

Police Advisory Boards

BOARD MEMBER ROLES & RESPONSIBILITIES – ORIENTATION TRAINING

Goals & Objectives

1. Overview of the Public Safety and Security Division within the Department of Justice
2. Setting the Stage: The Principles of Policing
3. Role of Effective Police Board Governance
4. Authorities & Functions of a Police Board outlined in the Police Act & Regulations
5. Role & Responsibilities of a Police Board, and your role as a board member

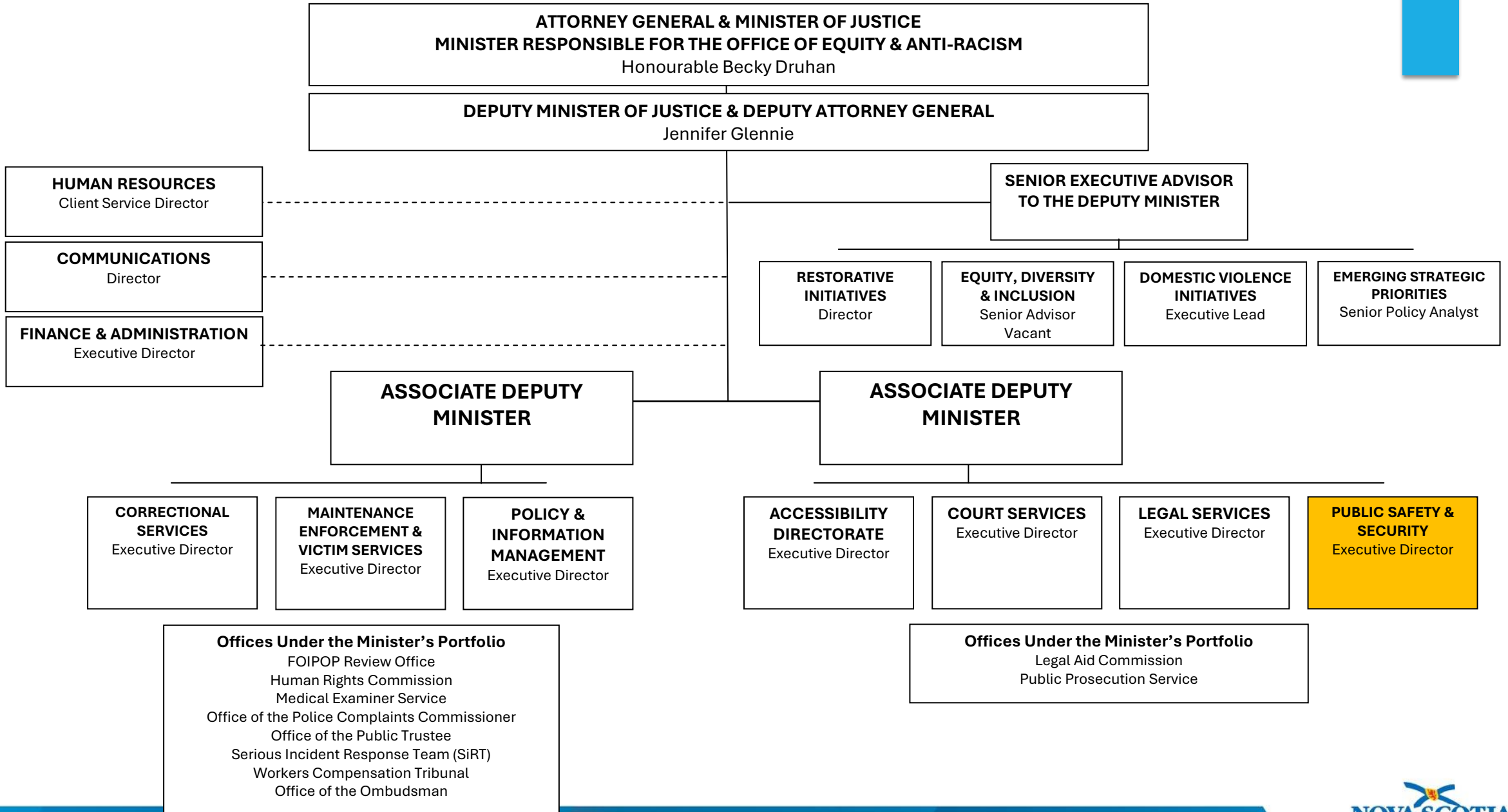
Overview

Department of Justice

Public Safety and Security Division

Department of Justice

January 2025



Public Safety Mission Statement

- ▶ Public Safety and Security Division is committed to supporting the safety and security of Nova Scotians by collaborating with various partners and communities across the country. We provide a range of programs, supports, and services, which are in accordance with provincial and federal legislation. We are committed to ensuring services are accessible and representative of the communities we serve.

- ▶ The Public Safety and Security Division is comprised of the following Units:
 - ▶ Policing Strategies
 - ▶ Crime Prevention and Indigenous Policing
 - ▶ Public Safety Audit Function *
 - ▶ Public Safety Investigations Unit *
 - ▶ Corporate Security Office
 - ▶ Provincial Firearms Office
 - ▶ Security Programs Office
 - ▶ Service Dog Program

Public Safety Audit Function (PSAF)

- ▶ Separate unit from Policing Strategies and Governance (within the Public Safety and Security Division)
- ▶ Risk-Based Audit Planning process includes:
 - ▶ Gathering insights from interested parties to help develop audit plan
 - ▶ Focuses on areas of public interest/highest risk to agencies
- ▶ PSAF will produce a final report unique to the agency and community they serve
- ▶ Final reports tabled with Police Governance Boards
 - ▶ PSAF staff meet with boards to review audits
- ▶ Separate training available to Boards which clarifies how audits can assist Boards in their oversight role

Chris MacNeil – Managing Auditor

Email: PSAF@novascotia.ca

Public Safety Investigations Unit

The Safer Communities and Neighbourhoods Act (SCAN) gives you a way to report your concerns in your neighbourhoods – such as, illegal drugs, alcohol, or gaming. A community or neighbourhood is adversely affected if the activities are habitual and are ongoing, which negatively affect the safety or security of one or more persons in the community or neighbourhood.

- ▶ SCAN gives Nova Scotians (citizens, police, businesses, etc) the ability to anonymously report a problem residence or business. It holds property owners accountable for specific use.

- Once the investigation is complete, SCAN can:
 - Attempt to resolve the complaint by agreement or informal action

 - Send a warning letter to the owner of the property or its occupant

 - Apply for a Community Safety Order

- * *SCAN may not be able to act on a complaint if it isn't in-line with the mandate of the Act.*

Complaints can be made to Public Safety by calling: 1-877-357-2337

Policing Review

- ▶ On September 29th, 2023, the Province announced that it will conduct a Comprehensive Policing Review
- ▶ The Review is divided in two distinct, but interconnected streams:
 - ▶ Technical Review of Policing: an external consultancy firm has been conducting the technical portion of the review, including (but not limited to), status and role of Provincial Policing Standards, relationship between police and equity-deserving groups
 - ▶ Police Review Advisory Committee: included individuals from equity-deserving groups, the provincial government, police agencies, subject matter experts and other community representatives to ensure the unique needs of our diverse communities are reflected in the review.
- ▶ Recommendations may change how policing services are delivered in Nova Scotia
- ▶ The Review is expected to be completed by Spring 2025.

Mass Casualty Commission's Final Report

Turning the Tide Together

- ▶ Nova Scotia has chosen to take a whole-of-government approach, recognizing that the root causes of behaviours leading to the potential for a mass casualty do not live solely with the Department of Justice.
- ▶ We will be working with colleagues from across government departments in response to the over 130 recommendations.
- ▶ The Final Report outlined several recommendations related to Police Governance in Nova Scotia (Recommendation P.61).

Other Relevant Reports of note

- ▶ Marshall Report
- ▶ Ipperwash Report
- ▶ Morden Report
- ▶ Thunder Bay Police Report
- ▶ Epstein Report
- ▶ Wortley Report
- ▶ Public Order Emergency Commission Report

Boards should be representative of the communities they serve

Regular and consistent meeting schedule

Understanding of your role in the oversight of policing

Participate in priority setting exercises

Provide strategic direction to overall community safety

Principles of Policing

The Principles of Policing

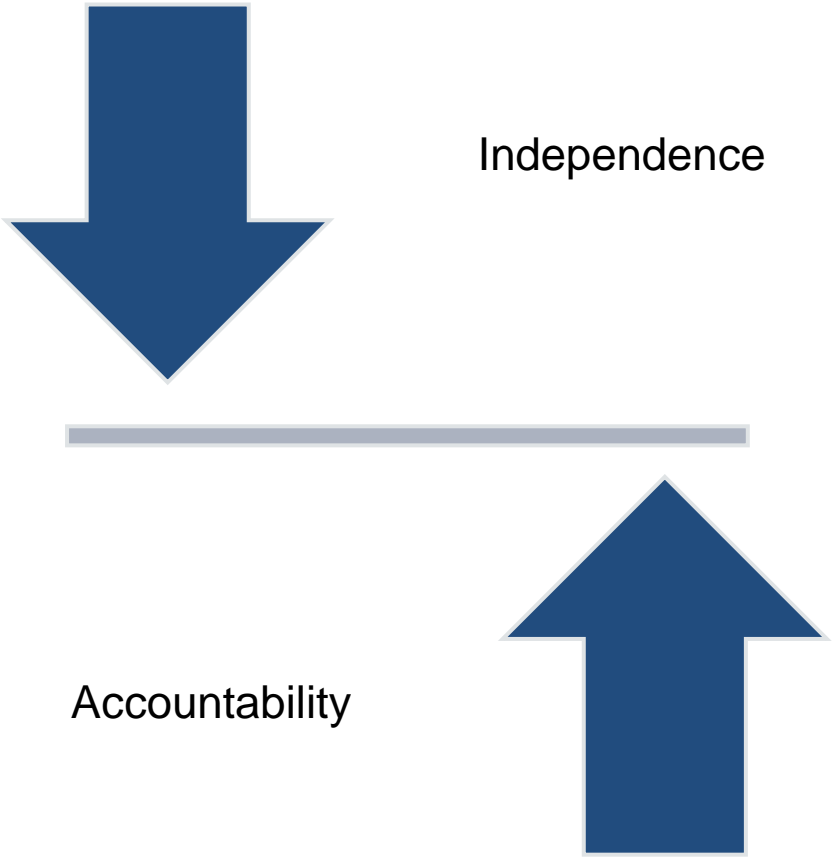
1. The basic mission of the police is to improve public safety and well-being by promoting measures to prevent crime, harm and disorder.
2. The police must undertake their basic mission with the approval of, and in collaboration with, the public and other agencies.
3. The police must seek to carry out their tasks in ways that contribute to social cohesion and solidarity.
4. The police must treat all those with whom they come into contact with fairness and respect.
5. The police must be answerable to law and democratically responsive to the people they serve.
6. The police must be organized to achieve the optimal balance between effectiveness, cost efficiency, accountability and responsiveness.
7. All police work should be informed by the best available evidence.
8. Policing is undertaken by multiple providers, but it should remain a public good.

Role of Effective Police Board Governance

Effective Governance ...is about

- ▶ **Vision** – planning for the future of policing and the safety of your communities
- ▶ **Destination** – setting goals and providing a general “road map” for your local police agency
- ▶ **Resources** – securing resources necessary to achieve goals
- ▶ **Monitoring** – ensuring the agency is well maintained and progressing, within legal limits, towards its goals and following the principles of policing
- ▶ **Accountability** – ensuring efficient use of resources, reporting progress and detours to stakeholders

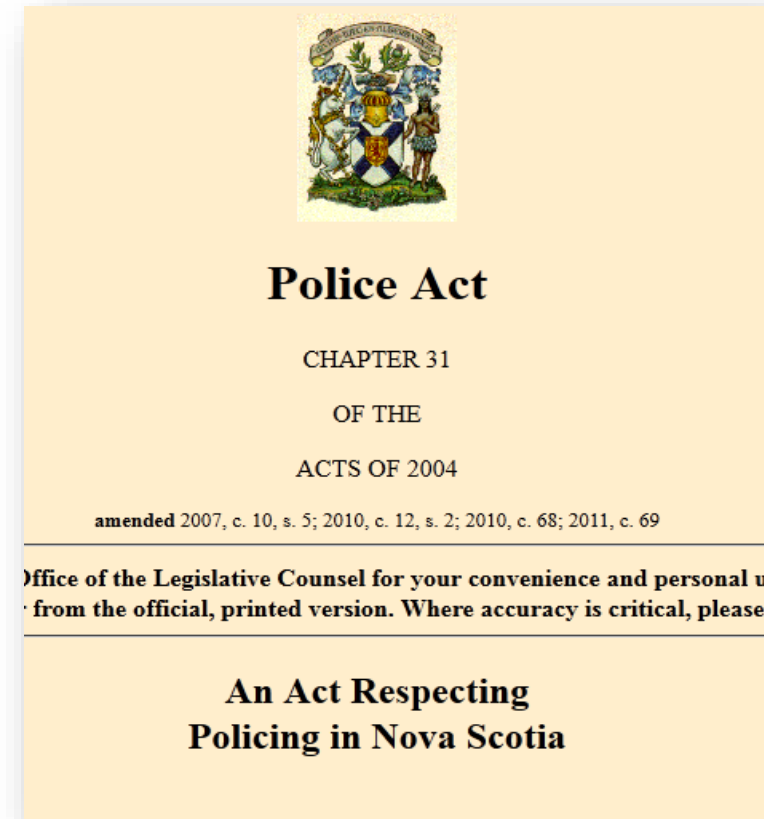
Governance



Authorities & Functions of a Police Board *Nova Scotia Police Act*

Legislative Authority

Authority for Policing
within Nova Scotia



Minister of Justice is responsible to ensure

“an adequate and effective level of policing is maintained throughout the Province”.

Police Act: Police Advisory Boards

57 (1) A municipality receiving policing services in whole or in part from the Royal Canadian Mounted Police or the Provincial Police shall establish a police advisory board.

Composition of the Board

2/2/1 or 3/3/1

~

*2 or 3 Members of council

*2 or 3 citizens

*1 Ministerial Appointment

Recruitment of Board Members

Individual municipalities are responsible for the recruitment of Board Members.

- ▶ The Department of Justice, Public Safety and Security Division, will support your board by connecting you with Executive Council Office – Agencies, Boards and Commissions to ensure your Ministerial Appointment is current and/or the posting of vacancies.
- ▶ Application process available on Executive Council website:
 - ▶ [Applying for Agencies, Boards and Commissions \(ABCs\) | novascotia.ca](#)

Equity, Diversity, and Inclusion on the Board

Representations from all communities the Board services is important;

Guiding Principles

- ▶ The Board will seek and capture opportunities to ensure proper representations of the communities they serve are on the Board
- ▶ The Board will be intentional about removing any perceived barriers to participation
- ▶ The Board will continually strive for a safe space which is free of discrimination
- ▶ Diversity Training should be provided to the Board Members to ensure cultural competence
 - ▶ Municipalities can determine the appropriate training for their members.

Advisory Board Functions

Advisory Board Details

- ▶ **Oath of Office:** Sworn in prior to assuming duties as Advisory Board Member (form 4 of the Police Act Regulations – Section 74)

- ▶ Understand and agree to the **Code of Conduct** – board members shall:
 - ▶ Instill public confidence in advisory board
 - ▶ Attend meetings
 - ▶ Confidentiality
 - ▶ Non-interference in police operations
 - ▶ ‘One voice’

- ▶ It is important that board members can engage with community members to identify gaps and opportunities in relation to policing.

** Section 66 of the Police Act allows the board chair (or delegate) to give written advice to the chief officer (Detachment Commander), but not others of the police department.*

Advisory Board Functions

Sec. 68(1):

The function of an advisory board is **to provide advice to council** in relation to the enforcement of law, the maintenance of law and order and the prevention of crime in the municipality,

The board **shall not exercise jurisdiction** relating to

- ▶ complaints
- ▶ discipline
- ▶ personnel conduct, or
- ▶ the internal management of the RCMP

Advisory Board Functions

1

Setting Priorities & Objectives – consult with detachment commanders to identify the objectives & goals of the police service

- ▶ Ensures that the Detachment Commander establishes programs and strategies that implement these objectives and goals.

2

Community Relations – your role as a board member, your conduct, and working relationships all contribute to public confidence in policing and the advisory role.

- ▶ Part of the consultation process is to ensure that the objectives and goals are reflective of your community and that the programs and strategies meet community expectations.
- ▶ Having goals/objectives that are reflective of community contributes to increasing public confidence in policing services.

Your Role as a Board Member

Board Members' Role

Understand impact of government authority

Familiarity of the Police Act and other relevant legislation

Understand operating structure (*Board and Police service*)

Up-to-date with *changes* affecting police service/ community

Abide by rules, regulations and policies

Participate in meetings and vote

Authority, Functions & Responsibilities

Municipal Police Boards

Authority of Boards of Police Commissioners under the Nova Scotia *Police Act*
Proclaimed January 1, 2006

Authority of the Police Board Chair

On behalf of the board, the board chair or the chair's delegate may give advice or direction, in writing, to the chief officer on any matter within the jurisdiction of the board under this Act, but not to other members of the police department and, for greater certainty, no other member of the board shall give advice or direction to a member of the police department. **Sec. 52**

Training for Police Boards

The members of a board shall undergo any training that may be provided for members of the board or required by the Minister or by the regulations. **Sec. 54**

Setting the Police Department's Annual Budget

The board shall annually cause the chief officer to prepare a budget for the police department. **Sec. 53 (1)**

The board shall ensure that the budget prepared pursuant to subsection (1) is consistent with those matters referred to in subsection 55(3). **Sec. 53 (2)**

The budget prepared pursuant to this Section shall be submitted to council by the board for approval. **Sec. 53 (3)**

Functions

Function of the Police Board

The function of a board is to provide

- a civilian governance on behalf of the council in relation to the enforcement of law, the maintenance of law and order and the prevention of crime in the municipality; and
- b the administrative direction, organization and policy required to maintain an adequate, effective and efficient police department,

but the board shall not exercise jurisdiction relating to

- c complaints, discipline or personnel conduct except in respect of the chief officer of the municipal police department;
- d a specific prosecution or investigation; or
- e the actual day-to-day direction of the police department. **Sec. 55 (1)**

With the approval of the Minister, the council, by by-law, may prescribe

- a the additional or more specific roles and responsibilities of a board; and
- b the rules and regulations governing proceedings of a board, and the board has sole jurisdiction over the matters so delegated to it. **Sec. 55 (2)**

Specific Functions of the Police Board

Without limiting the generality of subsection (1), a board shall

- a determine, in consultation with the chief officer, priorities, objectives and goals respecting police services in the community;
- b ensure the chief officer establishes programs and strategies to implement the priorities, objectives and goals respecting police services;
- c ensure that community needs and values are reflected in policing priorities, objectives, goals, programs and strategies;
- d ensure that police services are delivered in a manner consistent with community values, needs and expectations;
- e act as a conduit between the community and the police service providers;
- f recommend policies, administrative and organizational direction for the effective management of the police department;
- g review with the chief officer information provided by the chief officer respecting complaints and internal discipline;
- h ensure a strategic plan and business plan is in place; and
- i ensure the department is managed by the chief officer according to best practices and operates effectively and efficiently. **Sec. 55 (3)**

Responsibilities

Upon Receiving a Complaint Related to the Chief of Police

A complaint respecting the conduct or performance of duty of a member of a municipal police department who is the chief officer shall be referred to the board. **Sec. 73 (1)**

The board shall investigate the complaint and attempt to resolve the complaint. **Sec. 73 (2)**

The board may designate a person to investigate the complaint and report to the board. **Sec. 73 (3)**

A person conducting an investigation pursuant to this Section is a special constable and has all the powers and immunities of a peace officer during the investigation and any hearing related to the matter under investigation. **Sec. 73 (4)**

Where the complaint is not satisfactorily resolved by the board and where the person making the complaint or the chief officer has requested a review of that decision by the Review Board, the complaint shall be referred to the Complaints Commissioner in accordance with the regulations. **Sec. 73 (5)**

The board shall report all complaints concerning a chief officer to the Complaints Commissioner at the time and in the manner prescribed by the regulations. **Sec. 73 (6)**

Policy Regarding Police Extra Duty and Off Duty Employment

Every board shall establish a written policy respecting extra-duty employment by members of its police department and the policy shall

- a define extra-duty employment;
- b provide that requests for a member of the police department to be employed on extra duty be made to the chief officer;
- c require that a member of the police department engaged in extra-duty employment be in uniform except where the chief officer determines that plain clothes are required; and
- d require that at all times while on extra duty the member of the police department is under the orders of the police department and no one else. **Sec. 56 (1)**

Every board shall establish a written policy respecting off-duty employment by members of its police department and the policy shall

- a define off-duty employment;
- b set policy guidelines regarding permitted and prohibited off-duty employment;
- c prohibit a member of the police department from engaging in the business of serving civil process documents or in the private investigator or private guard business; and
- d prohibit a member of the police department from being in uniform while engaged in off-duty employment. **Sec. 56 (2)**

The chief officer shall determine whether employment is extra-duty employment or off-duty employment and whether a particular kind of off-duty employment is permitted or prohibited within the off-duty police policy. **Sec. 56 (3)**

Staff Composition of a Municipal Police Department

A municipal police department shall consist of a chief officer and such other members, special constables, by-law enforcement officers and civilian employees as the council, after consultation with the board, may from time to time determine. **Sec. 37 (1)**

Staffing Matters

Members, special constables, by-law enforcement officers and civilian employees of a municipal police department, other than the chief officer, shall be appointed, promoted, suspended, dismissed or reinstated by the board on the recommendation of the chief officer or by the chief officer in accordance with a by-law made by the municipality for that purpose. **Sec. 37 (4)**

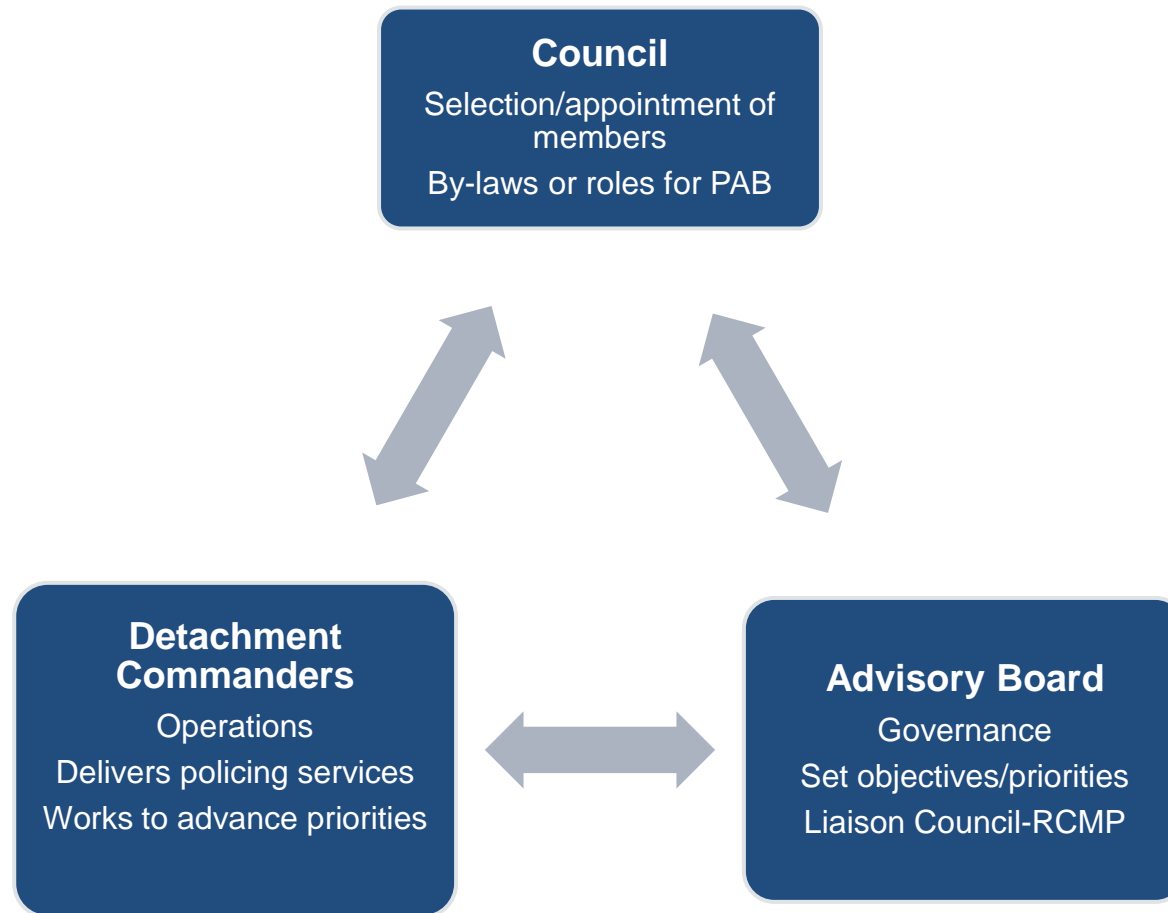


For further information contact:
902-424-4030

Accountability & Working Relationships

Working Relationships

Accountability



Accountability is pivotal to effective governance – it helps define relationships, interactions, and points of responsibility.

Working Relationships

Accountability

Consultation:

- ▶ Police Advisory Board set local Policing Priorities, may consult with their Detachment Commander

Knowledge Exchange:

- ▶ Police Advisory Board share information on community issues and concerns
- ▶ Detachment Commander share general knowledge on policing issues and statistical information

Understanding Roles:

- ▶ Police Advisory Board members are responsible for all functional aspects of the Board
- ▶ Detachment Commander is a participant in the Police Advisory Board meetings
- ▶ Detachment Commander has no authority over Police Advisory Board members or direct their work.



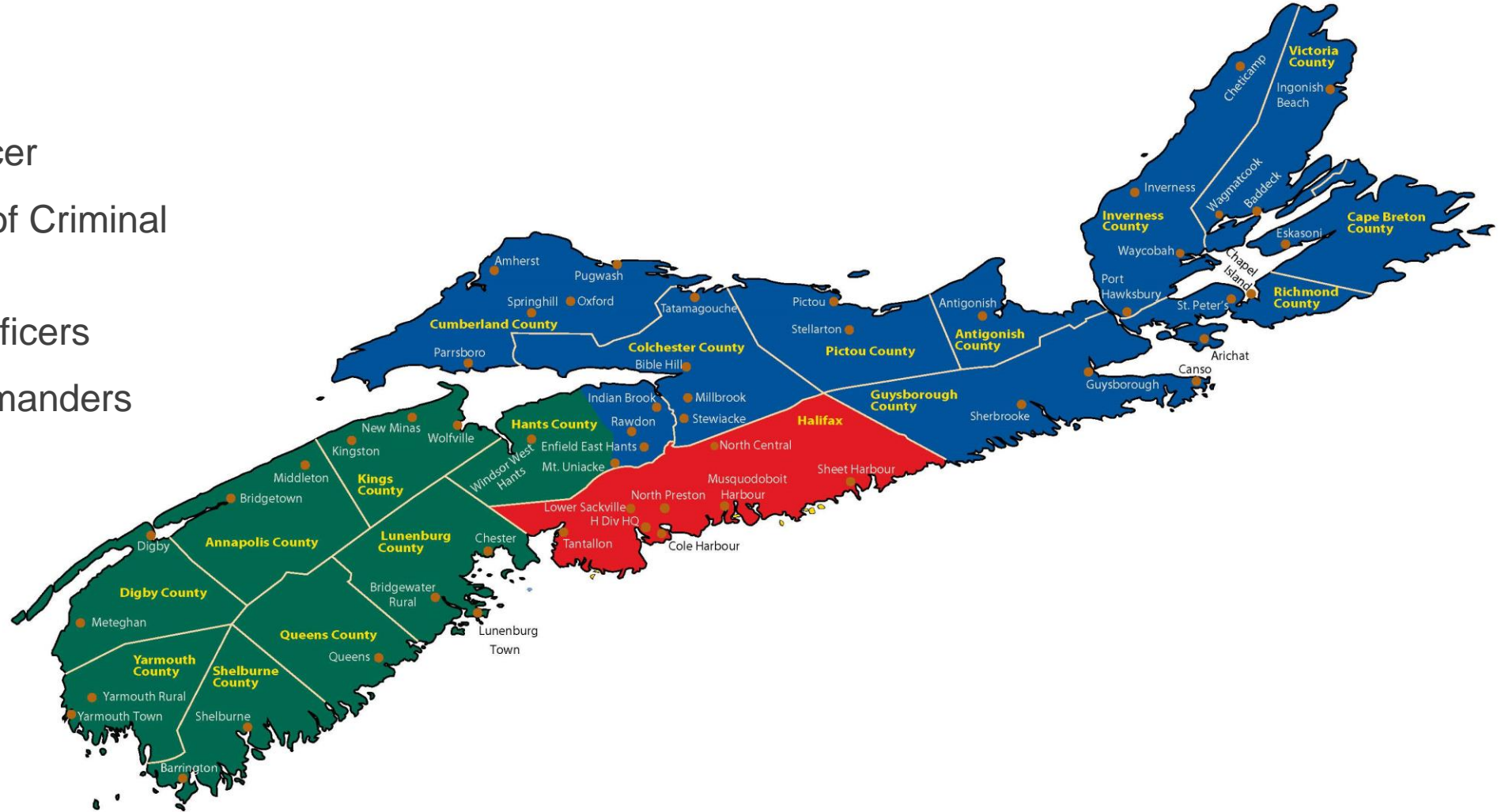
Overview

RCMP Accountability

Organizational Structure

“H” Division

- ▶ Commanding Officer
- ▶ Officer in Charge of Criminal Operations
- ▶ District Policing Officers
- ▶ Detachment Commanders

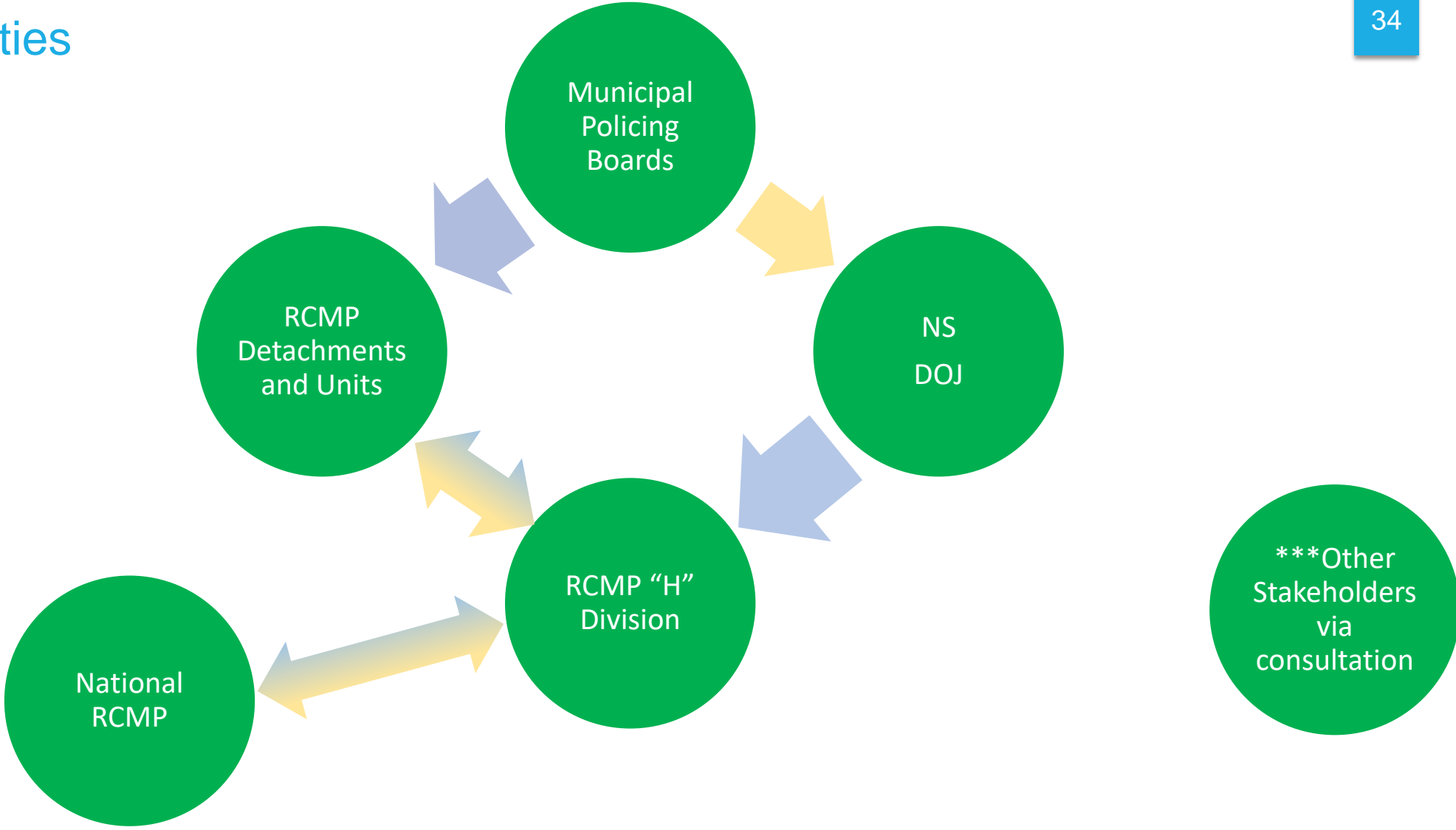


RCMP Accountability Mechanisms

Internal RCMP	External Sources
<ul style="list-style-type: none">• Reporting, Year in Review• Code of Conduct and Disciplinary Measures• Body Worn Cameras (currently being implemented)• Managerial Reviews• Annual Performance Plans	<ul style="list-style-type: none">• Local Police Governance Boards• NS DOJ – Auditing• Contract Management Committee• Serious Incident Response Team• Management Advisory Board• Civilian Review and Complaints Commission for the RCMP

Internal RCMP Accountability Mechanisms

All priorities



Internal RCMP Accountability Mechanisms

Local RCMP Annual Performance Planning

- ▶ Consultation and Environment Scan
 - ▶ Local data, demographics, crime trends, etc.
- ▶ From priorities, Detachment Commanders:
 - ▶ Develop objectives from the identified priorities
 - ▶ Set measures and targets
 - ▶ Develop initiatives and workplans
- ▶ Detachment Commanders provide quarterly reports outlining policing activities to several key parties such as District Policing Officers, Police Advisory Boards and Municipal Councils as well as through APP process.
- ▶ Throughout the year, Detachment Commanders will be open to providing information/education to the Police Advisory Board on specific police related issues of interest to the Board.

External RCMP Accountability Mechanisms

Dealing with Complaints

Primary means in which complaints are processed:

1. Referral to local Detachment/District for resolution
2. Referral to Civilian Review and Complaints Commission for the RCMP:
 - ▶ www.crcc-ccetp.gc.ca/
 - ▶ Phone-in complaints not currently supported



The screenshot shows the homepage of the Civilian Review and Complaints Commission for the RCMP. The header features the title "Civilian Review and Complaints Commission for the RCMP" and a red maple leaf logo. Below the header is a navigation menu with four items: "About Us", "Services", "Investigations & Reviews", and "Research & Analysis". The main content area contains a paragraph describing the CRCC as an independent agency created by Parliament in 1988, which examines public complaints about RCMP members. Below this is a "Latest" section with two featured items: "ANNUAL REPORT 2020 - 2021" and "Learn How to Make a Complaint" with an image of a hand writing in a notebook.

Thank you!