



## PUBLIC REPORT

**December 28, 2022**

**To:** Chair and Members  
Toronto Police Services Board

**From:** Ryan Teschner  
Executive Director and Chief of Staff

**Subject:** **Toronto Police Services Board 2023 Operating Budget Request**

**Purpose:**  Information Purposes Only  Seeking Decision

### **Recommendation(s):**

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This report recommends that the Toronto Police Services Board (Board):

- (1) Approve the Board's 2023 net operating budget request of \$2,176,800 which is a \$207,000 increase over the 2022 approved budget;
- (2) Approve the 2023 staff complement for the Board of 10.5 positions, which is an increase of 3 positions from 2022; and,
- (3) Forward this report to the City's Budget Committee for consideration and to the City's Chief Financial Officer and Treasurer for information.

### **Financial Implications:**

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This Toronto Police Services Board 2023 operating budget request is a net amount of \$2,176,800, which represents an increase of \$207,000 over the 2022 budget.

A summary of the net operating budget request is as follows:

| (\$000)                     | 2022 Budget    | 2023 Request   | Change       | 2024 Outlook   | Change       |
|-----------------------------|----------------|----------------|--------------|----------------|--------------|
| Salaries & Benefits         | 1,354.4        | 1,561.4        | 207.0        | 1,744.4        | 183.0        |
| Net Non-Salary Expenditures | 615.4          | 615.4          | 0.0          | 615.4          | 0.0          |
| <b>Total Net Request</b>    | <b>1,969.8</b> | <b>2,176.8</b> | <b>207.0</b> | <b>2,359.8</b> | <b>183.0</b> |

## Summary:

This report proposes a 2023 operating budget that will ensure the Board, with the support of the Office of the Police Services Board, is able to discharge its statutory police governance and oversight responsibilities in the context of a significant and evolving police reform and modernization agenda, and at the same time, preparing to comply with new provincial policing legislation and its associated impacts on police governance and the Board's operations.

The proposed budget recognizes that the Board's work and the work of its professional staff occurs in the country's largest municipality, with Canada's largest municipal police service. In her report, *Missing and Missed*, Judge Epstein detailed the role and work of the Board and the Office of the Police Services Board, recognizing its importance in maintaining public confidence in the Toronto Police Service. Commenting on the increasing complexity and significance of the work required to fulfil the Board's statutory role, Judge Epstein recommended that the Board "should be allocated sufficient funding to ensure it can perform its extensive governance and oversight responsibilities under the *Police Services Act* and the new *Community Safety and Policing Act, 2019*." To address these recommendations, this operating budget includes funding for three (3) additional staff to inform and support the Board's governance and oversight function in priority areas. The last time the Board has expanded its staff complement was in 2019, when one and a half (1.5) additional roles were added, while prior to that, the Board's staff complement was reduced by one (1) role in 2015.

## Discussion:

### ***Background and the Board's Legislative Responsibilities***

The Toronto Police Services Board is the seven member, statutory civilian body that governs and oversees the Toronto Police Service. The Board is dedicated to ensuring that Toronto's police services are delivered in partnership with our communities, to keep the city the best and safest place to be.

Under Ontario's *Police Services Act*, the Board is responsible for ensuring the provision of adequate and effective police services in Toronto, including the development of policies for the effective management of the Service.

The *Police Services Act* requires the Board to, among other things: generally determine the objectives and priorities for police services in the municipality; set policies for the effective management of the police force; recruit and appoint the Chief of Police and other Command Members of the Service (Deputy Chiefs, the Chief Administrative Officer, and the Chief Information Officer); direct the Chief of Police and monitor their performance; negotiate labour relations contracts with the two bargaining agents for the Service's members; and, determine the budget for the police service.

### *Relevant Board Policies and Compliance*

This report complies with the Board's Budget Transparency Policy.

### ***Collaboration and Consultation as Key Tools for Effective Governance***

Ontario's municipal policing model places independent civilian governance at its core. It is a responsibility taken very seriously by the Board and the small professional team that supports it. The Board and Office of the Police Services Board work closely with the Chief of Police to set the strategic vision for the Service, and provide evidence-based governance through policies and other legally binding direction. Importantly, the Board also creates opportunities for members of the public, government bodies and stakeholder groups to engage and provide their perspectives and input concerning contemporary policing issues.

Over the past year, the Board has continued to modernize its approach to governance, introducing practices that enhance the relationships of the Board with both internal and external stakeholders. These relationships are crucial to the effective development and implementation of initiatives that respond to the Board's reform agenda, including its 81 recommendations for policing reform approved in August 2020.

Throughout 2022, the Board has continued to engage extensively with regulatory bodies, different levels of government, community organizations, academic experts, subject-matter experts within the Service, the Board's own Anti-Racism and Mental Health and Addictions Advisory Panels, and the public as a whole, on a series of issues and initiatives related to policing reform and improved services. Several of these initiatives have come to fruition in 2022, while others will be implemented in the coming year. These ongoing consultations, meetings, and conversations ensure that we remain current in matters of community safety and well-being and ensure that we deliver comprehensive civilian governance and oversight.

### ***Key Successes and Ongoing Work***

Building on the roadmap for reform established by the Board in 2020, work in the past year has focused on the continued implementation of the recommendations approved

by the Board, and developing new initiatives and approaches that enhance the effective governance of policing in Toronto. Some key accomplishments in 2022 include:

- Completion of the most extensive Chief of Police selection process in the City's history, resulting in the Board appointing the Service's new Chief, Myron Demkiw;
- Continuing to implement, together with the Service, the 81 recommendations on comprehensive policing reform in Toronto – a body of work that other police boards and commissions in Canada have relied on and used to guide their own work, as well as the recommendations from the *Missing and Missed*, an independent report by the Hon. Gloria Epstein on missing person investigations;
- Development and implementation of a new Artificial Intelligence Policy, the first of its kind in Canada, and a significant update to the Board's Adequacy Standards governance framework, including a new approach to monitoring for compliance with provincial standards;
- Continuation of a public-facing consultative process on the upcoming revision to the Use of Force Policy;
- Engagement as an Advisory Group member for the City's SafeTO Community Safety and Well-Being Plan, and continued collaboration with the City on its Alternative Community Crisis Response Model and other initiatives of mutual interest;
- Ongoing work with the Board's Anti-Racism Advisory Panel (ARAP) and the renewal of the Mental Health and Addictions Advisory Panel (MHAAP) membership;
- Participation in professional forums as experts to profile the innovative approaches developed by Board Office Staff, and to contribute to the evolution of modern civilian police governance in Canada and abroad;
- Continued engagement with the Province on the regulatory development process led by the Ministry of the Solicitor General ahead of the coming into force of the *Community Safety and Policing Act, 2019 (CSPA, 2019)*, including providing commentary on and proposals concerning new regulations;
- Continuation of the implementation of a Memorandum of Understanding (MOU) with Midaynta Community Services (Mending a Crack in the Sky [MCIS]), developing sustained links with Neighbourhood Community Officers located within the west end Divisions (22, 12, 13, 23) and the Service's Community Partnerships & Engagement Unit;
- Enhancing the Board's independent governance supports, through work undertaken pursuant to an MOU with the Auditor General, and establishing a new relationship with Ombudsman Toronto to diversify information channels and expertise; and,
- Increased transparency and public engagement through the Board's website (i.e., regular press releases, increasing the accessibility for our policies from PDFs to user-friendly HTML formats, up-to-date information on Board initiatives,

enhanced public consultation on policy development, etc.), social media platforms and media engagement.

### ***Key Challenges and Risks***

The Board, with the support of the Office of the Police Services Board:

- Must continue its high degree of engagement with diverse communities on significant policing and police governance and oversight issues;
- Continue to evolve its civilian governance structures, processes, policies and approaches to maintain its position as a national and international leader in this space, and in the midst of the most significant legislative changes to Ontario's policing environment in decades;
- Continue to improve its access to information and analysis on the impact and effectiveness of implementing policing standards, Board Policies and direction to the Chief, and the Service's programs and initiatives, so as to ensure a constant 'feedback loop' that drives improvement and innovation;
- Maintain public transparency and accessibility to its work and governance processes; and,
- Address the many and wide-ranging priorities, initiatives, and projects that are currently being implemented or that are forecasted to be addressed in 2023, in a manner that maintains public confidence in police governance and oversight in Toronto, while ensuring Board members and Board Office Staff can respond to unanticipated events.

### ***Key Priorities for 2023***

There are many priorities, initiatives, and projects that are currently being implemented or that are forecasted to be addressed in 2023 that will require Board members and Board Office Staff to be nimble, engaging, and accessible to the public. For example:

- The continued implementation, in collaboration with the Service, of the remainder of the Board's 81 Recommendations on Police Reform and the 151 Recommendations from the *Missing and Missed* report concerning missing persons investigations;
- Engaging and working collaboratively with the Ontario Human Rights Commission on the inquiry into racial profiling and racial discrimination of Black persons by the Toronto Police Service;
- Continued work with City of Toronto partners on the SafeTO: Community Safety and Well-Being Plan, the implementation of the City's Alternative Community Crisis Support Service pilot, and other 'City family' initiatives;
- Enhanced work to streamline, modernize and improve the Board's governance approaches through analysis of the impacts of implementing statutory adequacy

standards, Board Policies and directions, and the development of new leading police governance policies in Canada;

- Continually enhancing the quality of information and level of analysis on the effectiveness and the impacts of the Service's various initiatives that are made available to the Board and the public;
- Undertaking further work to impact the new legislative environment for policing and police governance in Ontario, through engagement with the Ministry of the Solicitor General as part of the *CSPA, 2019* regulatory development process;
- Work to prepare the Board, Board Office and the Service for new, enhanced or different approaches that will be required once the *CSPA, 2019* comes into force; and,
- Establishing or enhancing supports, education and awareness for Board Members and Board Office Staff, so that trends and emerging issues are consistently part of considerations brought to bear in the context of decision-making.

### ***Salary and Benefit Accounts***

The Board Office's approved staffing complement is 7.5 staff, which comprises: an Executive Director and Chief of Staff; Senior Advisor, Policy and Communications; Senior Advisor, Strategic Analysis and Governance; Senior Advisor, Strategic Policy & Stakeholder Relations; Board Administrator; Executive Assistant to the Chair; Executive Assistant to the Executive Director; and Part Time Administrative Assistant. Together, these staff members provide the full spectrum of professional support in a wide range of areas associated with the Board's statutory function, including: policy development, labour relations, executive human resources, budget development and support, Board meeting work, public engagement, research and analysis, communications, legal matters (with the assistance of counsel from City of Toronto Legal Services), government relations and administrative support. The work performed by the small team of professional staff is essential to the Board's ability to provide adequate and effective police services to the communities we serve.

The 2023 Operating Budget Request is proposing the addition of three (3) additional staff: two Governance Quality Assurance Analysts, and one Indigenous Engagement Advisor. The additional staff will enhance the Board's governance and oversight functions in the context of addressing Judge Epstein's recommendation in *Missing and Missed*. These new staff roles will permit the Office of the Police Services Board to stand up additional capacity in important governance and oversight areas, in particular:

- collect data on the impacts of implementing Board initiatives, policies and direction and independently analyze data collected by the Service to inform Board decision-making;
- develop and implement monitoring and evaluation plans for the implementation and effectiveness of provincial adequacy standards, Board Policies and direction, and recommendations emanating from external reviews and inquiries;

- establish and foster key partnerships with Indigenous Nations and their communities, organizations, City partners and key stakeholders;
- develop and implement a governance and oversight approach to the Toronto Police Service's implementation of the City's Reconciliation Action Plan;
- support the Board's evolving communication and engagement strategies to ensure the public is aware of the Board's work and initiatives; and,
- support work of the Board's permanent Mental Health and Addictions Advisory Panel and Anti-Racism Advisory Panel.

The budget request in the Board's salary and benefit accounts, totalling \$ 1,561,400, includes salary/benefits for its approved staff complement, as well as the proposed new hires.

In August 2019, the Board negotiated a new collective agreement with the Senior Officers Organization, and, at its meeting of October 22, 2019, approved a recommendation to ratify the same monetary settlement to Excluded staff, which includes members of the Board Office staff (Min. No P205/19 refers). As a result, the 2023 impact of the settlement, amounting to \$0.022 million, has been reflected in the Board's operating budget.

### ***Non-Salary Expenditures***

The budget request does not include any additional funding for the non-salary expenditures in 2023.

The base budget for non-salary expenditures will allow for the continued implementation of police reform and other strategic initiatives, as well as honouraria for community members on the Board's Advisory Panels (a new budget item that was built into the Board's Operating Budget, beginning last year). A portion of the non-salary accounts has also been allotted to training and development for the Board Members and the Board Office Staff. The Board Office Staff are critical to delivering professional, best-in-class services to support the Board's various functions. The Board Office must be able to function as a fully independent policy, quality assurance, evaluation, communications, stakeholder engagement and government relations centre of excellence. Staff are better equipped to perform these key functions through accessing specific and topical professional development training programs and learning opportunities to keep their skills relevant. Additionally, members of the Board Office Staff frequently contribute to professional development conferences, seminars and other forums hosted by the Canadian Association of Police Governance, the Ontario Association of Police Services Boards, and other organizations focused on police governance, oversight and contemporary policing topics.

A significant portion of the non-salary costs are for arbitrations/grievances. It is not possible to predict or control the number of grievances filed or referred to arbitration, as filings are at the discretion of bargaining units. In order to deal with this uncertainty, the 2023 budget includes a \$424,800 contribution to a Legal Reserve for the costs of

independent legal advice – an amount that is unchanged from the 2022 budget. Fluctuations in legal spending will be dealt with by increasing or decreasing the budgeted reserve contribution in future years' operating budgets so that the Board has funds available in the Reserve for these variable expenditures.

The Legal Reserve ensures that funds are available in the event that the Board requires legal advice other than that made available from the City of Toronto Legal department. Similarly, funds will be available should the Board require any additional external consulting advice or professional services.

Expenditures within the proposed legal services accounts are difficult to predict as they are often incurred in response to an action or event. Recent settlement statistics related to labour disputes and grievances indicate that fewer matters proceed to a hearing, but that the matters that do proceed to hearings are increasingly complex.

The remaining portion of the proposed non-salary budget is for the running of the day-to-day operations of the Board Office, and includes funding for membership in the Ontario Association of Police Services Boards and the Canadian Association of Police Governance, the provincial and national associations for police governance.

### ***Equity Analysis***

The increase in staffing within the Office of the Toronto Police Services Board will have a **high positive** equity impact. Indigenous Peoples, Immigrants, Refugees & Undocumented individuals, women, 2SLGBTQ+, Persons with Disabilities, Racialized Groups, Black, Vulnerable Youth, and Vulnerable Seniors will be positively impacted by the additional focus that can be brought to bear by professional staff on matters of relevance to these groups and communities.

The *Indigenous Engagement Advisor* (1) will work towards developing governance and oversight approaches in support of the Toronto Police Service's implementation of the *City's Reconciliation Action Plan*, and generally improve ongoing communication between the Board and the Indigenous Nations and their communities in Toronto, with a goal of ensuring that Indigenous voices, perspectives and advice are regularly engaged and given respectful consideration. Furthermore, the Advisor will support the important work of the Mental Health and Addictions Advisory Panel and the Anti-Racism Advisory Panel.

The *Governance Quality Assurance Analysts* (2) will develop and help execute evaluation plans for the implementation and effectiveness of Board Policies, directions and recommendations stemming from external reviews, including those relating to police reform, anti-Black racism, systemic discrimination, and mental health.

Additional staff will enable the Board to increase its capacity to address the Service's role in systemic inequities and better meet the needs of Indigenous Peoples, Black communities, and other equity-deserving groups within Toronto.



***Conclusion:***

The budget proposed in this report is founded on the Board's continued commitment to meet its legislative mandate in a manner that inspires public confidence, is meaningful to those we serve, and is fiscally responsible. The Board and Office of the Police Services Board will deliver modern independent police governance that continues to lead the country.

Respectfully submitted,



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