

Request for Board of Police Commissioners Consideration

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| <input checked="" type="checkbox"/> Agenda Item
(Submitted to Municipal Clerk's Office by Noon at least 5 working days prior to the meeting) | <input type="checkbox"/> Added Item
(Submitted to Municipal Clerk's Office by Noon at least one working day prior to meeting) | <input type="checkbox"/> Request from the Floor |
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Date of Meeting: December 14, 2022

Subject: Funding of Ad Hoc Independent Legal Counsel

Motion for Board of Police Commissioners to Consider:

Whereas the Board at its meeting on April 19th, 2021 considered the advisability of occasional access to independent legal counsel in addition to, or as alternative to, advice provided by legal staff of the Halifax Regional Municipality

And Whereas the Board, having considered the matter, passed the following motion authorizing the retention of independent counsel on an ad hoc basis:

MOVED by Commissioner Kent, seconded by Commissioner McDougall

THAT the Board of Police Commissioners endorse the use of occasional ad hoc independent legal advice as required, by way of a motion at a meeting where the need arises. This may be requested of either the Municipal Solicitor, CAO or Regional Council depending on the need for funding and/or budget approval.

MOTION PUT AND PASSED

And Whereas the Board would like to contract directly for the ad hoc retention of independent legal counsel as authorized by s.48 of the Police Act and establish certainty in the source of funding for the such retention through inclusion of provision for the same within its operating budget

Upon Motion,

That the Board of Police Commissioners request, Halifax Regional Council include in its 2023-2024 Operating Budget such funding as might reasonably be required by the Board for the purpose of its acquisition, from time-to-time, of such independent legal advice and counsel as it may deem necessary, to a maximum of \$100,000 annually, unless otherwise increased by Halifax Regional Council on an ad hoc basis, in keeping with the Board's motion on independent legal counsel dated April 19th, 2021 and as recommended in the April 19th, 2021 Staff Report to the Board on the same subject.

Reason:

At its meeting on April 19th, 2021, the Board considered the issue of having access to independent legal advice through the retention of counsel external to the Legal Services group of the Municipality and passed a motion authorizing the retention of independent counsel from time to time on a case by case basis as the Board deems appropriate. The motion provided for requests for such counsel, including funding, to be made to either the Municipal Solicitor, the CAO, or Regional Council without further specifics as to process. The Board has the authority to contract directly for such services. This motion would request Regional Council to make provision for established funding for this purpose in its 2023-2024 Operating Budget.

Outcome Sought:

Adoption of motion by the Board and request made of Regional Council for established funding from the 2023-2024 Operating Budget.

Commissioner Giles