



## INTERNAL CORRESPONDENCE

**To:** Chair and Members

**From:** Deb Reid

**Dept:** Niagara Police Service Board

**Dept:** Executive Director  
Niagara Police Service Board

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**Date:** June 13, 2025

**Re: Police Service Board By-law – Discipline of Service Members**

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Purpose:

The purpose of this report is to provide the Board with a draft by-law as required for compliance with the *Community Safety and Policing Act, 2019 (CSPA)*, and its Regulations.

Background Information and Discussion:

On April 1, 2024, the *Community Safety and Policing Act, 2019 (CSPA)* and its Regulations came into force. The CSPA is an opportunity to modernize policing and enhance community safety in Ontario. All Police Service Boards and Police Services are required to comply with the CSPA and its associated Regulations. The CSPA mandates that the Board establish a policy for the handling of discipline within the Police Service. To meet this legislative requirement, a draft By-law has been created. This By-law also instructs the Chief of Police to establish procedures on the handling of discipline of Service Members that adhere to the to the CSPA, its Regulations, and all relevant Board By-laws and policies. The Chief of Police regularly provides the Board with reports to monitor compliance, which also support the budget process, strategic planning, and ongoing assessment of the Service's needs.

Cost of Recommendation:

There will be no additional costs associated with the implementation of the attached By-law. Specific costs resulting from the handling of disciplinary matters are dealt with by the Chief of Police and the Board on an ongoing basis as part of the annual budget processes.

Alternative Options:

The Board is required to develop a host of policies for every aspect of service delivery. The By-law presented complies with the CSPA and its Regulations and Ministry of the Solicitor General guidelines and there are no realistic alternatives.

Reasons for Recommendation:

Subsection 38 (1) (e) of the *Community Safety and Policing Act, 2019, S.O. 2019, c. 1, Sched. 1, ("CSPA")* requires the Police Service Board shall establish policies respecting the handling of discipline within the Police Service. This provision is a mandated responsibility of Police Service Boards. This By-law ensures compliance with the CSPA and its Regulations. The Board Solicitor, Woody McKaig, and NRPS Legal Counsel Vita Gauley, have reviewed and endorsed this By-law and it is now presented to the Board for final approval.

**Recommendation:**

**That the Board adopt the draft by-law as appended to this report,**

**And further, that the Board Chair and Executive Director be authorized to make any supplementary administrative amendments to the by-law, that may be required following any additional clarification of the CSPA and its Regulations that may be received by the Ministry of the Solicitor General.**



Deb Reid  
Executive Director

Encl.



## BY-LAW NO. 532-2025

### A BY-LAW TO ESTABLISH POLICY RELATING TO THE DISCIPLINE OF SERVICE MEMBERS

#### 1. PREAMBLE

- 1.1 WHEREAS subsection 37 (1)(a) of the *Community Safety and Policing Act, 2019, S.O. 2019, c. 1, Sched. 1, ("CSPA")* provides that a Board shall provide adequate and effective policing in the area for which it has policing responsibility as required by Section 10 of the CSPA;
- 1.2 AND WHEREAS subsection 38 (1)(e) of the CSPA provides that the Board shall establish policies respecting the handling of discipline within the Police Service;
- 1.3 AND WHEREAS subsection 38 (2) of the CSPA provides that a Police Service Board may establish policies respecting matters related to the Police Service or the provision of policing;
- 1.4 AND WHEREAS the Board deems it expedient to enact this By-law to establish a policy relating to the handling of discipline within the Police Service.

NOW THEREFORE THE REGIONAL MUNICIPALITY OF NIAGARA POLICE SERVICE BOARD ENACTS AS FOLLOWS:

#### 2. DEFINITIONS

- 2.1 "*Act*" or "*CSPA*" means the *Community Safety and Policing Act, 2019, S.O. 2019, c. 1, Sched. 1*, and amendments thereto;
- 2.2 "*Board*" means the Regional Municipality of Niagara Police Service Board;
- 2.3 "*Chief*" means the Chief of the Niagara Regional Police Service;
- 2.4 "*Member*" means a member of the Niagara Regional Police Service; and
- 2.5 "*Service*" means the Niagara Regional Police Service.

#### 3. BOARD POLICY

- 3.1 The Board recognizes that high levels of public trust and confidence in the police are essential features of a safe community. In order to achieve high levels of trust and confidence, the police must be held accountable, and be perceived to be held accountable, when they engage in conduct that is contrary to the values and high ethical standards that the Niagara Regional Police Service strives to uphold. The handling of discipline within the Police Service by the Chief of Police is therefore demonstrative of the Niagara Regional Police Service commitment to the safety and well-being of the community.

#### **4. DIRECTIONS TO CHIEF**

##### **4.1 PROCEDURES**

4.1.1 The Chief shall establish procedures on the handling of discipline that adhere to the following principles in the imposition of disciplinary measures of sworn and civilian Members:

- (i) Public interest;
- (ii) Fairness to the Service Member;
- (iii) Consistency; and
- (iv) Efficiency.

4.1.2 All disciplinary processes and procedures shall be carried out in accordance with legislative requirements.

#### **5. REPORTING TO THE BOARD**

5.1 The Chief shall make a written report to the Board in June and December of each year in respect of the handling of discipline within the Police Service. The report shall include:

- (i) The type of misconduct or unsatisfactory work performance that occurred, or was have alleged to occurred, referencing Ontario Regulation 407/23 – Code of Conduct for Police Officers;
- (ii) The number and type of disciplinary measures imposed;
- (iii) The number of times a disciplinary measure was imposed:
  - a. Without a hearing;
  - b. Following a hearing under Section 201 of the CSPA;
  - c. Following a hearing under Section 202 of the CSPA.
- (iv) For disciplinary measures involving the suspension or forfeiture of hours/days:
  - a. The average number of days or hours; and
  - b. The total number of days or hours.
- (v) The District and/or Unit that the Member was assigned to when the misconduct occurred;
- (vi) The number of hearings which resulted in not guilty findings; and
- (vii) A comparison to the data from the previous reporting period.

#### **6 IMPLEMENTATION**

6.1 Any By-laws, sections of by-laws and policies of the Board inconsistent with the provisions of this By-law are hereby repealed.

6.2 This By-law shall come into force on the date of its passage.

ENACTED AND PASSED this 26<sup>th</sup> day of June, 2025.

THE REGIONAL MUNICIPALITY OF NIAGARA POLICE SERVICE BOARD

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Pat Chiocchio, Chair

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Deb Reid, Executive Director