

**Caution:**

*This consultation draft is intended to facilitate dialogue concerning its contents. Should the decision be made to proceed with the proposal, the comments received during consultation will be considered during the final preparation of the regulation. The content, structure, form and wording of the consultation draft are subject to change as a result of the consultation process and as a result of review, editing and correction by the Office of Legislative Counsel.*

**CONSULTATION DRAFT**

**ONTARIO REGULATION**

to be made under the

**COMMUNITY SAFETY AND POLICING ACT, 2019**

**CODE OF CONDUCT FOR O.P.P. DETACHMENT BOARD MEMBERS**

APPLICATION AND INTERPRETATION

1. This Regulation sets out the code of conduct with which every member of an O.P.P. detachment board must comply.

2. In this Regulation,

“conflict of interest” means a situation in which a member of an O.P.P. detachment board’s private interests or personal relationships place, or may reasonably be perceived to place, the member in conflict with their duties as a member of the O.P.P. detachment board; (“conflit d’intérêts”)

“personal relationship” includes, but is not limited to, a relationship with any of the following persons:

1. A current or former spouse or common-law partner of the board member.
2. A current or former intimate partner of the board member.

3. The board member's children, including biological or adoptive children and stepchildren.
4. The legal dependants of the board member.
5. A child in the board member's care.
6. The board member's grandparents, parents or siblings, including grandparents-in-law, parents-in-law and siblings-in-law. ("rappports personnels")

#### CONDUCT BECOMING OF A BOARD MEMBER

3. A member of an O.P.P. detachment board shall not conduct themselves in a manner that undermines or is likely to undermine the public's trust in the O.P.P. detachment board or the Ontario Provincial Police.

4. A member of an O.P.P. detachment board shall comply with the Act and the regulations made under it.

5. A member of an O.P.P. detachment board shall not, by act or omission, conduct themselves in a manner that is likely to cause the board to fail to comply with the Act or the regulations made under it.

6. A member of an O.P.P. detachment board shall comply with any rules, procedures and by-laws of the O.P.P. detachment board.

7. A member of an O.P.P. detachment board shall not substantially interfere with the conduct of O.P.P. detachment board meetings.

8. A member of an O.P.P. detachment board contravenes this code of conduct if they are found guilty of an offence under the *Criminal Code* (Canada), the *Controlled Drugs and Substances Act* (Canada) or the *Cannabis Act* (Canada) that was committed after they were appointed as a member of the O.P.P. detachment board.

9. A member of an O.P.P. detachment board shall not, in the course of their duties, treat any person in a manner that would contravene the *Human Rights Code*.

**10.** A member of an O.P.P. detachment board shall conduct themselves in a professional and respectful manner in the course of their duties including, without limitation, not using abusive or insulting language in the course of their duties.

#### STATEMENTS AND ATTENDANCE

**11.** A member of an O.P.P. detachment board shall not knowingly make false statements pertaining to the duties of a member of an O.P.P. detachment board.

**12.** A member of an O.P.P. detachment board shall not purport to speak on behalf of the O.P.P. detachment board unless authorized by the board to do so.

**13.** A member of an O.P.P. detachment board shall clearly indicate when they are expressing a personal opinion when commenting on an action or omission of the O.P.P. detachment board, the Ontario Provincial Police or a member of the Ontario Provincial Police.

**14.** A member of an O.P.P. detachment board shall not access, collect, use, alter, retain, destroy or disclose to any person information that has been obtained by or made available to the member in the course of their duties if doing so would be contrary to law.

**15.** (1) A member of an O.P.P. detachment board shall not disclose to the public information obtained or made available in the course of the member's duties except as authorized by the O.P.P. detachment board or as required by law.

(2) Subsection (1) does not apply to information that was already made available to the public by a person who was authorized to do so prior to the member's disclosure.

**16.** A member of an O.P.P. detachment board shall attend all O.P.P. detachment board meetings unless able to provide a reasonable excuse for the absence.

#### MISCONDUCT AND CONFLICTS OF INTEREST

**17.** A member of an O.P.P. detachment board shall disclose any conduct of another member of the O.P.P. detachment board that the member reasonably believes constitutes misconduct,

(a) to the chair of the board; or

(b) if the misconduct involves the chair, to the Inspector General.

**18.** (1) A member of an O.P.P. detachment board shall disclose any charges laid against them under the *Criminal Code* (Canada), the *Controlled Drugs and Substances Act* (Canada) or the *Cannabis Act* (Canada) and any finding of guilt made in relation to those charges.

(2) Subsection (1) only applies to charges or findings that were made after the member's appointment to the O.P.P. detachment board.

(3) The disclosure required by subsection (1) must be made to the person or body that appointed the individual as a member of the O.P.P. detachment board or, in the case of a member appointed by the Lieutenant Governor in Council, to the Minister.

**19.** A member of an O.P.P. detachment board shall not apply for employment with the Ontario Provincial Police unless they resign from the board before applying.

**20.** A member of an O.P.P. detachment board shall disclose any conflict of interest,

(a) to the chair of the board; or

(b) if the conflict of interest involves the chair, to the Inspector General.

**21.** A member of an O.P.P. detachment board shall not use their position as an O.P.P. detachment board member to,

(a) benefit themselves;

(b) benefit one or more persons with whom they have a personal relationship; or

(c) interfere with the administration of justice.

**22.** A member of an O.P.P. detachment board shall not participate in discussion of or voting with respect to matters at O.P.P. detachment board meetings if the member has a conflict of interest in the matter.

## **COMMENCEMENT**

### **Commencement**

**23. [Commencement]**