Q1: **What are the key differences between the section 10 board framework under the *Police Services Act* (1990) (PSA) and OPP detachment board framework under the *Community Safety Policing Act, 2019* (CSPA)?**

A1:

- The OPP currently polices 326 municipalities. Of these, only those under a section 10 agreement have access to civilian governance. This means there are 178 municipalities that do not participate on a board and as a result do not have access to civilian governance.
- Under the CSPA, all municipalities receiving OPP policing services will have the opportunity to participate on an OPP detachment board.
- In terms of the roles and responsibilities of board members, the role of OPP detachment boards will include additional responsibilities not required for section 10 boards under the PSA (1990) such as:
    - considering any community safety and well-being plan adopted by a municipality that receives policing from the detachment;
    - establishing local policies, in consultation with the detachment commander, with respect to policing in the area receiving policing from the detachment; and
    - ensuring local action plans prepared by the detachment commander address the objectives and priorities determined by the board.
- Under the CSPA, OPP detachment board members will be required to:
    - consult with the OPP Commissioner on the selection of a detachment commander;
    - monitor the performance of the detachment commander; and
    - provide an annual report to the municipalities and band councils served by the OPP.
- OPP detachment boards will also provide a venue for the municipalities and First Nations within a detachment area to coordinate and collaborate on strategies to address common issues that is not present under the PSA.

Q2: What does the transition to the new OPP detachment board framework mean for municipalities and First Nations currently receiving policing services by the OPP?

A2:

- Until the Act comes into force, the ministry will continue to renew section 10 agreements that are set to expire in 2021.
- However once the CSPA comes into force all existing section 10 agreements will be terminated, and Section 10 boards will be dissolved.
- To do this, the ministry is committed to providing sufficient time and adequate supports to municipalities currently participating on a Section 10 board or, in the case of municipalities that receive OPP policing without a formal agreement/contract (i.e. Section 5.1 municipality), a Community Policing Advisory Committees (CPAC) as they dissolve their current board structures and transition to the new OPP detachment board model.

Q3: When will the CSPA come into force?

A3:

- The ministry is working towards the act being proclaimed in early 2022.

Q4: Which municipalities and First Nations are included in the OPP detachment board framework?

A4:

- The OPP detachment board framework provides civilian governance to the municipalities and First Nations receiving policing from OPP detachments.
- More specifically, the framework includes 326 municipalities currently policed by the OPP.
- The First Nations included in this framework include the 43 First Nations that:
    - are directly policed by the OPP (i.e., zone policing without a funding agreement);
    - employ their own First Nations Constables but receive administrative support from the OPP (i.e., “OPP-Administered” policing under the Federal First Nations Policing Program (FNPP)); and
    - receive “OPP-Dedicated” policing (i.e. Stream Two agreements under the FNPP).

Q5: What role will municipalities and First Nations have with respect to the OPP Detachment Board proposal process?

A5:

- Municipalities and First Nations in each OPP detachment area will be required to submit one proposal indicating the composition of their board and the rationale for multiple boards and the composition of each additional board, if multiple boards are being recommended.
- The ministry will only accept one proposal per detachment.
- Municipalities and First Nations within a detachment will be required to work together and determine the approach for developing and submitting their proposal to the ministry.
    - For example, after determining the composition of the detachment board(s), the municipalities and First Nations within a detachment may select one municipality or First Nation to complete and submit the proposal.

Q6: What information is the ministry requesting in the proposal form?

A6:

- Municipalities and First Nations within a detachment area will be required to submit a proposal indicating the composition of their board(s).
- Municipalities and First Nations will not be required to identify the names of the individuals that will be participating on the detachment board. Rather, they will be required to identify the number of seats each municipality and First Nation will be allocated on the detachment board as well as the number of community representatives and provincial appointments.
- If a municipality and/or First Nation chooses not to participate on a detachment board and forfeits their seat, they will be required to indicate this in the proposal.

Q7: Factors to consider when requesting more than one detachment board.

A7:

- The CSPA allows an OPP detachment to establish one, or more than one, OPP detachment board.
- Detachments that are considering requesting more than one detachment board should consider factors such as:
    - Geography (e.g. distance between municipalities and First Nations);
    - Variations in population size and;
    - The number of municipalities and First Nations within an OPP detachment; and
    - Service demands (e.g. calls for service).
- However, if proposing more than one OPP detachment board, municipalities and First Nations should also consider challenges associated with recruiting board members (e.g. inability to fill vacancies) and the costs associated with operating additional boards.

Q8: Will municipalities/First Nations that are receiving policing and/or supports and services by two OPP detachments be allowed to participate on both OPP detachment boards?

A8:

- Yes. Municipalities and First Nations that are receiving policing and/or supports and services by two OPP detachments can participate on both OPP detachment boards, or can choose to participate on only one OPP detachment board.
- Representation must be determined in collaboration with the other municipalities and First Nations within the OPP detachment, as a consensus on the composition of the OPP detachment board is required.
- Municipalities that wish to be represented on both OPP detachment boards will be required to cover the costs associated with participating on two boards (i.e. operational costs).

Q9: What is considered a "completed" proposal?

A9:

- Each detachment will be required to complete one proposal using the digital form provided by the ministry. The link to the digital form can be found here: Ontario Provincial Police Board (OPP) Proposal Form.
- A completed proposal must be submitted using the digital form provided by the ministry and meet the minimum composition requirements provided by the ministry.
- The ministry will work with each detachment to obtain outstanding information/proposals and support them in submitting a completed proposal.
- If however in the end if a proposal does not meet the minimum requirements set by the ministry or a proposal is not submitted, and/or if a detachment is unable to come to a consensus, the ministry will determine the composition of the detachment board.

Q10: What support will the ministry provide municipalities and First Nations throughout the OPP detachment board proposal process?

A10:

- Virtual information sessions, led by the ministry, will be made available upon request for municipalities and First Nation communities to address outstanding questions and clarify concerns related to the proposal requirements and process.
- If your detachment is interested in a virtual information session, or have other inquiries related to the OPP detachment board proposal process, please forward your request to the ministry to Joanna Reading via email at Joanna.Reading@ontario.ca.

Q11: What is the purpose of provincial appointments on OPP Detachment Boards?

A11:

- Provincial appointees will provide advice to the board as public representatives whose appointments are independent of municipal/band councils.
- However, to ensure members of the detachment board are reflective of the communities they serve, the municipalities/First Nation Chief and Councils will have the ability to nominate individuals for consideration as provincial appointees.

Q12: Will the government address the current backlog in provincial appointments?

A12:

- We know there are concerns related to the number of vacant provincial appointments and the length of time these appointments remain unfilled.
- We have made significant progress in reducing the backlog of provincial appointments. Since our government took office in 2018, we have filled approximately 124 provincial appointment vacancies on section 10 boards.
- We will continue to work with municipalities and First Nations to ensure provincial appointees are recruited and appointed in a timely manner.

Q13: Why are First Nations with Self-Administered Police Services not included in the OPP detachment board framework?

A13:

- First Nations that receive policing from a Self-Administered First Nation Police Service (SA FNPS) are not included in the OPP detachment board framework as they are already represented on boards and/or have their own police governing authorities.
  In addition, SA FNPS boards have existing relationships and alternate methods to communicate their input to the OPP with respect to supports and services the OPP provides to their communities.

Q14: Are there other civilian governance options for First Nation communities that are captured within the OPP detachment board framework?

A14:

- As an alternative to participating on an OPP Detachment board, under the CSPA First Nations have the option to request to form a First Nation OPP Board.
- Where a First Nation or multiple First Nations has entered into an agreement with the Minister for the provision of policing and other specified services by the Commissioner, the First Nation(s) may request that the Minister constitute a First Nation OPP board.
- A First Nation OPP board would perform similar functions and responsibilities as an OPP Detachment board by providing advice and oversight over the policing services provided by the OPP to a First Nation community or communities.
  - This includes determining objectives and priorities, supporting development of the strategic plan, and advising the Detachment Commander with respect to policing provided to a First Nation community or communities.
  - A First Nation OPP board could also establish local policies, in consultation with the OPP, with respect to the detachment's provision of policing.
- Please contact Ashley O'Connell, Indigenous Engagement Unit, Ministry of the Solicitor General at Ashley.OConnell@ontario.ca for more information on requesting a First Nation OPP Board.

ADDITIONAL INFORMATION

Q15: What training will OPP detachment board members be required to complete?

A15:

- Members cannot perform their duties or exercise any of their powers until they have successfully completed the training identified in the CSPA.
- More specifically, like all other boards and councils governed under the CSPA, OPP detachment board members will be required to successfully complete training with respect to:
  - human rights and systemic racism;
  - the diverse, multiracial and multicultural character of Ontario society;
  - the rights and cultures of Indigenous peoples; and
  - any other training prescribed by the Solicitor General.

Q16: Will municipalities be able to request enhanced OPP policing services (e.g., beyond basic "adequate and effective" policing) under the CSPA?

A16:

- Under the CSPA, municipalities that receive policing from the OPP may enter into agreements for enhanced policing services.
- Municipalities will continue to be responsible for funding and implementing enhancements.

Q17: Once the CSPA is in force, will municipalities within a detachment receive one billing statement (i.e., a single invoice for the entire detachment)?

A17:

- There will be no substantive changes to the billing process.
- Municipalities will continue to be billed individually.

Q18: Will there be an opportunity to provide additional feedback on other OPP-related matters for regulation?

A18:

- All OPP-related matters for regulation will be posted on the Ontario Regulatory Registry for public comment.