Winnipeg Police Board

Submission to Council

Amendments to the Winnipeg Police Board By-Law to increase the number of Board members and reduce the number of formal public meetings

August 17, 2017

Executive Summary:

The Winnipeg Police Board met informally on June 23, 2017, to generate and discuss ideas for improving the Board's effectiveness and efficiency. The Board determined to consider a proposal that Council amend the Winnipeg Police Board By-law (148/2012):

1. To allow for an increase in the composition of the Winnipeg Police Board from seven to up to nine members, by increasing the number of members that may be appointed by Council from five to up to seven, and to allow the Board to nominate two Citizen members; and

2. To replace the requirement that the Winnipeg Police Board must hold a minimum of nine monthly public meetings per year with a requirement that the Board must hold a public meeting at least once every three months.

Recommendations:

1. That Council approve in principle the following amendments to the Winnipeg Police Board By-law No. 148/2012:

    a. An amendment to section 4 to provide that the Board shall be composed of a minimum of seven (7) members and a maximum of nine (9) members, which shall include the Chair and Vice-Chair of the Board;

    b. An amendment to section 5 to provide that a minimum of five (5) and a maximum of seven (7) members of the Board, including the Chair and Vice-Chair, shall be appointed by Council.

    c. An amendment to paragraph 5(a) to clarify that the Mayor's nominee as Chair of the Board may be a Citizen or a Councillor;

    d. An amendment to paragraph 5(c) to provide for the appointment of a minimum of three (3) and a maximum of five (5) Citizens, up to two (2) of whom shall be nominees of the Board, subject to ratification by Council;

    e. An amendment to section 14 to provide that the Board must hold a meeting at least once every three months.

2. That the City Solicitor / Director of Legal Services be instructed to prepare and bring directly to Council for enactment a by-law in accordance with the foregoing recommendation.

Reason for the Submission:

- Authority to amend a by-law rests with Council.
- The Winnipeg Police Board supports and seeks approval of the proposed by-law amendments as they will provide the benefits set out in this submission.

Implications of the Recommendations:

Amending the Winnipeg Police Board By-law to empower Council to appoint up to two more members to the Board, who are nominees of the Board, would:

- Increase the range of experience and skill sets on the Board and thereby improve the quality of its police governance decisions;
- Enable the Board to nominate members to address identified gaps in its collective competencies and diversity, and ensure its membership better reflects the communities it serves;
- Strengthen the Board's capacity to carry out its community engagement and liaison functions; and
- Reduce and make more equitable the workload of individual board members.

Giving the Board the discretion to nominate *up to* two members for appointment to the Board would also enable the Board to decline to make one or both of its nominations if, in future circumstances, having a seven or eight member Board is expected to be adequate.

Amending the By-law to require fewer regular public Board meetings would:

- Further reduce the workload of individual Board members, which has been unduly excessive to date;
- Enable the Board to focus on its priority governance duties; and
- Enable the Board to strengthen its community engagement, outreach and communication strategies and its role in acting as a liaison between the community and the police service, through more effective means than regular public business meetings, which the public has demonstrated little interest in attending.

History/Discussion:

Subsection 30(1) of the *The Police Services Act*, C.C.S.M. c. P94.5 ("the Act") provides that the council of a municipality must establish the size of its police board by by-law. In the case of the City of Winnipeg, paragraph 30(1)(c) of the Act requires that the police board must consist of at least seven members. Council may therefore amend the Winnipeg Police Board By-law to empower Council to appoint as many members of the Board as it considers appropriate.

Subsection 34(1) of the Act specifies that the police board must hold a meeting at least once every three months. The proposed by-law amendment would mirror this minimum legislative requirement.

The Board's workload has been unduly excessive since its inception in June 2013. For example in 2016, each Board member was required to attend an average of 51 meetings. The new Board Chair is leading a review of the Board's committee structure and processes, and the Board will be making changes to reduce the total number of public and committee meetings and public

consultations to an average of 16-20, including the proposed minimum of four regular public Board meetings.

Formal public Board meetings that address regular Board business have not generally been a very effective means of citizen engagement. The Board therefore also proposes to enhance its community engagement, outreach and communications activities in ways that will strengthen the profile of the Board's work and its transparency and accountability to the public. These efforts should address any concerns on the part of the public respecting a reduction in the number of formal public meetings, particularly given the current lack of participation by citizens in such meetings.

Financial Impact:

There are no significant financial implications of the proposed by-law changes; the cost of increasing the number of Board members will be more than offset by the reduction in the number of public meetings, and the reduction in Board committee meetings that will arise from structural, administrative and procedural changes that the Board will be undertaking to streamline its processes and further reduce the workload of Board members.

Consultation:

The Winnipeg Police Board has consulted the Director of Legal Services and the Winnipeg Police Service in preparing this submission.

Respectfully submitted,

David Asper, Chair	Date