



BY-LAW NO. 480-2024

**A BY-LAW RESPECTING
HOSTAGE RESCUE**

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: Adequate and Effective Policing (General) ("the Adequacy Regulation") prescribes standards for adequacy and effectiveness of police services;
- 1.4 AND WHEREAS Section 9 of the Adequacy Regulation prescribes, inter alia, the functions and capacity of Hostage Rescue Teams;
- 1.5 AND WHEREAS subsection 2 (5) 2 of O. Reg. 398/23: Alternative Provision of Policing Functions and Section 14 of the CSPA permit a Police Service to deliver the services of a Hostage Rescue Team by contracting with another police service;
- 1.6 AND WHEREAS Section 10 of the Adequacy Regulation provides that every Chief of Police shall establish written procedures in relation to the functions of Tactical Units and Hostage Rescue Teams, authorizing the Tactical Supervisor or Incident Commander to determine deployment needs at an incident;
- 1.7 AND WHEREAS the Board has deemed it appropriate that it establish a policy concerning Hostage Rescue;
- 1.8 AND WHEREAS the Board has deemed it appropriate and consistent with the principles set out in Section 1 of the CSPA, with its objectives and priorities determined pursuant to Sections 37 and 38 of the CSPA to require the Chief of Police to establish procedures regarding selection, training, equipping and deployment of the Hostage Rescue Teams;
- 1.9 AND WHEREAS Part ER-003 of the Policing Standards Manual (2000), a copy of which is attached hereto as Appendix A, contains guidelines directing the police service relative to Hostage Rescue.

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 Hostage Rescue is an important part of policing, and it is therefore the policy of this Board that Hostage Rescue be conducted professionally and thoroughly, and in accordance with the procedures established by the Chief as directed in this By-law, and in accordance with any protocol in force between the Service and an outside police service.

4 DIRECTION TO THE CHIEF

4.1 PROCEDURES

- 4.1.1 The Chief shall, in consultation with an outside police service providing the service of hostage rescue, if applicable,
- (a) establish procedures that are in accordance with Sections 9 and 10 of the Adequacy Regulation and Appendix A and that set out the circumstances in which the services of the Hostage Rescue Team will be deployed, including the process for obtaining the services and reporting relationships; and
 - (b) ensure that the Service’s Major Incident Commanders and Crisis Negotiators train with the other police service’s Hostage Rescue Team.

4.2 PROTOCOL

- 4.2.1 The Chief shall ensure that the protocol referred to in Section 3 and the procedures referred to in Section 4 above comply with the Adequacy Regulation in all aspects including:
- (a) that the services of a Hostage Rescue Team are available 24 hours a day;
 - (b) that the services of a Hostage Rescue Team are available within a reasonable response time; and
 - (c) the Hostage Rescue Team consists of a minimum of 12 full-time tactical officers, including a supervisor, who are dedicated to the team.

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 Hostage Rescue. 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 that the existing protocol with another service, if any, complies with legislative requirements; and
- (d) a summary of the circumstances in which Hostage Rescue services have been utilized.

6. IMPLEMENTATION

6.1 By-law No. 243-2000 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 a hostage rescue team.

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

Section 23 requires every hostage rescue team to consist of a minimum of twelve full-time tactical officers, including the supervisor and that a hostage rescue team shall be able to perform the following functions:

- containment;
- apprehension of an armed barricaded person; and
- hostage rescue.

Section 24(1) requires, when a board has entered into an agreement to provide the services of a hostage rescue team or has entered into arrangements to provide hostage rescue on a combined, regional or cooperative basis, the police service to:

- enter into agreement with the same police service to obtain the services of its major incident commanders and crisis negotiators who have trained with that hostage rescue team; or
- require the Chief of Police to ensure that at least one of the police service's major incident commanders and crisis negotiators train with the other police service's hostage rescue team.

Section 24(2) requires the Chief of Police to ensure that no person is to be a member of a hostage rescue team 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 members of a hostage rescue team.

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

Furthermore, section 29 requires a board to have a policy on the delegation to the tactical supervisor or major incident commander of responsibility for determining how many tactical officers are required to be deployed to a hostage rescue incident. Section

25(2)(b) requires the Chief of Police to establish procedures that delegates to the tactical supervisor or major incident commander the responsibility for determining how many tactical officers are required to be deployed to a hostage rescue incident.

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

Note: The functions of a tactical unit and hostage rescue team may be provided by one unit or team that is capable of performing the functions of both a tactical unit and a hostage rescue team. Also, it is implicit that a hostage rescue team must have the capability to undertake explosive forced entry.

Sample Board Policy

Board Policy # _____

*Contracted
Delivery*

It is the policy of the _____ Police Services Board with respect to the services of a hostage rescue team that:

- a) this Board will contract with _____ Police Services Board/OPP to provide to the services of a hostage rescue team (decision also required on whether to contract for major incident commanders and crisis negotiators from the same police service) that is available 24 hours a day and within a reasonable response time; and
- b) the Chief of Police, in consultation with the police service providing the service, will:
 - i) 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; and
 - ii) ensure that the police service's major incident commanders and crisis negotiators train with the other police service's hostage rescue team.

*Direct, or
Combined,
Regional or
Cooperative
Delivery*

It is the policy of the _____ Police Services Board with respect the services of a hostage rescue team that:

- a) the police service will provide the services of a hostage rescue team 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) the team will consist of a minimum of 12 full-time tactical officers, including the supervisor, who are dedicated to the team but who, when not training or



- undertaking tactical or hostage rescue activities, may undertake community patrol; and
- d) the Chief of Police will:
- i) establish procedures that set out the circumstances in which the services of the hostage rescue team will be deployed, including the process for obtaining the services and reporting relationships;
 - ii) ensure that the hostage rescue team can undertake containment, the apprehension of an armed barricaded person, and hostage rescue;
 - iii) develop and maintain a manual on hostage rescue team services that is available to each member providing this service;
 - iv) establish a selection process for members of the team, including ensuring that members who provide this service meet the requirements of the Adequacy Standards Regulation;
 - v) ensure the ongoing (and joint if applicable) training of members who provide this service; and
 - vi) ensure that appropriate equipment, in accordance with the Ministry's designated equipment and facilities list, is used/available to the members who provide this service.

Police Service Guidelines

- Procedures* 1. Every police service's procedures should address:
- a) the mandate, functions and reporting relationships of the hostage rescue team;
 - b) the circumstances in which the services of a hostage rescue team should be deployed; and
 - c) the process and operational responsibility for authorizing the deployment of a hostage rescue team.
- Manual* 2. Where a police service has established its own hostage rescue team, or has officers who are members of joint hostage rescue team, a manual shall be developed, maintained and made available to the members of the unit that addresses:
- a) general procedures for the hostage rescue team, including:
 - i) the hostage rescue team's mandate, functions, and reporting relationships;
 - ii) call-out procedures;
 - iii) communications with members of the hostage rescue team;
 - iv) operational procedures;
 - v) organizational charts for the emergency response function;
 - vi) the operational linkages between the hostage rescue team, and other emergency response and public order unit services;
 - vii) a selection process for members of a hostage rescue team, including that officers must meet the minimum requirements set out in the Adequacy Standards Regulation;

- viii) reporting relationship regarding the hostage rescue team; and
 - ix) the recording and reporting of incidents involving a hostage rescue team; and
- b) procedures specific to members of a hostage rescue team, including:
- i) members' responsibilities;
 - ii) command and control;
 - iii) communications with team members;
 - iv) incident assessment;
 - v) provision and use of equipment;
 - vi) operational training;
 - vii) reporting relationships within the hostage rescue team;
 - viii) hand-off/relief of teams within the hostage rescue team;
 - ix) use of training, operational and equipment logs; and
 - x) debriefing process.

Training

3. Where a police service has established its own hostage rescue team, or has officers who are members of joint hostage rescue team, the Chief of Police should develop a skills development and learning plan that includes:
- a) training requirements set out in the Ministry's guideline on Tactical Units (ER-002); and
 - b) training specific to hostage rescue.

Equipment

4. Where a police service has established its own hostage rescue team, or has officers who are members of joint hostage rescue team, the Chief of Police should ensure that the members are provided, at minimum, with the equipment and facilities set out in the Ministry's designated equipment and facilities list contained in the guideline on Tactical Units (ER-002).