



KINGSTON POLICE SERVICE BOARD

BY-LAW NUMBER 24-02

Respecting Court Security

1. PREAMBLE

1.1 WHEREAS subsection 37 (1) of the *Community Safety and Policing Act, 2019, S.O. 2019, c. 1, Sched. 1*, (“CSPA”) provides that a police service board (“Board”) shall ensure that adequate and effective policing in the area for which it has policing responsibility as required by Section 10 of the CSPA;

1.2 AND WHEREAS subsection 38 (2) of the CSPA provides that a Board may establish policies respecting matters related to the Police Service or the provision of policing;

1.3 AND WHEREAS Section 243 of the CSPA requires the Board of jurisdiction to provide court security with respect to premises where court proceedings are conducted. These responsibilities include:

- (a) ensuring the security of judges and other judicial officers and of persons taking part in or attending proceedings;
- (b) during the hours when judges, other judicial officers and members of the public are normally present, ensuring the security of the premises;
- (c) ensuring the secure custody of persons in custody who are on or about the premises, including persons taken into custody at proceedings; and
- (d) determining appropriate levels of security for the purposes of paragraphs (a), (b), and (c) above in accordance with the regulations, if any.

1.4 AND WHEREAS Ontario Regulation 392/23 of the CSPA: Adequacy and Effective Policing (General) prescribes standards for adequacy and effectiveness of police services;

1.5 AND WHEREAS, under Ontario Regulation 399/23 of the CSPA, where a Board has the responsibilities referred to in section 243, the Chief of Police shall:

- (a) prepare a court security plan;
- (b) establish procedures on court security that address the provision and training; and
- (c) ensure that court security personnel have the capability to perform their functions related to court security;

1.6 AND WHEREAS the Board has deemed it appropriate that it establish policies with respect to court security;

1.7 AND WHEREAS Part LE-014 of the Policing Standards Manual (2000), a copy of which is attached hereto as Appendix A, contains guidelines directing the Chief relative to court security.

NOW THEREFORE THE KINGSTON POLICE SERVICE BOARD ENACTS AS FOLLOWS:

2. DEFINITIONS

2.1 “Act” or “CSPA” means the *Community Safety and Policing Act, 2019, S.O. 2019, c. 1, Sched. 1*, and amendments thereto;

2.2 “Board” means the Kingston Police Service Board;

2.3 “Chief” means the Chief of the Kingston Police Service;

2.4 “Manual” means the Policing Standards Manual published by the Ministry of the Solicitor General;

2.5 “Member” means a member of the Kingston Police Service;

2.6 “Crown Attorney” means the Director of Crown Operations for the east region.

2.7 “Service” means the Kingston Police Service.

3. BOARD POLICY

3.1 The Board recognizes that issues relating to court security are important to the administration of justice and it is therefore the policy of this Board that court security issues be dealt with in a professional and thorough manner and in accordance with procedures established by the Chief as directed in this By-law.

4 DIRECTION TO THE CHIEF

4.1 COURT SECURITY COMMITTEE

4.1.1 The Chief shall establish a local Court Security Committee, to serve in an advisory capacity to the Chief. The Court Security Committee shall include representatives, at a minimum, from:

- (a) the Service;
- (b) the Regional Crown Attorney's office;
- (c) the judiciary;
- (d) the local bar association;
- (e) victims services/organizations; and
- (f) Ministry of the Attorney General – Court Services Branch.

4.1.2 The Chief shall ensure that the local Court Security Committee meets on a regular basis in order to address court security issues.

4.2 COURT SECURITY OFFICER

4.2.1 The Chief shall designate a Member of the Service with overall responsibilities for the Service's court security function.

4.3 COURT SECURITY PLAN

4.3.1 The Chief shall, in accordance with the Court Security Committee, prepare a Court Security Plan.

4.3.2 The Chief shall ensure that the Court Security Plan is reviewed and evaluated on an annual basis by the Court Security Committee using defined performance measures and indicators.

4.4 TRAINING

4.4.1 The Chief shall ensure that personnel utilized for court security and prisoner transport are adequately trained and supervised.

4.4.2 The Chief shall establish procedures in relation to court security in accordance with Appendix A.

5 REPORT TO THE BOARD

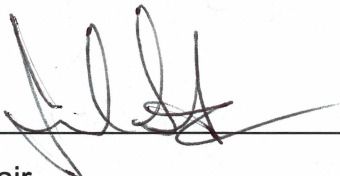
5.1 The Chief, in consultation with the Court Security Committee, shall provide a written report to the Board on or before the 30th day of September of each year concerning the Court Security Plan, which report shall include at least the following information:

- (a) an outline of the Court Security Plan;
- (b) confirmation that the Plan conforms with Section 243 of the CSPA;
- (c) the annual cost of the Plan;
- (d) any issues or criticisms of the Court Security Plan known to the Chief; and
- (e) a summary of the issues discussed at the Court Security Committee meetings.

6. IMPLEMENTATION AND EFFECTIVE DATE

6.1 This By-law is hereby enacted by the Kingston Police Service Board on this 19th day of September, 2024 (by resolution 24-52) and shall take effect immediately upon its passing.

6.2 The Chief shall implement this By-law, where applicable, through General Order.



Chair

Board Administrator