

## **General Matters Under the Authority of the Minister under the Community Safety and Policing Act, 2019.**

The Ministry of the Solicitor General (SOLGEN) is proposing to prescribe requirements, definitions, and clarification on general matters under the authority of the Minister related to municipal board remuneration, uniform specifications, and reporting requirements.

In March 2019, the government passed the Community Safety and Policing Act, 2019 (CSPA), as part of the Comprehensive Ontario Police Services Act, 2019. Once in force, the CSPA will replace the current Police Services Act (PSA). The CSPA is an opportunity to modernize policing and enhance community safety in Ontario.

At this time, SolGen is requesting public and stakeholder input on a proposed regulation to be made under the CSPA regarding general matters under the authority of the Minister. This proposed regulation covers several matters including municipal board remuneration, uniform specifications, and reporting requirements.

**Feedback is due by March 1, 2024.**

### **NOTE:**

Sections that apply to the Board are highlighted in green and are as follows:

Section 1: Municipal Board Remuneration

Section 8: Reports re investigations under s. 81 of the Act

Section 9: Reports re aggregate disciplinary measures under s. 215 of the Act

Regards,  
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Administrative Director,  
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**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**

**GENERAL MATTERS UNDER THE AUTHORITY OF THE MINISTER**

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**REMUNERATION**

**Municipal board remuneration**

1. Each member of a municipal board who is appointed by the Lieutenant Governor in Council or by the Minister shall be paid by a municipality at a daily rate of at least \$150.

## UNIFORMS, MUNICIPAL AND FIRST NATION POLICE SERVICES

### **Application**

2. Sections 3, 4 and 5 apply with respect to police officers employed by a police service board.

### **Insignia**

3. (1) Police officers of the following police ranks shall wear the following insignia on their shoulder straps:

1. A Chief of Police shall wear an insignia of a crown and three maple leaves below it, with one maple leaf centred immediately below the crown and the other two maple leaves slightly lower than the first and to the left and right of the crown, respectively.
2. A Deputy Chief shall wear an insignia of a crown and two maple leaves immediately below it, to the left and right of the crown, respectively.
3. A Staff Superintendent or Chief Superintendent shall wear an insignia of a crown with a maple leaf centred immediately below it.
4. A Superintendent or Detective Superintendent shall wear an insignia of a crown.
5. A Staff Inspector shall wear an insignia of a vertical row of three maple leaves.
6. An Inspector or Detective Inspector shall wear an insignia of a vertical row of two maple leaves.

(2) Police officers of the following police ranks shall wear the following insignia on their shoulder straps or on the upper part of each sleeve, in the discretion of the chief of police:

1. A Staff Sergeant or Detective Sergeant shall wear an insignia of a crown with three chevrons in a vertical row immediately below it.

2. A Sergeant or Detective shall wear an insignia of three chevrons in a vertical row.

(3) Police officers of the following police ranks shall wear the following insignia on their headgear:

1. A Chief of Police shall wear an insignia of a double row of embroidered oakleaf pattern gold braid affixed to the peak.
2. A Deputy Chief shall wear an insignia of a single row of embroidered oakleaf pattern gold braid affixed to the peak.
3. A Superintendent, Staff Superintendent, Chief Superintendent or Detective Superintendent shall wear an insignia of a five-eighths inch gold embroidered braid of field officer pattern affixed to the peak.
4. An Inspector, Staff Inspector or Detective Inspector shall wear an insignia of a five-eighths inch black embroidered braid of field officer pattern trimmed all round with gold cord affixed to the peak.

(4) If shoulder flashes or other insignia are worn by a police officer, they shall be silver in colour from the police rank of Staff Sergeant or Detective Sergeant and below, and gold in colour from the rank of Inspector or Detective Inspector and higher.

### **Headgear**

4. In addition to including the insignia referred to in subsection 3 (3), the headgear of police officers of a rank to which that subsection applies shall have a black simulated patent leather strap.

### **Service badges**

5. If a service badge is awarded to a police officer, it shall be in the shape of a maple leaf that is one-half inch by one-half inch, and shall be worn on the left sleeve of the tunic 3 1/2 inches up from the bottom.

## REPORTING REQUIREMENTS

### **Annual reports to Minister under s. 4 of the Act**

**6.** (1) Every chief of police shall provide to the Minister the following annual reports:

1. An annual report setting out the number of major cases, as defined in Ontario Regulation 394/23 (Major Case Management and Approved Software Requirements) made under the Act, investigated by the police service in the year.
2. An annual report setting out the number of ViCLAS Crime Analysis Reports submitted by members of the police service under section 18 of Ontario Regulation 395/23 (Investigations) made under the Act in the year, not including updated Reports.

(2) An annual report required by subsection (1) for a year shall be provided no later than February 28 in the following year.

### **Other reporting to the Minister under s. 4 of the Act**

**7.** (1) Within 30 days of authorizing a member of the police service to carry a firearm under subsection 3 (2) of Ontario Regulation 391/23 (Use of Force and Weapons) made under the Act, the chief of police shall provide to the Minister a report identifying,

- (a) the type of firearm;
- (b) the ammunition that may be used with the firearm; and
- (c) the special purpose for which the firearm is authorized to be carried.

(2) Within 60 days of an incident that requires the submission of a report by a member of a police service under section 13 of Ontario Regulation 391/23, the chief of police shall provide a copy of the report to the Minister.

### **Reports re investigations under s. 81 of the Act**

**8.** (1) An investigation under section 81 of the Act shall be reported on in accordance with this section.

(2) A chief of police who is required to report on an investigation under subsection 81 (1) shall give the report to the police service board or, in the case of the Commissioner, to the Minister.

(3) The report shall be given within the following time:

1. If an investigation under section 15 of the *Special Investigations Unit Act, 2019* does not result in charges being laid against a member of the police service in respect of the incident, the report shall be given,

i. within 90 days after the SIU Director publishes a report in respect of the incident under subsection 34 (1) of that Act or decides under subsection 34 (6) of that Act to not publish the report, or

ii. if it is not possible to give the report within the time specified by subparagraph i, as soon as possible after that time.

2. If an investigation under section 15 of the *Special Investigations Unit Act, 2019* results in charges being laid against a member of the police service in respect of the incident, the report shall be given,

i. within 90 days after the final disposition of the charges, or

ii. if it is not possible to give the report within the time specified by subparagraph i, as soon as possible after that time.

(4) If the chief of police is not able to give the report within the time specified by subparagraph 1 i or 2 i of subsection (3), the chief of police shall promptly notify the police service board or Minister of the fact and the reasons why.

(5) No later than 30 days after receiving the report, the police service board or Minister, as the case may be, shall publish the report on the Internet.

(6) If a police service board or the Minister is required to report on an investigation under subsection 81 (5) or (6) of the Act, as the case may be, the police service board or Minister shall publish the report on the Internet within the time period specified under subsection (3).

(7) Subsections (5) and (6) do not apply with respect to a report if the SIU Director decides under subsection 34 (6) of the *Special Investigations Unit Act, 2019* to not publish a report in respect of the incident.

(8) A report prepared for the purposes of section 81 of the Act shall not include the following information:

1. The name of, or any information identifying, a subject official, witness official, civilian witness or affected person, as those terms are defined in the *Special Investigations Unit Act, 2019*, in the incident.
2. Information that may result in the identity of a person who reported that they were sexually assaulted being revealed in connection with the sexual assault.

#### **Reports re aggregate disciplinary measures under s. 215 of the Act**

9. (1) A chief of police shall, at a minimum, provide a report to the police service board or the Minister under subsection 215 (1) of the Act by June 1 and December 1 of every year.

(2) The report shall contain the following information respecting the period covered by the report:

1. Each provision of Ontario Regulation 407/23 (Code of Conduct for Police Officers) made under the Act under which a disciplinary measure was imposed, which type of measure was imposed, and the number of times that each type of measure was imposed in relation to the provision.
2. The number of times a disciplinary measure was imposed,
  - i. under section 200 of the Act, without a hearing under section 201 of the Act,

- ii. under section 200 of the Act, following a hearing under section 201 of the Act, or
  - iii. following a hearing under section 202 of the Act.
- 3. If a disciplinary measure referred to in paragraph 1, 2 or 3 of subsection 200 (1) of the Act was imposed, for each paragraph,
  - i. the average number of days or hours, and
  - ii. the total number of days or hours.
- 4. Any imposition of a disciplinary measure under section 200 of the Act without a hearing under section 201 of the Act in a previous period that was upheld, varied or overturned following a hearing during the period covered by the report, and information respecting any consequent effect on information included in a previous report.

(3) If the police service is divided into detachments or other sub-units, the information listed in subsection (2) shall be presented separately with respect to each detachment or sub-unit.

(4) The police service board or Minister shall publish each report on the Internet within 30 days of receiving it.

#### **Reports re firearms under s. 260 of the Act**

**10.** Every chief of police shall provide the information required under subsection 260 (9) of the Act to the Minister no later than February 28 in each year.

### **COMMENCEMENT**

#### **Commencement**

##### **11. [Commencement]**