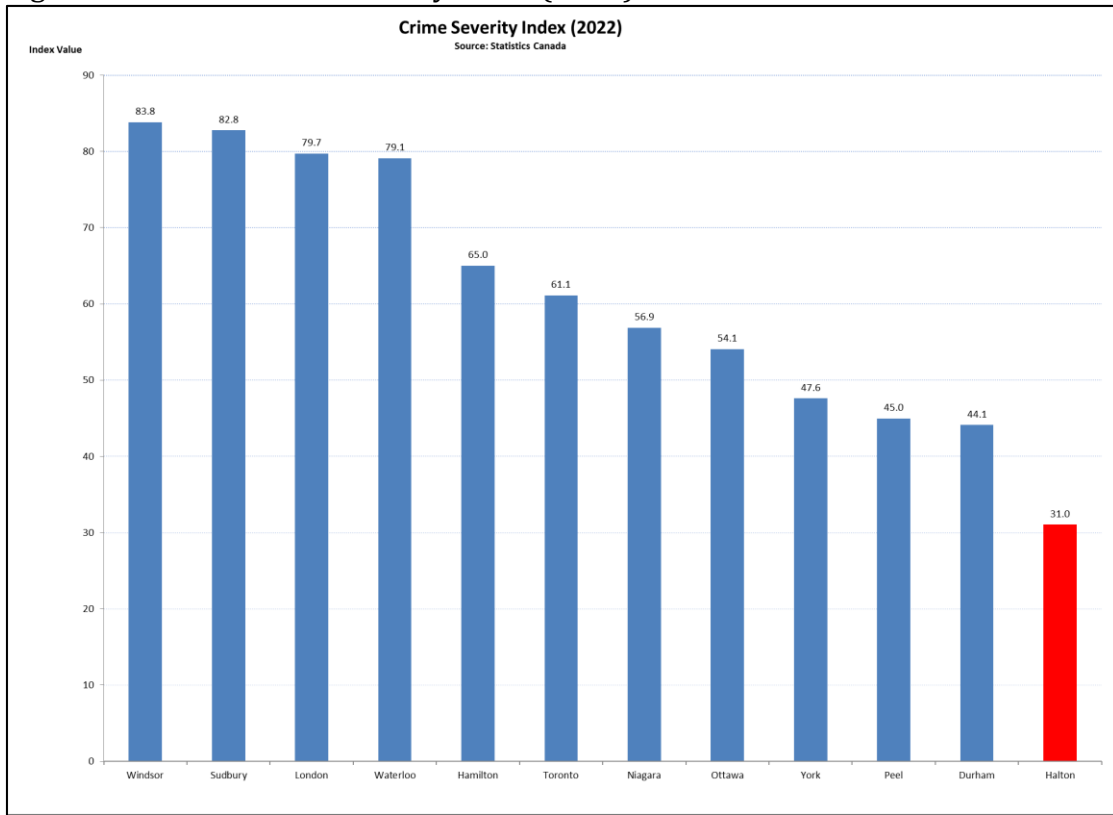


Figure 9 – Violent Crime Severity Index (2022)

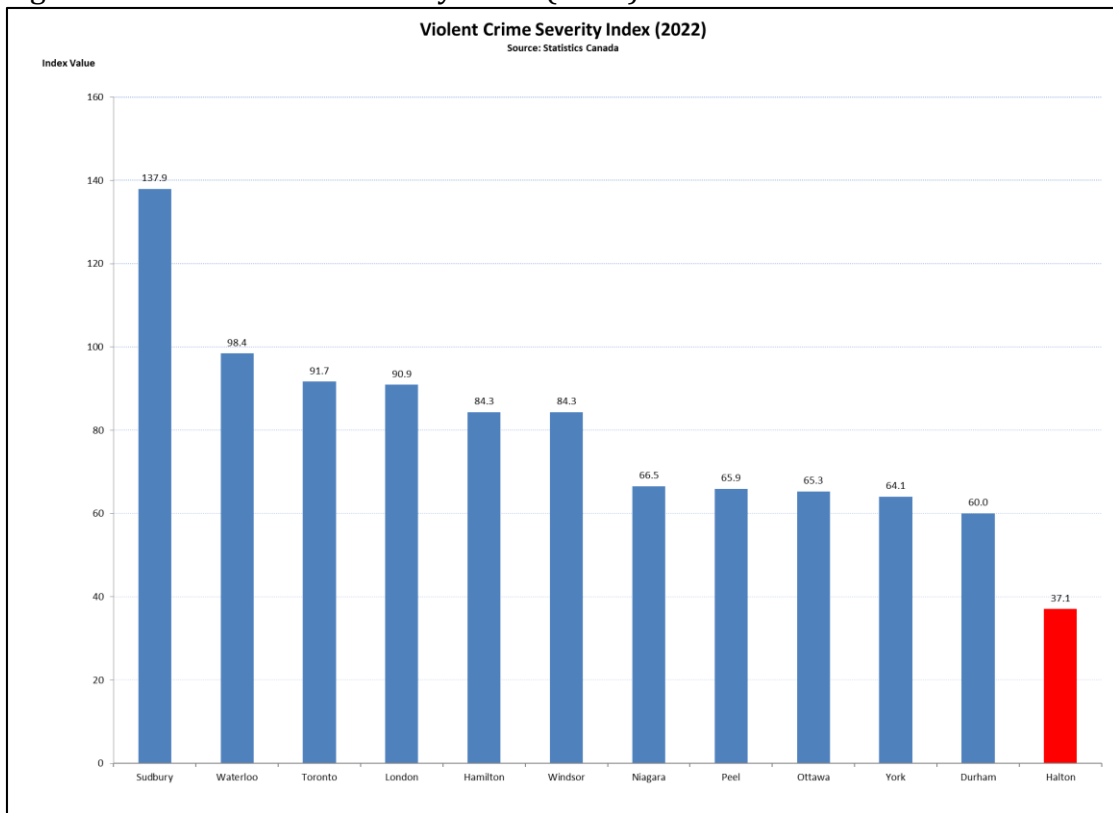


Figure 10 – Non-Violent Crime Severity Index (2022)

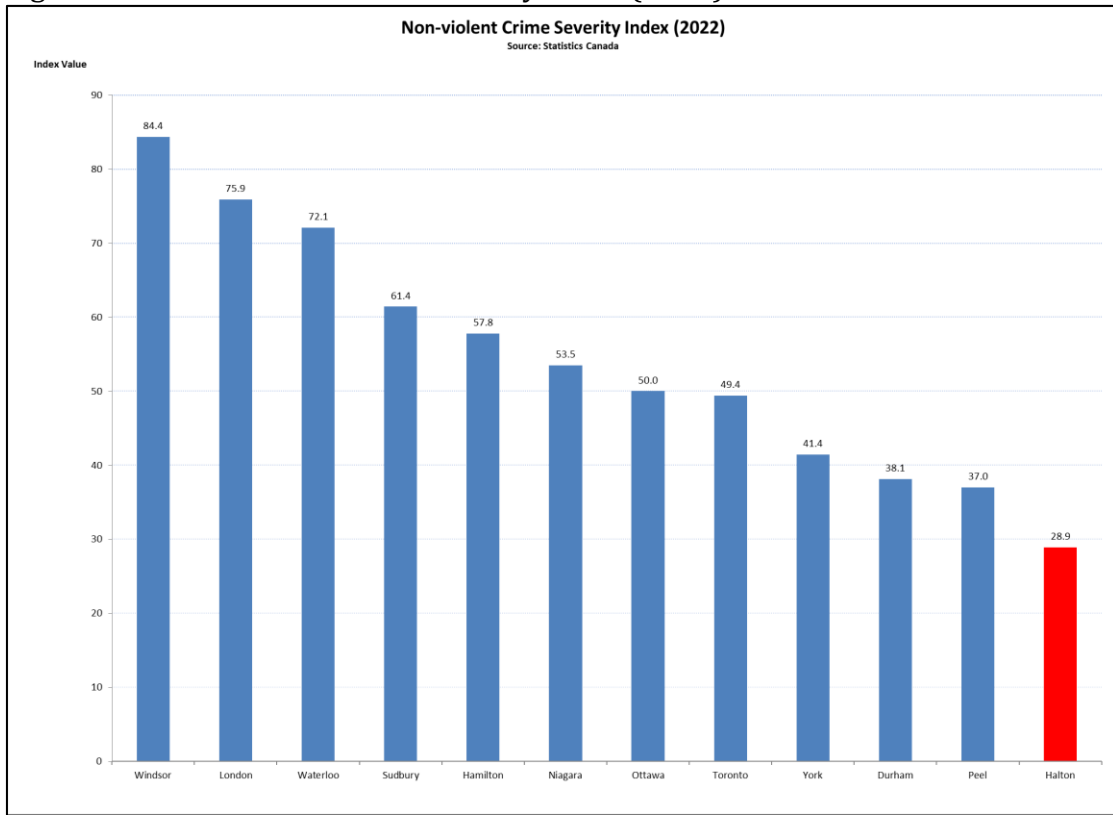
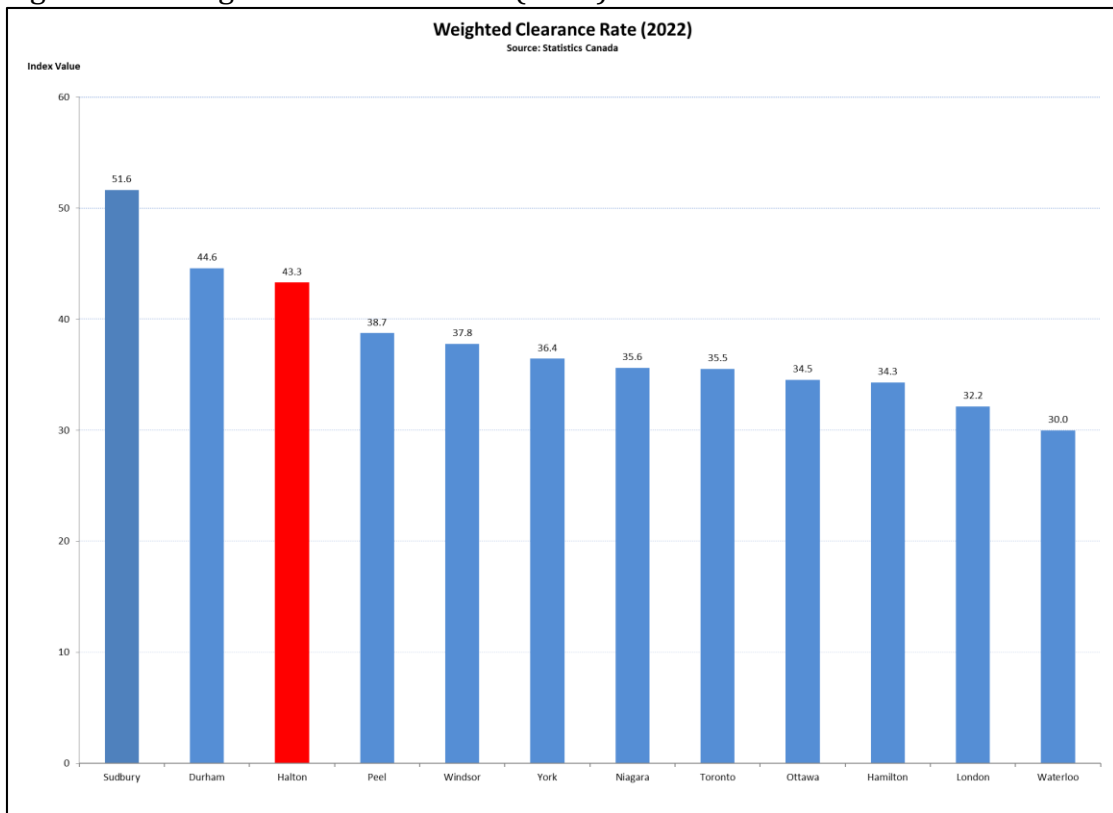


Figure 11 – Weighted Clearance Rate (2022)



Statistics Canada 2022 data showed that Halton continued to provide policing with fewer staff per capita than all of the comparator agencies in Ontario. Data to be released by Municipal Benchmarking Network Canada (formally known as OMBI) in the Fall of 2023, will also show that in 2022 Halton continued to provide policing with the lowest staff per capita values and at relatively low cost (likely to be the lowest of the “Big 12” in Ontario).

CONSULTATION:

Senior Management
Strategic Management Office

STRATEGIC MANAGEMENT ISSUES:

HRPS 2020-2023 Strategic Plan – Theme 1 – Community Safety and Well-Being

Definitions

ⁱ The **crime rate** is the number of crimes that occurred for a set number of residents. The Service and Statistics Canada report the number of crimes per 100,000 people. Using a rate of crime measurement allows us to compare crime statistics between communities with different populations, and within communities over different time periods.

ⁱⁱ **Violent crime** incidents involve offences that deal with the application, or threat of application, of force to a person. These include homicide, attempted murder, and various forms of assault, robbery and abduction/confinement.

ⁱⁱⁱ **Property crime** incidents involve unlawful acts with the intent of gaining property but do not involve the use or threat of violence against an individual. Theft, breaking and entering, mischief, fraud and possession of stolen goods are examples of property crimes.

^{iv} **Other Crimes** incidents involve the remaining Criminal Code offences that are not classified as violent or property incidents (excluding traffic). Examples include bail violations, counterfeit currency, disturbing the peace, prostitution and offensive weapons.

^v The **clearance rate** is the percentage of the total number of crimes that occur which are solved (cleared). Criminal incidents can either be cleared "by charge" or "cleared otherwise". When a police investigation leads to the identification of a suspect, an "information" is laid against that person (i.e., the person is formally charged). From a statistical point of view, the laying of an information means that at least one actual incident can be "cleared by charge".

Incidents can also be "cleared otherwise." In some cases, police cannot lay an information even if they have identified a suspect and have enough evidence to support the laying of an information. Examples include cases of diplomatic immunity, instances where the complainant declines to proceed with charges against the accused, or cases where the alleged offender dies before he or she can be formally charged. Such incidents are considered to be "cleared otherwise," that is, other than by the laying of a charge.

^{vi} **CAD Events** is a measure of service delivery and represents a self-contained unit of police activity as captured in the Computer Aided Dispatch system. The number quantifies work for both uniformed police officer and civilian members. Please note that to best capture response and service delivered to the public as opposed to internal administrative work, certain CAD event types are excluded in the calculation such as OUTS, BUSY, Abandoned 911 calls and non-police calls received through communications.

^{vii} **A Property Damage Collision** is a motor vehicle collision where property damage has occurred but in which no parties are injured.

^{viii} **An Injury Collision** is a motor vehicle collision where one or more parties involved are injured.



Public Agenda Report

To: Halton Police Board
From: Fred Kaustinen
Chief Governance Officer
Subject: Proposed 2024 HPB Governance Budget
Report #: CGO23-09-R-01
Date: 28 September 2023

RECOMMENDATION:

THAT the Board approve the proposed 2024 Governance Budget of \$576,185.

INTRODUCTION AND BACKGROUND:

The Board's Governance Budget serves to support the Board in its police governance activities including its Governance Modernization Project. This year's Governance expenditures are expected to approximate the 2023 budget of \$619,106.

The Region's budget guideline for HRPS in 2023 is a 5.7% increase.

DISCUSSION / ANALYSIS:

The proposed 2023 Governance Budget features:

- increased Board in-person participation in meeting, training events and workshops, post-pandemic and in accordance with Board policies G03 - Governance Methodology and G07 - Governance Calendar;
- a full-time Executive Assistant whose will be responsible for administrative and logistics support, event coordination, and communications support; and

- a decrease of \$42,921 from the 2023 budget (largely because Strategic Planning will be concluded in 2023)

ALTERNATIVES:

The Board could increase or reduce the number of Board meetings, the extent of Board training, the pace of governance evolution, and/or the amount of staff support, as it deems appropriate.

CONSULTATION:

The Board chair was consulted in the preparation of this proposed budget.

FINANCIAL / HUMAN RESOURCE / LEGAL ISSUES:

The Governance Budget is a financial issue by definition.

Attachment: Proposed HPB 2024 Governance Budget



Action Registry – Public Section

Motion Date	Motion ID	Motion	Task Assigned To	Scheduled Completion	Status/Comments
31 Mar 2022	3.3	<i>THAT future reporting on Use of Force be listed as a discussion item on Board agendas.</i>	Chief	October 2023	
24 May 2022	2.1	<i>THAT the Halton Police Board receive a yearly program update from Crime Stoppers.</i>	Chief	June 2024	
30 Jun 2022	4.2	<i>THAT an updated [HR] policy be brought back for future consideration by the Board including language regarding reporting internal harassment cases and their disposition.</i>	CGO	TBD 2024	
30 Mar 2023	3.3	<i>“THAT future annual Police Service Performance Reports be presented as discussion items, including trends and mitigation impacts and a formal presentation to the Board; and THAT portions of the report be presented in Confidential Session as deemed appropriate.”</i>	Chief	March 2024	



Motion Date	Motion ID	Motion	Task Assigned To	Scheduled Completion	Status/Comments
27 Apr 2023	3.2	<i>THAT the Halton Police Board direct the Chief Governance Officer to prepare a report prior to the end of 2023 on an independent quality assurance audit of Service, quality assurance and audit policies, to be conducted on behalf of and reported directly to the Board.</i>	CGO	Dec 2023	
27 Apr 2023	3.3	<i>THAT the Service provide a presentation to the Board on the recruiting process and current status.</i>	Chief	TBD - Chief to advise	
2 Jun 2023	3.1	<i>“THAT the Service report back to the Board on changes made and a detailed implementation plan with specificity on actions and timelines on the proposed recommendations made by Dr. Perry within six (6) months, and further, THAT the Board request that Dr. Perry return to the Service to determine the effectiveness of the implementation, and</i>	Chief	Dec 2023 March 2024	



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Motion Date	Motion ID	Motion	Task Assigned To	Scheduled Completion	Status/Comments
		<i>THAT the Service be directed to include an EDI report card as part of its performance reporting."</i>			

