



BY-LAW NO. 475-2024

**A BY-LAW RESPECTING
CRISIS NEGOTIATION**

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) ("the Adequacy Regulation") prescribes standards for adequacy and effectiveness of police services;
- 1.4 AND WHEREAS Section 9 (1) of the Adequacy Regulation requires the Police Service to deploy at least two crisis negotiators simultaneously to any incident requiring the functions of a Crisis Negotiator;
- 1.5 AND WHEREAS Sections 23 and 24 of O. Reg. 87/24: Training prescribes initial and ongoing training requirements for Crisis Negotiators;
- 1.6 AND WHEREAS Section 10 of the Adequacy Regulation requires the Chief of Police to establish a written procedure concerning:
- (a) the deployment of Crisis Negotiators; and
 - (b) access to a procedures manual;
- 1.7 AND WHEREAS Part ER-005 of the Policing Standards Manual (2000), a copy of which is attached hereto as Appendix A, contains guidelines directing the Police Service relative to Crisis Negotiation.

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 “*Ministry*” means the Ministry of the Solicitor General; and
- 2.7 “*Service*” means the Niagara Regional Police Service.

3 BOARD POLICY

- 3.1 The Board recognizes that crisis negotiation is an important part of policing, and it is therefore the policy of this Board that such matters be conducted professionally and thoroughly, and in accordance with procedures established by the Chief as directed in this By-law.

4 DIRECTION TO THE CHIEF

4.1 CRISIS NEGOTIATION

- 4.1.1 The Chief shall ensure the Service will provide, within a reasonable response time, access to the services of a Crisis Negotiator.
- 4.1.2 The Chief shall ensure the services of a Crisis Negotiator will be available 24 hours a day.
- 4.1.3 The Chief shall ensure the Crisis Negotiator will not perform any incident management role other than crisis negotiation.

4.2 PROCEDURES

- 4.2.1 The Chief shall develop procedures, in accordance with Appendix A, that address the circumstances in which the Crisis Negotiator is to be deployed.

4.3 MANUAL

- 4.3.1 The Chief shall develop a Manual on crisis management in accordance with Appendix A, that is available to each Member providing this service.
- 4.3.2 The Chief shall ensure that the manual referred to in section 4.3.1 is reviewed on an annual basis and amended as required.

4.4 MEMBERSHIP AND TRAINING

- 4.4.1 The Chief shall establish a selection process for Members who provide the service of crisis negotiation, including ensuring that Members who provide this service meet the requirements of O.Reg. 392/23: Adequate and Effective Policing (General) and O. Reg 87/24: Training.
- 4.4.2 The Chief shall ensure that Members who provide services of crisis negotiation have the requisite knowledge, skills and abilities and receive training on an ongoing basis.

4.5 EQUIPMENT

4.5.1 The Chief shall ensure that appropriate equipment, in accordance with the Ministry's designated equipment and facilities list, is used/available to Members who provide the service of crisis negotiation.

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 crisis negotiation. The report shall include:

- (a) a summary of the procedures as required by this By-law;
- (b) the status of Service compliance with the said procedures;
- (c) confirmation of the development and maintenance of the Manual on crisis negotiation; and
- (d) a summary of the circumstances in which a Crisis Negotiator has been deployed.

6. IMPLEMENTATION

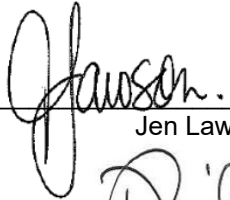
6.1 By-law No. 245-2000 and all other By-laws, sections of By-laws and procedural policies of the Board inconsistent with the provisions of this By-law are hereby repealed effective March 31, 2024.

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


6.3 The Chief shall implement this By-law, where applicable, through General Order.

ENACTED AND PASSED this 25th day of April, 2024.

THE REGIONAL MUNICIPALITY OF NIAGARA POLICE SERVICE BOARD



Jen Lawson, Chair



Deb Reid, Executive Director

Attachment (1)

Legislative/Regulatory Requirements

Section 21 of the Adequacy Standards Regulation requires a police service to provide, within a reasonable response time, the services of one or more crisis negotiators.

Additionally, Section 21 of the regulation permits a police service to deliver the services of crisis negotiation by contracting with another police service, or entering into arrangements to provide this service on a combined, regional or cooperative basis.

Section 24(2) requires the Chief of Police to ensure that no person is to be a crisis negotiator unless that person has successfully completed the required Ministry accredited training or acquired the Ministry approved equivalent competencies. Section 29 requires a police services board to have a policy in respect of required accredited training and equivalent competencies for crisis negotiators.

Furthermore, section 29 requires a board to have a policy concerning the deployment of crisis negotiators. Also, section 25(2)(a) requires the Chief of Police to establish procedures that set out the circumstances in which crisis negotiators will be deployed.

Finally, section 29 requires a board to have a policy requiring that all crisis negotiators have access to a procedures manual. Section 25(3) requires the Chief of Police to ensure that the police service's procedures for crisis negotiation are contained in a manual that is available to each member providing that service

Sample Board Policy

Board Policy # _____

Contracted Delivery It is the policy of the _____ Police Services Board with respect to crisis negotiation services that:

- a) this Board will contract with _____ Police Services Board/OPP to provide the services of a crisis negotiator, available 24 hours a day and within a reasonable response time; and
- b) the Chief of Police will, in consultation with the police service providing the service, establish procedures that set out the circumstances in which the service will be deployed, including the steps for obtaining the service and the reporting relationships.

*Direct, or
Combined or
Cooperative
Delivery*

It is the policy of the _____ Police Services Board with respect to crisis negotiation services that:

- a) the police service will provide the services of a crisis negotiator by (identify service delivery method - using its own members, or by entering into an agreement for a combined, regional or cooperative delivery);
- b) the services will be available 24 hours a day and within a reasonable response time;
- c) a crisis negotiator will not perform any incident management role other than crisis negotiation;
- d) the Chief of Police will:
 - i) develop procedures that address the circumstances in which a crisis negotiator is to be deployed;
 - ii) develop and maintain a manual on crisis negotiation that is available to each member providing this service;
 - iii) establish a selection process for members who provide this service, including ensuring that members who provide this service meet the requirements of the Adequacy Standards Regulation;
 - iv) ensure the ongoing training of members who provide this service; and
 - v) ensure that appropriate equipment, in accordance with the Ministry's designated equipment and facilities list, is used/available to members who provide this service.

Police Service Guidelines*Procedures*

1. Every police service's procedures on crisis negotiation should address:
 - a) the circumstances in which a crisis negotiator should be deployed;
 - b) operational responsibility within the police service for requesting the services of a crisis negotiator; and
 - c) the requirement that, wherever possible, two crisis negotiators attend an incident.

Manual

2. Where a police service provides crisis negotiation services using its own members, a manual shall be developed, a maintained and made available to the members providing that service, that addresses:
 - a) general procedures for crisis negotiation, including:
 - i) mandate, functions and reporting relationships;
 - ii) call-out procedures;
 - iii) communications with the crisis negotiators;
 - iv) operational procedures;
 - v) organizational charts for the emergency response function;
 - vi) the operational linkages between crisis negotiators and other emergency response and public order unit services;



- vii) a selection process for crisis negotiators, including that members must meet the requirements set out in the Adequacy Standards Regulation; and
 - viii) the recording and reporting of incidents involving crisis negotiation; and
- b) procedures specific to members providing crisis negotiation, including:
- i) members' responsibilities;
 - ii) command and control functions;
 - iii) operational training;
 - iv) situation specific checklists;
 - v) incident assessment;
 - vi) provision and use of equipment;
 - vii) use of training, operational and equipment logs; and
 - viii) debriefing process.

Equipment 3. Where a police service provides crisis negotiation services using its own members, the Chief of Police should ensure that members are provided, at minimum, with the equipment and facilities set out in the Ministry's designated equipment and facilities list.

Training 4. Where a police service provides crisis negotiation services using its own members, the Chief of Police should develop a skills development and learning plan that, at minimum, addresses annual participation, wherever possible, in a joint training exercise involving major incident commanders, crisis negotiators, public order units, tactical units, hostage rescue teams, other police personnel, or outside emergency services deemed appropriate or subject of service delivery agreements.

5. The Chief of Police should review, as part of the skills development and learning plan, the extent to which the police service's crisis negotiators are making sufficient use of their skills.

MINISTRY'S DESIGNATED EQUIPMENT LIST

Crisis Negotiation – Equipment List

The following minimum equipment shall be made available to a crisis negotiator:

NEGOTIATION EQUIPMENT

- (optional) lap top computer with template forms, checklists and LENS database access capability
- clothing and accessories suitable for the varied weather conditions and situational circumstances, which may be encountered
- portable, easy to operate, field phone equipped with one-way monitoring capability
- consul phone for dedicated connection to the field phone complete with a logging monitor capable of recording, spare batteries and ample recording storage capability
- portable tape recorder
- current training manual (CPC/OPP) for crisis negotiators

Crisis Negotiators Deployed in the Inner Perimeter

- appropriate head and body protection and other safety equipment deemed necessary