

## Board of Police Commissioners - Increased Membership

<b>Date</b>	September 30, 2020
<b>To</b>	City Council
<b>From</b>	City Clerk's Office
<b>Service Area</b>	Office of the City Clerk
<b>Item No.</b>	CM20-25

### RECOMMENDATION

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That City Council:

1. Revise the composition of the Board of Police Commissioners as follows:
  - a. Increase the membership of the Board of Police Commissioners from five to seven members;
  - b. Designate the revised Board composition to consist of the following members:
    - i. The Mayor;
    - ii. Two members of Council appointed annually; and
    - iii. Four citizen members appointed annually, at least one of whom is of Indigenous ancestry; and
2. Direct the City Solicitor to prepare the necessary bylaw to amend Bylaw No. 8261, *A Bylaw of The City of Regina to Continue The Board of Police Commissioners For the City of Regina*.

### ISSUE

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*The Police Act, 1990* specifies that the Board of Police Commissioners (BPC) consist of at least three members appointed annually by City Council. The current membership is set at five members: the Mayor, two Councillors and two citizen members.

In light of the increasing complexities respecting the oversight of police services, there have been requests from the community to increase both the size of the board and the number of

citizen members to more closely align with Police Commissions across similar-sized municipalities.

## **IMPACTS**

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### **Financial Impact**

There is limited financial impact as a result of the recommendation to increase the citizen membership on the BPC, as there is no change being recommended with respect to the remuneration policy.

All members receive a monthly honorarium of \$90 per month; the honorarium rate where board travel is involved is \$100 per day. In addition, members' expenses are reimbursed when attending board-related conferences or training.

The total expenses incurred in 2019 were \$15,383.

### **Policy/Strategic Impact**

The provision of police services is one of the most important and critical services provided for by a municipality. In Regina, this is overseen by the Board of Police Commissioners.

An increased board membership, particularly with an increased citizen membership component, would increase and enhance public oversight. It is anticipated that some newly appointed members will include individuals with a community safety/policing background as well as experience in the cultural community will be actively sought.

### **Legal Impact**

Section 27 of *The Police Act, 1990* provides that the Board of Police Commissioners consist of a minimum of three members appointed annually by City Council, specifically:

- Where the board consists of three members:
  - The Mayor
  - A City Councillor
  - A citizen member
- Where the board consists of more than three members:
  - The Mayor
  - Two City Councillors
  - Two or more citizen members

In addition to these requirements, Bylaw No. 8291 stipulates that one of the citizen members must be of Indigenous ancestry.

There are no accessibility or environmental implications or considerations.

## OTHER OPTIONS

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Apart from the recommendation, there are three alternate options available:

1. Increase the membership on the Board of Police Commissioners by more than two additional citizen members (i.e., 4, 6, etc.);
2. Increase the membership and request the provincial government to appoint one or more of the citizen members, as done in some other provinces;
3. Retain the current membership at five.

## COMMUNICATIONS

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The Office of the City Clerk will work with the Communications Branch to ensure that advertising in September 2020 for the 2021 appointments to the Board of Police Commissioners highlights the increased membership as well as the preferred skill set of prospective nominations (as outlined on Appendix A).

## DISCUSSION

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At its meeting on Monday, November 25, 2019, City Council approved the following motion:

*That Administration prepare a report for Executive Committee in Q2 of 2020 on the following:*

1. *The process for expanding the membership on the Board of Police Commissioners;*
2. *A comparison with other major Western Canadian cities respecting:*
  - a. *The ratio of citizen members to elected members on Board of Police Commissioners;*
  - b. *Of criteria that aligns with City Council's Policy Statement respecting "Strengthening Eligibility and Diversity Requirements" which represents our community*
  - c. *How members are appointed and by whom; and*
  - d. *The number of consecutive terms a member can serve on the Board.*
3. *That the Board of Police Commissioners be consulted as part of this review.*

### Expanding Board membership

*The Cities Act* provides authority to City Council to establish the size and composition of the Board of Police Commissioners. The Act requires the Board to be comprised of a minimum of three members; there is no limit as to the size of the Board.

The current composition of the Board is established by *The Board of Police Commissioners Bylaw, Bylaw No. 8261*. The bylaw would be amended in accordance with the decision of City Council.

### Number of Terms

All members of the Board of Police Commissioners are appointed annually for one-year terms, as specified in *The Police Act*.

There is no legislative requirement limiting the number of terms a member can serve. The Mayor serves indefinitely, as his/her ongoing membership is prescribed in the Act.

In 2009, City Council directed that all City appointees to agencies, boards and commissions would be limiting to serving no more than 9 consecutive years on any individual agency, board or commission.

### Comparison to Western Canadian cities

A review of other cities in Saskatchewan and Western Canada provided a range of board composition size, varying largely due to the associated population size of each city. The comparison within Saskatchewan cities is as follows:

City	Board Membership	Composition
Regina <sup>1</sup>	5	Mayor; 2 councillors; 2 citizen members
Saskatoon	7	Mayor; 2 councillors; 4 citizen members
Moose Jaw	5	Mayor; 2 councillors; 2 citizen members
Prince Albert	7	Mayor; 2 councillors; 4 citizen members

#### Note:

1. Regina's current bylaw stipulates that one of the two citizen members be of Indigenous ancestry.

The comparison with major Western Canadian cities is as follows:

City	Board Membership	Composition
Calgary	11	9 citizen members; 2 councillors
Edmonton	11	9 citizen members; 2 councillors
Winnipeg <sup>2</sup>	7/9	Mayor; 2 councillors; 4/6 citizen members
Medicine Hat	7	5 citizen members; 2 council members
Lethbridge	9	Mayor; one councillor; 7 citizen members

Note:

2. Winnipeg's Board of Police is comprised as follows:
  - A minimum of five and a maximum of seven members appointed by Winnipeg City Council; and
  - Two members appointed by the Province of Manitoba.

Alignment with Eligibility and Diversity Requirements

In 2019, Council passed the *Policy Statement on Strengthening Eligibility and Diversity Requirements* to provide a guide and expectation respecting all appointments made by City Council to external boards and committees:

*City Council values and seeks to further enhance the inclusive nature of Regina through living the values of respect and trust, celebrating the strength that comes from diversity and inviting participation from all in decision making. Nominees will have been recruited through an inclusive, transparent and equitable process and appointments made by City Council will reflect these objectives.*

*Representative citizen members provide a varied and valued perspective, reflecting and honouring the diversity of our community and bring experience, skills and expertise that contribute to good governance and informed decision making.*

This policy statement guides City Council in its appointments to agencies, boards and commissions.

Engagement with Board of Police Commissioners

As directed by City Council, the City Clerk met with members of the Board of Police Commissioners on July 28, 2020 to discuss the Board's perspective and opinion on the recommendation to increase board membership. The Board's feedback is summarized as follows:

**Size of Board**

Members agree with the move to increase Board membership, as more community representation will enhance public oversight. It was noted that a 7 member board appears to be the standard for many Police Boards and Commissions across Canada.

**Provincial Appointments**

Other Boards and Commissions across Canada include appointments made by the respective provincial government. Members raised concerns about the potential for a "politicized appointment" and noted that there was neither need for an additional politician nor someone who might be seen as being politically affiliated with the government of the

day. The Board was unanimous in its position that provincial appointees were not a constructive or advisable option.

### **Gender Balance and Racial Diversity**

Members agreed on the need for increased gender balance on the board and stressed the importance of at least one member being of Indigenous descent. Discussion also focused on further diversity objectives and the benefit of increased cultural/racial community representation for both the community and the Board.

### **Skill Sets and Advertising**

Board members expressed the need for the Board's composition to have a varied background with specific types of knowledge and experience, including but not limited to:

- Understanding of community safety and policing
- Social, cultural and community development
- Governance at the board level
- Non-biased approach to policing and police issues
- Financial

The Board asked the City Clerk to contact other jurisdictions to review and compare the skill sets and experience that are sought in their respective advertisements.

1. Moose Jaw and Prince Albert have no explicit qualifications required in their recruitment and selection process for their respective Police Commissions.
2. Appendix A provides excerpts from qualifications and key competencies required by applicants in: Saskatoon (A1); Edmonton (A-2); Ottawa (A-3); and Toronto (A-4).

Based on leading practice in other jurisdictions, the 2020 advertising for membership on the Board of Police Commissioners will incorporate many of the competencies outlined in Appendix A. In addition, the advertisement will run as a stand-alone posting, thereby increasing its visibility and will be shared on a number of media platforms.

### **Appointment Process**

Members agreed that involvement of the Board is essential to the appointment process and should be involved in assessing applicants for appointment to ensure a balance of skills on the Board.

Applications are reviewed by Executive Committee (private session), at which time the Mayor, as current Board chair, recommends applicants for appointment after consultation with Board members. Councillors may also recommend applicants for appointment. When this occurs, and where there are more applicants than vacancies, all candidate names put

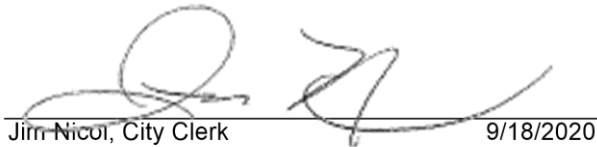
forward are voted on by secret ballot. Pending this vote, the recommended slate of candidates is considered by City Council for final approval.

## **DECISION HISTORY**

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This report responds to MN19-20: Increasing Civilian Members on the Board of Police Commissioners, considered by City Council at its meeting on November 25, 2019.

Respectfully Submitted,

  
Jim Nicol, City Clerk 9/18/2020

Prepared by: Jim Nicol, City Clerk

## **ATTACHMENTS**

Appendix A-1 QualificationsAndCompetenciesOfPoliceCommission-Saskatoon  
Appendix A-2 QualificationsAndCompetenciesOfPoliceCommission-Edmonton  
Appendix A-3 QualificationsAndCompetenciesOfPoliceCommission-Toronto  
Appendix A-4 QualificationsAndCompetenciesOfPoliceCommission- Ottawa