



BY-LAW NO. 236 - 2000

**A BY-LAW RESPECTING
YOUTH CRIME
(LE-044)**

1. PREAMBLE

- 1.1 WHEREAS subsection 31(1) of the *Police Services Act* provides that a Board is responsible for the provision of police services and for law enforcement and crime prevention in the municipality and shall:
- b. generally determine after consultation with the Chief of Police, objectives and priorities with respect to police service in the municipality;
 - c. establish priorities for the effective management of the police service, and
 - e. direct the Chief of Police and monitor his or her performance;
- 1.2 AND whereas subsection 31(6) of the *Police Services Act* provides that the Board may, by by-law, make rules for the effective management of the police service;
- 1.3 AND whereas O. Reg. 3/99 prescribes standards for adequacy and effectiveness of police services;
- 1.4 AND whereas subsection 12(1)(u) of O. Reg. 3/99 requires the Chief of Police to establish procedures and processes for undertaking and managing investigations into youth crime;
- 1.5 And whereas section 29 of O. Reg. 3/99 requires a police services board to have a policy on investigations into youth crime;
- 1.6 And whereas Part LE-044 of the Policing Standards Manual (2000), a copy of which is attached as Appendix A contains guidelines directing the Chief and the police service relative to investigations into youth crime.

NOW THEREFORE THE REGIONAL MUNICIPALITY OF NIAGARA POLICE SERVICES BOARD ENACTS AS FOLLOWS:

2 **DEFINITIONS**

- 2.1 *"Act"* means *Police Services Act*, R.S.O. 1990, c.P.15, as amended;
- 2.2 *"Board"* means the Regional Municipality of Niagara Police Services 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 *"Service"* means the Niagara Regional Police Service.

3 **BOARD POLICY**

- 3.1 The Board recognizes that matters of youth crime are serious in nature, and it is therefore the policy of this Board that investigations into such matters be conducted professionally and thoroughly, and in accordance with the procedures established by the Chief as directed by this By-law.

4 **DIRECTION TO THE CHIEF**

4.1 **PROCEDURES**

- 4.1.1 The Chief shall develop and maintain procedures on and processes for undertaking and managing investigations into youth crime in accordance with Appendix A.

4.2 **SCHOOL LIAISON PROGRAM**

- 4.2.1 The Chief shall develop and maintain a school liaison program which includes establishing protocols for investigating school related occurrences.
- 4.2.2 The Chief shall ensure that the protocols referred to in section 4.2.1 above is reviewed on an annual basis.

4.3 **COMMUNITY PARTNERSHIP**

- 4.3.1 The Chief shall consider the need for a multi-agency strategy to prevent or counter the activities of youth gangs in the community in accordance with the Service's procedures on crime prevention and problem-oriented policing.

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 investigations into youth crime. The report shall include:
- a. a summary of the written procedures concerning youth crime investigations;
 - b. the status of Service compliance with the said procedures;
 - c. a summary of steps taken by the Service to monitor and evaluate youth crime; and
 - d. reference to the requirement in section 4.3.1.

6 IMPLEMENTATION

- 6.1 This By-law shall come into force upon the date of its passage.
- 6.2 The Chief shall implement this By-law, where applicable, through general order.


ENACTED AND PASSED this 14th day of December, 2000.

THE REGIONAL MUNICIPALITY OF NIAGARA POLICE SERVICES BOARD

Chairperson



Vice Chairperson



Legislative/Regulatory Requirements

Section 29 of the Adequacy Standards Regulation requires a police services board to have a policy on investigations into youth crime.

In addition section 12(1)(u) requires the Chief of Police to develop and maintain procedures on and processes for undertaking and managing investigations into youth crime.

Sample Board Policy

Board Policy # _____

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

- a) develop and maintain procedures on and processes for undertaking and managing investigations into youth crime;
- b) work, where possible, with local school boards to develop programs for safe schools, including establishing protocols for investigating school-related occurrences; and
- c) consider the need for a multi-agency strategy to prevent or counter the activities of youth gangs in the community in accordance with the police service's procedures on crime prevention and problem-oriented policing.

Police Service Guidelines

- Procedures**
1. Every police service's procedures on the investigation of offences committed by young persons should:
 - a) address compliance by members with the relevant federal legislation relating to young persons;
 - b) address the steps to be taken by officers, in accordance with local protocols, when responding to school-related occurrences;
 - c) require the sharing of information with intelligence personnel if it is believed that an offence committed by a young person is gang-related;
 - d) address the sharing of information with officers, appropriate members, other police services and relevant organizations on youth gang activities;
 - e) set out the steps to be followed if a young person should escape, be unlawfully at large or breach probation; and
 - f) require that young persons' records are flagged in order to avoid unlawful disclosure.

**Safe
Schools**

2. Every Chief of Police should work, where possible, with local school boards to develop programs for safe schools, including establishing a protocol for the investigation of school-related occurrences that is consistent with the Ministry of Education's policies relating to safe schools.

**Youth
Gangs**

3. Every Chief of Police should consider the need for a multi-agency strategy to prevent or counter the activities of youth gangs in the community, including working, where possible, with school boards, municipalities, youth and other community organizations, businesses and the Crown.