

CITY OF SAINT JOHN

POLICE GOVERNANCE REVIEW

Prepared by:
Governedge Inc.
April 2026

April 22, 2026

Her Worship Mayor Donna Noade Reardon
And Members of Common Council
City of Saint John
P.O. Box 1971
Saint John, NB E2L 4L1

Dear Mayor Reardon and Members of Council:

Please find enclosed our Police Governance Review and recommendations, for your consideration.

The people of Saint John deserve consistently high-quality policing that is aligned with their needs, values and expectations – even as they change over time. Our review presents a police governance model that will ensure that standard, by design, while optimizing community return-on-investment.

The past three-and-a-half-months have been an intense and rewarding journey through the workings of police governance in Saint John today, with many inquiries and discussions about what it could become in the future. This report summarizes the stakeholder input, comprehensive research and analysis that led to our recommendations.

It has truly been a pleasure to meet all those stakeholders who provided valuable insights so essential to completing this meaningful project.

I also extend a special thanks to the Project Steering Committee of Kevin Fudge, Melanie Tompkins and Jodie Forgie, for their vital feedback throughout this project.

Respectfully submitted on behalf of the project team of Bonni Titgemeyer, Carol Kaustinen, Scott Fraser and Jason Kuzminski, and advisory panelists Curt Allen and Christian Leuprecht.



Fred Kaustinen
Principal, Governedge Inc.

TABLE OF CONTENTS

EXECUTIVE SUMMARY

Chapter 1 – INTRODUCTION

- 1.1 Background..... 11
- 1.2 Council Direction 12
- 1.3 Terms of Reference 13
- 1.4 Saint John’s Strategic Plan 14
- 1.5 Project Team & Methodology 15

Chapter 2 – STAKEHOLDER INTERVIEWS

- 2.1 Overview 16
- 2.2 Public Safety and Police Performance..... 17
- 2.3 Public Confidence in Police..... 17
- 2.4 Saint John Board of Police Commissioners 18
- 2.5 Police Governance Model 20
- 2.6 Conclusions..... 19

Chapter 3 – LEGAL FOUNDATION

- 3.1 Introduction 22
- 3.2 Police Governance Options 22
- 3.3 Police Governance Responsibilities 23
- 3.4 Composition of the Police Governing Authority 24
- 3.5 Police Governance & Oversight Guidelines 25
- 3.6 Provincial Policing Standards..... 28
- 3.7 Applying Police Governance & Oversight Guidelines in Saint John 28
- 3.8 Conclusions..... 27

Chapter 4 – QUASI-JUDICIAL REVIEWS OF POLICE GOVERNANCE

4.1 Introduction 30

4.2 The Morden Report 31

4.3 The Sinclair Report..... 32

4.4 The Epstein Report..... 34

4.5 The Rouleau Report 35

4.6 The Hourigan Report 37

4.7 Common Themes..... 37

4.8 Police Operational Independence 39

4.9 Conclusions..... 39

Chapter 5 – ENVIRONMENTAL SCAN

5.1 Introduction 41

5.2 Cross-Country Scan 42

5.3 Police Governance Role 43

5.4 Police Governance Responsibilities (Authorities) 43

5.5 General Good Governance Responsibilities..... 44

5.6 Owners-Governors-Governed Relationship 45

5.7 Comparator Police Governance Models 45

5.8 The Municipal Department Model - Fredericton, New Brunswick..... 46

5.9 Conclusions – The Municipal Department Model (Fredericton) 48

5.10 The Hybrid Governor-Employer Model - Cape Breton, Nova Scotia 49

5.11 Conclusions – The Hybrid Governor-Employer Model (Cape Breton) 52

5.12 The Police Board Model - Kingston, Ontario 52

5.13 Conclusions – The Police Board Model (Kingston) 56

5.14	Comparison of Comparator Models	57
------	---------------------------------------	----

Chapter 6 – BEST PRACTICES

6.1	Introduction	58
6.2	Defining Adequate Policing.....	58
6.3	Assessing Community Needs, Values and Expectations	60
6.4	Adequate Policing Policies	62
6.5	Strategic Planning.....	63
6.6	Verification.....	63
6.7	Labour Relations	64
6.8	Budgets	65
6.9	Annual Reports.....	66
6.10	Conclusions.....	64

Chapter 7 – COMPARISON OF OPTIONS

7.1	The Police Governance Model in Saint John Today	68
7.2	How did Saint John Police Governance Model Get to it's Current State.....	69
7.3	Fully -functional Police Governance Models	70
7.4	Descriptions of the Viable Police Governance Models	72
7.5	Comparison of Viable Police Governance Models	73
7.6	Comparative Advantages	73
7.7	Comparative Disadvantages.....	74
7.8	Comparative Risks	74
7.9	Assessment of Police Governance Options	74
7.10	Conclusion	75

Chapter 8 – RECOMMENDATIONS

Chapter 9 – IMPLEMENTATION

EXECUTIVE SUMMARY

The aim of the review is to provide an objective evidence-informed assessment of the benefits and challenges related to the two police governance models: the Board of Police Commissioners Model (the current police governance model) and the Municipal Department Model, and recommend the best governance model for Saint John.

This Review consists of stakeholder interviews, exploration of the legal foundation and five quasi-judicial reviews of police governance in Canada (collectively referred to as Morden et al), study of three comparator jurisdictions (Fredericton, Cape Breton and Kingston), a collection of police governance best practices derived from Morden et al, a comparative analysis of Council's options, recommendations for the future, and a high-level implementation plan.

Governedge conducted almost 30 interviews with the police governance stakeholders including all councillors, all police commissioners, senior police management, representatives of the Police Association and senior city staff. While there were differences of opinion regarding the current situation and reasons for it, stakeholders generally agreed that effective police governance requires:

- a clear understanding of the community's policing needs, values and expectations as they evolve;
- well-defined roles and relationships among stakeholders;
- cooperation and trust among stakeholders;
- unbiased, transparent evidence-informed decisions; and
- a high degree of transparency and accountability.

Police governance in Saint John today falls short of the contemporary police governance model in Canada. Specifically, it:

- focusses primarily on the financial and labour aspects of adequate policing, leaving police capacity and operational aspects to the Chief of Police to handle – as was the prevailing police governance philosophy across Canada prior to the Morden Report (2012) and which persists in many jurisdictions to this day;
- relies heavily on the Chief of Police to:
 - be the link to the community,
 - assess community needs, values and expectations,
 - direct the Force in accordance with his assessment,
 - verify the Force’s adequacy,
 - manage labour relations,
 - develop the budget for adequate policing, and
 - report the Force’s performance to the Commission, Council and the public;
- relies on the two councillors on the Commission to be its primary link to Council;
- is flooded with unresolved and new Police Association labour and advocacy issues; and
- is periodically challenged by Council regarding its worthiness.

There are several reasons why this is the case. The police governance model in Saint John is a product of the following:

- the Ministry of Justice Governance and Oversight Guidelines published in 2011 provided a reasonable framework at that time, but has not:
 - been updated as police governance concepts have evolved,
 - been accompanied by governance training, or
 - led to verifications that police governance authorities in the province understand and have correctly implemented the Guidelines;
- the Ministry of Justice published Policing Standards Manual (2017 – five years after Morden) describes a diminished police governance role as financial-provider and not adequacy-verifier;
- Council has not developed or articulated its expectations of the Commission, in terms of a Mandate or otherwise, particularly regarding synchronization of strategic

plans, financial planning or police and public safety reporting, nor has the Commission helped facilitate such clarity;

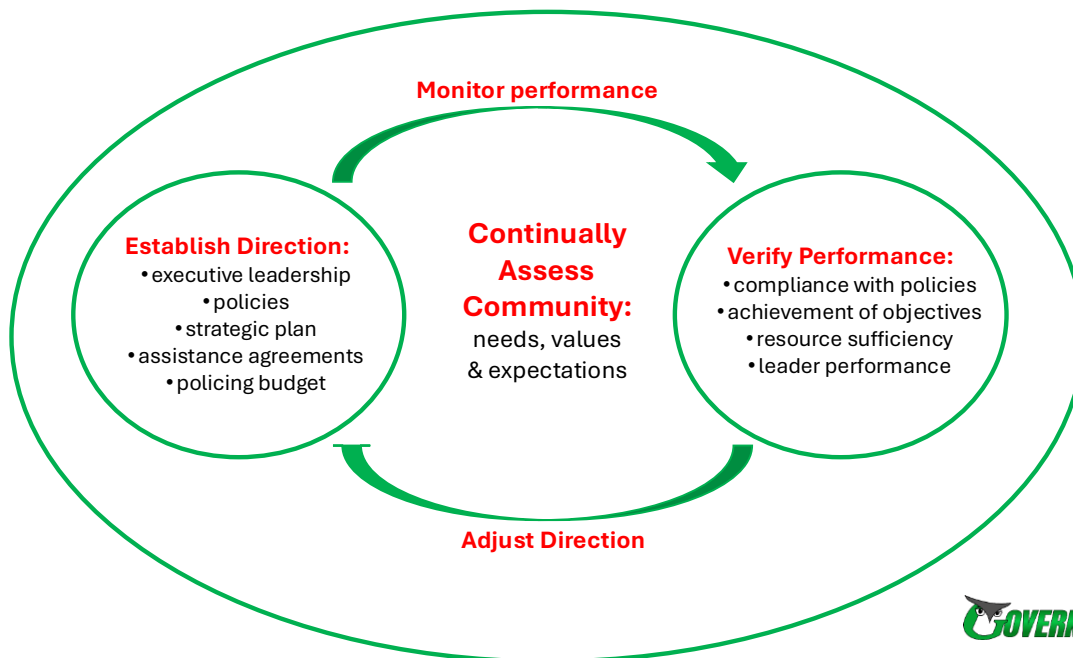
- Council does not have a Community Safety and Well-being Plan, which would serve to synchronize policing initiatives and goals with those of non-police agencies in the public safety ecosystem;
- the Commission has not received expert police governance training or advice, nor has it sought it;
- the Commission has not been exposed to the quasi-judicial works of Morden et al, nor has it sought them;
- the Commission does not have a police-governance adviser;
- the Commission does not have a public relations/communications adviser on staff, nor has it leveraged City communications staff;
- the Commission, Police Leadership and the Police Association have been jointly unable to develop an enduringly healthy, productive relationship, nor have they asked for assistance to facilitate its development; and
- the Commission has not recently participated in police governance discussions, training and networking with external agencies like the Canadian Association of Police Governance (CAPG).

All of these conditions must be addressed, regardless of which model of police governance Council selects for Saint John. Dissolving the Police Commission will not address these root causes.

Police governing authorities exist for one reason: to provide adequate and effective policing in the community. Saint John’s police governing model should provide and maintain adequate and effective policing in the community by:

- continually assessing the community’s need, values and expectations regarding policing;
- providing the necessary police leaders, policing-related policy direction, strategic plan, policing assistance agreements, and sufficient resources (budget and labour relations alignment) to enable adequate and effective policing; and
- verifying that adequate and effective policing is indeed being provided, making adjustments where required, and transparently and fulsomely reporting their findings and actions to stakeholders and the public at large.

Ongoing Governance of Adequate and Effective Policing



The Commission Model’s advantages outweigh those of the Department Model – notably its political objectivity – while its disadvantages can be lessened and its risks mitigated to a greater degree than is possible in the Municipal Department Model.

The Commission Model, modernized, codified and reinforced as outlined in Chapter 7 section 7.3, is **fit for purpose**. It is a clear, enforceable police governance model that addresses stakeholders’ concerns identified in interviews, notably aligning with Council’s

priorities, plans, processes and information requirements. It will objectively and transparently determine, direct and confirm adequate and effective policing in Saint John. **This model compels the Police Commission to have a substantively positive impact on police performance, community safety, and public trust.**

Accordingly, the key recommendations are:

- ***that Council retain the Saint John Board of Police Commissioners, modernized, codified and reinforced as set out in the recommendations contained in the Police Governance Review by Governedge in 2026.***
- that the City prepare a **mandate** for the Commission articulating its expectations including those related to the following:
 - Council’s definition of adequate policing, role and duties of the Commission, and determinants of adequate policing (identified in subsequent recommendations);
 - required Commission policies on determining adequate policing, providing adequate policing and verifying adequate policing;
 - required Commission policies on Chief-to-Commission Communications and Matters of Immediate Strategic Significance (Critical Points);
 - required Commission policies describing its community engagement requirements and activities, and proactive and reactive public communications;
 - mandatory commissioner training;
 - synchronized City and police strategic planning processes to ensure alignment of goals/objectives, key performance metrics and reporting on progress;
 - program-based police financial planning;
 - expectations that, to the maximum degree possible, the Commission’s deliberations and associated reports are made in public session, and posted on the Commission’s website;
 - reporting to Council on public safety and policing matters, and commission performance including transparency; and
 - Commission participation in City audits of the Commission and the governance model; and
- that the City develop an updated list of **Commission member competencies** based on the Commission’s duties, for subsequent selection of commissioners.

Regardless of the police governance model selected by Council, full implementation will take 3-5 years and require an investment in training and support.

CHAPTER 1: INTRODUCTION

1.1 Background

Since its inception in 1985, the Saint John Board of Police Commissioners (the Commission) has governed the Saint John Police Force on behalf of the residents of Saint John and Common Council. While there have not been any catastrophic public safety crises since that time, interviewees shared that labour-management relations within the Police Force have frequently been strained, and that the existence of the Commission has been called into question at Council from time to time. These tensions repeat themselves today.

In fall 2025, various media articles reported on the latest proposal to abolish the Commission. One article reported that the “[police union] is deeply concerned about the prevalence of workplace harassment within the Saint John Police Force and the impact this has on the frontline officers and their families”. One councillor stated that if Council governed the police “there’s a possibility we would know what the complaints are against the chief”.¹

In media articles, other councillors offered additional reasons to abolish the Commission, including:

- “public safety concerns [are] being voiced by residents and businesses, including complaints about vandalism and other forms of crime”²;
- “communication between the city council and the commission is limited”³;
- “elected and accountable councillors have no input on policing matters”⁴;
- “[there are] unclear lines of responsibility between the commission, council and police leadership”⁵;

¹ “*Saint John councillor wants police commission abolished*” Reeti Rohilla and Rebecca Lau, Global News, 26 Sep 25

² *Saint John reviewing pitch to dissolve police board, give council more say over city’s police force*, Nipun Tiwari, CBC, 6 Oct 25

³ “*Saint John councillor wants police commission abolished*” Reeti Rohilla and Rebecca Lau, Global News, 26 Sep 25

⁴ *Saint John reviewing pitch to dissolve police board, give council more say over city’s police force*, Nipun Tiwari, CBC, 6 Oct 25

⁵ “*Councillor wants police commission board abolished*” Brice McVicar, Telegraph Journal, 10 Sep 25

- “[there is a] lack of co-ordination with [police regarding] city-wide initiatives”⁶;
- “the system right now isn’t working as it could”⁷;
- “policing in the city could be improved and so too could the relationship between council and city’s police force.”⁸; and
- “change will enhance accountability and improve communication between departments”⁹.

1.2 Council Direction

On September 22nd, 2025, the following motion was moved and seconded at the City of Saint John Common Council, open session:

RESOLVED that the Police Commission be dissolved, and further, that the Saint John Police Force become a department of the City of Saint John with the Police Chief reporting directly to the City's CAO.

The following referral motion was subsequently moved, seconded and carried:

RESOLVED to refer to the CAO to undertake a governance structure review using expertise in this sector and come back with recommendations and options that respond to priorities established by Council for the Saint John Police Commissioners.

In a media statement, Mayor Reardon called the council resolution to conduct a Police Governance review “an opportunity to assess how policing is governed and whether a change could make the system better.”¹⁰

⁶ “Councillor wants police commission board abolished” Brice McVicar, Telegraph Journal, 10 Sep 25

⁷ “No vote on motion to abolish commission” Brice McVicar, Telegraph Journal, 25 Sep 25

⁸ “No vote on motion to abolish commission” Brice McVicar, Telegraph Journal, 25 Sep 25

⁹ “Councillor wants police commission board abolished” Brice McVicar, Telegraph Journal, 10 Sep 25

¹⁰ “Saint John councillor wants police commission abolished” Reeti Rohilla and Rebecca Lau, Global News, 26 Sep 25

City staff subsequently sought suitable proponents and received proposals. Council subsequently selected Governedge to undertake the Review on its behalf. The Kick-off Meeting was held on January 15th, 2026, and work began immediately thereafter.

1.3 Terms of Reference

The aim of the review is to provide an objective evidence-informed assessment of the benefits and challenges related to the two primary police governance models available under New Brunswick Legislation, and recommend the best governance model that enables the City to discharge its legal obligations to provide adequate policing services, while aligning, to the extent possible, the police service with the City's strategic priorities.

The two primary police governance models available under New Brunswick Legislation are

- a. the Board of Police Commissioners Model (the current police governance model);
and
- b. the Municipal Department Model.

The assessment must focus on legality, effectiveness, accountability, risks, and alignment with Saint John Strategic Priorities, and include:

- stakeholder interviews
- benchmarking with police governance models in similar-sized jurisdiction
- environmental scan of police governance best practices

The consultant must provide a comparison of each model in terms of benefits, risk and costs.

The recommended model must be the one that:

- best supports public accountability and performance;
- best aligns with Saint John Strategic Priorities;
- offers the strongest long term governance stability;
- minimize legal and operational risks;
- best addresses risk;
- provides best value for money; and
- addresses concerns identified by council.

Recommendations are to be accompanied with a high-level implementation plan.

1.4 Saint John's Strategic Plan

Saint John's 10-year strategic plan was adopted by Council in November 2022.

The Vision is: Saint John is more than a place – it's the people that make it home. We uplift all citizens, raising our community to new heights. Together, we will continue to foster growth, inclusion, and diversity, while strengthening our foundation of quality services and accountability, to help Saint Johners thrive.

The Mission is: Grow the city. Serve the city. Be the city of choice.

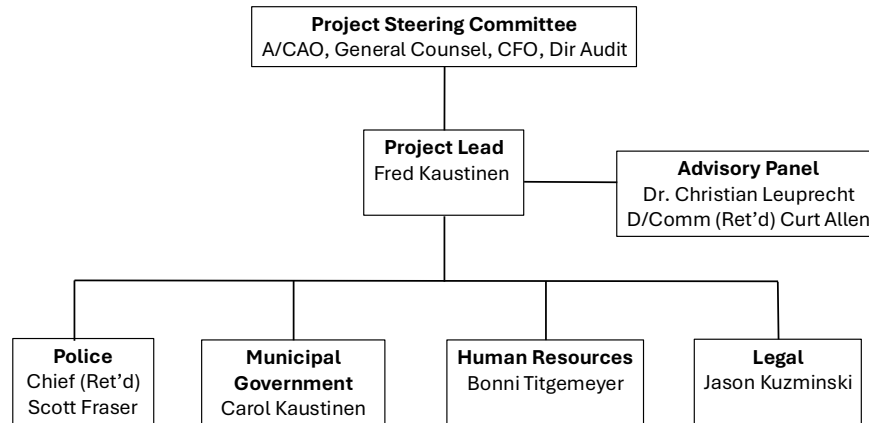
The objectives are:

- VIBRANT - We value a city that pulsates with life through arts, culture, recreation, education, employment, innovation and diversity;
- PROSPEROUS - We are creating an environment where all our citizens, neighbourhoods, natural spaces and businesses thrive;
- SERVICE - We are a professional public service and an engaged, informed community working together to ensure quality and innovative service delivery that benefits all citizens in a growing Saint John;
- ACCOUNTABLE - We are committed, with our partner agencies, boards and commissions, to demonstrate transparency in financial stewardship, performance management and reporting outcomes so our taxpayers and customers see value in their investments.

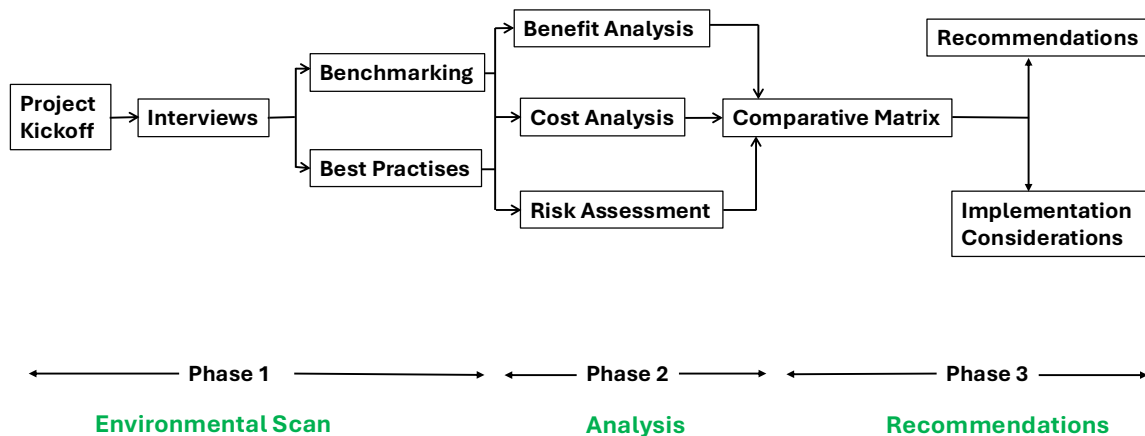
Of note, the Plan's only reference to police is an action item to "*support the Police Commission in the implementation of a five-year strategic plan, as appropriate*".

1.5 Project Team & Methodology

The Project Team assembled for the project was organized as follows:



The Review was conducted in three phases as illustrated below. The Project Lead was in contact with the Steering Committee throughout the project, and formally reviewed progress biweekly.



CHAPTER 2: STAKEHOLDER INTERVIEWS

2.1 Overview

Governedge conducted almost 30 interviews with the police governance stakeholders that included:

- all members of City Council;
- all members of the Saint John Board of Police Commissioners (referred to by interviewees as the ‘Commission’);
- senior police management;
- representatives of the Saint John Police Association (referred to by interviewees as the ‘Union’); and
- senior city staff.

Throughout the interview process, participants openly and candidly expressed their views and perspectives, and provided open-source supporting documents willingly. Additional in-camera supporting documents were requested of the Commission but denied for security reasons.

Participants revealed a shared passion for the community and public safety, as well as a desire for improvements, particularly regarding police governance. Participants also recognized strained relationships among stakeholder groups and challenges with the current model of police governance. They also spoke of opportunities for improvement in police governance, though the ideas on how to make those improvements varied significantly. The topics discussed were:

- Public Safety and Police Performance;
- Public Confidence in Police;
- Saint John Board Police Commissioners; and
- Police Governance Models

2.2 Public Safety and Police Performance

Participants commented on the homelessness, drugs and mental health issues as leading social factors affecting public safety. They agreed that more provincial funding for housing and associated socio-health challenges would help improve public safety within the community and provide some welcome relief.

All participants held Saint John police officers in high regard, while most participants said they thought the Force was doing well overall, given the circumstances. A few respondents were of the view that the Force was underperforming in responding to public concerns. Many felt that public safety and efficiency improvements could be made if the Force was better aligned with Council's strategic plan for the City, its large-scale emergency management plans, and its administrative processes.

Participants generally acknowledged that morale was not at its best¹¹. Some respondents felt it was contributing to increased numbers of officers on sick leave and held the Police Chief accountable for the situation. Others indicated they felt some disengagement was a predictable response to long-overdue changes that, while difficult for some members, were desperately needed. Those changes needed, they felt, were made more difficult by a restrictive collective agreement that unduly constrained management processes such as promotions, transfers and training, which the Police Association was unwilling to consider updating.

Most participants noted that the difference of opinion between police management and the Police Association on what organizational changes or improvements are needed contributes to a strained relationship that also negatively impacts both police morale and public confidence.

2.3 Public Confidence in Police

Participants felt the public noticed a growing crime rate in the City, in part due to an increase in homelessness.

Some respondents felt that public perceptions of increasing crime and poor police responses have led to low public confidence in today's Force. Those respondents indicated they blame the Commission and police leadership for these public perceptions. They also

¹¹ *Saint John Police Force Management Review* by the New Brunswick Department of Justice and Safety found that employee satisfaction and respectful workplace were areas that needed improvement

suggested that the public is concerned about value for money spent on the police. These respondents were the greatest advocates for the severest of changes in police leadership and the Commission, with some advocating for dismissal of both.

Other participants thought that public confidence in police was heavily influenced by media reports that highlight tension among stakeholders. Those participants felt that publicly-made criticisms made by fellow stakeholders regarding the Commission, police leadership, and police morale, were themselves having an adverse effect. They felt these statements were in fact amplifying the impact that circumstances were having on public confidence.

2.4 Saint John Board of Police Commissioners

The Commissioners described each other as dedicated, well-intentioned and effective in fulfilling their role in providing adequate policing in Saint John. They expressed their governance role as:

- responsible for adequate policing in the City of Saint John;
- completely separate from police operations, which was the Police Chief's domain;
- achieving oversight by reviewing and discussing reports about past policing activity;
- heavily focussed on finances, while attending to labour issues in-camera as required (which is frequently of late);
- provides on-boarding training to new commissioners by way of informal orientation provided by other Commission members;
- accessible to the public at public board meetings and through public meeting agendas and minutes, strategic plans and annual reports posted on the police website;
- reliant on the Chief of Police for information and advice;
- reliant on the Chief of Police to be the conduit to the public and to the police Association;
- highly guarded of in-camera information;

- available when called up by Council; and
- open to and worthy of continued improvement.

Collectively, stakeholders were divided on the effectiveness of the Police Commission. Some felt the Commission was performing well, some thought the current arrangement was appropriate but needed improvement, and some thought the Commission did not provide any value and should be dissolved.

All participants felt there were areas for improvement in providing effective police governance and oversight. Suggestions for improvements included:

- a clear and comprehensive definition of what constitutes police governance, and how it aligns and/or differs from police operations;
- a clear and comprehensive definition of what constitutes ‘adequate policing’;
- professionally developed and delivered police governance training;
- clarification regarding the Commission-Council relationship;
- better alignment of the police strategic plan and activities with Council’s strategic plan for Saint John;
- greater Commission-Council collaboration in police budget planning;
- moving more issues and deliberations into the public portion of Commission meetings;
- increased transparency of Commission and police leadership decisions and decision-making processes;
- greater public disclosure regarding what the Commission/Force spent money on, and why; and
- greater public engagement by the Commission, including explanation of their role and the decisions they were making.

2.5 Police Governance Model

Regarding which police governance model was best suited for Saint John, participants were divided as previously described. Almost all participants were open-minded to expert advice and recommendations.

Many considerations were raised regarding moving to a new model.

Most participants acknowledged that police governance is complex, that there is a steep learning curve, and that police operations must be independent of politics. Stakeholders generally agreed that effective police governance requires:

- a clear understanding of the community's policing needs as they evolve;
- well-defined roles and relationships among stakeholders;
- cooperation and trust among stakeholders;
- unbiased, transparent evidence-based decisions; and
- a high degree of transparency and accountability.

Concerns were also voiced about City Council having the time to properly govern the Force. There were doubts expressed that dissolving the Commission would actually improve police governance, the Police Force or public safety. There was also doubts that any money could be saved. Finally, there were concerns that the City is not currently staffed with either the capacity or the expertise to take on responsibility for police governance.

Overall, most stakeholders favoured the idea of making needed improvements to the existing police governance model. Meanwhile, stakeholders opposed to the Commission's continuance, while a minority, were passionate with their opinions.

Regardless of the model chosen, there was general agreement that improvements needed to be made in relationships and understanding of the police governance role and responsibilities, as well as in police governance transparency and public engagement.

2.6 Conclusions

Stakeholders all felt that the current situation was not satisfactory – be it the model, the relationships or the demands. While almost all Commission members feel they are fulfilling their role as they see it, other stakeholders question the current model of police governance. The Commission’s relative isolation is not facilitating a common understanding of what police governance is or could be.

Councillors want more information and involvement in police strategic and financial planning, as well as timely updates on public safety issues as they arise. These are very reasonable requests.

The Police Association has a number of unresolved grievances, while the Commission and police leadership have concerns about counter-productive limitations within the collective agreement. Both sets of issues need resolution, now. Until they are resolved, Commission and police leadership time and attention will continue to be dominated by union demands and associated media scrutiny, and the provision of adequate policing in Saint John will continue to be impeded by counter-productive clauses in the collective agreement.

City staff recognize the strained relationship and the negative impact it is having on public safety and other city business. Currently they are prepared to provide more assistance to the Commission and police management, but are not prepared to assume the police governance role on behalf of Council.

Police governance is complex and has a steep learning curve. It is paramount that policing is bias-free and non-preferential, hence the need for operational independence.

Going forward, the Saint John police governance model requires:

- a clear understanding of the community’s policing needs, values and expectations as they evolve;
- well-defined roles and relationships among stakeholders;
- unbiased, evidence-informed decisions;
- alignment of city and police strategic plans;
- police financial planning that addresses return-on investment; and
- a high degree of transparency and accountability.

CHAPTER 3: LEGAL FOUNDATION

3.1 Introduction

The legal authority for police governance in New Brunswick is contained in the Police Act of 1977. The near 50-year-old legislation is relatively light on police governance in comparison to more recent legislation in other provinces. Nevertheless, it provides the legal foundation for the police governance model in Saint John today and in the near future.

The Police Act specifies allowable models of police governance, the responsibilities of police governance authorities, and composition of the police commissions where established.

The additional documents, the Justice Minister's *Police Governance & Oversight Guidelines* (2011) and *Provincial Policing Standards* (2017) are also explored in this Chapter, as they supplement the legislative foundation established in legislation.

The Saint John Police Commission has interpreted these three provincial documents to create the local police governance model that exists today.

3.2 Police Governance Options

Four distinct models of police governance (or 'civic authority') are available to municipal councils under the New Brunswick Police Act.

A regional policing authority may be established for a region policed by a regional RCMP force. Codiac Regional Policing Authority, serving the municipalities of Dieppe, Moncton, and Riverview, is the only example of this form of police governance.

Where a regional police force (other than RCMP) is shared among several municipalities, a joint board of police commissioners is mandatory. This is the case with both Kennebecasis Joint Board of Police Commissioners and the BNPP Joint Board of Police Commissioners (Beresford, Nigadoo, Petit-Rocher and Pointe-Verte).

Where a municipal police force has been formed, council may:

- (1) govern the police force itself directly, or it may formally delegate some or all of its authority to one of its components (e.g. a committee or staff); or
- (2) it may opt to establish a board of police commissioners.

Saint John City Council established the Commission under the Police Act in 1985. Bathurst, Edmonston, Fredericton, Grand Forks, Mariachi and Woodstock city councils have opted not to establish police commissions.¹²

3.3 Police Governance Responsibilities

Municipalities are responsible to provide and maintain adequate police services in their respective municipalities, subject to any guidelines and directives issued by the Minister of Public Safety¹³. They are also responsible to budget the money necessary to provide and maintain an adequate police force.¹⁴

A police governance authority - be it council, a component of council, or a board of police commissioners established by council - is responsible to:¹⁵

- provide and maintain an adequate police force;
- appoint the police chief, act as the employer of all members of the force, and abide by the terms of the collective agreement;
- establish the priorities and objectives of the police force, in consultation with the chief of police;
- establish policies for the police force;
- issue instructions as necessary to the chief of police;
- prepare a budget and provide financial statements relative to that budget;
- refrain from providing direction to the chief of police or any other officer regarding specific operational decisions or the day-to-day operations of the police force; and
- ensure the chief of police carries out their duties including those assigned by the police governing authority itself.

¹² Police Governance & Oversight in New Brunswick - Policy Guidelines, New Brunswick Department of Public Safety, April 2011

¹³ New Brunswick Police Act 3.1

¹⁴ New Brunswick Police Act article 7(2)

¹⁵ New Brunswick Police Act 3.1(2)

The chief of police is required, in leading the police force, to comply with the lawful instructions of the police governance authority.¹⁶

The police governing authority may delegate in writing any of its powers or duties provided it establishes the manner in which the delegated authority is to be exercised, and imposes any terms and conditions it deems appropriate.¹⁷ For instance, council may delegate some or all of its police governance authority to a committee of council or to a member of the municipal staff.

Council may also “un-delegate” its authority by adopting a resolution that eliminates the board of police commissioners¹⁸, in which case council assumes all of the police governance responsibilities and authority, and all members of the police force become employees of council.¹⁹

3.4 Composition of the Police Governing Authority²⁰

A board of police commissioners, where established, consists of:

- one or more provincial appointees;
- the mayor (or designate) and up to one other councillor;
- one or more residents of the municipality who are not members of council; and
- the chief of police, ex officio, who is a non-voting member.

The term of appointment for each board member is four years. Board members may be reappointed to a maximum total length of service of ten years.

The appointing authority for board members (i.e. the Minister of Public Safety or council as the case may be) is also the authority to dismiss a board member.²¹

The municipality is responsible to provide reasonable remuneration for members of the board, other than councillors or the ex officio chief of police.²²

¹⁶ New Brunswick Police Act article 3.1(3)

¹⁷ New Brunswick Police Act article 3.2

¹⁸ New Brunswick Police Act article 7(15)

¹⁹ New Brunswick Police Act article 7(16)

²⁰ New Brunswick Police Act article 7

²¹ New Brunswick Police Act article 7(9)

²² New Brunswick Police Act article 7(10)

3.5 Police Governance & Oversight Guidelines

Police Governance & Oversight in New Brunswick - Policy Guidelines (‘Provincial Guidelines’), published by the Department of Public Safety in April 2011, provides police governing authorities with a prescriptive framework regarding their duties and governing style. It constitutes the supplemental legal foundation referenced in the Police Act (article 1.1(3)). It addresses police governance fundamentals, the police governance role, providing governance direction to the police force, and the administration of the police governance authority itself.

The Provincial Guidelines define governance as “***the processes and structure used to provide direction to an organization’s general operations and activities***”. It lists the key components of governance as:

- exercising of direct authority over an organization;
- control and direct the making of policy;
- directing and influencing decisions made by the organization [the Force];
- ensuring that decisions made by the governing body are carried out accordingly (oversight); and
- taking corrective action.²³

Some key passages in the Provincial Guidelines are:

- the police governing authority’s mission is to “provide independent civilian oversight and governance of the Police Force in order to ensure a safe community;²⁴
- key governance principles include:²⁵

²³ *Police Governance & Oversight in New Brunswick - Policy Guidelines*, articles 1.2, Public Safety Minister, April 2011

²⁴ *Police Governance & Oversight in New Brunswick - Policy Guidelines*, articles 1.5, Public Safety Minister, April 2011

²⁵ *Police Governance & Oversight in New Brunswick - Policy Guidelines*, articles 2.3, Public Safety Minister, April 2011

- a governing body exists not to help the business, but to own the business on behalf of the community, and
- a governing body governs by policy (by-law or resolution). These policies articulate values or perspectives that underlie action;
- the police governing authority shall seek out and receive input regarding the community safety and security needs within the municipality;²⁶
- as a statutory governance body, the police governing authority must be and must be seen to be:²⁷
 - operating in all ways mindful of its civic trusteeship obligation to the public and its accountability for the governance of the police force,
 - independent of the police management and operations, and of political affiliations, influence and interest groups,
 - subject to the needs of confidentiality and security, open, transparent and accessible to both the public and police force, and
 - responsive to the community;
- in order to provide effective oversight of policing, the police governing authority must develop strategies for engaging and communicating with the public, other stakeholders, and the media to solicit input to, and to inform on, a range of governance activities:²⁸
 - to fulfill its role as the representative of the community, the police governing authority should identify and seek input to policing strategies from diverse stakeholders and representatives of the community,²⁹

²⁶ *Police Governance & Oversight in New Brunswick - Policy Guidelines*, articles 2.4, Public Safety Minister, April 2011

²⁷ *Police Governance & Oversight in New Brunswick - Policy Guidelines*, articles 2.5, Public Safety Minister, April 2011

²⁸ *Police Governance & Oversight in New Brunswick - Policy Guidelines*, articles 3.3, Public Safety Minister, April 2011

²⁹ *Police Governance & Oversight in New Brunswick - Policy Guidelines*, articles 3.3(1), Public Safety Minister, April 2011

- input from stakeholders and the public should be scheduled at the time of setting the objectives, priorities and goals for the Police Force, and
- it is important to provide opportunities for the community to give input on areas of interest or concern to them, via such mechanisms as public forums and designated meetings with the police governing authority, and environmental scans (community outreach / town hall meetings);
- the police governing authority shall, at least annually, schedule a session or workshop so that the Council (s), the police governing authority, and the Police Force have an opportunity to discuss and understand each other's current priorities and issues;
- police governing authority meetings should be open to the public. Only when the matters being discussed dictate that the open forum will not be in the public interest should a meeting be held in camera.³⁰
- the police governing authority has the responsibility to ensure police management identifies the principal risks of the Police Force and takes all reasonable steps to ensure the implementation of appropriate systems to monitor and manage these risks;³¹
- risk should be identified through ongoing consultation with ... other governance authorities through, for example, the Canadian Association of Police Governance (CAPG), and with other key stakeholders; and
- it is the responsibility of the police governing authority to ensure that a positive workplace exists [and] on an annual basis, the Chief of Police shall provide a summary of usage and outcomes of the respectful workplace program.³²

³⁰ *Police Governance & Oversight in New Brunswick - Policy Guidelines*, articles 3.3(1), Public Safety Minister, April 2011

³¹ *Police Governance & Oversight in New Brunswick - Policy Guidelines*, articles 3.4, Public Safety Minister, April 2011

³² *Police Governance & Oversight in New Brunswick - Policy Guidelines*, articles 4.1, Public Safety Minister, April 2011

3.6 Provincial Policing Standards

The Provincial Policing Standards published in April 2017, are intended to be an evolving set of requirements, though no updates have been publicly provided. The only mention of the police governing authorities is in relation to finances. It is unclear how the Minister of Justice expects the police governing authority to be responsible for adequate policing in its jurisdiction, if its only policing standards responsibilities are financial.

3.7 Applying Police Governance & Oversight Guidelines in Saint John

The Saint John Board of Police Commissioners' Governance Policy Manual dated 7 February 2012 repeats word-for-word, for the most part, these provincially-templated guidelines. The policy manual contains almost no other material³³, and repeats the policy options suggested in the provincial guidelines rather than stating the Saint John Police Commission policy decisions (e.g. regarding community outreach strategy or committee structure).

For all inherent purposes, the Provincial Guidelines and The Saint John Board of Police Commissioners' Governance Policy Manual are the same document, unchanged since 2011/2012.

3.8 Conclusions

The Provincial Governance and Oversight Guidelines and the Policing Standards Manual are inconsistent. The Governance and Oversight Guidelines call for active, fulsome governance regarding the provision of adequate policing, while the Policing Standards Manual infer the governance role narrowly as police financing.

This conflicting provincial direction has played out in Saint John as follows:

- The Commission's Policy Manual is a near-replica of the Governance and Oversight Guidelines, but is not followed in spirit or letter; and

³³ The one original section in the Commission's Governance Policy Manual addresses the Police Force Auxiliary Program and Neighbourhood Police Council

- The Commission defines its role narrowly as described in the Policing standards, rather than more broadly as described in the Governance and Oversight Guidelines and its own policies.

Accordingly, the Commission's governing style is largely passive, isolated and reactive.

CHAPTER 4:

QUASI-JUDICIAL POLICE GOVERNANCE REVIEWS

4.1 Introduction

This chapter explores the seminal reviews of police governance in Canada. Local police governance in Canada has been heavily scrutinized in several high-powered, quasi-judicial reviews since 2011. These seminal reviews provide important insights into how effective police governance should be understood and work, including in Saint John. These reviews include:

- *Independent Civilian Review into Matters Related to the G20 Summit (The **Morden Report**)*, The Honourable John W. Morden, June 2012;
- *Thunder Bay Police Services Board Investigation (The **Sinclair Report**)*, Senator Murray Sinclair, November 2018;
- *Report of the Independent Civilian Review into Missing Person Investigations, Missing and Missed (The **Epstein Report**)*, The Honourable Gloria J. Epstein, April 2021;
- *Report of the Public Inquiry into the 2022 Public Order Emergency (The **Rouleau Report**)* The Honourable Paul S. Rouleau, February 2023; and
- *Final Report of the 2025 Investigation Pursuant to Section 30(1.2) of the [Alberta] Police Act (The **Hourigan Report**)*, Justice William Hourigan, August 2025.

Each of these reviews illuminates the intention, rationale and appropriateness of a robust manner of police governance that had not previously been described in legislation or elsewhere, anywhere in Canada. These reviews challenge the conventionally oversimplified view of police operational independence and interpret provincial legislation as empowering of police governing authorities.

These quasi-judicial conclusions and recommendations are not reflected in the model of police governance in Saint John today, in part because they came after the publication of the Commission's policies and the provincial Police Governance and Oversight Guidelines it mirrors. These quasi-judicial reviews provide insights into what the police governance model in Saint John could/should be.

4.2 The Morden Report

In June 2010, Toronto hosted the international G20 Summit – the first time the city had hosted an international event of such magnitude and risk. Unfortunately, several high-profile police-related incidents occurred during the large-scale event. Consequently, the Toronto Police Service Board initiated the Morden Report shortly after the event to examine its own performance during the G20 Summit.

Like most police governing authorities at that time, the Toronto Police Services Board believed that police operations and board authority were mutually exclusive, even though there was no statutory foundation for this understanding.³⁴

Despite legislative and regulatory indications to the contrary, this was the prevailing philosophy of police chiefs and most police governance advisors and trainers. Provincial governments passively accepted the notion, rather than challenging, correcting or dispelling it. It took a former judge to do so. When he did, it started a serious rethink about police governance that continues to evolve today.

“Unfortunately, despite the clear wording of the Police Services Act, the Board has defined its responsibilities in terms of a separation between matters of policy and operational matters. The Board has limited its consultative mandate and has viewed it as improper to ask questions about, comment on, or make recommendations concerning operational matters. The Board’s approach in this regard has been wrong.”³⁵

According to Morden, the Chief of Police failed to provide detailed information to the Board about the short preparation timeline, which hindered the Board’s ability to assess the risks and liabilities related to police operations. Conversely, the Board failed to ask for this information, either through pre-existing policy or during the course of board meetings leading up to the event. Ultimately, the Board was responsible for obtaining all relevant information it needed to fulfill its mandate: ensuring adequate and effective policing in Toronto, including (or especially) during the G20 Summit. *“Without this information the Board rendered itself a virtually voiceless entity.”³⁶*

³⁴ Hourigan, p26

³⁵ Morden Executive Summary p3

³⁶ Morden Executive Summary p14

“The responsibility of police boards is considerable. Through their policy-making and resource allocation powers, police boards shape the way in which policing is done. Therefore, effective fulfillment of the governance role that police boards play ensures that decisions made and actions taken by police are reflective of the community’s values.”³⁷

Morden recommended, among other things, that the police governing authority should:

- improve the nature and quality of board policies, especially Chief-to-Board communications;
- amend its information sharing protocol with City Council;
- develop an information sharing policy for major events; and
- draft a policy that defines a “critical point”—a time during which more detailed operational information would be provided with a clear consultation protocol.

The Toronto Police Services Board was ultimately responsible. It was found liable for \$16.5 million in civil damages for the unlawful suspension of rights by police during the G20 Summit.

4.3 The Sinclair Report

The Sinclair Report was initiated in response to concerns about the lack of police governance oversight following a series of deaths and race-based violence against Indigenous peoples in Thunder Bay.

Sinclair found that:

- the Board did not demonstrate any meaningful engagement in its own strategic or operational planning, over-relying on input from the Chief of Police and police staff;

³⁷ Morden Executive Summary p6

- there are no Board-developed, Board-driven planning policies or formal instruments to support long-term strategic or annual operational planning in place;
- the Board did not demonstrate meaningful engagement in the development of governance and oversight policies, relying heavily upon provincial policy templates without regard to the obvious and critical needs to protect the Indigenous community;
- the Board has not shown leadership in proactive, committed outreach to key Indigenous community organizations, other Indigenous communities or organizations in the region, or Indigenous policing agencies active in Northern Ontario; and
- the Board has made no apparent effort to make its policies, plans and activities visible and transparent to the public at large or to the First Nation community.

“The Board is directed under the PSA to show leadership to ensure success of the service they oversee – as defined in the law as “adequate and effective policing” – and address this duty through the planning and policy tools available to them. The Board has failed to do so.”³⁸

Senator Sinclair concluded that the Thunder Bay Police Services Board was “*willfully blind*”³⁹ and that it was inexcusable that a major municipal institution lacked many of the basic instruments of good governance and oversight. He attributed their abysmal performance to:

- a lack of understanding of the role of the police governance authority;
- no police governance training;
- an isolationist mentality; and
- in practice, a system of police self-governance.

³⁸ Sinclair p.vii

³⁹ Sinclair p.vii

Sinclair called for:

- A communications protocol between the Board and the Chief of Police that included:
 - the police service’s performance;
 - police service compliance with policies;
 - the state of community relations;
 - developing trends or significant incidents that would affect plans or changes to police services;
 - implementation of operational and training plans; and
 - board input or decisions required.⁴⁰
- a Board independent internet presence containing meaningful information on Board activities such as the budget, performance reports, annual outreach and consultation plans, meeting notices, agendas and minutes, and other information to promote greater public awareness and understanding of the Board;
- a Board training strategy *“to equip Board members with the knowledge, awareness and skills in governance, police practices, community priorities, business strategy and the law to fulfill their police governance mandate upon appointment and throughout their term of office.”*⁴¹

All the incumbent police board members were dismissed on Senator Sinclair’s recommendation.

4.4 The Epstein Report

The Toronto Police Services Board commissioned the Epstein Report because of public outcry of bias policing. Bruce McArthur had murdered and dismembered eight members of Toronto’s LGBTQ2S+ community between 2010 and 2017, and Toronto Police had treated the victims, and approached the investigations, as missing persons rather than murders necessitating high investigative priority.

⁴⁰ Sinclair p.viii

⁴¹ Sinclair para 3.9.1.3

The Epstein Report’s recommendations regarding police governance included:

- the Board and the Chief of Police should publicly commit to the recommendations of the Morden Report, and define the type of information the Chief of Police should share with the Board (including a clear policy on “critical points”), and how and when it should be shared;
- the Board should ensure its initial and ongoing training includes education on the Board’s role and how it can be effective in governance and oversight; and
- the Toronto Police Service and the Board should address issues around transparency and accountability regarding claims of police misconduct, specifically claims of discrimination, harassment, and differential treatment.

4.5 The Rouleau Report

On April 25, 2022, the Governor in Council appointed Justice Rouleau to conduct the inquiry into the use of the *Emergencies Act* to deal with a series of protests that occurred throughout Canada. These protests were partly related to the public health measures enacted to address the COVID-19 pandemic. At the centre of these protests was the Freedom Convoy.

Rouleau found that:

- the Ottawa Police Service Board had a diminished view of its own role that was exacerbated by the Chief of Police’s resistance to provide the relevant information it needed;
- Ontario’s Ministry of the Solicitor General did not use all its authority to respond to issues with the Ottawa Police Service Board, even though the Ministry was aware of the Board’s challenges and had the mandate to respond, it reportedly believed (erroneously) that it did not have the authority to intervene; and
- when the Board did try to act decisively, municipal politicians pressured the Board, going so far as to ‘un-appoint’ the Board Chair, thereby compounding its inability to fulfill its legislated mandate.

“While governments decide important questions about policing, their control over police is not absolute. This is important. If a government has too much control over the

police, there is a risk that the law will not be applied impartially. If a government has too little control over the police, there is a risk that the police will become self-governing. As a result, police need to be accountable to democratic institutions, while still making many decisions independently of government. This latitude is often referred to as “operational independence.”⁴²

Rouleau recommended that all police governance authorities:

- create policies, consistent with the Morden and Epstein Reports, which articulate their [robust] oversight and governance roles, especially with regard to major events;
- create policies that identify circumstances that constitute ‘**matters of strategic significance**’ – what Morden called ‘critical points’ – and articulate best practices and board expectations of their police services in planning, communicating and policing those events;
- create a policy that clarifies the meaning and scope [limitations] of prohibitions against any interference in day-to-day operations, while still providing effective oversight of evolving, strategically-significant police operations;
- spell out the board’s role in authorizing/requesting additional resources or an integrated command⁴³;
- ensure that information conveyed outside of board meetings is shared with all board members;
- require that police services/forces create complementary procedures to support these Board policies;
- provide training and education for board members [and senior police staff] on these policies;
- regarding major events, work with police services/forces and municipalities to provide the public with accurate, useful, and regularly updated information.

⁴² Rouleau, Vol 2, p. 69

⁴³ The police governance role regarding external policing assistance is now spelled out on in Ontario’s Community Safety and Policing Act 2019, articles 14 and 19

4.6 The Hourigan Report

Justice Hourigan was appointed to examine the following issues regarding the Edmonton Police Commission: commission appointments, development of annual policing plans, development of budgets and commission-City information sharing.

Some of Hourigan's key insights were:

- a healthy relationship between a police service, a police governing authority, Council and any other groups involved in policing needs a clear, established delineation of roles and responsibilities. Informal practices and customs are insufficient to facilitate positive relations and interactions, especially during periods of crisis;
- robust governance training is essential to ensuring that everyone – commissioner, councillor and police executive - has a firm understanding of their missions and functions and of how they relate to those of other stakeholder groups;
- “Transparency is vital. While many decisions in the policing context must be made behind closed doors, it is essential that police oversight bodies and police departments regularly and clearly communicate their missions, functions, and tasks to members of the public. This is especially true given the diverse make up of Canada’s population.”⁴⁴
- “Implementation is just as important as new ideas. Recent policing reports in Ontario revealed that relevant governmental actors have not adequately implemented lessons from prior review efforts. This is unacceptable. Government bodies should indicate which recommendations from a report they will adopt and why they have chosen not to implement others. In certain cases, it may help to establish a follow-up investigation by an independent entity or individual to ensure that the government bodies have implemented reform in a real and tangible way.”⁴⁵

Hourigan recommended, among other things, that:

- police commissioners, police executives and city councillors receive regular joint training on the distinction between police governance [the provision of adequate and effective policing and police oversight] and police operational independence;

⁴⁴ Hourigan p36

⁴⁵ Hourigan p36-37

- the Commission develop a Commission-led community consultation plan that mandates broad [ranging] and inclusive stakeholder consultations using a variety of methods;
- City Council enter into an Interface Protocol with the Commission regarding the handling of information requests to the Commission from individual Councillors and City Council as a whole;
- the police service provide training to Commissioners and Councillors on how the Service addresses major events and incidents, include tabletop exercises that involve Commissioners, Councillors, members of the EPS, and members of other agencies that have a role to play in responding to major events and incidents;
- City Council establish a Major Events Communications Policy, in consultation with the Commission and the Chief of Police, to govern Council-Commission-Service communications and the conduct of Councillors during a major event or incident; and
- City Council, the Commission and the Service jointly develop training for commissioners and councillors regarding the sub judice rule (which prohibits the publication or issuance of comments that may prejudice ongoing judicial proceedings - a rule that has developed from the interaction between the media and public officials).

4.7 Common Themes

Themes that weave throughout the quasi-judicial reviews of Morden et al include:

- unclear police governance authority roles and obligations;
- an over-interpretation of police independence;
- a lack of police governance training for police governors, police leaders and municipal councillors;
- insufficient police governance staff/advisors, resulting in an over-reliance on the chief of police for governance input;

- inadequate police governance policies about the provision of adequate policing in their jurisdictions;
- inadequate communications between the chief of police of police and police governance authorities;
- information presented to the police governing authorities is been at the discretion of the chief of police rather than being directed by the police governing authority, leading to lack of meaningful police-governance deliberations and decisions; and
- a lack of police-governance evaluations or feedback, contributing to low self-awareness on the part of the police governing authority.

4.8 Police Operational Independence

Retired RCMP Assistant Commissioner Cal Corley attributes the common misunderstanding regarding police operational independence to an overinterpretation of **the Supreme Court of Canada's 1999 decision in R. v. Campbell which “strictly limits operational independence to specific tactical decisions – i.e., whether and whom to investigate, prosecute, or arrest.”**⁴⁶

It is critically important to strike the right balance between police governance and police operational importance. *“While governments – generally through police boards – decide important policy issues about policing, they must refrain from providing direction to the police on matters such as whether and whom to investigate, prosecute, or arrest.”*⁴⁷ This prohibition, therefore, does not prevent the police governing authority, through its policies, priorities and objectives, from providing direction to the police service regarding police capabilities, conditions, considerations, reporting and verification surrounding the general application of its services to everyone in the community.

⁴⁶ Cal Corley speaking at a webinar hosted by the Canadian Association of Police Governance on 23 March 2026. See the Community Safety Knowledge Alliance’s report on Police Operational Independence at [Police-Operational-Independence-FINAL-2024-04-27.pdf](#)

⁴⁷ Police Operational Independence and the Rule of Law: Improving police governance and accountability, Corley, Ruben & Linden, Community Safety Knowledge Alliance, May 2023, p.6.

The police governing authority is to provide adequate policing. This means more than funding a number of police officers and associated resources. Those persons and equipment must be of an adequate quality in terms of training, readiness, supervision, and procedural appropriateness, and they must act where, when and how the community needs them to act. The police governance authority must address these requirements in its budget for policing. It must also address these requirements in its policies for the police force, and its priorities and objectives for the force.

Morden et al insist that the police governing authority has an obligation to do just that.

4.9 Conclusions

Interpretation of the police governing authority's role in Saint John requires modernization, with or without provincial assistance, based on the insightful conclusions and recommendations of Morden et al. The police governing authority needs to provide strategic direction to the police service, through the chief of police, as to what constitutes adequate policing in Saint John, and update that direction as the City changes. The police governing authority must also verify that its direction is in fact being followed.

Saint John's new police governance model needs to be aligned with this contemporary view of police governance or risk being irrelevant and, by extension, jeopardize public safety.

CHAPTER 5: ENVIRONMENTAL SCAN

5.1 Introduction

This chapter explores the variety of police governance models across Canada, and some general good-governance principles, and then examines comparator police governance models in Fredericton (Municipal Department Model), Cape Breton (Separate Governor-Employer Model), and Kingston (Board Model). Each carries pros and cons to consider in determining Saint John's future police governance model.

In 1829, Sir Robert Peel introduced nine principles that framed his police reform efforts. These principles emphasize the importance of public approval/consent, minimal force, and the prevention of crime. This initiative is the genesis of today's police governing authorities.

In December 1858, Ontario created Canada's first local police governing authority: the Toronto Board of Police Commissioners. It consisted of the mayor, the police magistrate, and the police recorder.⁴⁸

Modern police services are granted a reasonable degree of operational independence⁴⁹, in law, from all three levels of government. Such police forces are protected from political interference. This is not to say they are immune or unexposed to political pressures, for certainly public safety is rightfully subject to political concern, debate and direction. At the heart of the issue is whether or not political direction is general in nature, unbiasedly in favour of the common public good, and stops at broadly orienting policing and "shaping the environment in which policing occurs".⁵⁰

One of the fundamental aspects of policing that differentiates it from all other forms of public service is that a police officer is the only member of society that is authorized to enforce any and all of society's laws and apply force against another person in the course of that enforcement, to a degree warranted by the circumstances. No one else has such broad authority or discretion to apply physical force on another human being in Canada. Not surprising, a complex system of oversight, checks and balances has been created by constitution, laws, case laws and legislation to ensure that these powers are applied judiciously and without bias.

⁴⁸ 'Dereliction of duty': The rise and fall of Toronto's first police force, Jamie Bradburn, TVO 20 June 2020
['Dereliction of duty': The rise and fall of Toronto's first police force | TVO Today](#)

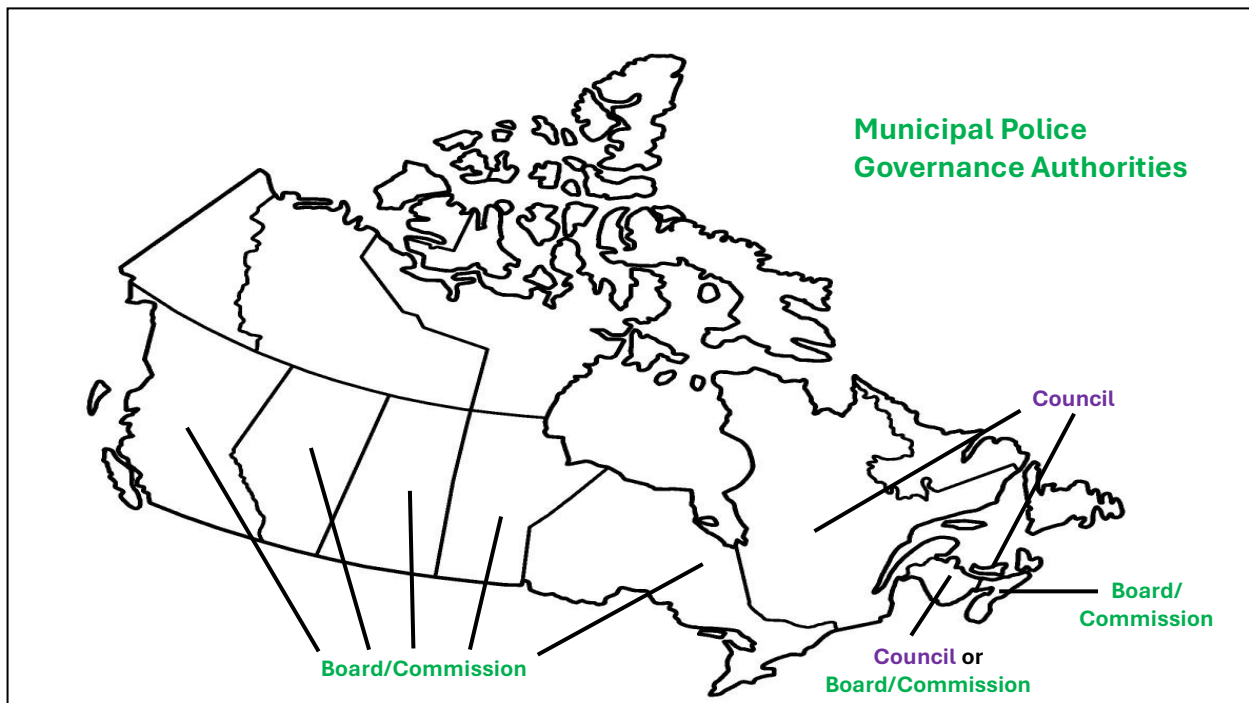
⁴⁹ The concept of police operational independence is explored in Chapter 4.

⁵⁰ Morden Executive Summary p2

5.2 Cross-Country Scan

Municipal police governance authorities vary across Canada. Independent police boards or commissions are mandatory in British Columbia, Alberta, Saskatchewan, Manitoba, Ontario and Nova Scotia. Direct police governance by council is the only option in Quebec and Prince Edward Island. All First Nations police forces are also governed by police boards or commissions.

New Brunswick is the only province where council may establish a board of police commissioners to govern the police force on its behalf, except in the case of joint police forces in which case a board of police commissioners is mandatory.⁵¹ Canada's other provinces and territories do not have their own municipal police services/forces.



The primary reason that the majority of provinces have legislated mandatory police boards/commissions is to help ensure appropriate police operational independence, or more specifically, to minimize the likelihood and impact of political interference. As well, the role of police governing authorities is becoming increasingly more complex, demanding a higher degree of commitment and focus on the part of the police governors supported by specialized police governance staff.

⁵¹ The Legal foundation of police governance in New Brunswick is discussed in Chapter 3.

5.3 Police Governance Role

Regardless of the model, every province requires the police governing authority to provide or ensure the provision of adequate policing⁵² in the community. Adequate policing is typically defined as the policing that the community needs, values and expects.

5.4 Police Governance Responsibilities (Authorities)

The scope of responsibility and authority commonly granted to police governance agencies in the legislation of various provinces includes:

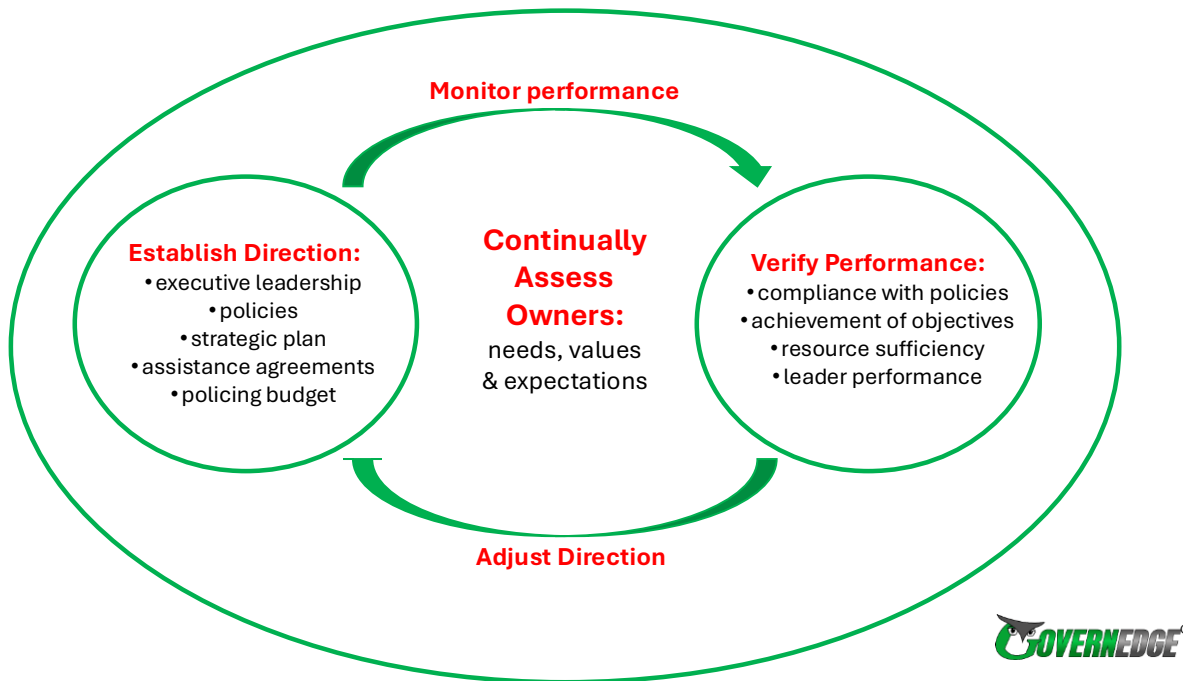
- the authority to establish policies;
- the authority to establish priorities and objectives;
- the authority to select and appoint a chief of police;
- the authority to monitor the chief of police;
- the authority to establish a budget; and
- the authority to employ members of the service and bargain with their police union(s).

⁵² Frequently provincial police legislation calls for the provision of adequate and effective policing.

5.5 General Good Governance Responsibilities

Governance models typically include the following components:

- ongoing analysis of the owners' needs, values and expectations;
- strategically directing the organization towards fulfilling the owners' needs, upholding the owners' values and meeting the owners' expectations;
- verifying that the organization's activities are aligned with and working towards the owners' needs, values and expectations; and
- adjusting the strategic direction of the organization in accordance with the verification results.



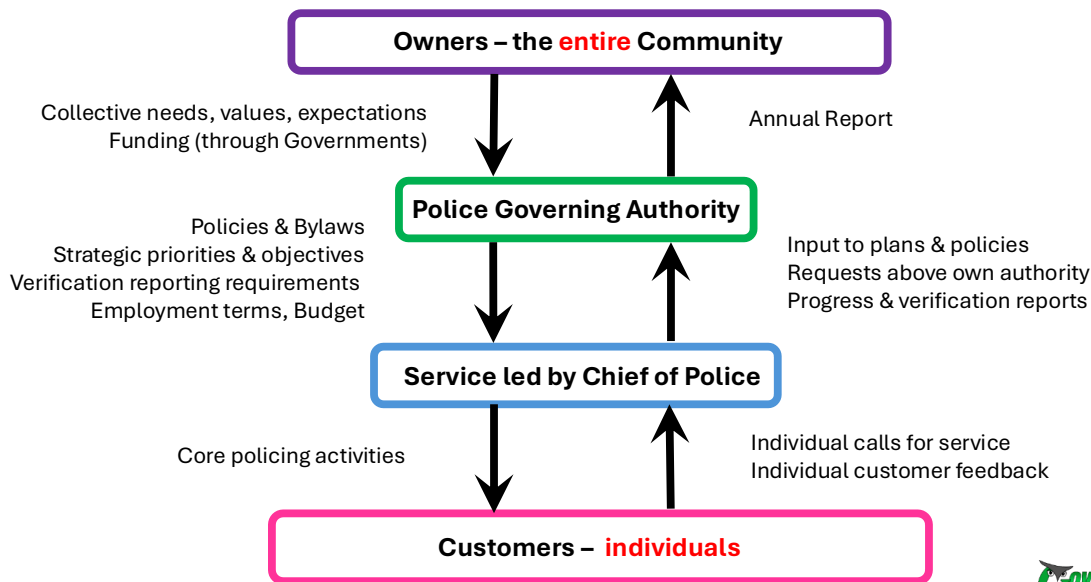
Effective governance bodies are attuned to their owners, provide clear strategic direction to the organization they govern, verify that what the organization is doing is aligned with that direction, and adjusts direction as and when needed.

5.6 Owners-Governors-Governed Relationship

The collective members of the municipality are the owners of all municipal agencies, including police. They fund them, directly or indirectly, through various municipal revenue streams.

The police governing authority works for and on behalf of the entire community. Its single point of contact with the police service/force is the chief of police. The police service provides services to individual ‘customers’ who request services, or otherwise benefit from policing (e.g. crime prevention)

The six aforementioned common police governance authorities, and the three steps in general good governance of any organization, are summarized in the figure below.



5.7 Comparator Police Governance Models

For the purposes of this Review, the governance models of New Brunswick, Nova Scotia and Ontario have been studied. These external provinces were chosen because:

- Nova Scotia is a neighbour province whose police legislation is relatively new (2004) and features a unique council-police board relationship; and
- Ontario has the most recent police legislation in Canada (2019) and a number of new developments in police governance and oversight, and is home to a plethora of police governing authorities for comparison.

One similar municipality from each of these provinces was studied. They were selected based on population and variances in their police governance model (relative to Saint John's current arrangement).

5.8 The Municipal Department Model - Fredericton, New Brunswick

As provided for in the New Brunswick Police Act, Fredericton City Council has not chosen to establish a board of police commissioners. Accordingly, the Mayor and Council are the police governance authority, or 'civic authority' as defined in the Police Act.

Fredericton's Public Safety Committee is a committee of Council whose duties are:

- to monitor and support the delivery of the public safety (fire, police and by-law enforcement) and report to Council;
- in liaison with the Chief of Police, the Fire Chief or the Director, provide recommendations to Council on the planning and implementation of public safety programs;
- to make recommendations to Council on the planning and implementation of building code, dangerous and unsightly premises and maintenance and occupancy code enforcement services;
- to make recommendations to Council on the planning and delivery of fire services;
- to make recommendations to Council on priorities, objectives and policies for police services;
- to make recommendations to Council on the planning and implementation of any other programs or policies that affect public safety; and
- to act as the Committee of Council to hear appeals and render decisions with respect to a Notice to Owner or Occupier under section 134 of the Local Governance Act (Unsightly Premises).

Council has delegated most of the police governance responsibilities to the Chief Administrative Officer (CAO) while retaining authority for:

- hiring the Chief of Police, which is a joint Council-CAO undertaking;
- selection of police priorities and strategic objectives (through a session facilitated by the CAO).

- budget approval, whose planning is integrated with City budget planning and approval processes; and
- Police Force organization charts and authorized strength (staffing).

Some highlights of this police governance model:

- the Chief of Police is fully integrated into the municipal services through the corporate services network, and the Deputy Chief is linked into the other City administrative staff and processes;
- the CAO does not direct police operations, and Council does not exercise operational oversight;
- the Chief of Police is responsive to the public safety concerns and suggestions of Council and the Public Safety Committee, who do not overreach into specific police operations (in accordance with training provided to councillors at the beginning of each term of Council);
- Council/CAO oversight does not extend to day-to-day police operations; operational decisions remain the exclusive authority of the Chief of Police to preserve the independence required for impartial law enforcement;
- there is a very robust annual business/corporate planning process that includes police and drives the budget process;
- the City is light on police-related policies and reliant on relationships among councillors, police leaders and city staff;
- police reporting is light on performance metrics, with the main metric being calls for service;
- the City does not formally evaluate whether or not policing is adequate;
- complaints about police service are referred to the CAO, who in turn refers most service complaints to the Chief of Police or otherwise engages a third party to review;
- all officer behaviour complaints are referred to the Chief of Police;

- the CAO retains conduct complaints against the Chief and/or Deputy Chief, and addresses them with the New Brunswick Police Commission;
- Council is satisfied with the reports it receives from the Chief of Police, and if they were not, the CAO would direct corrective action.

Though the scope of the CAO's oversight authorities have not been codified by Council, in practise it includes:

- organizational authority — ensuring the police service's structure aligns with municipal expectations and legislative requirements;
- administrative authority — reviewing budgets, resource allocation, and administrative processes; and
- strategic planning authority — participating in police force long-term planning, priority setting, and alignment with community needs.

5.9 Conclusions – The Municipal Department Model (Fredericton)

Advantages of the Municipal Department Model as demonstrated in Fredericton are integration of strategic and financial planning and the inherent city-wide synergy of administrative functions.

Disadvantages of this model include a dependence on measures aimed at preventing political interference, and very informal methodology regarding the determination, strategic direction and verification of adequate policing. The latter could be reduced by formalizing the adequate-policing governance functions.

Risks associated with this model include political interference despite safeguards, a lack of sufficient council diligence or attention on objective, holistic police oversight.

5.10 The Hybrid Governor-Employer Model - Cape Breton, Nova Scotia

Nova Scotia police legislation is aligned with the general municipal police governance model described above with the following exceptions:

- the chief of police selects the priorities and objectives for the department; and
- while the establishment of a board of police commissioners of 5 or 7 members is mandatory, the municipality remains the employer of all members of the police department.

Some other highlights include:⁵³

- every municipality is responsible for the policing of and maintenance of law and order in the municipality and for providing and maintaining an adequate, efficient and effective police department, and the mandatory police board is responsible to govern the police department on behalf of council in relation to the enforcement of law, the maintenance of law and order and the prevention of crime in the municipality;
- council may, by by-law and with Minister of Justice approval, prescribe additional responsibilities of the police board;
- members of the police board shall undergo any training that may be provided by the Minister of Justice;
- the police board shall not exercise jurisdiction relating to a specific prosecution or investigation or the day-to-day direction of the police department;
- the Minister of Justice holds both the municipality and the police board accountable for the provision of adequate, efficient and effective policing;
- should the municipality and the board fail to provide adequate and effective policing, the Minister of Justice may disband the police department, suspend or remove one or more board members, disband the board, appoint new board members – with all costs incurred by the municipality;
- council hires the chief of police;
- the police board appoints police officers;

⁵³Nova Scotia Police Act 2004, art. 37, 44, 51-55

- the board provides the administrative direction, organization and policy required to maintain an adequate, effective and efficient police department;
- the board may not exercise jurisdiction relating to complaints, discipline or personnel conduct except in respect to the chief of police;
- the police board ensures that:
 - the chief of police establishes programs and strategies to implement the priorities, objectives and goals respecting police services;
 - community needs and values are reflected in policing priorities, objectives, goals, programs and strategies;
 - police services are delivered in a manner consistent with community needs, values and expectations;
 - a strategic plan and business plan is in place; and
 - the department is managed by the chief of police according to best practices and operates effectively and efficiently.

Nova Scotia emphasizes early and ongoing training for police board members, delivered by the Department of Justice. The training:

- clarifies roles and responsibilities;
- establishes a shared understanding among stakeholders;
- prevents overreach into day-to-day operations; and
- builds a foundation for effective relationships.

One of the municipal police governing authorities in Nova Scotia that is of similar-sized jurisdiction as Saint John is the Cape Breton Regional Police's Board of Police Commissioners. Governedge interviewed the Chief of Police regarding this model of police governance. Some features of the governance model in practise are:

- early and ongoing governance training;
- shared understanding of police governance authorities and police operational independence;

- open and transparent discussions about crime risks and community safety concerns are commonplace and inform proactive policing efforts;
- continuous, informal performance evaluation discussions, rather than a formal annual evaluation, regarding alignment with priorities, early identification of issues and timely problem resolution;
- a positive and collaborative working relationship among the Board of Police Commissioners, Municipal Council members and police leadership; and
- finance and human resources systems that are jointly managed by the Police Service Inspector and municipal staff, enhancing efficiency and accountability.

According to the Chief of Police, the police governance model works well in Cape Breton because roles are well understood and accepted, communications are productive, and trust, respect and collaboration characterize the relationships among the Board, Council and police leadership.

Attempts to interview the Chair of the Cape Breton Board of Police Commissioners were unsuccessful and no information regarding police governance in Cape Breton was available on the internet. Therefore, these views were not corroborated.

While there is no public evidence of board policies regarding adequate and effective policing, fellow Nova Scotian jurisdiction Halifax, which operates under the same police governance model, has posted several policing policies,⁵⁴ as well as policies regarding Commission communications with the public, Council engagement and public surveys, and strategic planning by the Commission. Their policies also address:

- verifying that community needs and values are reflected in policing priorities, objectives, goals, programs and strategies;
- verifying that police services are delivered in a manner consistent with community needs, values and expectations;
- verifying that strategic and business plans are in place; and
- verifying that the department is managed by the chief of police according to best practices, and operates effectively and efficiently.

⁵⁴ Halifax's Police Commission's policing policies include Matters of Immediate Strategic Significance (Critical Points), Armoured Rescue Vehicle, Policing Encampments and Use of Force

5.11 Conclusions – The Hybrid Governor-Employer Model (Cape Breton)

The advantage of the Governor-Employer Model is the inherent synergy of administrative functions.

The disadvantage is that those responsible for police governance are not in full control of their workforce, because the employer is the municipality. They have no control over the selection of the chief of police, which may be particularly worrisome. This model presents a risk of friction between the governing body and the employer.

New Brunswick legislation does not permit the city to act as police member employer where it has established a commission. Legislative change would be required to adopt this model in Saint John. This restriction does not prevent finance and human resources systems integration, like Cape Breton.

5.12 The Police Board Model - Kingston, Ontario

Ontario police legislation is aligned with the general municipal police governance model described above. Every municipal police force is governed by a police service board consisting of 5, 7 or 9 members, with equal numbers of councillors and provincial appointees, and one resident appointed by Council who is not a councillor or municipal employee. Current or former employees of the police service of jurisdiction may not serve on its police service board. Some other highlights include⁵⁵:

- appointing person or body must consider the results of a potential appointee's police record check before appointing him or her as a member of a police service board;
- board members must complete prescribed provincial training prior to exercising the authority (i.e. voting) in board meetings;
- the police services board shall provide adequate and effective policing in the jurisdiction (rather than the municipality);
- boards are required to have policies on, among other things, the provision of adequate and effective policing, addressing each of the 60-odd prescribed policing functions (these are board policies, separate and distinct from the police service procedures, which are the purview of the chief of police, and which must align with the requirements of the board policies);

⁵⁵ *Community Safety and Policing Act*, Ontario, 2019, articles

- the board may enter into an agreement with another board to provide temporary assistance (and may have to in order to ensure adequate and effective policing);
- the board is required to prepare and adopt a strategic plan for the provision of policing, which shall address at least⁵⁶:
 - how the police service board will ensure the provision of adequate and effective policing in accordance with the needs of the population of the area;
 - the objectives, priorities and core functions of the police service;
 - quantitative and qualitative performance objectives and indicators of outcomes relating to a number of prescribed areas of community safety;
 - an overview of the consultations with stakeholder groups, including municipal council, that were conducted and how the needs and concerns regarding policing identified during the consultations have been addressed by the plan; and
 - how the plan relates to the Community Safety and Well-being (CSWB) plan; and
- both police service boards and chiefs of police are required to have their own quality assurance plans for the purpose of verifying that 60-odd prescribed policing functions are indeed adequate and effective; and they are expected to implement the plan in full.

Police Service Board meetings and deliberations, including committee meetings are expected to be open to the public. Five business days' notice of any public meeting and its agenda is required, via the internet. Meetings may only be closed (in-camera) if the subject matter is⁵⁷:

- the security of the property of the board;
- personal matters about an identifiable individual, including members of the police service or any other employees of the board;

⁵⁶ *Community Safety and Policing Act*, Ontario, 2019, article 44

⁵⁷ *Community Safety and Policing Act*, Ontario, 2019, article 44

- a proposed or pending acquisition or disposition of land by the board;
- labour relations or employee negotiations;
- litigation or potential litigation affecting the board, including matters before administrative tribunals;
- advice that would be inadmissible in a court by reason of any privilege under the law of evidence, including communications necessary for that purpose;
- information explicitly supplied in confidence to the board by Canada, a province or territory or a Crown agency of any of them, a municipality or a First Nation;
- a trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the board, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization;
- a trade secret or scientific, technical, commercial or financial information that belongs to the board and has monetary value or potential monetary value;
- a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the board;
- information that section 8 of *the Municipal Freedom of Information and Protection of Privacy Act* would authorize a refusal to disclose if it were contained in a record; or
- an ongoing investigation respecting the police service board.

Ontario has recently established an Inspector General to oversee policing and police governance. The Inspector General's duties regarding police service boards are to⁵⁸:

- monitor and conduct inspections of police service boards to ensure that they comply with this Act and the regulations;

⁵⁸ *Community Safety and Policing Act*, Ontario, 2019, article 102(4)

- consult with and advise police service boards regarding compliance with this Act and the regulations;
- monitor and conduct inspections of members of police service boards to ensure that they do not commit misconduct; and
- develop, maintain and manage records and conduct analyses regarding compliance with the Act and the regulations.

The *Community Safety and Policing Act* also requires every municipality in the province to establish a **Community Safety and Well-being (CSWB) Plan** to orient local human and health services, including police, towards activities and outcomes that improve the state of safety and well-being in the community, typically by addressing and reducing risk factors in the community. Where the municipality is served by a municipal police service, both the police service board and chief of police are required to participate in the planning and oversight of the CSWB Plan.

The Kingston Police Services Board is a seven-member board, supported by a full-time board administrator and supplemented with third-party assistance as required from time-to-time. They have been quite active in recent years, preparing and adopting Canada's first community-driven, community-facing results-based and measurable strategic plan for policing (2023-2026) while dealing with a large turnover of the Service management team over a four-year period – some of it deemed controversial in the media.

The Board has recently created most of its required policies regarding the provision of adequate and effective policing, in accordance with updated provincial standards. They have yet, however, to create a quality assurance (verification) plan regarding adequate and effective policing. Meanwhile, they have a new police chief and their third board chair in less than a year.

According to the Board Chair:

- ongoing board training is a priority, especially given the complexity of public safety and the legislated demands regarding police governance;
- the budget process always seems to lack sufficient details; program-based budgeting offers a potential solution;
- human resource challenges continue;

- the board needs to make sure that policing is available, effective and fair, when and where it is needed; and
- there are significant opportunities to further improve police governance and policing in Kingston.

5.13 Conclusions – The Police Board Model (Kingston)

A significant advantage of the Police Board Model is its robust determination, strategic direction and verification of adequate and effective policing. The governance model includes municipal input into police board strategic planning, and police input into municipal community safety and well-being planning –synchronizing efforts across the public safety ecosystem. These strengths lead to another advantage: mechanisms for optimizing community return-on-investment in policing. This model does, however, require investment in police governance. Risks associated with this model relate to implementation (like any model) rather than design.

5.14 Comparison of Comparator Models

	Municipal Department Model (Fredericton)	Governor – Employer Model (Cape Breton)	Board Model (Kingston)
Advantages	<p>Integration of strategic and financial planning</p> <p>Inherent synergy of administrative functions</p>	<p>Inherent synergy of administrative functions</p>	<p>Robust determination & verification of adequate policing</p> <p>Municipal input to police board strategic plan; police input to municipal community safety & well-being plan</p> <p>Mechanisms for optimizing public return-on-investment</p>
Disadvantages	<p>Dependent on anti-interference measures</p> <p>Informal verification of adequate policing</p>	<p>Governors do not select their own police chief or bargain members' contracts/ agreements</p>	<p>[Greater governance responsibilities require governance costs]</p>
Risks	<p>Political interference</p> <p>Lack of due diligence/insufficient attention to objective holistic police oversight</p>	<p>Governor-employer friction regarding police personnel</p>	<p>No inherent risks identified; risks are in the execution of the model</p>

Saint John would be best served by adopting:

- the robust determination and verification of adequate policing features of the Police Board Model;
- municipal input to police board strategic planning, and police input to a municipal community safety and well-being plan of the Police Board Model; and
- greater synergy of administrative functions like the Municipal Department and Governor-Employer Model.

CHAPTER 6: BEST PRACTICES

6.1 Introduction

While legislation outlines the police governance authority's duties, it rarely describes how it should go about fulfilling those duties.⁵⁹ This Chapter addresses best practices in police governance, all of which are aligned with the seminal works of Morden et al (Chapter 4) and the general principles of good governance (Chapter 5). These best practices can be scaled for the size of the jurisdiction and local circumstances such as risk profile, municipal priorities and competing financial pressures.

Adopting these practices in Saint John, regardless of the governance model, will provide meaningful police governance and oversight and, by extension, improved public safety and improved return-on-investment.

6.2 Defining Adequate Policing

'Provide Adequate Policing' is an easy phrase to say. Every province's legislation assigns this responsibility to the police governance authorities, yet none of them define what it means. This makes it a challenge to explain the concept to anyone, and even more difficult to create a common understanding among all stakeholders.

In practice, the legislative role of '*providing and maintaining adequate police services*' can best be interpreted as '***proactively ensuring policing is aligned with community needs, values and expectations.***'

The required level of adequate capacity and readiness is a judgement call of the local police governing authority, subject to provincial standards. The litmus test for adequate is '*is it reasonable given the circumstances.*' Factors that the police governing authority should consider in determining whether a specific policing function is adequate, given quantitative and qualitative information, include⁶⁰:

⁵⁹ An exception to the lack of detail regarding the police governing authority's duties is Ontario's *Community Safety and Policing Act*, article 44, which prescribes who a police service board must consult in preparing its strategic plan and what it must address in the plan, including how the input from those consultations is reflected in the plan.

⁶⁰ Ontario Regulation 392/23: *Adequate and Effective Policing (General)*, 2023, article 2

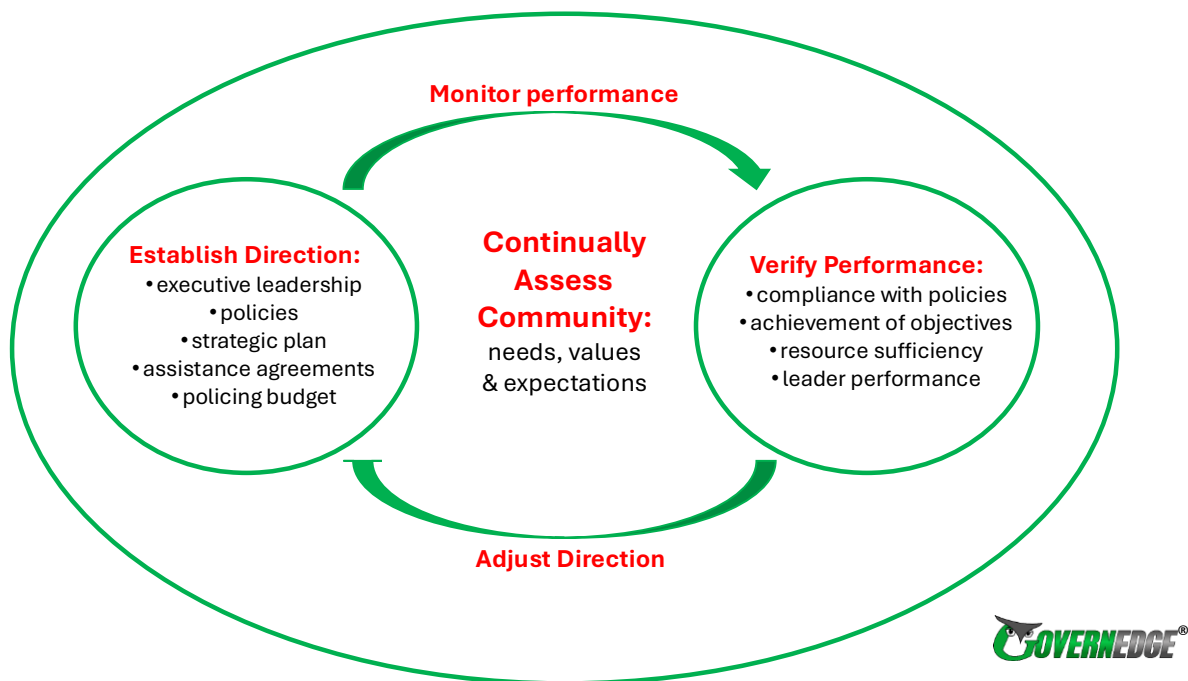
- the policing needs of the community;
- the geographic and socio-demographic characteristics of the police service’s area of policing responsibility;
- the extent and manner in which the policing function is effectively provided in similar communities;
- the extent to which past provision of the policing function by the police service has been effective in addressing the policing needs of the community; and
- best practices regarding the policing function.”

It follows that the police governance authority must proactively:

- create sufficient capacity in each of the prescribed policing functions⁶¹ – either in-house or through assistance agreements with other police services/forces;
- provide for readiness: appropriate training, supervision and availability;
- provide appropriate governance direction that sufficiently articulates their own interpretation of community needs, values and expectations;
- verify that intended policing functions in fact exist, are appropriately implemented, and result in acceptable consequences; and
- make adjustments as appropriate.

In applying these requirements to the General Good Governance Responsibilities identified in Chapter 5, the police governance authority should undertake a perpetual cycle of providing and sustaining adequate policing as depicted below:

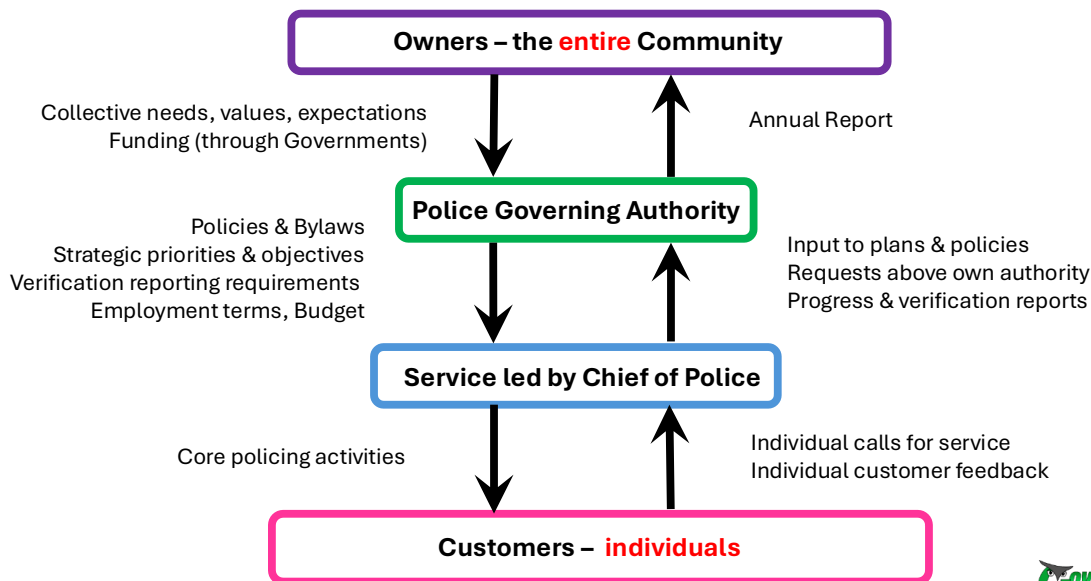
⁶¹ Ontario’s General Adequacy Standard identifies 60-some prescribed policing functions



6.3 Assessing Community Needs, Values and Expectations

There are several ways that the police governing authority can assess the community’s needs, values and expectations. It needs to be mindful that the relationship between the police governing authority and the community at large is not the same as the relationship between the police service/force and members of the community. The community-as-a-whole is the “owner” that the police governing authority governs on behalf of⁶². On the other hand, individual community members are customers of the police force. Owners’ collective needs, values and expectations are rarely the same as customers’ ones. The context, framing and questions should seek responses that reflect the collective interests, rather than individual preferences.

⁶² As aptly articulated in the New Brunswick Governance and Oversight Guidelines 2011



To garner input to their assessment of community needs, values and expectations, police governance authorities should:

- engage in public surveys;
- engage objective third-parties to facilitate focus groups for elements of the community with specific and/or under-served needs, such as ethnic, religious, indigenous, LGBTQ+, mental health, unhoused elements, etc.;
- seek Council input regarding community-wide public safety concerns and priorities;
- seek input from educational institutions and business communities;
- gather longitudinal (5-year) data regarding crime rates, clearance rates and traffic incidents locally and in comparator communities; and
- gather demographic data and trends regarding the current and projected community composition.

These inputs are fundamental to fulsome understanding and analysis of community needs, values and expectations. That understanding is necessary to create police governing

authority's adequate-policing policies and is the driver for determining policing priorities and objectives in the strategic plan.

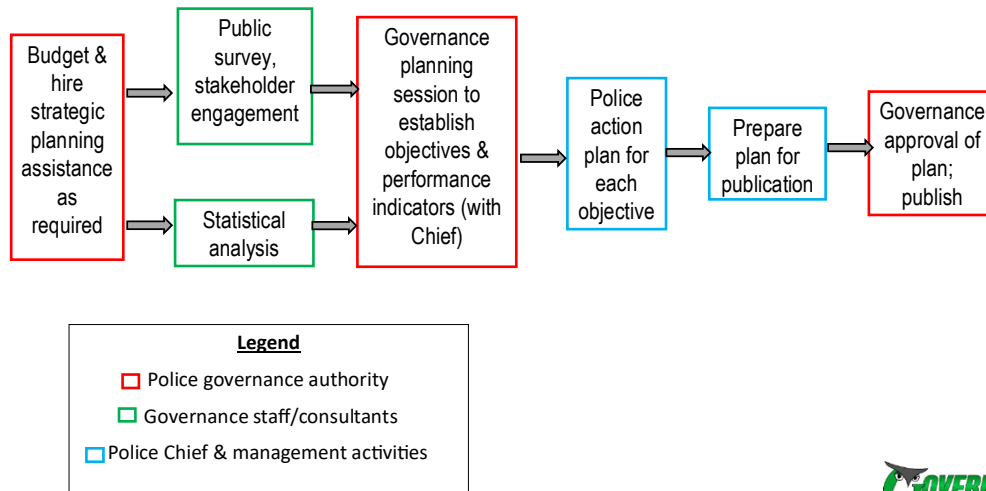
6.4 Adequate Policing Policies

The most important policies regarding the provision of adequate policing are those that articulate:

- the police governing authority process used to determine what constitutes an adequate policing function;
- the police governing authority's adequate policing standards, priorities, expectations and limits, as interpreted based on their analysis above, for each policing function or groups of functions, (e.g. resident capabilities or agreement-based, training, supervision, readiness, employment circumstances, risk mitigation, reporting, etc.);
- how the police governance authority will verify that adequate policing is in fact being provided, and make adjustments accordingly;
- the process for risk identification, reporting and mitigation (e.g. matters of immediate or impending strategic significance (or critical points), use-of-force, emergency response and other life-threatening encounters, public order events); and
- how the police governance authority's direction-verification-adjustments process relates to the budget planning and external assistance agreements.

6.5 Strategic Planning

The police governing authority, rather than the Chief of Police, should proactively lead the strategic planning process. Governance leadership in strategic planning best ensures that the plan is whole-of-the-community-inspired, community-facing, results-based and measurable. From start to finish it should take roughly 18 months and generally follow the process below:



6.6 Verification

Any effective governance model includes a robust verification component. Good governance can't rely solely on trust. There is a duty to the owners to make sure things are what they are said to be - especially in policing.

Verification of adequate policing has four components:

- verification of service/force compliance with the governing authority's policies;
- verification of service/force strategic plan progress;
- verification of service/force resource sufficiency; and

- verification of chief of police performance.

Risk identification and stakeholder concerns should determine what policing functions get verified by the police governing authority, how frequently, and with what degree of evidentiary scrutiny (i.e. stated compliance, proof of compliance, or third-party audit). The verification process should identify any adequacy gaps and their potential impacts, as options to address those gaps.

The verification process is complete only when the police governing authority responds to verification assessments by formally accepting the results and/or adjusting direction regarding its policy direction, strategic plan, assistance agreements, budget and/or police leadership.

Periodically the police governing authority should also verify, by way of objective third party, whether or not its own policy development, strategic planning, and adequacy verification processes and results are themselves reasonable.

6.7 Labour Relations

Police governing authorities have distinct and important responsibilities within the labour relations context. In simple terms, in most Canadian jurisdictions, a police governing authority is the legal employer and therefore participates in collective bargaining. Their involvement is in some cases directly at the table, and in other cases through appointed representatives. Collective bargaining is a key mechanism through which the Board balances its fiscal responsibilities with the need to maintain effective and sustainable policing services.

To achieve this balance, the police governing authority is responsible for establishing the employer's bargaining position and ensuring that negotiations align with organizational priorities and the broader public interest. This includes setting a clear mandate in advance of bargaining and maintaining oversight throughout the process.

Key responsibilities include:

- setting bargaining priorities (e.g., wages, benefits, scheduling, staffing);
- determining financial parameters and acceptable outcomes;
- appointing and directing the bargaining team (which may include legal counsel, human resources, and finance representatives); and

- approving or rejecting tentative agreements.

Given its accountability, a police governing authority must be an active participant in shaping bargaining strategy. It is responsible for ensuring that decisions reflect long-term financial sustainability, operational effectiveness, and community expectations. This responsibility cannot be delegated entirely to police administration. While the Chief and senior command provide critical operational input, the authority to determine bargaining direction and outcomes rests with the police governing authority as the employer.

Finally, it is important to note that because police officers do not have the right to strike, unresolved issues in bargaining are typically determined through interest arbitration. Arbitrators often place significant weight on comparability with other police services, as well as economic conditions and internal equity. While this can constrain the range of possible outcomes, it does not diminish the police governing authority's responsibility to bargain effectively. On the contrary, it reinforces the need for police governing authorities to take a strategic, well-informed, and proactive approach, given the limited ability to rely on traditional economic pressure.

6.8 Budgets

Program budgets are much superior to the traditional line-item budgets - from the police governance authority point of view and the public point of view.

Line-item budgets are easy for financial staff to prepare and track, but do not articulate what activities, outcomes or community value-added is associated with the budget. They do not facilitate a meaningful governance debate on budget levels, options or trade-offs.

Program budgets, on the other hand, are based upon policing activities and intended outcomes, and therefore facilitate debate on budget levels, options and trade-offs. They clearly describe what the police governing authority, governments and the public can expect to receive in terms of police activities and public safety outcomes. This budget methodology describes the return on community investment in policing.

6.9 Annual Reports

Annual reports should be structured by the police governing authority and prepared by the police service/force. It should not be a marketing document. Rather, it should be transparent and consistently objective report on the state of public safety and what has been done by the police and the police governing authority over the past year. Its main features should be the results of the verification program as described above. It should be easy for the public to understand and track public safety changes and trends, relative to similar communities, year-over-year.

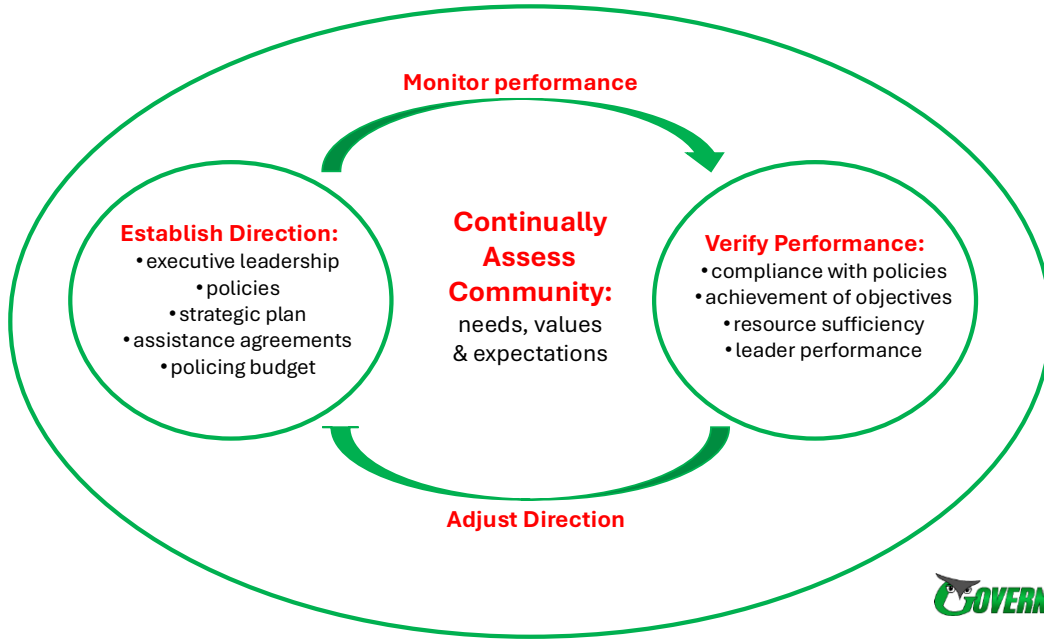
In this way, deeper and sustained public trust is grown over time as a byproduct of good governance, rather than a temporary state reached through intentional marketing. Trust can't be bought; it must be earned.

6.10 Conclusions

Police governing authorities exist to provide adequate and effective policing. They do not exist for ceremonial purposes. They do not exist solely to raise funds. They certainly do not exist to be cheerleaders of the police nor their nemesis, or to shield the police chief and service/force from criticism.

The Saint John police governing authorities should provide and maintain adequate and effective policing in the community by:

- continually assessing the community's need, values and expectations regarding policing;
- providing the necessary police leaders, policing-related policy direction, strategic plan, policing assistance agreements, sufficient resources (budget and labour relations alignment) to enable adequate and effective policing; and
- verifying that adequate and effective policing is indeed being provided, making adjustments where required, and transparently and fulsomely reporting their findings and actions to stakeholders and the public at large.



CHAPTER 7: COMPARISON OF OPTIONS

7.1 The Police Governance Model in Saint John Today

In a nutshell, the police governance Commission Model in Saint John today:

- focusses primarily on the financial and labour aspects of adequate policing, leaving police capacity and operational aspects to the Chief of Police to handle – as was the prevailing police governance philosophy across Canada prior to the Morden Report (2012) and which persists in many jurisdictions to this day;
- relies heavily on the Chief of Police to:
 - be the link to the community,
 - assess community needs, values and expectations,
 - direct the Force in accordance with his assessment,
 - verify the Force’s adequacy,
 - manage labour relations,
 - develop the budget for adequate policing, and
 - report the Force’s performance to the Commission, Council and the public;
- relies on the two councillors on the Commission to be its primary link to Council;
- is flooded with unresolved and new Police Association labour and advocacy issues; and
- is periodically challenged by Council regarding its worthiness.

The current model of police governance in Saint John today reflects the pre-Morden era prior to 2012. It has yet to embrace the police governance essentials identified in the quasi-judicial works of Morden et al (Chapter 4) and the corresponding best practices (Chapter 6).

There are several reasons why this is the case.

7.2 How did Saint John Police Governance Model Get to it's Current State

The police governance model in Saint John is a product of the following:

- the Ministry of Justice Governance and Oversight Guidelines published in 2011 provided a reasonable framework at that time, but has not:
 - been updated as police governance concepts have evolved,
 - been accompanied by governance training, or
 - led to verifications that police governance authorities in the province understand and have correctly implemented the Guidelines;
- the Ministry of Justice published Policing Standards Manual (2017 – five years after Morden) describes diminished police governance role as financial provider and not adequacy verifier;
- Council has not developed or articulated its expectations of the Commission, in terms of a Mandate or otherwise, particularly regarding synchronization of strategic plans, financial planning or police and public safety reporting, nor has the Commission helped facilitate such clarity;
- Council does not have a Community Safety and Well-being Plan, which would serve to synchronize policing initiatives and goals with those of non-police agencies in the public safety ecosystem;
- the Commission has not received expert police governance training or advice, nor has it sought it;
- the Commission has not been exposed to the quasi-judicial works of Morden et al, nor has it sought them;
- the Commission does not have a police-governance adviser;
- the Commission does not have a public relations/communications adviser on staff, nor has it leveraged City communications staff;

- the Commission, Police Leadership and the Police Association have been jointly unable to develop an enduringly healthy, productive relationship, nor have they asked for assistance to facilitate its development; and
- the Commission has not recently participated in police governance discussions, training and networking with external agencies like the Canadian Association of Police Governance (CAPG).

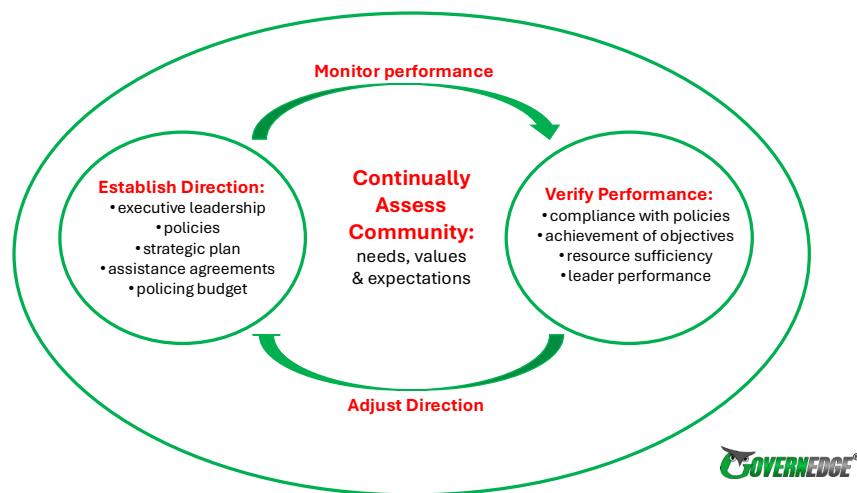
All of these conditions must be addressed, regardless of which model of police governance Council selects for Saint John.

7.3 Fully -functional Police Governance Models

Police governing authorities exist for one reason: to provide adequate and effective policing in the community.

Saint John’s police governing model should provide and maintain adequate and effective policing in the community by:

- continually assessing the community’s need, values and expectations regarding policing;
- providing the necessary police leaders, policing-related policy direction, strategic plan, policing assistance agreements, and sufficient resources (budget and labour relations alignment) to enable adequate and effective policing; and
- verifying that adequate and effective policing is indeed being provided, making adjustments where required, and transparently and fulsomely reporting their findings and actions to stakeholders and the public at large.



The police governance model in Saint John should feature:

- a process for ensuring a clear understanding of the community's evolving policing needs, values and expectations;
- well-defined roles and relationships among stakeholders;
- unbiased, evidence-based decisions;
- alignment of City and police strategic plans;
- police financial planning that demonstrates return-on-investment in terms of activities and outcomes; and
- a high degree of transparency and accountability.

The police governance model in Saint John will need:

- a clear, codified understanding of its evolved role and place in the broader public safety ecosystem including the City's Community Safety and Well-being Plan;
- clear expectations from Council regarding synchronized inter-departmental strategic and financial planning and reporting on public safety and police activities;
- police governors selected for their ability to perform within this evolved role and its expectations, and compensated accordingly;
- a chair that is selected for their ability to lead the police governance authority in its execution of its duties within this evolved role, and compensated accordingly;
- a robust and expertly informed police governance training program for police governors, police executives and councillors;
- a support team of governance advisors, on staff and/or on call, regarding training, community engagement, provision-of-policing policy development, strategic planning, police executive recruiting, labour relations, adequacy verification/evaluations, program budgeting and public communications; and
- periodic objective assessment of its own efficacy.

7.4 Descriptions of the Viable Police Governance Models

The two police governance models permitted by the Police Act are the Municipal Department Model and the Commission Model.

The **Municipal Department Model** as is currently in place in Fredericton, but modernized, codified and reinforced as outlined in the preceding section.

An **Enhanced Commission Model** as is similar in name and structure as the system in place in Saint John today, but modernized, codified and reinforced as outlined in the preceding section.

Both models - modernized, codified and reinforced – structurally address the six police governance imperatives outlined by stakeholders in interviews (Chapter 2):

- a clear understanding of the community’s policing needs, values and expectations as they evolve;
- well-defined roles and relationships among stakeholders;
- unbiased, evidence-informed decisions;
- alignment of city and police strategic plans;
- police financial planning that addresses return-on investment; and
- a high degree of transparency and accountability.

7.5 Comparison of Viable Police Governance Models

A comparative summary of the two viable governance models is depicted in the table below.

	Municipal Department Model	Enhanced Commission Model
Advantages	Most integration of strategic and financial planning Inherent synergy of administrative functions	Most politically objective Transition requires the least effort/is the least disruptive
Disadvantages	No existing police governance capacity or experience; must be built from scratch No existing police governance advisors	Strained existing relationships with Council and Union No existing police governance advisors
Risks	Political interference Lack of due diligence/insufficient attention on objective holistic police oversight	Reverting to legacy role and philosophy, leading to under-governance and overwhelmed labour relations
Financial Implications	Same	Same

7.6 Comparative Advantages

The advantages of the Municipal Department Model are integrated strategic and financial planning processes and inherent synergy of administrative functions, which the Commission model could also achieve through well-crafted strategic planning protocol, financial planning protocol and collaborative administrative functions – all of which could be part of the City’s mandate for the Commission.

The advantages of the Commission Model, on the other hand, are its political objectivity and a less disruptive transition from the current state - neither of which can be replicated by the Municipal Departmental Model because of Council’s political mandate and composition, and the current lack of police governance experience or capacity.

7.7 Comparative Disadvantages

A disadvantage of the Municipal Department Model is the lack of existing police governance capacity or experience, meaning the system must be built from scratch concurrent with actually fulfilling the role. These disadvantages could be lessened with a phased build up prior to disbandment of the Commission.

The disadvantage of the Commission Model is the strained existing relationships with Council and the Police Association. This disadvantage could be lessened with new Commission leadership (already scheduled this summer) and ongoing membership renewal, selected if not recruited for proficiency in addressing these situations.

A disadvantage of both models is the lack of existing police governance advisors, which will have to be engaged from the onset of transition to either model.

7.8 Comparative Risks

An inherent risk of the Municipal Department Model is political interference by Council or one or more of its members. This can be mitigated through effective training and persistent code of conduct oversight but cannot be eliminated, as Council and its members are by definition political.

The broad scope of Council's responsibilities also presents the inherent risk of insufficient police governance diligence and fulsome police oversight. This can be mitigated, in part, by careful Council workload planning by City staff.

The risk with the Commission Model is that it may revert to its legacy role and philosophy, leading to under-governance and overwhelmed labour relations. Appointment of appropriate commissioners by Council, a fulsome Council mandate for the Commission, robust training and sufficient police governance advisor support will sufficiently mitigate this risk.

The financial implications of each model are roughly the same. The total investment depends on how effective Council wants police governance (and by extension policing) in Saint John to be, and how fast it wants to bring it to that standard.

7.9 Assessment of Police Governance Options

There are advantages, disadvantages, risk and financial implications of both of the viable police governance options. The financial implications are the same regardless of the model. It depends on how well Council wants to ensure police governance success and, by extension, adequate and effective policing in Saint John.

The advantages of the Municipal Department Model can be extended to the Commission Model via a well-crafted Mandate from Council to the Commission. Conversely, the Commission's advantage of political objectivity cannot be extended to the Municipal Department Model because of the politically inherent nature of Council.

The disadvantages of both models can be lessened through deliberate transition planning and engagement of police governance expertise.

The risks of both models can be mitigated through staff oversight, though the Municipal Department Model's risk is inherent and will endure.

These same factors and Conclusions have undoubtedly led to a system of appointed overseers and arbiters everywhere across Canada where objectivity is paramount. Examples include auditors, ombudsmen, license-granters, assessors, mediators, investigators and judges.

The police governance authority, by virtue of its role – to provide and maintain adequate policing - is first and foremost an oversight body. It requires impartiality, not popularity.

7.10 Conclusion

The Commission Model's advantages outweigh those of the Department Model – notably its political objectivity – while its disadvantages can be lessened and its risks mitigated to a greater degree than is possible in the Municipal Department Model.

The Commission Model, modernized, codified and reinforced as outlined in section 7.3 above, is fit for purpose. It is a clear, enforceable police governance model that addresses stakeholders' concerns identified in interviews, notably alignment with Council's priorities, plans, processes and information requirements. It will objectively and transparently determine what comprises adequate and effective policing in Saint John, verify that it is indeed being provided, and address any gaps if it is not. In this manner, the Police Commission will have a substantive impact on police performance and community safety, and by extension - public trust.

CHAPTER 8: RECOMMENDATIONS

The Commission Model’s advantages outweigh those of the Department Model – notably its political objectivity – while its disadvantages can be lessened and its risks mitigated to a greater degree than is possible in the Municipal Department Model.

The Commission Model, modernized, codified and reinforced as outlined in Chapter 7 section 7.3, is **fit for purpose**. It is a clear, enforceable police governance model that addresses stakeholders’ concerns identified in interviews, notably aligning with Council’s priorities, plans, processes and information requirements. It will objectively and transparently determine what comprises adequate and effective policing in Saint John, verify that it is indeed being provided, and address any gaps if it is not. In this manner, the Police Commission will have a substantive impact on police performance, community safety, and public trust.

Accordingly, it is recommended: ***that Council retain the Saint John Board of Police Commissioners, modernized, codified and reinforced as set out in the recommendations contained in the Police Governance Review by Governedge in 2026.***

#	Recommendation
1	<p>That the City prepare a mandate for the Commission articulating its expectations including those related to the following:</p> <ul style="list-style-type: none"> • Council’s definition of adequate policing, role and duties of the Commission, and determinants of adequate policing (refer to recommendations below); • required Commission policies on determining adequate policing, providing adequate policing and verifying adequate policing; • required Commission policies on Chief-to-Commission Communications and Matters of Immediate Strategic Significance (Critical Points); • required Commission policies describing its community engagement requirements and activities, and proactive and reactive public communications; • mandatory commissioner training;

#	Recommendation
	<ul style="list-style-type: none"> • synchronized City and police strategic planning processes to ensure alignment of goals/objectives, key performance metrics and reporting on progress; • program-based police financial planning; • expectations that, to the maximum degree possible, the Commission’s deliberations and associated reports are made in public session, and posted on the Commission’s website; • reporting to Council on public safety and policing matters, and commission performance including transparency; and • Commission participation in City audits of the Commission and the governance model.
2	That the City develop an updated list of Commission member competencies based on the Commission’s duties, for subsequent selection of commissioners.
3	That “adequate policing” be defined as “policing that is aligned with community needs, values and expectations” and that the adequacy standard be one of “reasonableness”.
4	That the role of the Police Commission be “to ensure that policing is aligned with community needs, values and expectations”
5	<p>That the fundamental duties of the Police Commission be:</p> <ul style="list-style-type: none"> • to assess community needs, values and expectations; • to direct the Force towards the alignment of policing with community needs, values and expectations; • to verify that policing is in fact aligned with Commission policies and strategic objectives (i.e. adequate); and

#	Recommendation
	<ul style="list-style-type: none"> • to make adjustments to policies, strategic objectives and priorities, policing agreements and/or police leadership as appropriate to sustain policing alignment with community needs, values and expectations.
6	<p>That the determinants of adequate and effective policing for each policing function be:</p> <ul style="list-style-type: none"> • the provincial standard for the policing function; • the policing needs, values and expectations of the community; • the geographic and socio-demographic characteristics of the City of Saint John; • the extent and manner in which the policing function is effectively provided in similar communities; • the extent to which past provision of the policing function by the police service has been effective in addressing the policing needs of the community; and • best practices regarding the policing function.
7	<p>That the City review the remuneration of Police Commission members in light of their evolved role.</p>
8	<p>That the City liaise as required with the Police Commission to ensure that commissioner recruiting and selection is informed by Commission needs regarding collective competencies including Commission leadership.</p>
9	<p>That the City create and fund a program of ongoing police governance training and education for Commission members, councillors and police executives.</p>
10	<p>That the City explore, with the Police Commission, the potential return to a shared services model of administrative services, for the purposes of efficiency and cost optimization.</p>

#	Recommendation
11	That the City assist the Commission in the development of community engagement and public relations strategy.
12	That the City assist the Commission in the sourcing of police governance advisory services.
13	That the City undertake to develop an outcome-based community safety and well-being plan, for Council consideration, and create a steering committee of stakeholders to monitor and report on the plan's implementation and progress.
14	<p>That the provincial government be requested and encouraged to:</p> <ul style="list-style-type: none"> • update the Police Act in light of the findings and recommendations of Morden et al. and in particular updating its expectation of police governance authorities (civic authorities) regarding ensuring adequate policing; • develop training guidelines regarding police governance; and • remove the Police Act clause placing the chief of police as an ex officio non-voting member of a police commission (7(4)(d)).

CHAPTER 9: IMPLEMENTATION

A high-level sequence of events to implement the recommendations in Chapter 8 is illustrated below.

