



BY-LAW NO. 533-2025

A BY-LAW TO ESTABLISH POLICY RELATING TO THE CONDUCT OF INVESTIGATIONS

1. PREAMBLE

- 1.1 WHEREAS subsection 37 (1)(a) of the *Community Safety and Policing Act, 2019, S.O. 2019, c. 1, Sched. 1, as amended* ("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 (1)(g) of the CSPA provides that the Board shall establish policies any other prescribed matters;
- 1.3 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;
- 1.4 AND WHEREAS subsection 24 of Ontario Regulation 395/23 – Investigations, as amended (O. Reg. 395/23), requires the Board to establish policies respecting the conduct of investigations as prescribed for the purpose of clause 38 (1)(g) of the CSPA;
- 1.5 AND WHEREAS the Board deems it expedient to enact this By-law to establish a policy relating to the conduct of investigations.

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 "Member" means a member of the Niagara Regional Police Service;
- 2.5 "Minister" means the Ministry of the Solicitor General; and
- 2.6 "Service" means the Niagara Regional Police Service.

3 BOARD POLICY

- 3.1 The Board recognizes that investigations into criminal and other matters are a core function of the Niagara Regional Police Service. Effective investigations not only enhance community safety but also build public trust in law enforcement. Conversely, investigations that result in wrongful accusations can seriously undermine confidence in the police. Accordingly, the Board affirms the importance of maintaining the highest standards of investigative excellence. Upholding these standards is essential to ensuring organizational integrity and fostering enduring trust within the community.

4. DIRECTIONS TO CHIEF

4.1 PROCEDURES

- 4.1.1 The Chief shall establish and maintain the following procedures as required by Section 20 of the CSPA:

- (i) Procedures regarding notifying supervisors of matters for the purposes of Section 6 of O. Reg. 395/23;
- (ii) Procedures for undertaking investigations in accordance with O. Reg. 395/23;
- (iii) Procedures for the management of information relating to investigations in accordance with O. Reg. 395/23;
- (iv) Procedures for managing informers and agents and ensuring their security in accordance with O. Reg. 395/23.

4.2 STANDARDS FOR INVESTIGATIONS

- 4.2.1 The Chief shall ensure:

- (i) That the Service has a Senior Investigator, a supervisor or a case manager available 24 hours per day, and that every investigation is undertaken by an investigator or senior investigator, as determined by a supervisor, as required by Sections 4 and 5 of O. Reg. 395/23, and that Service Members and supervisors are trained to ensure compliance with Sections 6, 7, 8, and 9 of O. Reg. 395/23.
- (ii) That investigators take all reasonable and necessary steps to ensure the safety of persons relevant to the investigation as required by Section 10 of O. Reg. 395/23;
- (iii) That Members of the Service are adequately trained and deployed as required to undertake or supervise investigations in compliance with Sections 11 to 19 inclusive of O. Reg. 395/23;
- (iv) That extensive co-operation occurs with police in other jurisdictions to maximize investigative effectiveness, if deemed necessary;
- (v) That the Chief deploy Members of the Service required to undertake or supervise investigations, and to consider the following factors when determining the number of Members of the Service that are required to undertake and supervise an investigation as required by Section 23 of O. Reg. 395/23:
 - a. Data on the workload of Members conducting the investigations from the previous five years;
 - b. The crime severity index for areas being policed;
 - c. The Strategic Plan for the Police Service;
 - d. The geographical characteristics of the community;

- e. That Service Members are trained on and comply with Section 20.1 of O. Reg. 395/23 regarding crime guns.

4.3 CONSULTATION WITH CROWN ATTORNEY

- 4.3.1 The Chief shall consult with the Crown Attorney as required in accordance with Section 21 or O. Reg. 395/23 and shall ensure that investigators consult with a Crown Attorney in the circumstances required by Section 17 of O. Reg. 395/23.

5. REPORTING TO THE BOARD


- 5.1 The Chief shall make a written annual report to the Board demonstrating compliance with this By-law. The report shall include:
 - (i) The number of major cases in the preceding year, as defined in Ontario Regulation 395/23, which is to be reported to the Minister by February 28 of the following year; and
 - (ii) The number of ViCLAS Crime Analysis Reports submitted by Members of the Police Service in the preceding year, not including updated reports, which is to be reported to the Minister by February 28 of the following year.

6 IMPLEMENTATION


- 6.1 Any By-laws, sections of by-laws and policies of the Board inconsistent with the provisions of this By-law are hereby repealed.
- 6.2 This By-law shall come into force on the date of its passage.

ENACTED AND PASSED this 24th day of July, 2025.

THE REGIONAL MUNICIPALITY OF NIAGARA POLICE SERVICE BOARD



Pat Chiocchio, Chair



Deb Reid, Executive Director