

CACOLE SESSION ON CIVILIAN OVERSIGHT IN TOUGH ECONOMIC TIMES

NOTES FOR CAROL'S PRESENTATION

I. The Context

- With a few exceptions, such as Alberta and Saskatchewan, cost of policing has emerged as perhaps the most important issue for police boards/commissions, municipalities and provinces.
 - Policing expenditures in Canada went from \$6.8 billion in 2000 to \$12.3 billion in 2009; an increase of 81% in nine years
 - This situation will only be further exacerbated by funding restraints at the federal and provincial levels
 - The bulk of that increased cost is explained by increasing salaries and benefits and hiring more police officers. The number of police officers increased from 55,954 police (182/1000) in 2000 to 69,299 police (203/1000) in 2010.
 - Even if there is no growth in actual police numbers in the future, policing costs will still rise on average of about 3 to 5 % per year.
 - Policing costs for many municipalities are, or soon will be, the biggest single budget item or program expenditure. Increases in police budgets are increasingly being paid for by reductions in spending on other key municipal services such as housing, recreation etc.
 - **Sample increases in police expenditures over the past 10 years: York Region & Surrey, BC – 58% increase; Halifax – 44%; Toronto – 34%; Montreal and Vancouver – 24%.**
- Collective agreements are the biggest cost driver, since over 75% of the cost is due to salaries and benefits. However, it is now being widely acknowledged that the current model for providing policing services and offloading of responsibilities by different jurisdictions have also contributed to the rising pressure on police budgets. For example, police have become the first responders in situations that require a medical or a social service response. The area of mental health is a prime example, constituting well in excess of 20% of police case load.
- Consequently, police boards/commissions, municipalities and provincial governments are exploring the changes that need to be made in the

provision of policing services at a cost that is affordable and sustainable, while maintaining public safety.

- Governments as well as stakeholders in the policing community have become alive to the need for action. For example, Ontario Ministry of Community Safety and Correctional Services organized a summit on the future of policing in early March of this year.
- In British Columbia, they recently released a green paper on modernizing the BC justice system and that document looks at the funding pressures, future costs and adverse outcomes; recognizes that police are different from other justice components and that the largest single funding source is municipal governments; acknowledges concern over cost of new contract for provincial police force (RCMP); and will lead to a white paper and new strategic plan for police.
- Nova Scotia
- The Canadian Association of Chiefs of Police in collaboration with the Canadian Police College and the Police Sector Council, has been hosting a series of discussions throughout the country on the economics of policing culminating in a summit in June; and the federal government is planning a summit on the subject in the Fall. The federal government already has had an FPT process in place on this issue.
- CAPB leads a coalition on sustainable policing, which includes FCM, CACP and CPA.

II. The Trend

- There is an emerging consensus that we are providing 21st century policing with a 19th century model, which depends almost entirely on the uniform police officer as the main provider of policing services.
- Virtually the only significant variation in this model is in terms of using civilians to provide parking enforcement and to perform certain functions related to prisoner transportation in some jurisdictions.
- It is being questioned whether highly paid uniform police officers should be performing all of the functions that they do at present, and whether the skills sets that are required for several of these functions could not be acquired at less cost using other non-uniform and specialized resources.
- It is also being questioned whether alternative resources to public policing, such as private security, should not be considered, with less

specialized, lower level security functions provided by them in accordance with clear standards and well defined accountability to boards/commissions.

- Finally, it is being suggested that, as a pre-condition to adopting alternative delivery models, there is a need to differentiate between core and non-core policing functions so that the public police organizations focus on core policing functions.
- Most recently, Don Drummond, as part of his assignment from Ontario government to recommend ways to reform the public service, has called for a review of policing functions and for consideration of outsourcing possibilities.
- The Recommendations from the Drummond report for the Justice Sector are highlighted below:

Recommendation 14-1: Improve evidence-based data collection in the justice sector to achieve better outcomes in sector programs.

Recommendation 14-2: Increase use of the Justice On Target program to assist with the reduction of custody remand, and implement evidence-based approaches to increase efficiency in the field of family law and family courts.

Recommendation 14-3: Expand diversion programs for low-risk, non-violent offenders with mental illness as an alternative to incarceration.

Recommendation 14-4: Review the core responsibilities of police to eliminate their use for non-core duties. This review would include an examination of alternative models of police service delivery. Criteria for the review would include determining the relative costs of the various security providers and an evaluation of their respective comparative advantages.

Many factors have contributed to the rising cost of policing, including technology and increasing labour costs; the changing nature/complexity of crime and the complexity of the criminal justice system; and federal legislative changes. At the same time, public expectations, demographic change and environmental factors influence policing. Policing is an essential service for the maintenance of public safety and

is also one of the fastest-growing areas of public expenditures in Canada. Stakeholders such as the Ontario Association of Chiefs of Police, Ontario Association of Police Services Boards and municipalities have voiced concerns over rising policing costs and the risk that this poses to the provision of police services in the future.

The Commission recommends that the province review and define the core responsibilities for policing services to eliminate use of police officers for non-core policing duties. Instead, alternative models of service delivery can be used that would result in improved fiscal sustainability for police services throughout Ontario. Alternative models of police service delivery could include increasing use of private security and expanding the role of special constables, in circumstances deemed appropriate. The review should examine a range of alternative models of police service delivery, determine the relative costs of the various security providers for service delivery and evaluate their respective advantages.

Recommendation 14-5: Use alternative service delivery for the delivery of non-core services within correctional facilities, where it is feasible.

Recommendation 14-6: Continue the process of clustering adjudicative tribunals across the Ontario Public Service (OPS).

Recommendation 14-7: Examine integration opportunities and consolidate where possible public safety training in policing, fire services and correctional services, which are currently delivered individually through their respective colleges.

Recommendation 14-8: Have the justice sector continue to work with Infrastructure Ontario to use alternative financing and procurement to assist in replenishing its capital infrastructure

Recommendation 14-9: Improve co-ordination between federal and provincial governments in areas such as justice policy and legislation, law enforcement and correctional services.

Recommendation 14-10: Negotiate the transfer of responsibility for incarceration for sentences longer than six months to the federal

government.

- Ontario is already moving in this direction and has established a Future of Policing Advisory Committee to consider the issue of core versus non-core policing. And the largest municipal police service in Canada, the Toronto Police Service, is engaged in a comprehensive internal review to identify all the alternative options to reduce its cost, including outsourcing, deployment of its uniform personnel to high skill functions and use of technology where appropriate.
- Clearly, the end result of all these efforts will likely be restructuring of police services and reduction in the reliance solely on uniform police officers by using fewer officers more strategically and utilizing alternatives to fulfill the statutory responsibilities with respect to the provision of adequate and effective policing services to our communities.

III. The Issues

- The police services acts of nearly all provinces which have municipal police services overseen by boards/commissions require the provision of “adequate and effective policing services.” The provincial ministries responsible for public safety establish adequacy standards that must be met, regardless of the size of police services.
- Provincial oversight agencies, such as the Ontario Civilian Police Commission (OCPC), are responsible for ensuring that police services boards/commissions are providing adequate and effective services.
- Under the Ontario *Police Service Act*, any restructuring of a service or reduction in size must have the consent of OCPC.
- As well, the Ontario *Police Service Act* lays down a detailed process for any lay offs by a police services board, and those arrangements must also be approved by the OCPC.
- With its primary focus on “adequacy,” the OCPC, when considering an application for restructuring or reduction takes into account a number of historical, comparative, prospective and alternative factors.
- The scheme is not different in other provinces.

- For boards/commissions dealing with the issue of cost of policing, this role of oversight raises a few questions:
 - Are provincial oversight bodies like OCPC paying attention to the emerging discussion related to cost of policing?
 - Are they developing any objective criteria to measure adequacy and effectiveness?
 - Are they reviewing the relevant factors in order to determine what relative weight to give to each?
 - Are they considering the possibility that public police organizations may outsource functions to others, such as private security agencies?
 - Are they planning any changes to their review process so that it does not pose a barrier to change, which typically is driven by the annual budget cycle?