

# **Yukon Police Council Terms of Reference**

**Revised September 17, 2021**

## Terms of Reference

**Name:** Yukon Police Council (the “Council”)

### Preamble:

Under the terms of the Territorial Police Services Agreement, the Minister of Justice has the responsibility of setting objectives, priorities, and goals of the Territorial Police Service. The Commanding Officer is responsible for implementation of these objectives, priorities and goals. In carrying out this responsibility, the Minister of Justice will seek the input of Yukon citizens. The Government of Yukon has created the Yukon Police Council as an advisory body to assist the Minister of Justice.

### Introduction:

**Whereas**, the Government of Yukon acknowledges the importance of involving community members in a formal structure that provides the opportunity for Yukon citizens to have input into their police service;

**Whereas**, the Government of Yukon recognizes that partnership and collaboration with Yukon First Nations is essential to maintaining positive relationships in the delivery of our police service;

**Whereas**, the Government of Yukon recognizes that seeking input from women’s organizations, organizations that provide service to vulnerable people and Yukon citizens at large will assist in the delivery of a police service that meets the unique needs of Yukon;

**Whereas**, the Government of Yukon has a Police Services Agreement with the Government of Canada to which the RCMP, as the Territorial Police Service, aids in

the administration of justice by implementing the territorial policing objectives, priorities and goals that are established by the Minister of Justice;

**Whereas**, in carrying out responsibilities under the Territorial Police Service Agreement the Minister of Justice may ask advice from Yukon citizens;

**Whereas**, operational independence of police is a key principle in democratic societies;

**Whereas**, the Government of Yukon is committed to providing a process for ongoing dialogue and to fostering positive relationships between Yukon citizens, the Department of Justice and the RCMP “M” Division.

**Therefore**, the Yukon Police Council is established to:

- a. ensure that a broad representation of Yukon citizens have input into the Territorial Police Service objectives, priorities and goals established by the Minister of Justice;
- b. provide advice that the Minister of Justice may consider when establishing policing objectives, priorities and goals pursuant to the Territorial Police Services Agreement; and
- c. increase the flow of information between citizens, interested stakeholders, the Department of Justice and the RCMP “M” Division.

**Membership:**

The Council will consist of seven members, including the Deputy Minister, Yukon Department of Justice. The Deputy Minister or designate will be the Chair of the Council.

The Minister of Justice will appoint six members to the Council. The Minister will appoint a minimum of three Yukon First Nation members. All members will be appointed through the Government of Yukon Boards and Committees appointment process and are subject to approval by Cabinet.

The membership of the Yukon Police Council will reflect, to the greatest extent possible, a gender balance and the regional and cultural diversity of the territory. Members appointed to the Council may be representative of certain Yukon groups but will not represent a specific organization that they may belong to while sitting on the Council.

The Minister of Justice will consider the following criteria when making appointments:

- knowledge about, and interest in, community issues;
- an understanding of the complexities of policing;
- First Nations community knowledge and understanding;
- community leadership experience;
- an understanding of the differential impact policing services may have on First Nations citizens, women, and other vulnerable citizens;
- commitment to fairness, avoiding conflict of interest, maintaining neutrality and objectivity;
- willingness and availability to meet time commitments related to board duties;
- ability to work with a variety of situations, groups and people;
- ability to deal with difficult and complex situations;
- willingness to contribute to consensus solutions; and
- willingness to travel to Yukon communities.

The Commanding Officer or designate for RCMP “M” Division will have observer status, attending and participating in meetings at the request of the Council.

**Scope and Jurisdiction:**

The Council is formed for the purpose of advising the Minister and the Commanding Officer for “M” Division on territorial policing matters. The Council was established in accordance with a recommendation in *Sharing Common Ground: Review of Yukon’s Police Force, 2010*. The Council is established by Cabinet.

In carrying out its duties, the Council:

- may provide advice to the Minister on policing priorities;
- will act as a liaison between citizens, the Minister of Justice and the Commanding Officer for “M” Division;
  - liaison duties can include engaging with Yukon citizens in different formats;
- may provide advice to the Minister and the Commanding Officer for “M” Division regarding the delivery of policing services in the Yukon. Advice can include:
  - information received by the Council that could support core policing values and reflect the Yukon’s history and cultural heritage;
  - information that promotes consideration of the unique role and powers of First Nations governments in the Yukon;
  - recommendations that reflect the needs and values expressed by communities and
  - recommendations on policing practices and standards.

On the invitation of the Minister, one or more members of the Council may participate in and make recommendations to the Minister of Justice regarding the selection of the Commanding Officer for “M” Division.

The Council may request reports from the Minister of Justice or the Commanding Officer for “M” Division on matters that affect the delivery of policing services in the territory, including Annual Performance Plan updates, public complaints, use of conducted energy weapons, and other matters of interest to the Council.

The Council may meet with First Nations, municipalities, women’s organizations, non-government organizations, or others in carrying out its duties.

**Training and Orientation:**

Council members will participate in orientation and training that supports them to carry out Council duties. This may include orientation to “M” Division headquarters and Yukon detachments, legislative and regulatory framework for policing services, an overview of the

Review of Yukon's Police Force, and training that builds Council members' capacity to undertake their duties.

**Term of Service:**

Council members will be appointed for a term of up to three years. The Council secretariat will ensure efficient and manageable term rotation for members.

**Resources and Budget:**

The budget for the Council will be supplied by the Department of Justice. The Department of Justice will supply secretariat support for the Council.

The Department of Justice will submit an annual plan outlining its budget and operations, which must be approved by the Minister of Justice prior to the expenditure of funds. In addition, the Council will seek pre-approval for new items that arise during the year, such as requesting reports, studies and extra Council travel.

**Governance:**

The Council will use a consensus based decision-making process. Quorum will be deemed to have been constituted with four members.

The Council shall submit an annual report to the Minister of Justice. The Minister of Justice shall table the Annual Report in the Legislative Assembly and will distribute the Annual Report with First Nations leaders, municipalities, RCMP "M" Division, RCMP National Aboriginal Policing Services Branch, and the Commissioner of the RCMP.

**Meetings:**

The Council shall meet quarterly or as required to complete its mandate. The Council shall also meet as required with community and non-government organizations or with the public in order to carry out its roles and responsibilities.

**Travel:**

Council members may be required to travel within the Yukon to meet with community partners and stakeholders. Council members are eligible to claim per diems in accordance with the Government of Yukon's current meals and incidental expenses policies when meals and transportation are not provided as part of the scheduled meeting. Council members will be paid distance allowance at the Government of Yukon's current rates for travel outside of their home communities when using their own vehicle.

**Conflict of Interest:**

For the purposes of this Council, conflict of interest is defined as any situation where there is an actual or perceived incompatibility between a Council member's duties and their private or personal interests.

Council members are responsible for conducting themselves in a manner that maintains and fosters public trust; members should not act of their own accord. No conflict should exist or appear to exist between the private or personal interests of Council members and their official duties. Council members have a duty to disclose to the Chair any situation in which they are involved that may pose a conflict of interest and to remove themselves from any related discussion or decisions.

**Changes to the Terms of Reference:**

Changes may be made to the Yukon Police Council Terms of Reference by obtaining consensus of the Council, and with final approval of any changes by the Minister of Justice.