

Table CR-28 – Policy Number CR-28 – Assistance in the provision of policing

CR:28 ASSISTANCE IN THE PROVISION OF POLICING	
LEGISLATIVE REFERENCE / AUTHORITY	<i>Community Safety and Policing Act, section 13; section 14; section 19; O. Reg. 398/23</i>
DATE APPROVED	28 October 2024
DATE REVIEWED	N/A
DATES AMENDED	N/A
DATE TO BE REVIEWED	2025
REPORTING REQUIREMENT	As set out in the policy

LEGISLATIVE REFERENCE / AUTHORITY

Section 13(1) of the *Community Safety and Police Act* (CSPA) states that a police service board must use members of the police service maintained by the police service board, or persons who are assisting those members while acting under their direction, to provide policing functions.

The CSPA creates ~~three~~ two exceptions allowing a police service board to use personnel from another police service to provide policing functions in its area of jurisdiction:

- Section 14 allows police service boards to enter into alternative provision agreements to set out that certain policing functions may be provided by another board or service, subject to Ontario Regulation 398/23;
- Section 19(1) allows a ~~police service board~~ chief of police to request temporary assistance from another ~~board or service~~ ;
- ~~Section 19(4) allows a chief of police to request assistance from another board or service if the chief of police is of the opinion that an emergency exists in the area for which the police service board has police responsibility.~~

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POLICY INTENT

This policy provides direction with regard to assistance in the provision of policing. It is intended to:

- Enable the Board to make informed decisions regarding assistance in the provision of policing;
- Enhance accountability with respect to the use of external assistance;
- Ensure the continued provision of adequate and effective policing in Ottawa;
- Support the Inspector General of Policing's monitoring mission.

This policy does not apply to the use of personnel from other police services for purposes other than the provision of policing functions.

DEFINITIONS

For the purposes of this policy, the following definitions apply:

- a) "the Act" means the *Community Safety and Policing Act*, 2019.
- b) "Alternative Provision Agreement" means an agreement as described in section 14 of the *Act*.
- c) "another service" means the chief of police of another police service, the Commissioner of the Ontario Provincial Police or an entity that employs First Nations Officers.
- d) "Board" means the Ottawa Police Service Board.
- e) "Chief" means the Chief of Police of the Ottawa Police Service.
- f) "Commissioner" means the Commissioner of the Ontario Provincial Police.
- ~~f)g) "Critical Point" means a matter of immediate strategic significance that rapidly elevates the Board's operational, financial, reputational or other enterprise risk, and therefore calls for the Board's immediate attention and/or preparedness to take action prior to the next regularly scheduled meeting.~~
- ~~g) "Emergency" means a situation or an impending situation that constitutes a danger of major proportions that could result in serious harm to persons or substantial damage to property and that is caused by the forces of nature, a disease or other health risk, an accident or an act whether intentional or otherwise.~~

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- h) "Inspector General" means Inspector General of Policing of Ontario.
- i) "policing function" means a policing function as defined by section 11 of the *Community Safety and Policing Act*, 2019, and Ontario Regulations 392/23 and 398/23.
- j) "prescribed functions" means the policing functions listed in section 2 of *Ontario Regulation 398/23*.
- k) "Service" means the Ottawa Police Service.

BOARD POLICY

~~1. EMERGENCY ASSISTANCE~~

~~1.1. **Emergency assistance requests.** The Chief may request emergency assistance in the provision of policing from another service if the Chief is of the opinion that an Emergency exists in the City of Ottawa.~~

~~1.2. **Notice.** If the Chief makes an emergency assistance request, they shall immediately provide written notice of the request to the Board and to the Inspector General. The notice shall include the following information:~~

- ~~a. A brief summary of the nature of the emergency, including confirmation of relevant details in relation to the legal definition of emergency;
 - ~~i. Is this an active or impending situation?~~
 - ~~ii. Does it constitute a danger of major proportions that could result in serious harm to persons or substantial damage to property?~~
 - ~~iii. Is the emergency caused by forces of nature, a disease or other health risk, an accident or an act whether intentional or otherwise?~~~~
- ~~b. A summary of circumstances surrounding the need for emergency policing assistance;~~
- ~~c. The policing function(s) and assistance to be provided;~~
- ~~d. Timeframe for the provision of emergency assistance;~~
- ~~e. Size and scope of the assistance required (e.g. localized, widespread, multi-jurisdictional);~~

- ~~f.—Capacity to respond to the emergency, using both local resources and those of the assisting service, as well as any other agencies/levels of government, including:
 - ~~i.—Mitigation of the danger of serious harm to persons or substantial damage to property, and~~
 - ~~ii.—Ability to address the cause of the emergency, if it relates to criminal or other acts of individuals or groups;~~~~
- ~~g.—Identification of, and plans to address, any risks, including but not limited to:
 - ~~i.—The delivery of adequate and effective policing in Ottawa;~~
 - ~~ii.—Officer safety;~~
 - ~~iii.—Public safety;~~
 - ~~iv.—Ability to respond to evolving or escalating events;~~~~
- ~~h.—Suggested engagement and communication between the Chief and the Board moving forward;~~
- ~~i.—Identification of any other applicable CSPA-based regulatory requirements with respect to the management of extreme incidents, active attackers, etc.~~

2.1. ALTERNATIVE PROVISION AGREEMENTS

2.1.1. Needs assessment. The Chief shall conduct a comprehensive needs assessment to identify specific policing functions that may not be delivered solely with the Service's internal resources and may necessitate assistance from another police service. This assessment shall include a detailed analysis of the following elements:

- a. Review of past policing operations to identify instances where additional resources were necessary.
- b. Assessment of the effectiveness of past assistance from other police services.
- c. Identification of patterns and common circumstances under which requests for temporary assistance are made.
- d. Evaluation of the occurrence and scale of Major Events that have historically required additional policing resources.

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- e. Impact of Major Events on the overall resource allocation and operational capacity of the Service.
- f. Effects of responses to Major Events on the Service's ability to provide adequate and effective policing to the community.

2.2.1.2. **Findings.** The Chief shall prepare and submit a detailed report to the Board presenting the findings of the needs assessment, including recommendations identifying policing functions that may be covered by Alternative Provision Agreements on a regular or *ad hoc* basis.

2.3.1.3. **Consultations.** The Board may direct the Chief to initiate consultations with another police service to explore potential Alternative Provision Agreements or to assist the Board with the negotiation of such agreements.

2.4.1.4. **Agreements.** Subject to section 14 of the *Act* and related regulations, the Board may, in consultation with the Chief, enter into Alternative Provision Agreements to provide specific policing functions with the assistance of another police service board, the Commissioner, an entity that employs First Nation Officers or a prescribed entity.

2.5.1.5. **Purposes of agreements.** An Alternative Provision Agreement may stipulate that a specified policing function:

- a. Is to be provided on a regular basis;
- b. Is to be provided as may be requested on an *ad hoc basis*;
- c. Will be provided because the Service does not have the capacity to provide that function for itself; or
- d. Will be provided from time-to-time by members of another police service, but is a policing function that the Service generally has the capacity to provide.

2.6.1.6. **Prescribed functions.** Policing functions other than prescribed functions shall not be provided under an Alternative Provision Agreement.

2.7.1.7. **Copy of agreement.** If the Board enters into an Alternative Provision Agreement, it shall provide the Inspector General with a copy of such agreement.

2.8.1.8. **Notice of utilization.** If the Chief makes an assistance request under an Alternative Provision Agreement, they shall provide written ~~notice of his or her intention to make such a request as soon as practicable. If advance notice is not~~

~~provided, the Chief shall provide~~ notice of the request to the Board within 24 hours.

2.9.1.9. **Contents of notice of utilization.** The notice shall include the following information:

- a. A summary of the circumstances surrounding the need for assistance;
- b. The policing function(s) and assistance to be provided;
- c. Timeframe for the provision of assistance;
- d. Size and scope of the assistance required (e.g. localized, widespread, multijurisdictional).
- ~~e.~~ Whether payment is required for any of those functions.

~~e.~~

~~j.f.~~ Identification of, and plans to address, any risks, including but not limited to:

- i. The delivery of adequate and effective policing in Ottawa;
- ii. Officer safety;
- iii. Public safety;
- iv. Ability to respond to evolving or escalating events;

3.2. **REQUESTS FOR TEMPORARY ASSISTANCE**

2.1. **Authority.** ~~The Chief may request temporary assistance in providing adequate and effective policing from another chief of police or an entity that employs First Nations Officers.~~

2.2. **Risk-based decision-making.** ~~Temporary assistance decisions shall be informed by a risk-based approach. The Chief shall identify and assess potential risks associated with any request for temporary assistance they make.~~

3.1.2.3. **Internal request. Notice of request.** ~~When the Chief identifies a need for temporary assistance, they shall, after having consulted the responding police service, makes a request for temporary assistance, they shall, within 24 hours,~~ submit to the Board a written ~~request notice containing~~including the following information:

- a. A summary of circumstances surrounding the need for temporary assistance;

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- b. The policing function(s) and assistance to be provided;
- c. Where the policing function(s) are already covered by an Alternative Provision Agreement, provide justification for requesting temporary assistance under section 19 of the *Act* instead of utilizing an existing Alternative Provision Agreement;
- ~~e.d.~~ Whether the other service that received the request has agreed to provide the assistance, in whole or in part;
- ~~d.e.~~ Timeframe for the provision of ~~emergency~~ assistance;
- ~~e.f.~~ Size and scope of the assistance required (e.g. localized, widespread, multi-jurisdictional);
- ~~f.g.~~ Capacity to respond to the public safety need, using both local resources and those of the assisting service.
- ~~g.h.~~ Identification of, and plans to address, any risks, including but not limited to:
 - i. The delivery of adequate and effective policing in Ottawa, including human rights considerations, particularly for vulnerable or marginalized groups;
 - ii. Officer safety;
 - iii. Public safety;
 - iv. Ability to respond to evolving or escalating events.;

2.4. **Risk assessment.** The scope and level of detail in the risk assessment outlined in paragraph 2.3(h) shall be reasonable and proportionate to the nature of the temporary assistance request. The Chief's assessment should provide sufficient information to enable the Board to understand and evaluate the implications of the request. When, in the Chief's view, the request involves a Critical Point, the risk assessment shall reflect the elevated stakes by providing enhanced analysis of risks and detailing mitigation strategies.

2.5. **Notice of change.** If a change occurs in any of the matters listed under section 2.3 above after the notice of temporary assistance has been provided, the Chief shall provide the Board with notice of the change within 24 hours.

3.2. **Outgoing request.** After having reviewed the Chief's request, the Board may, by resolution, request temporary assistance in the provision of policing from

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~~another police service board, the Commissioner or an entity that employs First Nation Officers.~~

~~3.3. **Notice.** If the Board makes a request for temporary assistance, it shall provide notice of the request to the Inspector General within 24 hours.~~

~~3.4. **Incoming requests.** **Notice after assistance by Chief has stopped.** Where the Chief has provided assistance to another service, they shall, after the assistance has stopped, provide notice to the Board containing the following information: If the Board receives a request for temporary assistance:~~

~~a. The Chief's decision to provide temporary assistance; The Executive Director shall notify the Chief in writing of the request, seek information from the Service regarding the availability of the requested resources and willingness to respond to the request in full or in part and report back to the Board;~~

~~b. Whether the request for temporary assistance was fulfilled in whole or in part; The Board may, by resolution, decline to provide the requested assistance or provide such assistance as it considers necessary and stop providing the assistance when it considers it appropriate to do so.~~

~~The financial implications of providing assistance, including recommendations as to whether cost recovery should be sought; If the Board agrees to provide temporary assistance, it shall provide notice of the agreement to the Inspector General within 24 hours.~~

~~a. Any other matters prescribed under the Act or its regulations.~~

~~3.5. **Delegation of authority.** The Board may delegate authority to make outgoing requests for temporary assistance or to agree to incoming requests for temporary assistance to a committee on a regular or *ad hoc* basis.~~

~~4.3. **REPORTING TO THE BOARD** **ASSESSMENT OF TEMPORARY ASSISTANCE**~~

~~3.1. **Assessment upon receiving notice.** Upon receiving notice of a request for temporary assistance under subsection 2.3 or a notice of change under subsection 2.5 above, the Executive Director shall prepare a preliminary assessment, including recommendations regarding whether the request involves a Critical Point, indicates a recurring need or requires an Alternative Provision~~

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Agreement. The Board Chair shall determine whether to convene a special meeting of the Board if either the Chief or the Chair identifies the matter as a Critical Point or if a written request is submitted by a majority of the Members of the Board. In all other cases, the Board shall assess the request at its next regular meeting.

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4.1.3.2. **Annual report.** The Chief shall submit a report on Assistance in the Provision of Policing to the Board on an annual basis that includes statistical information and an analysis of trends and addresses the following:

- a. Analysis of the frequency, nature, and substance of incoming and outgoing requests for temporary assistance, requests under Alternative Provision Agreements, and emergency assistance requests;
- b. Policing functions provided with external assistance; Functions of policing involved in incoming assistance in the provision of policing;
- c. Incidents and risks that have materialized;
- d. Challenges encountered;
- e. Recovered and unrecovered costs;
- f. Whether any trends reveal gaps in the Service's capacity or adverse effects on its ability to provide adequate and effective policing.
- g. Recommendations to address gaps in capacity whether through additional or revised Alternative Provision Agreements or an increase in internal capacity.

~~4.2. **Reporting of risks.** In the context of an operation involving external assistance, the Chief shall, as soon as practicable, advise the Board of any of the following:~~

- ~~a. Any risks identified in the initial notice or internal request that have materialized;~~
- ~~b. Any new risks that are identified;~~
- ~~c. An incident, foreseen or unforeseen, that has occurred;~~
- ~~d. The scope or nature of the required assistance has changed due to any circumstances.~~