

## *The Police Governance Regime in Canada*

### *Executive Summary*

This document summarizes a paper published for the Canadian Association of Police Governance (C.A.P.G.) titled “The Police Governance Regime in Canada”.

Police governance is the making of managerial and executive decisions regarding policing. The C.A.P.G. website cites a number of common responsibilities including...

- “Determining adequate personnel levels,
- budgeting for the needs of the police service,
- monitoring the budget,
- reviewing the performance of the service,
- hiring the Chief of Police,
- evaluating the Chief of Police [and making decisions respecting] labour relations, discipline and policy development.”

Civilian control of the police – the basic principle of police governance practiced in Canada – requires a body external to the police service to make these decisions.

The purpose of the report is to catalogue the legislative authority for municipal police governance in Canada and to develop a better understanding of the institutions that govern police services.

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In most provinces, governance of local police services (not the R.C.M.P.) is vested in civilian boards that operate at arm’s length of the government. The duties of these boards may include budgeting, hiring and firing the chief, making policy and administering equipment. However, day-to-day decision-making is typically handled by the police service itself.

Beyond this, retroactive discipline of police officers is handled by an oversight body, which is province-wide.

The following graph offers an overview of the composition and mandate of police boards across Canada. The full C.A.P.G. document goes into more detail about each province as well as upcoming reforms.

(Québec and Newfoundland and Labrador have been omitted because they do not have a framework for arm’s-length governance. Prince Edward Island and the territories have been omitted because virtually all policing is done by the R.C.M.P. More information on these jurisdictions can be found in the full document.)

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	<b>Legislative Authority   Quantity of board members</b>	<b>Composition</b>	<b>Mandate</b>
<b>British Columbia</b>	<i>Police Act</i> ss. 24-29   Up to nine members	A board consists of the mayor of the municipal council, one person appointed by council and up to seven persons appointed by the Lieutenant Governor (LG).	<ul style="list-style-type: none"> <li>• To appoint the chief, constables and employees to the police department</li> <li>• To determine the priorities, goals and objectives of the department; in consultation with the chief</li> <li>• To make policy</li> <li>• To make a yearly budget, subject to the approval of council</li> </ul>
<b>Alberta</b>  (Under reform via Bill 38 and Alberta Police Review)	<i>Police Act</i> , ss. 21-31   Between three and 12 members	<ul style="list-style-type: none"> <li>• Boards with four or fewer members may have one municipal councillor or employee</li> <li>• Boards with five or more members may have two municipal councillors or employee</li> </ul>	<ul style="list-style-type: none"> <li>• To allocate council-given funds (budgets are prepared in consultation with the chief)</li> <li>• To establish policies for “effective and efficient policing”</li> <li>• To ensure that sufficient persons are employed by the police service</li> <li>• To provide necessary equipment</li> </ul>
<b>Saskatchewan</b>	<i>Police Act</i> , ss. 12, 19 and 27-33   At least three members	<ul style="list-style-type: none"> <li>• Boards with three members consist of the mayor, a councillor and someone who is not a councillor</li> <li>• Boards with more than three members consist of the mayor, two councillors and two other people</li> </ul>	<ul style="list-style-type: none"> <li>• To determine direction, policy and priorities for the service</li> <li>• To determine a long-term plan</li> </ul>
<b>Manitoba</b>	<i>The Police Service Act</i> , ss. 26-38   <ul style="list-style-type: none"> <li>• Three or five members for municipalities with ≤ 5,000 or &gt; 5,000 persons, respectively</li> <li>• Winnipeg Police Board must have seven members</li> </ul>	Three- and five-member boards have one member appointed by LG and the rest by council. Two members are appointed by LG in Winnipeg with the rest being by council.	<ul style="list-style-type: none"> <li>• To establish priorities for the service (in consultation with the chief)</li> <li>• To establish policies and monitor the chief</li> <li>• To allocate funds from the budget passed by council</li> </ul>

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	Legislative Authority   Quantity of board members	Composition	Mandate
<b>Ontario</b> (Under reform via Bill 68)	<i>Police Service Act, ss. 27-40</i>   <ul style="list-style-type: none"> <li>• Three members for municipalities with ≤ 25,000 persons</li> <li>• Five members for municipalities &gt; 25,000 persons</li> </ul>	Smaller boards are made up of the head of council, a council appointee who does not work in council and any person LG appoints. Larger boards must have a board with the head of council, two members appointed by council (at least one of whom does not work for the municipality), and two members appointed by LG.	<ul style="list-style-type: none"> <li>• To hire the chief and any other police officer (in consultation with the chief)</li> <li>• To determine objectives and priorities for policing</li> <li>• To direct the chief</li> <li>• To establish guidelines to deal with complaints</li> </ul>
<b>New Brunswick</b> (Under reform via Bill 53)	<i>Police Act, ss. 7 and 10</i>   Five members	Boards consist of the mayor, three “ordinary residents” appointed by council and one member appointed by the provincial government.	<ul style="list-style-type: none"> <li>• To appoint the chief</li> <li>• To equip the police force as it deems necessary</li> <li>• To draft a yearly budget</li> </ul>