



BY-LAW NO. 463-2024

**A BY-LAW RESPECTING
YOUTH CRIME**

1. PREAMBLE

- 1.1 WHEREAS subsection 37 (1) 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 (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;
- 1.3 AND WHEREAS O. Reg. 392/23: Adequacy and Effective Policing (General) prescribes standards for adequacy and effectiveness of police services;
- 1.4 AND WHEREAS subsection 39 (1) 3) (vi) of the CSPA provides that a Board is to include in its Strategic Plan a requirement, inter alia, quantitative and qualitative performance objectives and indicators of outcomes relating to Youth Crime and clearance rates for Youth Crime;
- 1.5 AND WHEREAS the Board deems it appropriate that the Chief of Police develops and maintains procedures on and processes for undertaking and managing investigations into Youth Crime;
- 1.6 AND WHEREAS Part LE-044 of the Policing Standards Manual (2000), a copy of which is attached as Appendix A contains guidelines directing the Chief and the police service relative to investigations into Youth Crime.

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 "*Manual*" means the Policing Standards Manual published by the Ministry of the Solicitor General

- 2.5 “*Member*” means a member of the Niagara Regional Police Service;
- 2.6 “*Service*” means the Niagara Regional Police Service;
- 2.7 “*Youth Crime*” means offences, within the meaning of the Youth Criminal Justice Act (Canada), committed by a person while they were a young person within the meaning of that Act.

3 BOARD POLICY

- 3.1 The Board recognizes that matters of Youth Crime are serious in nature, and it is therefore the policy of this Board that investigations into such matters be conducted professionally and thoroughly, and in accordance with the procedures established by the Chief as directed by this By-law.

4 DIRECTION TO THE CHIEF

4.1 PROCEDURES

- 4.1.1 The Chief shall develop and maintain procedures on and processes for undertaking and managing investigations into Youth Crime in accordance with Appendix A.

4.2 SCHOOL LIAISON PROGRAM

- 4.2.1 The Chief shall develop and maintain a school liaison program which includes establishing protocols for investigating school related occurrences.
- 4.2.2 The Chief shall ensure that the protocols referred to in section 4.2.1 above is reviewed on an annual basis.

4.3 COMMUNITY PARTNERSHIP

- 4.3.1 The Chief shall consider the need for a multi-agency strategy to prevent or counter the activities of youth gangs in the community in accordance with the Service’s procedures on crime prevention and problem-oriented policing.

5 REPORT TO THE BOARD

- 5.1 The Chief shall make a written report to the Board on or before August 30 of each year in respect of investigations into youth crime. The report shall include:
- (a) a summary of the written procedures concerning Youth Crime investigations;
 - (b) the status of Service compliance with the said procedures;
 - (c) a summary of steps taken by the Service to monitor and evaluate Youth Crime; and
 - (d) reference to the requirement in section 4.3.1.

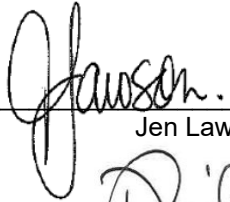
6. IMPLEMENTATION

- 6.1 By-law No. 236-2000 and all other By-laws, sections of By-laws and procedural policies of the Board inconsistent with the provisions of this By-law are hereby repealed effective March 31, 2024.


6.2 This By-law shall come into force on April 1, 2024.

ENACTED AND PASSED this 28th day of March, 2024.

THE REGIONAL MUNICIPALITY OF NIAGARA POLICE SERVICE BOARD



Jen Lawson, Chair



Deb Reid, Executive Director

Attachment (1)

Legislative/Regulatory Requirements

Section 29 of the Adequacy Standards Regulation requires a police services board to have a policy on investigations into youth crime.

In addition section 12(1)(u) requires the Chief of Police to develop and maintain procedures on and processes for undertaking and managing investigations into youth crime.

Sample Board Policy

Board Policy # _____

It is the policy of the _____ Police Services Board with respect to youth crime that the Chief of Police will:

- a) develop and maintain procedures on and processes for undertaking and managing investigations into youth crime;
- b) work, where possible, with local school boards to develop programs for safe schools, including establishing protocols for investigating school-related occurrences; and
- c) consider the need for a multi-agency strategy to prevent or counter the activities of youth gangs in the community in accordance with the police service's procedures on crime prevention and problem-oriented policing.

Police Service Guidelines

- Procedures*
1. Every police service's procedures on the investigation of offences committed by young persons should:
 - a) address compliance by members with the relevant federal legislation relating to young persons;
 - b) address the steps to be taken by officers, in accordance with local protocols, when responding to school-related occurrences;
 - c) require the sharing of information with intelligence personnel if it is believed that an offence committed by a young person is gang-related;
 - d) address the sharing of information with officers, appropriate members, other police services and relevant organizations on youth gang activities;
 - e) set out the steps to be followed if a young person should escape, be unlawfully at large or breach probation; and
 - f) require that young persons' records are flagged in order to avoid unlawful disclosure.

*Safe
Schools*

2. Every Chief of Police should work, where possible, with local school boards to develop programs for safe schools, including establishing a protocol for the investigation of school-related occurrences that is consistent with the Ministry of Education's policies relating to safe schools.

*Youth
Gangs*

3. Every Chief of Police should consider the need for a multi-agency strategy to prevent or counter the activities of youth gangs in the community, including working, where possible, with school boards, municipalities, youth and other community organizations, businesses and the Crown.