

# Term of Appointment – Board of Police Commissioners

## ISSUE

This report provides information with respect to the possibility of extending the one-year appointment term on the Board of Police Commissioners [“Board”] to two years.

## BACKGROUND

### 2.1 History

The Governance and Priorities Committee [“Committee”], at its joint [Special Meeting held on June 22, 2022](#) with the Board, considered an information report of the City Clerk that provided an overview of the appointment terms for the Board. The Board indicated interest in extending the one-year term to a two-year term for reasons of continuity, succession planning, training, knowing it takes time to get to know the work of the police and trends. Committee resolved that the Administration provide a report to the Committee.

Since 1978, the term of Board members has been one-year.

City Council, at its meeting held on December 4, 2000, resolved that the City Solicitor be requested to submit a report to Council on how to increase public membership on the Board. It was reported:

*In order to accomplish its goal, Council must request an amendment to Section 27 of The Police Act, 1990 which now limits the Board to a maximum of two “members at large”.*

*Council may wish to broaden its request and ask for an amendment which allows Council to determine the number of Board members, the composition of the Board, and the term of appointment of Board members.*

The matter was subsequently referred to the Board.

City Council, at its meeting held on October 7, 2002, considered a communication from the Board Chair of the day requesting that Council ask the Minister of Justice for an amendment to Section 27 of *The Police Act, 1990* to allow Council to determine the term of the appointment of Board members. Council received the information (no action).

## 2.2 Current Status

Currently a member of the Board is appointed annually for a term of January 1 to December 31 of the year of appointment in accordance with Bylaw No. 7531, *The Saskatoon Board of Police Commissioners Bylaw* ["Bylaw"] and up to a maximum of six years in accordance with [Council Policy C01-003, Appointments to Civic Boards, Commissions, Authorities, and Committees](#).

## 2.3 Public Engagement

There is no requirement for public engagement on this matter.

## 2.4 City of Saskatoon's Current Approach

Appointments to the Board of Police Commissioners are made annually by City Council typically at its December meeting for the following year.

There are three Council members and four citizen representatives appointed to the Board.

## 2.5 Approaches in Other Jurisdictions

The following are three Saskatchewan municipalities terms for the Board of Police:

- Regina – one-year term (maximum term nine, consecutive years, with option to serve longer at the will of Council)
- Prince Albert – two-year term (no maximum term)
- Moose Jaw – one-year term (maximum term five, consecutive years)

As this Act applies provincially, other jurisdictions outside of the province were not researched.

## OPTIONS

Section 27 of *The Police Act, 1990* ["Act"] states:

- (4) A board is to:
  - (a) consist of at least three board members appointed annually by the council; and
  - (b) include the mayor of the municipality, and:
    - (i) where the board consists of three board members, one member of the council in addition to the mayor and one other person, other than a member of council, as a member at large; and
    - (ii) where the board consists of more than three board members, two members of the council in addition to the

- mayor and two or more other persons, other than members of council, as members at large.
- (5) Subject to subsection (6), a board member other than the mayor holds office for the term prescribed in the bylaw and until a successor is appointed.
  - (6) Where a board member who holds office as a member of the council loses office as a member of the council, that board member also loses office as a board member.

There are two plausible interpretations of section 27 of the Act:

- 1. That the requirement for a council to “appoint annually” means that the term of appointments to the Board must only be for one year at a time; or
- 2. That “appoint annually” means simply that appointments must be undertaken annually but that the term of appointments may be prescribed in the bylaw in accordance with subsection 27(5) of the Act.

**Option 1 (Status-quo)**

Council could continue with one-year appointments.

**Option 2 (Move to a two-year term)**

Council could move to a two-year term and confirm appointments annually.

**RECOMMENDATION**

- 1. That appointments made to the Board of Police Commissioners term be a two-year term confirmed annually, effective for January 2023;
- 2. That the Terms of Reference for the Board of Police Commissioners be updated accordingly to reflect the change of term; and
- 3. That the City Solicitor be instructed to bring forward the appropriate amendments to Bylaw No. 7531, *The Saskatoon Board of Police Commissioners Bylaw*.

**RATIONALE**

The Board of Police Commissioners is interested in having their appointment term be two years as opposed to the current one-year term. Discussion at the Board level relative to this request has centered on the need for continuity of Board members and certainty of membership for major initiatives.

There are other Boards and Committees that City Council appoints members-at-large that have two-year terms, for example all of the Controlled Corporations and The Saskatoon Library Board. Staggering of terms typically occurs naturally through attrition.

### **ADDITIONAL IMPLICATIONS/CONSIDERATIONS**

- There are no financial implications.
- There are no privacy, legal, social, or environmental implications identified.

### **COMMUNICATION ACTIVITIES**

The Board will be advised of any action taken by City Council.

### **APPENDICES**

1. Bylaw No. 7531, *The Saskatoon Board of Police Commissioners Bylaw*
2. Terms of Reference for The Saskatoon Board of Police Commissioners

#### Report Approval

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