



BY-LAW NO. 496-2024

A BY-LAW RESPECTING ROBBERY INVESTIGATIONS

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 subsection 1 (1) of the CSPA provides, inter alia, that policing shall be provided throughout Ontario in accordance with the principle of the need to ensure the safety and security of all persons and property in Ontario, including on First Nations reserves;
- 1.4 AND WHEREAS O. Reg. 392/23: Adequacy and Effective Policing (General) prescribes standards for adequacy and effectiveness of police services;
- 1.5 AND WHEREAS the Board deems it appropriate to require the Chief of Police to develop and maintain procedures and processes for undertaking and managing investigations into robbery occurrences;
- 1.6 AND WHEREAS the Ministry has published a Policing Standards Manual (2000) which provides direction to the Board and Service in respect of certain general operational issues, including policy directions with respect to the investigation of certain criminal offences;
- 1.7 AND WHEREAS Part LE-042 of the Policing Standards Manual (2000), a copy of which is attached hereto as Appendix A, contains guidelines directing the Police Service relative to robbery 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 “*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 robbery occurrences are serious in nature, and it is therefore the policy of this Board that investigations into robbery occurrences 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 PROCEDURES

- 4.1.1 The Chief shall develop and maintain procedures for undertaking and managing investigations into robbery occurrences. These procedures shall be in accordance with Appendix A.

4.2 MAJOR CASE

- 4.2.1 The Chief shall ensure that a robbery occurrence that also involves a major case be investigated in accordance with procedures set out in the Ministry’s designated Ontario Major Case Management Manual.

4.3 TRAINING

- 4.3.1 The Chief shall ensure that Members investigating robbery occurrences have the requisite knowledge, skills and abilities.

5 REPORT TO THE BOARD

- 5.1 The Chief shall make a written report to the Board in each year. The report shall include:
- (a) a summary of the written procedures concerning robbery investigations; and
 - (b) confirmation that the Service procedures comply with Appendix A.

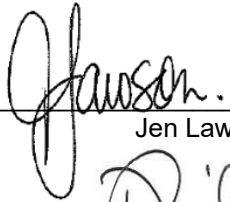
6. IMPLEMENTATION

- 6.1 By-law No. 234-2000 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 29 of the Adequacy Standards Regulation requires a police services board to have a policy on robbery investigations.

In addition, section 12(1)(q) requires the Chief of Police to develop and maintain procedures and processes for undertaking and managing investigations into robberies.

Sample Board Policy

Board Policy # _____

It is the policy of the _____ Police Services Board with respect to robbery investigations that the Chief of Police will:

- a) develop and maintain procedures that require that investigations be undertaken and managed in accordance with the police service's criminal investigation management plan; and
- b) ensure that a robbery occurrence that also involves a major case be investigated in accordance with the procedures set out in the Ministry's designated *Ontario Major Case Management Manual*.

Police Service Guidelines

Procedures

1. Every police service's procedures should:
 - a) require that investigations be undertaken and managed in accordance with the police service's criminal investigation management plan;
 - b) require that, where a robbery occurrence also involves a major case, the investigation be conducted in accordance with the procedures set out in the Ministry's designated *Ontario Major Case Management Manual*;
 - c) require compliance by officers with the police service's procedures on the collection, preservation and control of evidence and property;
 - d) set the steps to be taken by officers initially responding to a robbery, including one that is in progress when they arrive;
 - e) address the response to hold-up alarms activated, i.e., at financial institutions and businesses;
 - f) require the sharing of information with patrol officers on relevant robbery occurrences, including any descriptions of suspects; and
 - g) address the sharing of appropriate information on robbery occurrences with other relevant law enforcement agencies, and organizations, including businesses, where appropriate.