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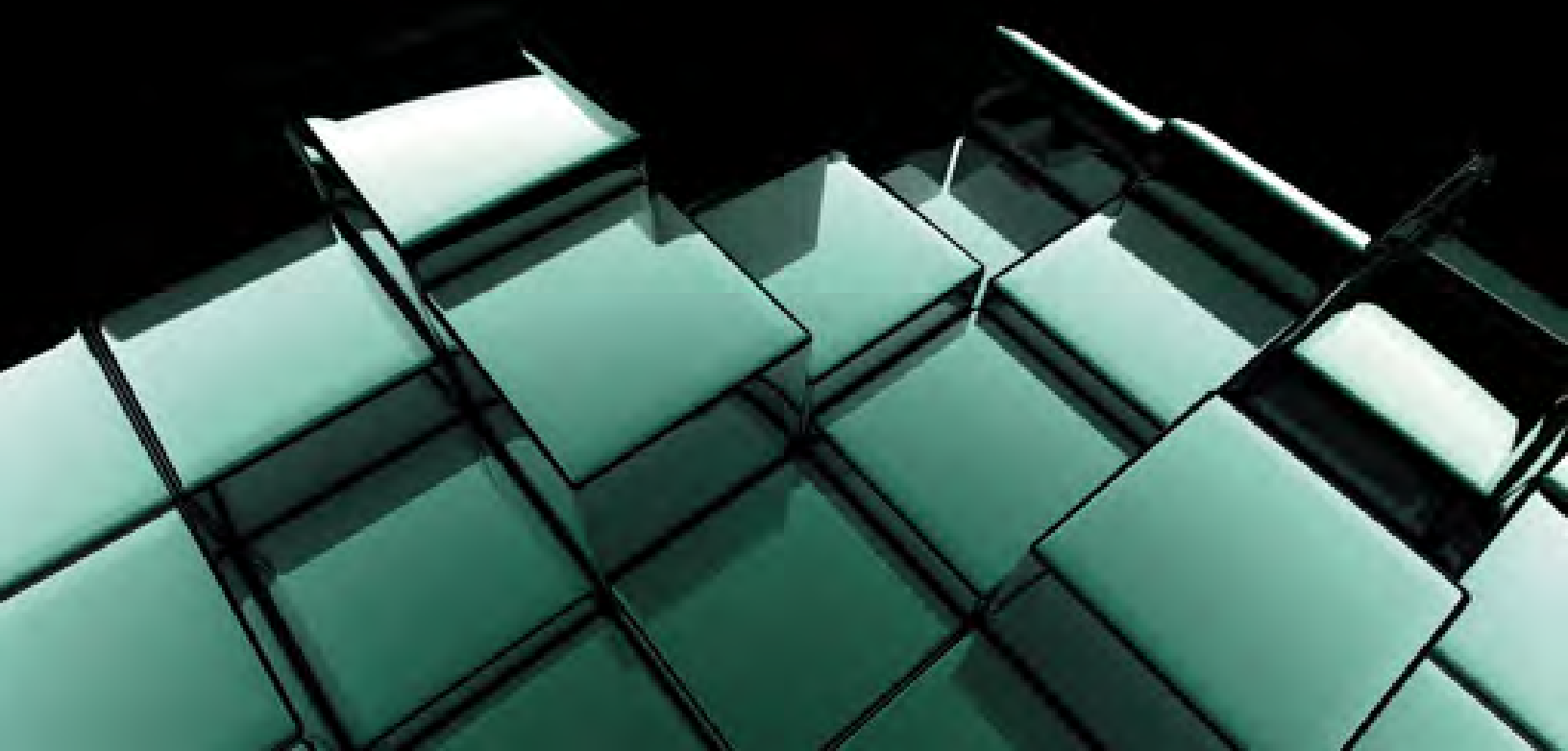
**OIPRD**

OFFICE OF THE INDEPENDENT  
POLICE REVIEW DIRECTOR

**BUILDING  
A SOLID  
FOUNDATION**

**11-12**

2011-2012 Annual Report





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## Director's Note

Another year has passed and the organization I helped build has now been operational for two and a half years. This is the second annual report I have released as Independent Police Review Director covering the period of April 1, 2011 to March 31, 2012. I believe it will show how this organization has grown and matured since October 2009 and how we plan to change and adapt our business practices to better serve our stakeholders.



The Office of the Independent Police Review Director has completed its second full year of operation; we have learned a great deal over the past year and have started to build an excellent foundation for the future of the organization. We recently completed our first systemic review and have conducted a thorough audit of our internal processes. Our experience in the past year has helped identify areas where we can improve and those changes have begun to be implemented to ensure the organization constantly improves and adapts to meet the expectations of the people of Ontario.

The systemic review, conducted over 22 months, was a great challenge for my organization. The resulting report was over 300 pages and provided an in-depth analysis of the events leading up to and throughout the G20 in Toronto. The purpose of the report was to tell the story of the G20 and to provide insight and recommendations for future events of this nature. It was the first review of its kind in Canada and a learning opportunity for me and my staff. I hope to share our knowledge with other oversight organizations throughout Canada and internationally. It has always

been my intention to collaborate and share my experiences with other organizations, and the public.

As with any new organization there are always some growing pains, trials and errors. We have worked hard over the past year to identify gaps in our processes, create greater efficiencies and update our policies and procedures. We have implemented a series of performance measurements for our staff and for police-conducted investigations so that we can monitor progress and address any issues that

arise. In my next annual report, these performance measures will be reported publicly as part of my commitment to accountability and transparency. As our organization matures, we will continue to work toward providing better and more efficient services to the people of Ontario in order to enhance the public complaint system and confidence in police and policing.

I have always maintained that I will work with both the public and the police to ensure that the OIPRD is fair, balanced and transparent. I have made changes to our policies and procedures after receiving feedback and will continue to use feedback from our stakeholders to improve OIPRD business practices. As we move into our third full year of operation, I plan to continue to improve and build upon the knowledge we have gained as an organization.

A handwritten signature in black ink, appearing to read 'Gerry McNeilly', written in a cursive style.

Gerry McNeilly  
Independent Police Review Director



## About Us

The Office of the Independent Police Review Director (OIPRD) was established under the *Independent Police Review Act, 2007*. The Act replaced Part V of the *Police Services Act (PSA)*, establishing new guidelines for public complaints. The Office of the Independent Police Review Director is responsible for receiving, managing and overseeing all public complaints about the police in Ontario. As an independent civilian oversight agency, we make sure that public complaints about police are dealt with in a manner that is transparent, effective and fair to both the public and the police.

The Act provides a system for handling public complaints about the police in Ontario that is administered by an independent civilian oversight organization and sets out the process for determining how public complaints about police are handled.

The OIPRD began work on October 19, 2009, as an independent, neutral arms-length agency of the Ontario Ministry of the Attorney General. Our mandate is to deal with all public complaints regarding the conduct of a police officer, the policies of a police service or the services provided by the police. We work cooperatively with both complainants and police to investigate and resolve complaints. We make our decisions independently of the police, the government, and the public.

The Act requires that the Director must never have been a police officer and that staff of the OIPRD cannot be serving police officers. This means that all employees of the OIPRD are civilians.

## Our Purpose and Goals

Central to our work is the belief that public confidence in the public complaints system will build greater community trust in our police services as a whole, and will contribute to increasing the overall effectiveness of police.

Our goal is to provide effective oversight of public complaints, promote accountability of police services across Ontario and increase public confidence in the complaints system.

We do this through:

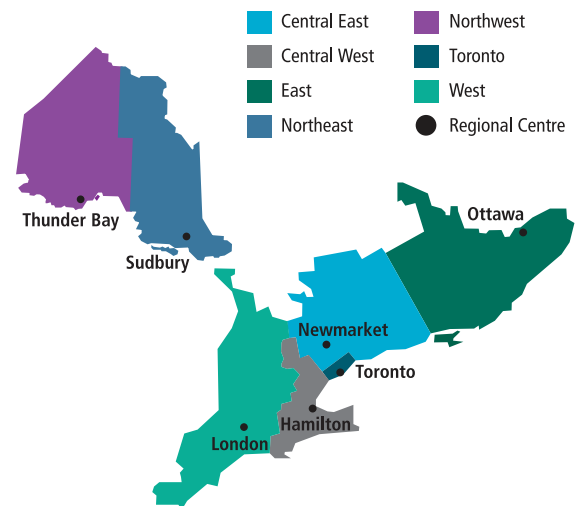
- Oversight of public complaints through to their conclusion
- Education and outreach to both police and the public
- Director's Resource Committees
- Audits of how the complaints system is administered
- Systemic reviews.

In fulfilling our commitments we are guided by the principles of:

- **Accountability:** improving the transparency and accountability of the public complaints system and maintaining accountability for our actions to our stakeholders
- **Integrity:** providing professional, objective, timely services to all stakeholders, respecting the privacy and dignity of our stakeholders and treating them fairly

- **Independence:** overseeing investigations by police services in a fair, transparent and effective manner and conducting independent investigations thoroughly and fairly
- **Accessibility:** being accessible to the public to lodge complaints about police and building public awareness about the complaints system.

To help serve our stakeholders more efficiently, the OIPRD has divided the province into seven regions:



These regions are the same as the court regions for the province. We chose to divide the province up to ensure that similar service is offered throughout Ontario. At the moment we have one centralized office located in Toronto. We are very aware of the different challenges faced throughout Ontario. By dividing the province into regions, we are able to cater our programs to the specific region.

## G20 Systemic Review

In July 2010, I announced that we would be conducting a systemic review of the events surrounding the G20 summit in Toronto. In May 2012, the final report was released and is available on the OIPRD website.

The systemic review was the first of its kind conducted in Canada and was a great challenge for our organization. It required the dedication of many members of our organization to successfully complete the project. At the same time the systemic review was being completed, normal business operations were continuing. This put a great deal of strain on OIPRD resources, both human and operational, but provided some very important lessons for future reviews.



## Review of OIPRD Business Practices

### Performance Measures

After a detailed review of our policies, procedures and processes for handling complaints, the OIPRD has identified the following areas as performance measures to be tracked on an ongoing basis. The identification and tracking of these timelines will help ensure best practices and help us to constantly improve:

#### ■ Seven-day Local Resolution timeline

- The police service has seven days after the conclusion of a local resolution to send the completed forms to the OIPRD. The form must be signed, dated and include a description of the resolution.

#### ■ Quarterly reporting of Local Inquiries

- The regulation 263/09 requires police services to report the number of local inquiries to the OIPRD every quarter.

#### ■ Police services are required to post or display information about the complaints process in an area that is accessible to the public and in the form provided by the OIPRD

- Police services must display brochures, posters, forms or any other material provided by the OIPRD in all divisions.

#### ■ Screening of complaints

- The OIPRD will endeavour to complete the screening of a complaint within 10 days of its receipt.



- Should more information be required to screen a complaint, the police service has 14 days from the request to provide additional information.
- **45-day investigative report update**
  - Investigators must provide a 45-day update regarding the progress of the investigation. This applies to OIPRD and police investigators.
- **60-day report for policy and service complaints**
  - The chief is required to complete a report responding to policy and service complaints within 60 days of referral from the OIPRD.
- **120-day Investigative Report**
  - Investigations must be completed within 120 days unless an extension has been requested in writing and granted.
- **Any complaint handed in to a police service or police services board must be forwarded to the OIPRD within three business days**
  - The police and board have three business days to forward public complaints to the OIPRD.

### Performance Measures Chart

Performance measure	Per cent achieved target
60-day report for policy/service complaints	41%
14 days to receive investigative file from service when review requested	90%
120-day investigation – referred	57%
10-day screening	93%
7-day local resolution	68%

### EXPLANATORY NOTES FOR PERFORMANCE MEASURES

**Internal investigations:** Complaints retained by the OIPRD are often the more complex complaints and as a result take longer to complete the investigation. The investigators must get disclosure from the police service, requiring additional time.

Over the past year we have conducted quality assurance, policy and time studies of our case management and investigations of complaints. After completion of the study, we identified areas where we could measure performance and track the effectiveness of our processes. We implemented changes to our system to track and report on performance measures as follows:

# Internal Measures for Complaint Management

## INTERNAL INVESTIGATIONS

- **45-day update report:** Our investigations unit is now using our electronic system to manage retained OIPRD investigations. The system has been updated to track and notify investigators regarding 45-day status updates and reporting. Like police services, OIPRD investigators are required to provide 45-day status reports to the Director.
- **120-day report:** A process has been put in place to clearly show the Director the length of time taken on the investigation. 120-day status and due dates are tracked within the electronic system and notifications to the investigators are given as reminders. Investigators requiring additional time to complete an investigation must request an extension in writing from the Manager of Investigations, which is approved by the Director.

## OVERSIGHT MEASURES FOR COMPLAINT MANAGEMENT (CASE MANAGEMENT)

- **Quarterly reporting of local inquiries:** Presently this is being tracked by our office using a spreadsheet. The case management system has been updated to track the reporting of local inquiries electronically and a policy put in place to ensure compliance.
- **Police services are required to post or display information about the complaints process in an area that is accessible to the public and in the form provided by the OIPRD:** The OIPRD has already conducted a compliance review and published the results in this annual report. Police services were informed of the results and have taken steps to correct any areas of deficiency. The OIPRD will continue to monitor compliance.
- **Screening of complaints:** As part of the case management performance measures, both the 10-day screening time and the police compliance with the 14-day request for information will be tracked using the case management system.



- **Seven-day local resolution timeline:** The form presently includes a date when the local resolution was concluded. The case management system has been updated to capture this date electronically and to track the date the forms were received.
- **45-day update report:** To ensure that police services are complying with submission of a 45-day report, the case management system has been updated to track receipt of the reports. A protocol is in place for non-compliance, including an escalation to the Senior Manager, Case Management. Compliance notices are regularly sent out to police services.
- **60-day report for policy and service complaints:** The case management system has been updated to track receipt of the 60-day report and alert the coordinator of upcoming due dates. New policies are in place to deal with non-compliance, including an escalation to the Senior Manager, Case Management. Compliance notices are regularly sent out to police services.
- **120-day investigative report:** To ensure compliance, the system has now been updated to track investigation report due dates and a policy has been put in place to escalate non-compliance. Case coordinators must also ensure that a 45-day update has been received and necessary requests for extensions beyond the 120 days. Requests and approvals are tracked within the system. Compliance notices are regularly sent out to police services.





## OIPRD Programs

### Mediation Program

As mentioned in our 2010-11 annual report, the OIPRD has begun to develop a mediation program to assist in the resolution of less serious complaints. The plan is that the mediation program will roll out in two phases. The first phase, the pilot project, will be implemented to deal with local resolutions across four to five sites serving police services in the Greater Toronto Area. The second phase will see greater coverage across Ontario and be expanded to include informal resolutions.

The OIPRD mediation program is an alternative resolution program designed to help complainants and respondent officers involved in public complaints to arrive at a mutual resolution. Mediation may take place during the local resolution process. Both parties would have to agree, not only to the option of local resolution, but also to engaging a mediator. Local resolution may still be done without opting for mediation. The complainant, respondent officer or officers, the chief of police as well as the OIPRD each gets a copy of the final disposition. Complaints that are resolved through local resolution do not form part of the formal complaints process.

If a complaint is part of the public complaints system, and reaches the stage of an investigation, the parties may engage in an informal resolution process, which may include mediation. Even if mediation is agreed upon as an option in informal resolution, a 12-day cooling-off period following the resolution still applies.

Under the OIPRD mediation program, complaints will be referred to a mediation session early in the complaints process to give parties an opportunity to resolve the matter. With the help of a trained mediator, the parties will explore resolution options and the complaint may be resolved before an investigation takes place.

“Grassroots”/Community Mediation has two significant aspects within the model: facilitative and transformative mediation. The OIPRD requires this type of mediation in order to make the local and informal resolution processes more effective, efficient and relationship-building.

The OIPRD is in the final stages of the Request for Proposal (RFP). We are estimating the RFP will be issued by fall 2012. After that, we will conduct a competitive process to select mediation services that specialize in “Grassroots”/Community Mediation.

## Quality Assurance Audit of Police Services

In 2010, the Office of the Independent Police Review Director had a compliance review conducted on a sample of police services across Ontario as part of our oversight role. The purpose of the compliance review was to identify the strengths of the police services regarding the handling of public complaint inquiries, to analyze the key areas for improvement and to determine where the OIPRD should focus outreach and education initiatives.

The review was conducted throughout Ontario, dividing the province into the following six regions: Central, Eastern, Western, Northeast, Northwest and the Greater Toronto Area (GTA). Site visits involved both the municipal police services and the Ontario Provincial Police (OPP). Sites were also classified by size (small, medium or large.)

## Quality Assurance Audit: Police Service Visits

Region	Municipal police service	Ontario Provincial Police
Central Region	3 sites	6 sites
East Region	7 sites	8 sites
West Region	15 sites	12 sites
Northeast Region	4 sites	6 sites
Northwest Region	2 sites	5 sites
Greater Toronto Area	24 sites	n/a
<b>Total visits</b>	<b>55 sites</b>	<b>37 sites</b>

The quality assurance program assessed police compliance using three criteria. The criteria included (a) staff reception and interaction, (b) staff knowledge of the OIPRD, and (c) display and access of OIPRD material.

### DEFINITIONS

**Staff interaction and reception:** How approachable police staff was regarding questions about public complaints and how they responded to inquiries. Results were based on a scale ranging from no knowledge to fully informed and were also graded on how long it took for assistance to be provided.

**Staff knowledge:** How knowledgeable staff was about the OIPRD and its mandate. Responses ranged from no awareness of an oversight body to detailed descriptions of the OIPRD mandate.

**Availability and accessibility of OIPRD materials:** How readily available OIPRD materials were to the public. The scale ranged from materials fully displayed and accessible without any assistance to materials not being displayed and not provided by staff.





## Findings for OPP Visits

	Exceptional	Above Average	Average	Improvement Required
<b>Central Region</b>				
Staff Interaction and Reception	•			
Staff Knowledge				•
Availability and Accessibility of OIPRD Materials				•
<b>Eastern Region</b>				
Staff Interaction and Reception	•			
Staff Knowledge				•
Availability and Accessibility of OIPRD Materials				•
<b>Western Region</b>				
Staff Interaction and Reception		•		
Staff Knowledge			•	
Availability and Accessibility of OIPRD Materials		•		
<b>Northeast Region</b>				
Staff Interaction and Reception	•			
Staff Knowledge				•
Availability and Accessibility of OIPRD Materials	•			
<b>Northwest Region</b>				
Staff Interaction and Reception		•		
Staff Knowledge			•	
Availability and Accessibility of OIPRD Materials				•

## Findings for Police Services Other Than OPP

	Exceptional	Above Average	Average	Improvement Required
<b>Central Region</b>				
Staff Interaction and Reception	•			
Staff Knowledge				•
Availability and Accessibility of OIPRD Materials				•
<b>Eastern Region</b>				
Staff Interaction and Reception	•			
Staff Knowledge				•
Availability and Accessibility of OIPRD Materials				•
<b>Western Region</b>				
Staff Interaction and Reception		•		
Staff Knowledge				•
Availability and Accessibility of OIPRD Materials				•
<b>Northeast Region</b>				
Staff Interaction and Reception	•			
Staff Knowledge				•
Availability and Accessibility of OIPRD Materials	•			
<b>Northwest Region</b>				
Staff Interaction and Reception				•
Staff Knowledge	•			
Availability and Accessibility of OIPRD Materials				•
<b>GTA</b>				
Staff Interaction and Reception				•
Staff Knowledge				•
Availability and Accessibility of OIPRD Materials				•

Once the compliance audit was completed and analyzed, the Independent Police Review Director informed chiefs of police in the respective areas and the OPP commissioner of the key findings of the compliance review. In conjunction with findings, the Director provided recommendations to assist police services to improve in the necessary areas. Recommendations included education and training provided by designated OIPRD staff and regular contact with OIPRD Communications and Outreach staff to assist with providing appropriate communications material.

The responses and feedback from police services were very proactive and indicated a commitment to ensure continual compliance. Several police services requested further information or materials from the OIPRD. The responses mostly involved requests for communications materials such as OIPRD posters and brochures. The compliance review was instrumental in generating awareness about the OIPRD and highlighting the effectiveness of outreach and education programs, the availability and accessibility of OIPRD material or the general knowledge of the agency and the public complaints process.

## Internal Quality Assurance

In 2011, we conducted a complete audit of our complaints process to ensure our policies and procedures were efficient and effective. Our quality assurance program uncovered some gaps in our processes. The quality assurance team presented their findings to a committee made up of representatives from all areas of the organization. The committee took the findings of the quality assurance team and used them to conduct the review. As a result the committee identified policies and processes that required updating to address the findings of the quality assurance study. As we move forward, we will continue to enhance our quality assurance process. The OIPRD anticipates more compliance reviews will be conducted in the future.

In addition to the changes made to the case management system covered in the performance measures section, the following policies were updated to reflect the gaps: monitoring and assessment of investigation procedures, OIPRD complaint processing timelines, screening of complaints and a new escalation policy for non-compliance was developed. The changes provided clear and concise direction to address the gaps identified by the quality assurance team.

The quality assurance team plays an ongoing role in auditing internal procedures to ensure we are providing the best service possible. Our policies and procedures are reviewed on a continuous basis and updated as required. Our staff is provided with training and feedback to make sure that new policies are properly communicated and understood.

## Outreach and Education

The OIPRD has a mandate to educate stakeholders and the general public about the public complaints system. This mandate is fulfilled through providing information sessions about the OIPRD and the complaints process across Ontario. It is hoped that increased awareness of the public complaints system will promote confidence and enhance police/community relations.

To date, outreach to the community and police has been very successful. The OIPRD's outreach and education program is becoming more recognized and appreciated, not only in larger cities in Ontario, but also in many of the smaller towns. Some recent presentations included: newcomer and settlement services, women's shelters, victim services, youth groups, legal clinics, probation and parole offices, Aboriginal/First Nations groups, transitional housing, YMCA, among others.

Presentations were very well received which was reflected in the audience participation and the number





and variety of questions that were raised. While the OIPRD continues to gain the confidence of the community and attract visibility, we are always looking for new opportunities to grow and expand our program. The positive response to outreach and education is leading us to expand our contacts and change the type and variety of presentations and workshops.

As public awareness grows, new material will be developed to provide new formats and types of presentations. The expanded program will include information on our progress, mediations, statistics and the recently completed G20 systemic review. This program will be offered on a regular basis to larger groups, such as: law schools, high schools, colleges and universities and joint community organizations.

In future our presentations will be used to educate the public on new initiatives such as our mediation program and local resolution. We recognize that outreach and education can play an important role in encouraging early resolution of minor complaints, which in turn will assist in improving the lines of communications between the community and the police.

We are using our Director's Resource Committees (DRC) to build bridges in communities across Ontario and develop new opportunities for our outreach and education program. Both the community and police

members play a valuable role in guiding our program to reach new groups, provide new information and present in new formats. We will also be using our outreach and education program in conjunction with our DRCs to explain OIPRD oversight, facilitate presentations by police members to community groups and use the valuable contacts our DRC members have to expand knowledge of the OIPRD and our mandate within the regions of Ontario.

The OIPRD has recently made some changes to our DRCs as a result of feedback from our members. Members asked us for more clarification of their roles and what they could do to assist the OIPRD in educating the public. As a result we defined DRC roles more clearly, offered presentations by outside organizations to further educate our members on prevalent issues and updated and expanded our communications to include updates on other regions and DRCs.

The Office of the Independent Police Review Director outreach and education program continues to play an important role in promoting confidence in the public complaints system and in enhancing police-community relations. Outreach and education is vital in raising awareness of the OIPRD, its mandate and services, and the role it plays in protecting the integrity of the public complaints system.



## Complaints About Police

The OIPRD accepts complaints about the conduct of a police officer or the policies and services of a police department. Conduct complaints are about how a police officer behaves. Policies of a police department are the rules and standards that guide an officer in delivering police services. Services are how effectively and efficiently a particular department performs their duties.

The OIPRD's jurisdiction includes municipal and regional police services and the Ontario Provincial Police (OPP). Ontario has about 54 municipal police services and 173 OPP detachments with approximately 24,600 sworn police officers.

The OIPRD may only investigate sworn police officers in Ontario. This does not include: RCMP officers,

TTC Special Constables, Go Transit police, First Nations Police Officers, court officers, campus police, provincial offences officers or special constables. In addition, the OIPRD may only order hearings into misconduct under the *Police Services Act*. Our office cannot investigate or recommend criminal charges.

## Complaints

There are two ways to make a complaint about police. People can file a formal complaint with the OIPRD, or if the complaint is minor, there is an option to resolve the matter directly with the police service in question. This is called “local resolution.”

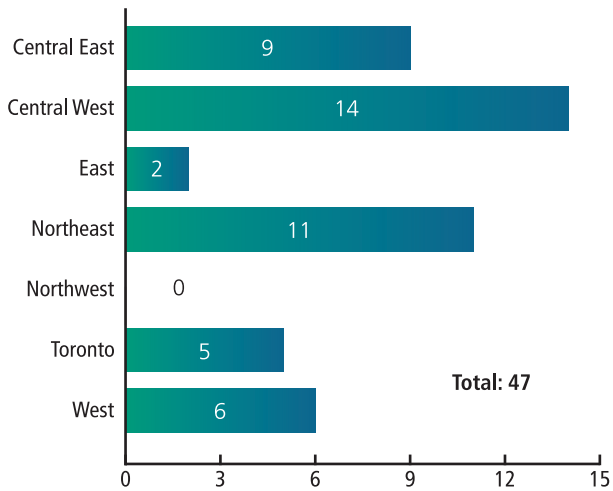
## Local Resolution

Local resolution allows the police to solve, explain, clear up or settle a matter that is considered to be “less serious” directly with the complainant. The complaint must be dealt with in person at a police station/detachment by an officer in authority who is designated by the chief of police within 30 days of the incident.

Local resolution can play a valuable role in helping to resolve minor complaints early with involvement from both parties. In an effort to encourage communication and mutual understanding between the police and the public, the OIPRD is launching a mediation program to assist in local resolutions.

In 2011-12, there were 47 local resolutions. Complaints resolved through the local resolution process made up about 1.3 per cent of overall complaints. The chart below shows the number of complaints resolved by local resolution by region.

### Local Resolutions by Region



## Formal Complaints to the OIPRD

Under the *Police Services Act*, any member of the public can file a complaint with our office. You do not have to be a resident of Ontario to file a complaint.

In order to ensure a fair process for both parties, anonymous or unsigned complaints will not be accepted. This is to allow the respondent officer an opportunity to answer the complaint and allows the complainant to be interviewed. In exceptional cases where either the Director or the chief of police is concerned about notifying the respondent officer, notification may be withheld.

People can make a complaint about a police officer if they:

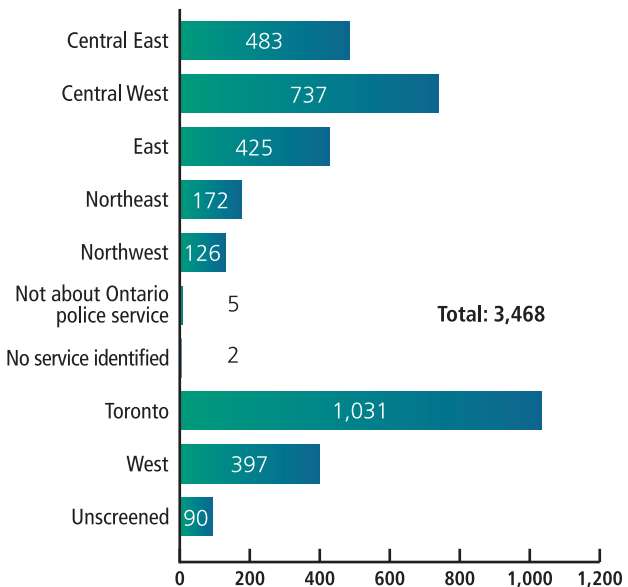
- Have a concern or were offended by something a police officer(s) said or did to them
- Were a witness to an incident involving a police officer(s) that concerned or offended them
- Are concerned or distressed as a result of the way a relative or friend has been treated by a police officer(s)
- Are acting on behalf of an individual listed above, for example a member of an organization, who has been given written permission to make a complaint on another’s behalf
- Have a complaint that a police department has not provided proper service
- Have a complaint about a policy of a police department.

## Number of Complaints Filed

Between April 1, 2011 and March 31, 2012, the OIPRD received a total of 3,468 complaints with an average of 289 complaints per month. Since the OIPRD opened on October 19, 2009, we have received more than 8,652 complaints.

### Total Complaints Filed April 1, 2011 – March 31, 2012

#### Number of complaints by region



## Year to Year Case Flow

	From 2009-10 cases	From 2010-11 cases	From 2011-12 cases	Total
Cases carried over from prior years to 2011-12	24	1,042		<b>1,066</b>
Cases re-opened in [2011-12]*	1	8		<b>9</b>
Cases received in Apr 1, 2011 to Mar 31, 2012			3,468	<b>3,468</b>
<b>Total</b>				<b>4,543</b>
Cases open as of March 31, 2012	3	163	667	<b>833</b>
Cases closed in Apr 1, 2011 to Mar 31, 2012	22	887	2,801	<b>3,710</b>
<b>Total</b>	<b>25</b>	<b>1,050</b>	<b>3,468</b>	<b>4,543</b>

\*files were re-opened at the direction of the Independent Police Review Director



## EXPLANATORY NOTES

### Cases carried over from prior years:

This is the number of cases that were still in the process of being completed as of March 31, 2011, and were carried into the 2011-12 fiscal year. Some cases were in the investigative or request for review stage and some were awaiting a PSA hearing.

### Cases open as of March 31, 2012:

Some of the cases open from previous years were undergoing a second investigation, some had undergone a request for review then had another investigation and yet another request for review and some were awaiting the conclusion of a disciplinary hearing. Cases from 2011-12 still open on March 31, 2012, were in the screening, investigative or request for review stage and some are awaiting a PSA hearing or for discipline to be imposed.

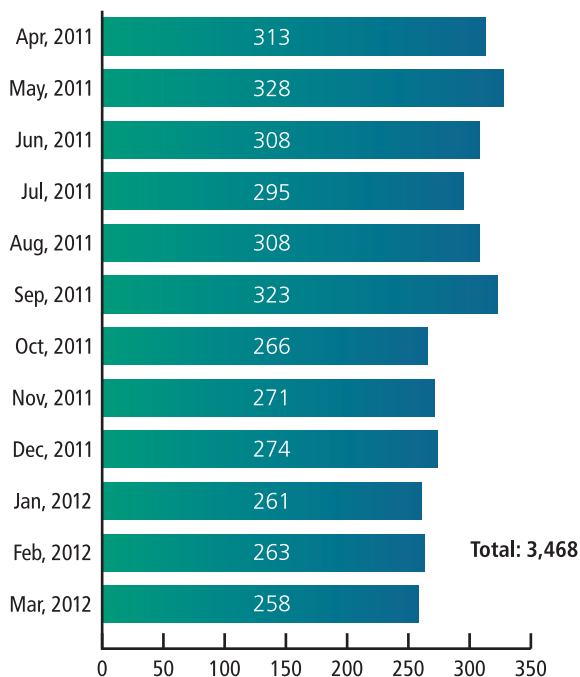
**Cases re-opened:** As part of our quality assurance program, the Director re-examined some cases that had previously been screened out.



## Trend of Complaints Received by E-file

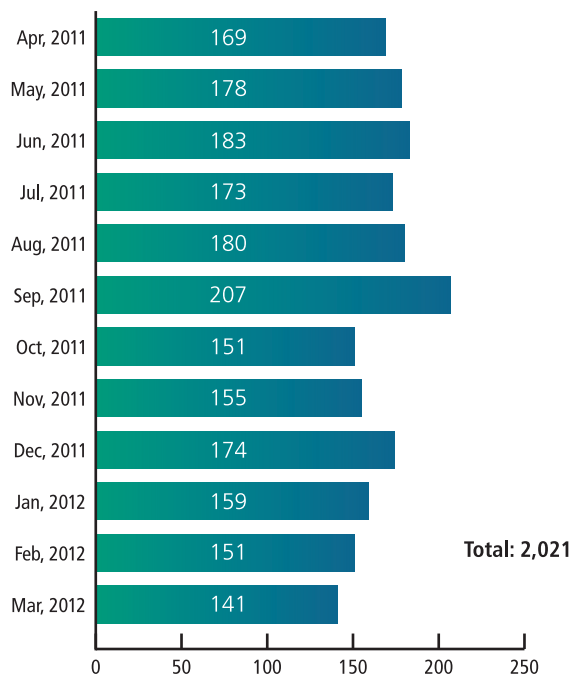
Total Complaints Filed  
April 1, 2011 – March 31, 2012

All complaints by month



Total E-files Filed  
April 1, 2011 – March 31, 2012

E-file complaints by month



This graph shows the number of complaints filed using e-file between April 1, 2011, and March 31, 2012. During this period, the month-to-month trend indicated that e-file was used to submit 58 per cent of complaints every month. The average number of complaints filed via e-file was 168 complaints per month. The number of e-filed complaints increased four per cent from 54 per cent in March 2011.





## How We Deal With Complaints

### The Screening Process

When a complaint is received, our intake staff ensures the form is complete and signed. In cases where additional information is required from the person filing the complaint to process it, the complainant may be contacted by the OIPRD before the complaint can proceed.

All complaints are entered into a secure case management system that allows staff to manage all aspects of the case on an ongoing basis, from beginning to end. It also allows staff to create case files, add information to respective cases, including setting up complaint cases on the system.

Our intake staff will read the complaint to make certain it meets the requirements of a complaint under the *Police Services Act* and to determine if the complaint falls under the jurisdiction of the OIPRD. The OIPRD does not have jurisdiction to deal with matters that are not specified under the legislation.

Not in the OIPRD's jurisdiction means the complaint:

- Was not about a provincial, regional or municipal police officer in Ontario
- Was not about a policy or service
- Did not contain a code of conduct violation
- Was made by an individual excluded under the Act.

## Complaint Types

If the complaint meets the requirements of a complaint under the PSA, case coordinators assess it to determine its type. Every complaint received must be screened and categorized as a policy, service or conduct complaint, or a combination of the three.

In 2011-12, the majority of complaints received by the OIPRD pertained to issues involving the conduct of police officers. Approximately 93.5 per cent of the complaints filed with the OIPRD were related to police conduct, 1.2 per cent were related to the policies of police departments and 2.7 per cent related to services. The remaining 2.6 per cent were awaiting a screening decision as of March 31, 2012.

## Screening In/ Screening Out

OIPRD case management staff, in consultation with legal services staff where necessary, decides whether or not to deal with a complaint. We do this by ensuring the complaint meets the requirements of the *Police Services Act*. The intake staff also looks to make sure the complaint contains all the necessary information. Sometimes, complaints are missing signatures, contact information and dates. We need this information to assess the complaint, and if we are not able to get the information, the complaint cannot move forward.

## Cases Screened Out

The following table notes the total number of cases screened out for reasons under section 60 of the *Police Services Act*.

	From 2010-11	From 2011-12	Total
<b>Total Screened-out cases in 2011-12</b>	<b>60</b>	<b>1,632</b>	<b>1,692</b>
<b>Conduct</b>	<b>55</b>	<b>1,600</b>	<b>1,655</b>
Abandoned	8	48	56
Bad faith	0	1	1
Better dealt with under another act/law	4	165	169
Directly affected party already complained	5	25	30
Duplicate complaint	5	75	80
Frivolous	7	260	267
No jurisdiction S.58	6	112	118
No PSA – no breach	0	451	451
Not a complaint	0	12	12
Not in the public interest	2	39	41
Over six months	4	136	140
Prior to proclamation	5	75	80
Third party criteria not met	1	30	31
Unable to contact complainant	2	5	7
Vexatious	2	132	134
Withdrawn prior to screening	4	34	38
<b>Policy</b>	<b>1</b>	<b>11</b>	<b>12</b>
Abandoned	0	1	1
Better dealt with under another act/law	0	1	1
Duplicate complaint	0	2	2
Frivolous	1	0	1
No jurisdiction S.58	0	4	4
Not in the public interest	0	2	2
Not directly affected by policy	0	1	1
<b>Service</b>	<b>4</b>	<b>21</b>	<b>25</b>
Abandoned	0	3	3
Bad faith	0	1	1
Frivolous	1	7	8
Not in the public interest	2	2	4
Over six months	0	1	1
Prior to proclamation	0	1	1
Not directly affected by service	0	1	1
Vexatious	0	3	3
Withdrawn prior to screening	1	2	3

## EXPLANATORY NOTES FOR SCREENED OUT

**From 2010-11 cases:** This number indicates complaints received in the previous fiscal but screened during the next fiscal. Complaints are often filed in the last days of the fiscal year and are then processed in the next fiscal year. For example, a complaint filed March 31, 2011, would be processed in the 2011-12 fiscal year.

**The OIPRD has the legislative discretion to screen out complaints for a variety of reasons:**

**Abandoned:** The contact information appears correct, but repeated attempts to contact the complainant produced no response.

**Bad faith:** The Director may determine that a complaint is made in bad faith if there is clear evidence that the complaint was made for an improper purpose or with a hidden motive. A “bad faith” complaint may be one that is made with the intention of deceiving the OIPRD or police services.

**Better dealt with under another act/law:** Sometimes there are complaints that should clearly be dealt with by another authority. For example someone who complains they should not have received a traffic ticket.

**Directly affected party already filed a complaint:** The complaint is already being investigated with the directly affected party as the complainant. Other complainants who were not directly affected may be interviewed as witnesses to the original complaint.

**Duplicate complaint:** A complainant filed the same complaint for the same incident more than once.

**Frivolous:** A complaint that is frivolous may be a complaint that is trivial or lacks an air of reality. Frivolous complaints may assign blame where there is none.

**No jurisdiction section 58:** The complaint is not about policy, service or conduct. The police officer the complaint is about does not fall under the jurisdiction of the OIPRD or the complainant is excluded from filing a complaint.

**No PSA - no breach:** A complaint about an officer's behaviour that does not contain a breach of the code of conduct.

**Not a complaint:** A complaint that contains no information – usually e-filed where the complaint is automatically put into the system and given a complaint number.

**Not in the public interest:** When we determine what is in the public interest, we take a broad range of things into consideration, including:

- The effect of a decision to deal or not to deal with a complaint on the public's confidence in the accountability and integrity of the complaints system
- The number of complainants involved
- The significance of the complaint, including the seriousness of the harm alleged
- Whether the complaint is repetitive
- Whether there are issues of systemic importance or broader public interest at stake
- The likelihood of interfering with or compromising other proceedings
- Whether another venue, body or law can more appropriately address the substance of the complaint.

**Over six months:** Complaints must be made within six months of the incident that the complaint is about.

**Prior to proclamation:** The OIPRD can only deal with complaints about incidents that have happened on or after October 19, 2009.

**Third party criteria not met:** Complainant is too remote from the incident – a complaint may be dismissed if the complainant is not one of the following:

- The directly affected person
- A witness
- Someone in a personal relationship with the person directly affected AND suffered loss, damage, distress, danger or inconvenience
- A person who has knowledge of the conduct, or has possession of something that the Director feels is compelling evidence establishing misconduct or unsatisfactory work performance.

**Unable to contact complainant:** The contact information provided is incorrect and the complainant could not be located. Without the ability to contact the complainant a complaint cannot move forward.

**Vexatious:** A vexatious complaint may be one that is made out of anger or the desire to seek retribution. Vexatious complaints may lack a reasonable purpose or be made with the intention to harass or annoy. Vexatious complaints are often repetitive (filing the same complaint numerous times or filing repeated complaints about the same person.)

**Withdrawn prior to screening:** The complaint was filed and then withdrawn before case management made a screening decision.

## EXPLANATORY NOTES FOR SCREENED OUT – POLICY AND SERVICE CASES

**Not directly affected:** You must be directly affected to file a policy or service complaint.

### Cases Screened In

From the complaints received between April 2011 and March 2012, the OIPRD screened in 1,746 complaints for investigation. There were also 990 complaints that were carried over from 2010-11 and 25 carried over from 2009-10. The total cases screened in, however, does not include local resolutions as they are not part of the formal complaints system. On March 31, 2012, there were 90 complaints that were awaiting screening. As a result there may be a difference between cases screened in, cases screened out and the total number of public complaints.

Based on the complaints received in 2011-12 that were screened in, 1,643 complaints involved matters of police conduct, 32 referred to policies and 71 complaints raised issues about service.

The table below provides information on the breakdown of complaints screened in for each region.

### Total Complaints Screened in by Region

Carried over			
Region	2011-12	2010-11	2009-10
Central East	286	124	8
Central West	406	143	2
East	220	98	9
Northeast	91	30	1
Northwest	76	18	0
Toronto	473	478	4
West	194	99	1
<b>Total</b>	<b>1,746</b>	<b>990</b>	<b>25</b>

## Number of Conduct and Policy/Service Complaints Filed by Region

The number of complaints received varies across the regions of Ontario. In 2011-12, Toronto had the most complaints related to police conduct at 28 per cent, followed by Central West region with 23 per cent. Central East and Central West had the greatest number of complaints regarding police policies and services at 20 per cent, with East region next at 19 per cent and Toronto region at 18 per cent of total complaints about police policies and services.

### Number of Screened-in Conduct Complaints Filed by Region

Carried over			
Region	2011-12	2010-11	2009-10
Central East	265	115	8
Central West	385	134	2
East	200	91	9
Northeast	81	26	1
Northwest	73	16	0
Toronto	454	471	4
West	185	92	1
<b>Total</b>	<b>1,643</b>	<b>945</b>	<b>25</b>

### Number of Screened-in Policy/Service Complaints Filed by Region

Carried over			
Region	2011-12	2010-11	2009-10
Central East	21	9	0
Central West	21	9	0
East	20	7	0
Northeast	10	4	0
Northwest	3	2	0
Toronto	19	7	0
West	9	7	0
<b>Total</b>	<b>103</b>	<b>45</b>	<b>0</b>

Complaints screened in 2011-12

	From 2009-10 cases	From 2010-11 cases	From 2011-12 cases	Total
<b>Screened in 2011-12</b>		<b>34</b>	<b>1,746</b>	<b>1,780</b>
<b>Complaints screened in and referred</b>				
Conduct				
Same police service		29	1,520	<b>1,549</b>
Other police service		0	2	<b>2</b>
Policy				
Same police service		3	32	<b>35</b>
Service				
Same police service		2	71	<b>73</b>
<b>Complaints screened in and retained</b>				
Conduct		0	121	<b>121</b>

Complaints screened in and closed 2011-12

	From 2009-10 cases	From 2010-11 cases	From 2011-12 cases	Total
<b>Total cases screened in and closed</b>	<b>22</b>	<b>827</b>	<b>1,169</b>	<b>2,018</b>
Abandoned	0	4	11	<b>15</b>
Better dealt with under another act/law	0	2	3	<b>5</b>
Closed after investigation	14	466	505	<b>985</b>
Closed after request for review	6	144	68	<b>218</b>
Duplicate complaint	0	1	1	<b>2</b>
Frivolous	0	1	1	<b>2</b>
Informally resolved – after investigation	0	1	4	<b>5</b>
Informally resolved – during investigation	2	83	221	<b>306</b>
No jurisdiction S.58	0	4	14	<b>18</b>
No PSA – no breach	0	2	6	<b>8</b>
Not in the public interest	0	0	8	<b>8</b>
Already investigated by police service	0	42	3	<b>45</b>
Other	0	15	0	<b>15</b>
Over six months	0	1	2	<b>3</b>
Vexatious	0	0	1	<b>1</b>
Withdrawn after investigation	0	3	0	<b>3</b>
Withdrawn during investigation	0	58	321	<b>379</b>
<b>Total screened in and closed in 2011-12</b>	<b>22</b>	<b>827</b>	<b>1,169</b>	<b>2,018</b>
<b>Total screened out 2011-12</b>	<b>0</b>	<b>60</b>	<b>1,632</b>	<b>1,692</b>
<b>Total closed 2011-12</b>	<b>22</b>	<b>887</b>	<b>2,801</b>	<b>3,710</b>

## EXPLANATORY NOTES FOR SCREENED-IN CASES

**From 2009-10 or 2010-11 cases:** This number indicates complaints received in the previous fiscal but carried over to the next fiscal. Complaints may have been filed in the last days of the fiscal year and are then processed in the next fiscal year. Some cases have undergone an investigation and are awaiting a disciplinary hearing, while others are awaiting a second request for review, having already undergone one request for review and two investigations.

**Cases screened in (referred):** Denotes all complaints that were sent to a police service for investigation. All policy and service complaints must be sent to the service in question for a response as per the PSA.



### Snapshot of Cases in Progress – April 2011 to March 2012

	2011-12 cases	From 2010-11 cases		From 2009-10 cases		Total
	2011-12 cases referred/retained in 2011-12	2010-11 cases referred/retained in 2010-11 and carried over into 2011-12	2010-11 cases referred/retained in 2011-12	2009-10 cases referred/retained in 2010-11 and carried over into 2011-12	2009-10 cases referred/retained in 2011-12	
<b>Cases screened in and referred</b>	<b>1,624</b>	<b>697</b>	<b>67</b>	<b>20</b>	<b>1</b>	<b>2,409</b>
Conduct	1,521	660	59	20	1	2,261
Policy	32	12	4			48
Service	71	25	4			100
<b>Cases screened in and retained</b>						
Conduct	122	223	3	3	1	352
<b>Total cases screened in and open during 2011-12</b>	<b>1,746</b>	<b>920</b>	<b>70</b>	<b>23</b>	<b>2</b>	<b>2,761</b>

## Investigations

### POLICY/SERVICE COMPLAINTS

The OIPRD screens complaints about policies and services of a police organization and oversees the complaint, but we cannot investigate them. The *Police Services Act* requires that all policy and service complaints be sent to the appropriate chief for a response. The chief or commissioner has 60 days to provide a written report on all policy and service complaints to the complainant, the OIPRD and the police services board, outlining their decision with reasons. In the case of municipal, regional services and local OPP policies, the decision may be appealed to the appropriate police services board. Local OPP policies are policies that are developed by a police services board to guide an OPP detachment providing municipal or regional services. Decisions made by the commissioner regarding provincial OPP policies cannot be appealed.

### COMPLAINTS ABOUT CHIEFS/ DEPUTY CHIEFS

The OIPRD screens complaints about municipal chiefs and deputy chiefs then refers them to the respective police services board. If the police services board decides that there may be misconduct the board must send it back to the OIPRD for investigation.

### COMPLAINTS ABOUT OPP COMMISSIONER/DEPUTY COMMISSIONER

Under the PSA, complaints about the OPP commissioner and deputy commissioner must be referred to the Minister of Community Safety and Correctional Services to be dealt with.





## CONDUCT COMPLAINTS

Conduct complaints may be investigated by the OIPRD, the police service in question, or another service. It is the Independent Police Review Director's decision who will investigate, but regardless our office's oversight continues until the completion of the complaint.

The OIPRD Rules of Procedure describe the criteria for referring or retaining a complaint for investigation. The OIPRD considers carefully which complaints we will retain for investigation and which complaints we will refer to a police service.

## REFERRED - POLICE MANAGED INVESTIGATION

When a police service investigates a conduct complaint, the investigating officer liaises with the complainant and the OIPRD. The OIPRD's case management, investigations and legal services units work together to manage and oversee referred complaints.

Case coordinators track the referred investigation as it progresses and coordinate with police service liaison officers as well as complainants to ensure that all directions, timelines and notice requirements are met. Case coordinators also receive and review interim investigative updates from the police service and work together with our legal services unit and Director if issues arise.

If the OIPRD does not agree with the way the investigation is handled, the Director can direct the chief to deal with a complaint in a specific manner, assign the investigation to another service, take over the investigation or take or impose any action necessary.

Following the investigation, the investigating officer completes a standardized report that includes the results of the investigation. Investigative reports include:

- A summary of the complaint
- Summary of statements gathered from those involved in the investigation of the complaint
- References to any information referred to or relied upon



- A description of the actual investigation
- Reference to code of conduct allegations which is determined through investigation
- An analysis and conclusion of whether there are reasonable grounds to substantiate misconduct under the PSA.

If the service investigates, the chief determines whether the complaint is substantiated or unsubstantiated according to the standards set out in the legislation. The complainant, the respondent officer and the OIPRD receive the same report. The OIPRD reviews the investigative report and if issues are identified, the Director will instruct the police service appropriately. This may include directions such as answering questions, interviewing witnesses or gathering further evidence. The OIPRD has sent back eight conduct complaints to police services for further investigation.

Between April 2011 and March 2012, police services investigated the majority of complaints, with oversight by the OIPRD. Specifically, there were 1,522 conduct complaints referred to police services for investigation. The legislation requires all policy and service complaints to be referred to the chief. In 2011-12, 103 policy and service complaints were sent to the police service for a response.





## RETAINED – OIPRD INDEPENDENT INVESTIGATION

In some cases the Director may choose to have the OIPRD investigate a conduct complaint. These cases may be more complex and may involve more serious allegations or may be due to possible conflict issues at the local level.

When the OIPRD investigates a complaint, the investigator assigned to the complaint informs the complainant about how the complaint will be investigated, what cooperation they require and how a decision will be reached. The investigator prepares an investigation plan to conduct a thorough review of the case, identifying and summarizing the following:

- Background information
- Allegations
- Scope of the investigation
- Evidence
- Witness/respondent officers
- Civilian witnesses
- Timeframes
- Other (including safety factor).

Once the investigation is complete an investigative report is written and includes the following information:

- Summary of the Complaint
- Code of Conduct Allegations
- Summary of Statements – Witnesses (including witness officers)
- Summary of Statements – Respondent Officers
- Referenced Information i.e., police orders, criminal code, etc.
- Investigation
- Analysis
- Conclusion
- Name and Badge Number of Investigator(s).

The Director reviews the investigative report to determine if there are reasonable grounds to substantiate the complaint. If the complaint is substantiated, the Director will also determine if the matter is serious or less serious. If the Director determines there are no reasonable grounds, the complaint is unsubstantiated. The investigative report, along with the Director's findings, is forwarded to the complainant and the chief of police. The chief is also provided with a copy for the respondent officer.

The Director's decision is final and not subject to review.

## OUR INVESTIGATIONS

From April 2011 to March 2012, the OIPRD retained 121 complaints for investigation.

One of the primary functions of the OIPRD is to ensure investigations of conduct complaints throughout Ontario are completed within 120 days once a decision is made to retain or refer for an investigation. The timeline is important because the PSA requires that respondent officers be given notice of a hearing within six months of the decision to retain or refer a complaint for investigation. More complex investigations often take longer and as a result time extensions must be requested.

## KEY THEMES FROM CONDUCT COMPLAINTS 2011-12

Allegations of incivility continue to be the predominate source of complaints filed with our office. Most of the officers involved in the complaints have less than seven

years of service as an officer. Other themes include neglect of duty, unlawful/unnecessary use of authority and deceit. Our office is working with police services to improve communications and interaction between the police officers and the public.

## Potential Outcomes and the Decision Process

### WITHDRAWAL OF COMPLAINTS

A complainant can withdraw their complaint as long as it has not proceeded to a hearing. If a complainant wants to withdraw their complaint after a hearing has begun, they need to have the consent of our Director and the chief of police.

Between April 2011 and March 2012, 355 complaints were withdrawn by the complainant. The majority were withdrawn during the investigation and the remainder were withdrawn prior to screening.

### INFORMAL RESOLUTION

Informal resolution can be attempted at any time during the investigation of the complaint, where the OIPRD approves and the complainant, respondent officer and

the chief of police agree. It may also be recommended at the conclusion of a conduct complaint that is substantiated as less serious.

If a complainant or respondent officer agrees to participate in an informal resolution, but changes their mind, they may revoke consent to informal resolution at any time, provided no resolution has been carried out. If a complainant or respondent officer has agreed to a proposed resolution, they have 12 days to change their mind.

For an informal resolution to be complete, the agreed-upon resolution must have been carried out. For example if training is part of the resolution, it must have been completed for the informal resolution to be considered closed. The OIPRD monitors informal resolutions to ensure all resolutions are carried out.

If a complainant or respondent officer revokes their consent to informal resolution before the conclusion of an investigation into a complaint, the investigation will proceed. If a complainant or respondent officer revokes consent to informal resolution after the investigation into a complaint has been concluded, the chief of police may impose disciplinary action without a hearing, should he or she believe that it is appropriate.

Between April 2011 and March 2012, there were 221 requests for informal resolution during an investigation and four substantiated less serious complaints were informally resolved after an investigation.





## MAKING A DETERMINATION: SUBSTANTIATED AND UNSUBSTANTIATED COMPLAINTS

At the end of an investigation conduct complaints are determined to be substantiated or unsubstantiated based on reasonable grounds. The *Police Services Act* states that there must be “reasonable grounds” to believe that misconduct occurred in order for a complaint to be substantiated.

Complaints may be found to be unsubstantiated if there is not enough evidence to meet the standard of reasonable grounds. Complaints may also be found to be unsubstantiated if there is no reasonable grounds to conclude a violation of the police Code of Conduct occurred. The complaint is then considered closed, subject to a request for a review of the chief’s decision. If the OIPRD has investigated, there is no option for review.

During fiscal 2011-12, 3,710 complaints were closed, including cases from previous years, and 743 were still open. From April 1, 2011 to March 31, 2012, 3,596 allegations were found to be unsubstantiated, including complaints from previous years that were resolved in 2011-12.

If a complaint is substantiated it is further determined if the complaint is less serious or serious in nature. Less serious complaints may be resolved informally if everyone agrees or if informal resolution fails the chief can resolve the matter through a disposition without a hearing.

Where the conduct is determined to be serious, the chief must hold a disciplinary hearing. Informal resolution is not allowed for matters that are serious. Matters considered to be serious include: harassment, discrimination, breach of confidentiality, misconduct or conduct that might result in a criminal charge. Often one complaint will contain numerous allegations.

Between April 2011 and March 2012, 318 conduct allegations were found to be substantiated. One hundred and eighty-one of these substantiated findings were found to be less serious and 137 findings were serious, including complaints from previous years that were resolved in 2011-12.

Between April 2011 and March 2012, there were 21 policy or service complaints where action was taken and 53 policy or service complaints where no action was taken, including complaints from previous years that were resolved in 2011-12.

## Reviews and Appeals

There is no right of review from decisions made by the OIPRD. We are a neutral and independent agency and our decisions are final.

If a complainant disagrees with an investigation by the police where the complaint is found to be unsubstantiated or less serious, the complainant may ask the OIPRD to review the decision. A complainant has 30 days from the day they were notified of the result of their complaint, to request a review.

Between April 2011 and March 2012, we received 111 requests for reviews. In addition, 184 requests for reviews were carried over from previous years.

In matters where an officer was disciplined, complainants who are dissatisfied with the result of a disciplinary hearing may file an appeal with the Ontario Civilian Police Commission (OCPC). The OCPC is an independent agency of the Ministry of Community Safety and Correctional Services.

If a complainant has made a policy or service complaint and is dissatisfied by the conclusion, an appeal may be made to the appropriate police services board in the concerned region.

## Request for Reviews

		Carried over from 2009-10	Carried over from 2010-11	Received in 2011-12	Total
Request for Review carried into 2011-12		9	175	0	<b>184</b>
Request for Review received in 2011-12		0	0	111	<b>111</b>
<b>Total Request for Review open during fiscal year 2011-12</b>				<b>295</b>	<b>295</b>
<b>Total Request for Review Closed – no review by panel – file closed</b>		<b>1</b>	<b>6</b>	<b>5</b>	<b>12</b>
No right to review		0	0	1	<b>1</b>
Abandoned		0	2	1	<b>3</b>
Withdrawn		0	2	0	<b>2</b>
Request for review filed late		1	2	3	<b>6</b>
<b>Total Request for Review completed and closed</b>		<b>8</b>	<b>167</b>	<b>72</b>	<b>247</b>
Initial Request for Review					
	Assign 2nd investigation to same service	1	20	5	<b>26</b>
	Chief's decision confirmed	4	135	66	<b>205</b>
	OIPRD takes over investigation	1	1	0	<b>2</b>
	Panel varied decision	0	3	1	<b>4</b>
Second Request for Review					
	Chief's decision confirmed	2	7	0	<b>9</b>
	OIPRD takes over investigation	0	1	0	<b>1</b>
<b>Total Request for Review Open and Carried into 2012-13</b>		<b>0</b>	<b>2</b>	<b>34</b>	<b>36</b>
Initial Request for Review					
	Awaiting request for review materials	0	0	9	<b>9</b>
	Examining investigative file	0	0	24	<b>24</b>
	Summary completed	0	0	1	<b>1</b>
Second Request for Review					
	Examining investigative file	0	1	0	<b>1</b>
	Summary completed	0	1	0	<b>1</b>



## EXPLANATORY NOTES FOR REQUESTS FOR REVIEW

**Assigned second investigation to service:** The panel determined a second investigation was required and returned the complaint to the same service.

**Awaiting request for review materials:** After receiving a request for review, the OIPRD may determine it needs more information regarding the investigation in order to make a decision.

**Chief's decision confirmed:** The review panel agreed with the chief's decision.

**Examining request for review file:** Case management has received all materials related to the request for review and are examining the file.

**No right of review:** A request for review was made regarding a complaint that was investigated by the OIPRD. There is no right of review from decisions made by the OIPRD.

**OIPRD takes over investigation:** The review panel determined a second investigation should occur and the OIPRD should conduct the investigation.

**Panel varied decision:** The OIPRD panel changed the decision, for example from unsubstantiated to substantiated, or from less serious to serious.

**Request for review abandoned:** The complainant was not responsive to requests for information.

**Request for review withdrawn:** The complainant withdrew their request for a review.

**Request for review filed late:** The request for review was received more than 30 days after the chief's decision was received by the complainant.

**Summary completed:** Case management has reviewed the request for review file but has not presented to the review panel.

## Penalties and Disciplinary Hearings

The OIPRD does not deal with discipline or disciplinary hearings. Disciplinary hearings are conducted by hearing officers appointed by chiefs of police. Discipline is imposed by chiefs of police.

The *Police Services Act* provides guidance in imposing appropriate measures for misconduct and lists the following penalties and measures that may be imposed:

- Reprimand
- Direction to undergo specific counselling, treatment or training

- Direction to participate in a specified program or activity
- Forfeiture of pay or time off
- Suspension without pay
- Demotion
- Dismissal.

In 2011-12, 137 serious allegation findings and two less serious findings were referred to a hearing.

Where a disciplinary hearing is held about a complaint, the police chief and police services board are required to provide a copy of the disciplinary hearing decision to the OIPRD. These decisions are required, by legislation, to be posted on the OIPRD website.

Since October 19, 2009, the OIPRD has received 11 decisions from *Police Services Act* hearings on public complaints and posted them on our website. There were also 45 cases with a hearing pending at the end of the fiscal year.

Disciplinary hearing results may be appealed to the Ontario Civilian Police Commission.

requested the bus be moved. The driver explained that it was a school bus only zone and the drivers were not permitted to move the buses. Constable SW's wife informed the bus driver she had called the police.

Constable SW arrived shortly and asked the driver blocking his wife's car to move. The driver explained that it was against policy to move the buses while children were loading and buses were not allowed to reverse in a loading zone. Constable SW moved his SUV to the centre of the road with lights flashing and ordered the driver to pull forward so his wife could leave. The bus driver did so and Constable SW's wife left.

Constable SW left the school but subsequently returned and had an argument with another bus driver indicating his displeasure that they would not help his wife. He threatened to write tickets for smoking on school property. Constable SW left but later saw one of the bus drivers on the road and pulled the bus over continuing to discuss the incident with his wife.

Constable SW entered a guilty plea at the hearing and was found guilty of discreditable conduct. He was penalized 30 hours of pay by the hearing officer.

## Disciplinary Hearing Examples

The decisions posted on our website are from public complaints that resulted in a disciplinary hearing. Most of the cases were substantiated as serious, but in some cases less serious conduct will result in a hearing. We have provided short summaries of some examples of cases that went to a hearing.

### ONTARIO PROVINCIAL POLICE AND PROVINCIAL CONSTABLE SW

A complaint was filed in relation to Constable SW's behaviour in an incident at his son's school. Constable SW's wife was attending their son's school to pick him up between the hours of 2 pm and 4 pm. During that time the pick-up and drop-off area at the school was a school bus only zone and cars were not allowed.

The school buses were parked in the bus zone blocking Constable SW's wife's car. His wife spoke with one of the drivers and





## HAMILTON POLICE AND POLICE CONSTABLE PM

Constable PM and the female complainant met online on a dating site and began exchanging emails. After approximately a week of exchanges, Constable PM requested the female complainant's surname, which she provided.

The next day Constable PM sent a message to the female complainant indicating she should have informed him that she had previous charges and referenced a suspended sentence and conditions. He advised her not to contact him further.

The female complainant felt that the information Constable PM had referred to must have been obtained through a police records check. Police records checks are not permitted for personal purposes and a strict

policy relating to appropriate use is enforced in all police services.

An off-line search by complaint investigators revealed that Constable PM had conducted a records check on the female individual from his cruiser shortly before sending her the email. He was on duty at the time of the search.

The Hamilton Police Service policy on records checks indicates that they "shall not be conducted solely for the purpose of satisfying a Member's personal interest in an individual. All queries shall be for specific, authorized, work-related activities. The use of any other purpose is prohibited."

The hearing officer found that Constable PM violated this policy with no valid reason when he conducted the records check. The officer pleaded guilty and was penalized 40 hours pay.



## Hearing Officers' Decisions

If an officer is found guilty of misconduct, hearing officers take a number of factors into consideration regarding the final penalty. Similar to other hearings, past decisions may be submitted by both sides as arguments for an appropriate penalty. The officer's previous record and work performance is also considered. The hearing officer will also take into consideration if the officer shows remorse and takes responsibility for his or her actions.



## OIPRD Powers

### Powers of Direction

Section 72(1) of the *Police Services Act* gives the Independent Police Review Director the power to direct all complaints, whether or not the matter is of a serious nature, from any time after referral and before a hearing is commenced. The Director can take, or require to be taken, any action that he considers necessary.

Under the PSA the Director can also order a hearing into a complaint and assign the conduct of a hearing about a chief or deputy chief to the Ontario Civilian Police Commission.

### Search and Seizure

The OIPRD has the authority to:

- Search police premises and vehicles with or without a warrant
- Search other places with a warrant
- Summons persons or things under the *Public Inquiries Act*.



## Offences

The following new offences were created under the *Independent Police Review Act, 2007*:

- Harassment, coercion, or intimidation in relation to a complaint
- Intentionally hindering or obstructing or providing false information to the Independent Police Review Director or an investigator
- Attempts to do any of the acts mentioned above.

No prosecutions of these offences can be carried out without the consent of the Attorney General of Ontario.

## Performance Audits

To ensure that police policies and services are meeting the needs of the public they serve, the OIPRD may require a police services board to submit a performance audit. A performance audit is an audit of how a police service is dealing with public complaints. These audits are conducted, at the board's expense, by an independent auditor under the direction of the OIPRD. We will make the results of all audits available to the public.

## Systemic Reviews

The OIPRD may conduct investigations into systemic issues arising from public complaints and will work to identify and offer solutions to systemic or ongoing issues within a police service.





## The Organization

### Staffing

The OIPRD received an allocation of 50 full time staff for the establishment of the organization.

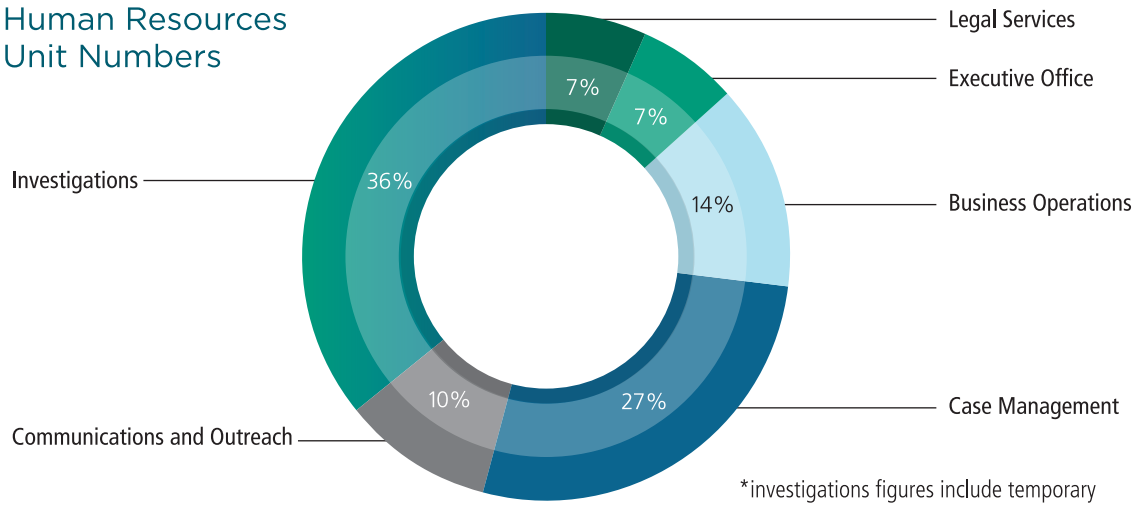
At the end of the 2011-12 fiscal year the OIPRD had 49 full-time employees, and an additional 10 temporary positions to perform the additional workload requirements as a result of the G20 investigations, regional investigations and requests for reviews.

The OIPRD is organized into the following core operational units:

1. Executive Office
2. Case Management
3. Investigations
4. Legal Services
5. Communications and Outreach
6. Business Operations.

In 2010-11, our staff was allocated as follows:

## Human Resources Unit Numbers



\*investigations figures include temporary positions hired during G20 investigations



## Executive Office

The Executive Office consists of the Independent Police Review Director (Order-in-council appointed), a chief operations officer, an executive assistant and an administrative assistant to:

- Provide direction and make decisions in accordance with the OIPRD mandate, powers and role regarding investigations, public hearings, police policy and service reviews
- Liaise and oversee reviews of chiefs of police and disciplinary processes related to public complaints
- Provide strategic and operational direction.

## Case Management

The unit is led by the senior case manager/registrar and is composed of a team of 15 inquiries/intake assistants and case coordinators to:

- Provide front-counter and electronic access to filing of a complaint
- Provide public liaison and complaints assistance in English and French
- Undertake intake screening and tracking of complaints through to completion
- Create and maintain records and case management reporting processes



- Assess time limits, type, nature and merit of complaints; determine relevance of other laws/ jurisdictions for resolution
- Determine if the complaint will be investigated and who will conduct the investigation
- Undertake police conducted investigation reviews.

## Investigations

The Investigations Unit is headed by a manager and is composed of a team of nine full-time, skilled and experienced investigators. These investigators come from both civilian and police backgrounds providing a balanced, objective approach to investigations. Our civilian investigators have backgrounds in regulatory compliance investigations and oversight, having come from such organizations such as Ontario's Public Guardian and Trustee, Ontario Lottery and Gaming Corporation and the Ontario Ombudsman's Office. A number of investigators with a police background have served in homicide units, sexual assault and domestic violence units as well as professional standards units.

Between April 2011 and March 2012, five of our investigators came from civilian backgrounds and four had police backgrounds. A team lead position has been developed to assist with the operational supervision of investigations and to ensure quality and timely investigations.

Our investigations are carried out using currently recognized investigative practices that are in keeping with investigative standards and legislation and employ the latest technology such as audio and video enhancement software. Our use of technology in sending and receiving material from across the province enhances our ability to quickly exchange material with our stakeholders.

Our investigators work from our office in Toronto but travel extensively throughout the province conducting interviews with complainants, witnesses and police officers as well as gathering evidence related to complaints. They are tasked with conducting thorough and independent investigations and reporting the results to the Director. Where charges are laid they provide evidence for the PSA hearing. The investigations unit is responsible for:

- Undertaking independent investigations of police conduct complaints
- Taking over investigations from police services where the Director has provided direction
- Overseeing investigations being conducted by an outside police service
- Conducting investigations into systemic issues arising from public complaints
- Conducting audits of the management of public complaints by police services.

## Legal Services

The Legal Services Unit consists of a senior counsel, two counsels and one law clerk, and is a critical part of our day-to-day operations. The unit provides legal advice and support to all OIPRD departments. The Legal Service unit:

- Provides integrated legal advice and associated services to the Director and to other OIPRD staff
- Assesses and makes recommendations to proceed with investigations
- Provides legal support to investigators concerning legal rights, scope of power, statutory interpretation of legislation/regulations
- Provides legal support to the intake and case management unit
- Assists with reviews and recommends plan for informal or alternative dispute resolutions (e.g., mediated resolutions)
- Appears on behalf of the OIPRD at appeals to the Ontario Civilian Police Commission/Divisional Court and other proceedings
- Assists with legal/policy work and liaison with the Ministry of the Attorney General and other ministries.

## Communications and Outreach

The Communications/Outreach Unit is led by a manager and made up of a communications consultant and four regional outreach education advisors. The unit:

- Provides leadership in strategic planning, media and public relations, communications and stakeholder relations
- Manages new media including the OIPRD website
- Manages external and internal correspondence and events
- Develops and implements education and outreach programs to educate communities and police on the public complaint process and the OIPRD
- Organizes and facilitates regional Director's Resource Committees.

## OUTREACH AND EDUCATION PRESENTATIONS

In 2011-12, our outreach and education advisors made 275 presentations to community and service organizations, police services and police services boards throughout Ontario. Our advisors also participated in a number of conferences and workshops, and visited over 60 community organizations, libraries, MPP and MP offices to provide communications material about the OIPRD.

## Business Operations

Business Operations is led by the Chief Operations Officer, a manager who oversees eight financial, human resources, facilities, I&IT, analyst and training staff who provide:

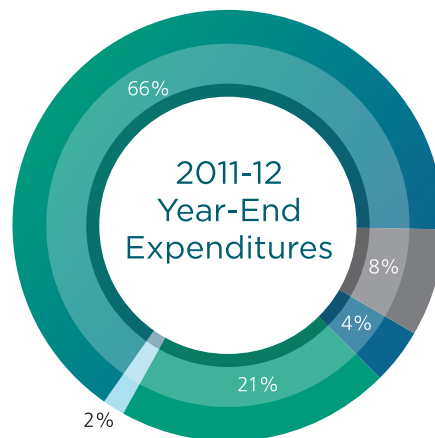
- Financial, human resources, compliance and information, knowledge management and retention, asset management and administrative functions
- Information technology and management required to support IT-based case management system, the OIPRD-to-police correspondence system and network-accessible complaint filings, specialized IT for intake call centre and base infrastructure to support office productivity (including, network services, voice/telecom, desk-side support, desktops and notebooks for out-of-office investigations)
- Facilities
- Training, education and internal communications.



## Financial Expenditures

Original Budget	\$8,399,900
Revised Budget	\$7,326,600
Expenditures	\$6,828,623

The variance between the original budget and expenditures is primarily in the services standard account as a result of the mediation program being in its start-up phase. Components of systemic review costs originally intended for 2011-12 will be incurred in 2012-13. In addition, there were limited opportunities to implement the fee-for-service regional investigative model, resulting in the use of other models for investigation.



Salaries and Wages	\$4,477,803
Employee Benefits	\$552,367
Transportation and Communications	\$289,579
Services	\$1,403,224
Supplies and Equipment	\$105,650
<b>Total</b>	<b>\$6,828,623</b>



## Looking Forward

As we move forward, during the next fiscal year the OIPRD will be concentrating on implementing updates to our policies and procedures to provide more efficient service. Our experience over the last two and a half years has provided us with the necessary information to re-evaluate how we do business. Next year, our annual report will include more performance measure statistics.

My office will also be continuing our monitoring of police services by implementing the same performance standards expected from our own staff. I will ensure that all timelines are measured and will be checking for

compliance. As part of our quality assurance program, we have identified gaps and are implementing policy changes to make sure that our oversight role is administered efficiently and effectively.

We have developed a 'Customer Satisfaction Survey' that will enable those who have participated in the complaints process to provide feedback and assist us in reviewing our processes to help identify areas where we can improve. I expect the survey to be launched within the next few months.

I will be developing and launching new programs aimed at encouraging early resolution of less serious complaints. Our data shows that the majority of complaints are filed online, eliminating the chance of a local resolution. I believe that both the community and the police will benefit from the early mediation

of these types of complaints. It is my hope that my mediation program will help amicably resolve the majority of these complaints. As always, more serious complaints will continue to an investigation.

I have always maintained that we cannot stagnate, but must constantly re-evaluate our

methods to ensure the OIPRD is efficient and effective in the way we provide services. My goal is to use what we have learned in our infancy to move to the next phase in my organization's life by building on our existing policies and procedure to create a solid foundation for the future.





## Appendix

Conduct Complaint Allegations – Decisions by Region

Policy/Service Complaint Allegations – Decisions by Region

Service by Service Statistics

Local Inquiries by Fiscal Quarter

Performance Measures Chart

Quality Assurance Audit: Police Service Visits

Findings for OPP Visits

Findings for Police Services other than OPP

Local Resolutions by Region

Total Complaints Filed April 1, 2011 – March 31, 2012

Year to Year Case Flow

Total Complaints Filed April 1, 2011 – March 31, 2012

Total E-files Filed April 1, 2011 – March 31, 2012

Total Screened-out Cases in 2011-12

Total Complaints Screened in by Region

Number of Screened-in Conduct Complaints Filed by Region

Number of Screened-in Policy/Service Complaints Filed by Region

Complaints Screened in 2011-12/Complaints Screened in and Closed 2011-12

Snapshot of Cases in Progress – April 2011 to March 2012

Request for Reviews

Human Resources Unit Numbers

2011-12 Year-End Expenditures

## Conduct Complaint Allegations – Decisions by Region

	Unsubstantiated	Substantiated less serious	Substantiated Serious – Hearing
Central East	477	27	18
Central West	645	32	14
East	422	30	2
Northeast	168	7	10
Northwest	100	2	3
Toronto	1,388	57	73
West	396	26	17
<b>Total</b>	<b>3,596</b>	<b>181</b>	<b>137</b>

## Policy/Service Complaint Allegations – Decisions by Region

	No action taken (policy/service)	Action taken (policy service)
Central East	12	2
Central West	10	4
East	7	7
Northeast	3	2
Northwest	1	2
Toronto	13	1
West	7	3
<b>Total</b>	<b>53</b>	<b>21</b>

Service By Service Statistics

Service	Total officers subject to PSA Part V*	Local resolutions	Total complaints received between Apr 1, 2011 – Mar 31, 2012	Total complaints – Conduct	Total complaints – Policy	Total complaints – Service	Total complaints carried over from prior years – Conduct	Total complaints carried over from prior years – Policy	Total complaints carried over from prior years – Service	Total screened out 2011–12	Total complaints screened in 2011–12	Screened-in complaints carried over from prior years	Allegation – Breach of confidence	Allegation – Consume drug/alcohol prejudicial to duty	Allegation – Corrupt practice	Allegation – Deceit	Allegation – Discreditable conduct	Allegation – Damage to clothing or equipment	Allegation – Neglect of duty	Allegation – Unlawful/unnecessary exercise of authority	Allegation – Section 79 – AG Consent	Informal resolution	Abandoned	Withdrawn	Lost jurisdiction – substantiated – no hearing (serious and less serious)	Unsubstantiated	Substantiated – less serious	Substantiated – serious – hearing	No action taken (policy/service)	Action taken (policy service)	All open files as of Mar 31, 2012	
Amherstburg	31	0	5	5	0	0	0	0	0	2	3	0	0	0	0	0	6	0	0	5	0	0	0	0	8	0	3	0	0	3		
Aylmer	13	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0		
Barrie	228	0	33	32	0	1	8	0	1	14	19	9	0	0	0	0	4	0	5	12	0	7	2	6	0	19	2	0	1	0	6	
Belleville	88	0	23	22	0	1	4	0	0	8	15	3	0	0	0	0	16	0	8	5	0	0	1	4	0	29	0	0	0	4		
Brantford	156	0	20	20	0	0	7	0	1	8	12	8	0	0	0	0	12	0	11	12	0	0	0	3	0	36	1	0	1	0	5	
Brockville	42	0	4	4	0	0	2	1	0	3	1	3	0	0	0	0	2	0	0	4	0	1	0	0	0	6	0	0	1	0	0	
Chatham-Kent	166	0	25	25	0	0	5	0	0	17	8	5	0	0	0	0	4	0	0	4	0	4	2	0	0	8	0	0	0	0	2	
Cobourg	32	0	4	4	0	0	1	0	0	1	3	0	0	0	0	1	1	0	0	0	0	0	0	1	0	2	0	0	0	0	1	
Cornwall	91	0	10	9	1	0	6	2	1	5	5	9	0	0	0	0	11	0	12	8	0	0	0	0	26	5	0	2	1	1		
Deep River	9	0	3	3	0	0	0	0	0	2	1	0	0	0	0	0	0	0	0	1	0	0	0	1	0	1	0	0	0	0	0	
Dryden	20	0	6	6	0	0	0	0	0	4	2	0	0	0	0	0	2	0	1	0	0	0	0	0	3	0	0	0	0	0	0	
Durham Regional	920	0	120	113	1	6	31	2	2	44	76	33	2	0	13	0	52	0	9	44	1	0	4	25	0	115	2	3	2	0	27	
Espanola	12	0	2	2	0	0	0	0	0	0	2	0	0	0	0	0	3	0	0	0	0	0	0	1	0	3	0	0	0	0	1	
Gananoque	15	0	1	1	0	0	1	0	0	0	1	1	0	0	0	0	2	0	0	0	0	0	0	0	2	0	0	0	0	0	0	
Guelph	190	0	16	16	0	0	4	1	1	6	10	6	1	0	0	0	7	0	16	4	0	1	0	0	28	0	0	0	2	7		
Halton Regional	637	1	87	83	0	4	10	0	0	29	58	10	1	0	1	1	59	0	23	55	0	10	1	17	0	112	5	0	1	0	11	
Hamilton	816	5	193	185	1	7	34	1	3	113	80	32	1	0	0	0	44	0	17	48	0	40	4	18	0	106	1	3	2	1	19	
Hanover	15	1	4	4	0	0	0	0	0	1	3	0	0	0	0	0	0	0	1	0	0	0	0	0	1	0	0	0	0	0	3	
Kawartha Lakes City of	43	0	11	11	0	0	3	0	0	3	8	3	0	0	0	0	5	0	2	12	0	1	0	1	0	18	1	0	0	0	1	
Kingston	201	0	26	25	0	1	6	0	0	15	11	6	0	0	9	0	9	0	0	4	0	2	1	1	0	22	0	0	1	0	5	
LaSalle	8	1	10	9	1	0	1	0	0	7	3	1	0	0	0	0	1	0	0	0	0	2	0	0	1	0	0	0	0	0	1	
Leamington	36	0	1	1	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
London	587	3	99	98	0	1	23	0	1	64	35	21	1	0	1	0	19	0	20	48	0	10	2	7	0	87	2	0	1	0	13	
Midland	26	0	4	4	0	0	1	0	0	1	3	1	0	0	0	0	2	0	4	0	0	0	0	0	6	0	0	0	0	0	2	
Niagara Regional	728	0	113	108	1	4	30	1	0	46	67	29	1	0	0	0	45	0	15	58	0	4	5	13	0	106	7	6	2	0	19	
North Bay	91	0	13	12	0	1	1	0	0	8	5	1	0	0	0	0	1	0	0	2	0	0	1	1	0	3	0	0	1	0	1	
Ontario Provincial Police	6,287																															

Service By Service Statistics - *continued*

Service	Total officers subject to PSA Part V*	Local resolutions	Total complaints received between Apr 1, 2011 – Mar 31, 2012	Total complaints – Conduct	Total complaints – Policy	Total complaints – Service	Total complaints carried over from prior years – Conduct	Total complaints carried over from prior years – Policy	Total complaints carried over from prior years – Service	Total screened out 2011–12	Total complaints screened in 2011–12	Screened-in complaints carried over from prior years	Allegation – Breach of confidence	Allegation – Consume drug/alcohol prejudicial to duty	Allegation – Corrupt practice	Allegation – Deceit	Allegation – Discreditable conduct	Allegation – Damage to clothing or equipment	Allegation – Neglect of duty	Allegation – Unlawful/unnecessary exercise of authority	Allegation – Section 79 – AG Consent	Informal resolution	Abandoned	Withdrawn	Lost jurisdiction – substantiated – no hearing (serious and less serious)	Unsubstantiated	Substantiated – less serious	Substantiated – serious – hearing	No action taken (policy/service)	Action taken (policy service)	All open files as of Mar 31, 2012
OPP - Central East		3	160	153	2	5	51	0	4	83	77	53	3	0	6	10	70	0	40	45	0	3	0	22	0	153	17	6	4	1	31
OPP - Central West		0	77	72	1	4	16	0	2	24	53	17	0	0	0	1	40	0	27	40	0	1	0	17	0	92	13	0	3	1	19
OPP - East		2	114	109	3	2	28	0	1	52	62	27	1	0	0	8	55	0	29	57	0	6	6	13	0	132	17	2	3	2	28
OPP - North East		1	73	68	2	3	13	1	0	35	38	14	2	0	0	0	17	0	29	43	0	2	0	3	0	79	5	4	2	1	17
OPP - North West		1	62	61	1	0	3	1	1	27	35	4	0	0	0	0	5	0	19	14	0	0	2	16	0	37	1	0	1	1	11
OPP - West		0	109	105	3	1	21	3	1	49	60	22	1	0	0	0	54	0	34	21	0	2	3	20	0	98	9	3	5	2	16
Orangeville	42	0	12	12	0	0	4	0	0	6	6	4	0	1	0	1	5	0	10	3	0	2	0	2	0	17	3	0	0	0	2
Ottawa	1,273	0	233	217	6	10	55	0	3	113	120	55	0	0	0	1	85	0	39	78	0	7	7	57	0	193	8	0	0	4	35
Owen Sound	39	0	2	2	0	0	3	0	0	0	2	3	0	0	0	0	9	0	0	5	0	1	0	0	0	14	0	0	0	0	0
Peel Regional	1,908	8	219	214	3	2	41	0	0	99	120	40	0	0	4	0	62	0	18	83	0	60	5	19	0	148	2	5	1	0	43
Pembroke	29	0	2	2	0	0	1	0	0	0	2	1	0	0	0	0	1	0	1	0	0	0	0	1	0	2	0	0	0	0	0
Perth	15	0	3	3	0	0	1	0	0	2	1	0	0	0	0	0	0	0	1	0	0	0	0	0	0	1	0	0	0	0	0
Peterborough Lakefield	129	2	19	19	0	0	2	0	0	5	14	1	0	0	0	0	9	0	2	3	0	2	0	2	0	14	0	0	0	0	5
Port Hope	26	0	6	5	0	1	0	0	0	2	4	0	1	0	2	1	1	0	1	2	0	0	1	1	0	4	0	4	0	0	2
Sarnia	111	0	20	18	0	2	8	0	0	7	13	8	0	0	0	0	13	0	8	3	0	0	1	3	0	24	0	0	1	0	5
Saugeen Shores	22	0	3	3	0	0	2	0	0	1	2	1	0	0	0	0	2	0	1	1	0	0	0	0	0	3	1	0	0	0	2
Sault Ste. Marie	138	1	21	21	0	0	7	0	2	11	10	9	2	0	0	2	12	0	14	5	0	1	0	0	0	26	1	6	0	0	3
Shelburne	12	0	2	1	0	1	0	0	0	1	1	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0
Smiths Falls	25	0	3	3	0	0	3	0	0	2	1	3	0	0	0	0	0	0	2	6	0	1	0	0	0	8	0	0	0	0	0
South Simcoe	79	1	3	3	0	0	1	0	1	2	1	2	0	0	0	0	0	0	0	0	0	0	0	2	0	0	0	0	0	0	1
St. Thomas	66	0	8	8	0	0	1	0	0	4	4	1	0	0	0	1	7	0	1	3	0	1	0	0	0	10	2	0	0	0	1
Stirling-Rawdon	10	0	3	3	0	0	0	0	0	3	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Stratford	57	0	3	3	0	0	1	0	0	0	3	1	0	0	0	0	0	0	0	2	0	0	0	1	0	2	0	0	0	0	1
Strathroy-Caradoc	31	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Sudbury Regional	260	3	42	38	0	4	5	0	1	14	28	6	1	0	0	10	15	0	6	19	0	5	0	9	0	48	1	0	0	0	9
Thunder Bay	228	0	58	55	1	2	14	0	1	19	39	13	0	0	0	0	20	0	24	25	0	1	0	5	0	60	1	3	0	1	24
Timmins	84	5	14	12	0	2	0	0	0	7	7	0	0	0	0	0	0	0	3	2	0	1	0	0	0	5	0	0	0	1	2
Toronto	5,776	5	1,012	983	10	19	494	3	5	542	470	481	2	0	7	7	645	0	172	674	0	98	23	99	20	1,388	57	73	13	1	305

Service By Service Statistics - *continued*

Service	Total officers subject to PSA Part V*	Local resolutions	Total complaints received between Apr 1, 2011 – Mar 31, 2012	Total complaints – Conduct	Total complaints – Policy	Total complaints – Service	Total complaints carried over from prior years – Conduct	Total complaints carried over from prior years – Policy	Total complaints carried over from prior years – Service	Total screened out 2011–12	Total complaints screened in 2011–12	Screened-in complaints carried over from prior years	Allegation – Breach of confidence	Allegation – Consume drug/alcohol prejudicial to duty	Allegation – Corrupt practice	Allegation – Deceit	Allegation – Discreditable conduct	Allegation – Damage to clothing or equipment	Allegation – Neglect of duty	Allegation – Unlawful/unnecessary exercise of authority	Allegation – Section 79 – AG Consent	Informal resolution	Abandoned	Withdrawn	Lost jurisdiction – substantiated – no hearing (serious and less serious)	Unsubstantiated	Substantiated – less serious	Substantiated – serious – hearing	No action taken (policy/service)	Action taken (policy service)	All open files as of Mar 31, 2012	
Waterloo Regional	725	0	47	46	0	1	24	0	0	20	27	24	0	0	0	1	54	0	19	35	0	14	0	6	0	98	11	0	0	0	0	9
West Grey (formerly Durham)	22	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
West Nipissing	23	0	7	7	0	0	1	0	0	6	1	1	1	0	0	0	1	0	2	0	0	0	0	0	0	4	0	0	0	0	0	
Windsor	466	1	51	50	0	1	9	0	1	23	28	10	0	0	0	3	19	0	5	30	0	9	0	7	0	46	0	11	0	1	12	
Wingham	7	0	1	1	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Woodstock	65	0	10	9	0	1	4	0	0	4	6	4	1	0	0	0	4	0	4	3	0	2	1	2	0	11	1	0	0	0	1	
York Region	1,466	3	139	128	6	5	31	1	0	59	80	29	0	0	0	2	61	0	27	48	0	10	3	18	0	131	5	5	5	1	27	
Not Screened		0	90	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Not About Ontario Police Service		0	5	5	0	0	0	0	0	5	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Not Determinable		0	2	2	0	0	3	0	0	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Not Entered		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
<b>Total</b>	<b>24,622</b>	<b>47</b>	<b>3,468</b>	<b>3,243</b>	<b>43</b>	<b>92</b>	<b>1,025</b>	<b>17</b>	<b>33</b>	<b>1,632</b>	<b>1,746</b>	<b>1,015</b>	<b>22</b>	<b>1</b>	<b>43</b>	<b>50</b>	<b>1,573</b>	<b>0</b>	<b>682</b>	<b>1,576</b>	<b>1</b>	<b>311</b>	<b>75</b>	<b>425</b>	<b>20</b>	<b>3,596</b>	<b>181</b>	<b>137</b>	<b>53</b>	<b>21</b>	<b>743</b>	

\*The data for Toronto OPP detachment is added to Central East OPP detachment.

## Local Inquiries by Fiscal Quarter

	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter	Total
Amherstburg	1	0	0	0	1
Aylmer	0	1	0	0	1
Barrie	0	0	0	0	0
Belleville	0	2	0	0	2
Brantford	0	0	0	0	0
Brockville	0	0	2	2	4
Chatham-Kent	1	0	0	0	1
Cobourg	0	0	0	0	0
Cornwall Community	4	3	0	0	7
Deep River	0	0	0	0	0
Dryden	0	0	0	0	0
Durham	0	0	0	1	1
Espanola	0	0	0	0	0
Gananoque	0	0	0	0	0
Greater Sudbury	0	0	1	0	1
Guelph	4	0	0	0	4
Halton Regional	0	1	0	0	1
Hamilton	9	9	5	5	28
Hanover	0	0	0	0	0
Kawartha Lakes	0	0	0	0	0
Kingston	7	0	10	9	26
LaSalle	0	0	0	0	0
Leamington	0	0	0	0	0
London	21	16	14	19	70
Midland	0	0	0	0	0
Niagara Regional	0	0	0	0	0
North Bay	0	0	0	0	0
O.P.P. Prof. Standards	2	0	0	0	2
Orangeville	0	0	0	3	3
Ottawa	0	0	0	0	0
Owen Sound	1	3	2	2	8
Peel Regional	1	0	0	0	1
Pembroke	0	0	0	0	0
Perth	0	0	0	0	0
Peterborough Lakefield	4	4	4	0	12
Port Hope	0	0	0	0	0

## Local Inquiries by Fiscal Quarter - *continued*

	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter	Total
St. Thomas	2	3	0	1	6
Sarnia	0	0	0	0	0
Saugeen Shores	0	0	0	0	0
Sault Ste. Marie	0	0	0	0	0
Shelburne	0	0	0	0	0
Smiths Falls	0	0	0	0	0
South Simcoe	0	0	0	0	0
Stirling-Rawdon	0	0	0	0	0
Stratford	0	0	0	2	2
Strathroy-Caradoc	0	0	0	0	0
Timmins	0	0	0	3	3
Toronto	0	0	0	0	0
Thunder Bay	0	0	0	0	0
Waterloo	0	0	0	0	0
Wawa	0	0	0	0	0
West Grey	0	0	0	0	0
West Nipissing	0	0	0	0	0
Wingham	0	0	0	0	0
Windsor	3	4	2	2	11
Woodstock	0	0	0	0	0
York Regional	0	0	0	0	0
<b>Total</b>	<b>60</b>	<b>46</b>	<b>40</b>	<b>49</b>	<b>195</b>

## Performance Measures Chart

Performance measure	Per cent achieved target
60-day report for policy/service complaints	41%
14 days to receive investigative file from service when review requested	90%
120-day investigation – referred	57%
10-day screening	93%
7-day local resolution	68%

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## Quality Assurance Audit: Police Service Visits

Region	Municipal police service	Ontario Provincial Police
Central Region	3 sites	6 sites
East Region	7 sites	8 sites
West Region	15 sites	12 sites
Northeast Region	4 sites	6 sites
Northwest Region	2 sites	5 sites
Greater Toronto Area	24 sites	n/a
<b>Total visits</b>	<b>55 sites</b>	<b>37 sites</b>

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## Findings for OPP Visits

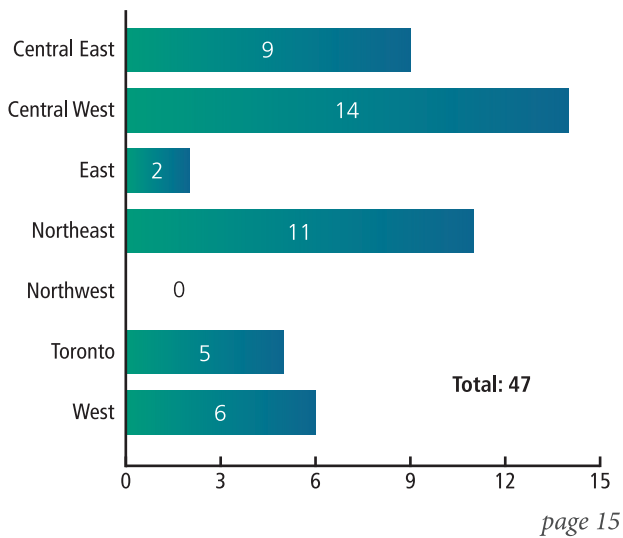
	Exceptional	Above Average	Average	Improvement Required
<b>Central Region</b>				
Staff Interaction and Reception	•			
Staff Knowledge				•
Availability and Accessibility of OIPRD Materials				•
<b>Eastern Region</b>				
Staff Interaction and Reception	•			
Staff Knowledge				•
Availability and Accessibility of OIPRD Materials				•
<b>Western Region</b>				
Staff Interaction and Reception		•		
Staff Knowledge			•	
Availability and Accessibility of OIPRD Materials		•		
<b>Northeast Region</b>				
Staff Interaction and Reception	•			
Staff Knowledge				•
Availability and Accessibility of OIPRD Materials	•			
<b>Northwest Region</b>				
Staff Interaction and Reception		•		
Staff Knowledge			•	
Availability and Accessibility of OIPRD Materials				•

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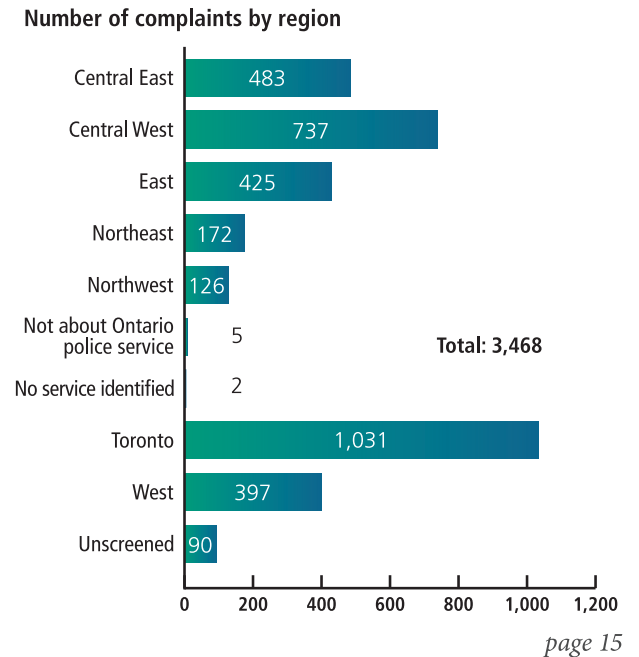
## Findings for Police Services other than OPP

	Exceptional	Above Average	Average	Improvement Required
<b>Central Region</b>				
Staff Interaction and Reception	•			
Staff Knowledge				•
Availability and Accessibility of OIPRD Materials				•
<b>Eastern Region</b>				
Staff Interaction and Reception	•			
Staff Knowledge				•
Availability and Accessibility of OIPRD Materials				•
<b>Western Region</b>				
Staff Interaction and Reception		•		
Staff Knowledge				•
Availability and Accessibility of OIPRD Materials				•
<b>Northeast Region</b>				
Staff Interaction and Reception	•			
Staff Knowledge				•
Availability and Accessibility of OIPRD Materials	•			
<b>Northwest Region</b>				
Staff Interaction and Reception				•
Staff Knowledge	•			
Availability and Accessibility of OIPRD Materials				•
<b>GTA</b>				
Staff Interaction and Reception				•
Staff Knowledge				•
Availability and Accessibility of OIPRD Materials				•

## Local Resolutions by Region



## Total Complaints Filed April 1, 2011 – March 31, 2012



## Year to Year Case Flow

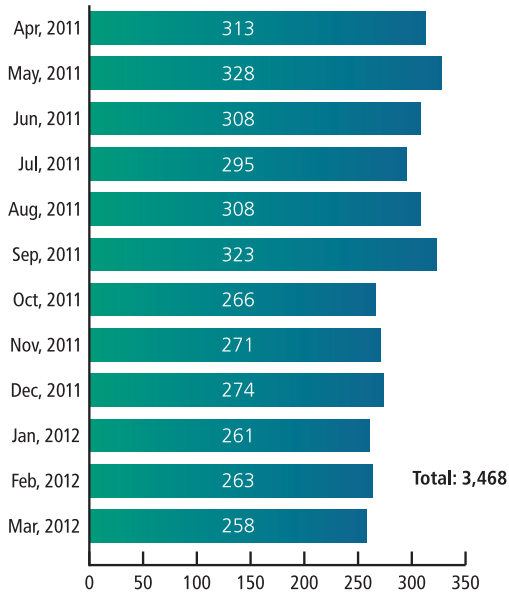
	From 2009-10 cases	From 2010-11 cases	From 2011-12 cases	Total
Cases carried over from prior years to 2011-12	24	1,042		1,066
Cases re-opened in [2011-12]*	1	8		9
Cases received in Apr 1, 2011 to Mar 31, 2012			3,468	3,468
<b>Total</b>				<b>4,543</b>
Cases open as of March 31, 2012	3	163	667	833
Cases closed in Apr 1, 2011 to Mar 31, 2012	22	887	2,801	3,710
<b>Total</b>	<b>25</b>	<b>1,050</b>	<b>3,468</b>	<b>4,543</b>

\*files were re-opened at the direction of the Independent Police Review Director

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## Total Complaints Filed April 1, 2011 – March 31, 2012

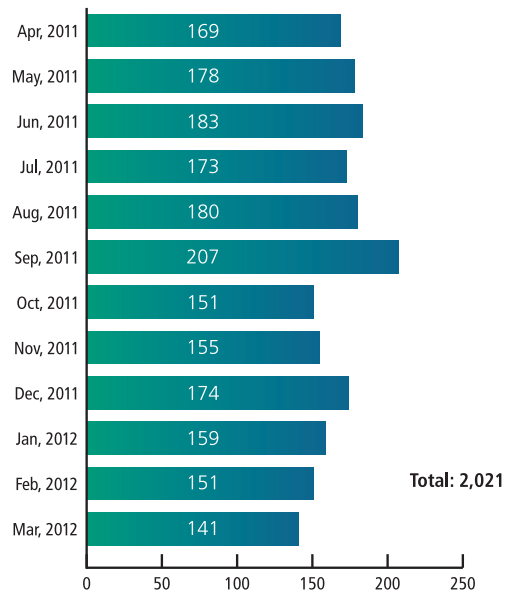
### All complaints by month



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## Total E-files Filed April 1, 2011 – March 31, 2012

### E-file complaints by month



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	From 2010-11	From 2011-12	Total
<b>Total Screened-out cases in 2011-12</b>	<b>60</b>	<b>1,632</b>	<b>1,692</b>
<b>Conduct</b>	<b>55</b>	<b>1,600</b>	<b>1,655</b>
Abandoned	8	48	56
Bad faith	0	1	1
Better dealt with under another act/law	4	165	169
Directly affected party already complained	5	25	30
Duplicate complaint	5	75	80
Frivolous	7	260	267
No jurisdiction S.58	6	112	118
No PSA – no breach	0	451	451
Not a complaint	0	12	12
Not in the public interest	2	39	41
Over six months	4	136	140
Prior to proclamation	5	75	80
Third party criteria not met	1	30	31
Unable to contact complainant	2	5	7
Vexatious	2	132	134
Withdrawn prior to screening	4	34	38
<b>Policy</b>	<b>1</b>	<b>11</b>	<b>12</b>
Abandoned	0	1	1
Better dealt with under another act/law	0	1	1
Duplicate complaint	0	2	2
Frivolous	1	0	1
No jurisdiction S.58	0	4	4
Not in the public interest	0	2	2
Not directly affected by policy	0	1	1
<b>Service</b>	<b>4</b>	<b>21</b>	<b>25</b>
Abandoned	0	3	3
Bad faith	0	1	1
Frivolous	1	7	8
Not in the public interest	2	2	4
Over six months	0	1	1
Prior to proclamation	0	1	1
Not directly affected by service	0	1	1
Vexatious	0	3	3
Withdrawn prior to screening	1	2	3

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### Total Complaints Screened in by Region

Carried over			
Region	2011-12	2010-11	2009-10
Central East	286	124	8
Central West	406	143	2
East	220	98	9
Northeast	91	30	1
Northwest	76	18	0
Toronto	473	478	4
West	194	99	1
<b>Total</b>	<b>1,746</b>	<b>990</b>	<b>25</b>

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### Number of Screened-in Policy/Service Complaints Filed by Region

Carried over			
Region	2011-12	2010-11	2009-10
Central East	21	9	0
Central West	21	9	0
East	20	7	0
Northeast	10	4	0
Northwest	3	2	0
Toronto	19	7	0
West	9	7	0
<b>Total</b>	<b>103</b>	<b>45</b>	<b>0</b>

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### Number of Screened-in Conduct Complaints Filed by Region

Carried over			
Region	2011-12	2010-11	2009-10
Central East	265	115	8
Central West	385	134	2
East	200	91	9
Northeast	81	26	1
Northwest	73	16	0
Toronto	454	471	4
West	185	92	1
<b>Total</b>	<b>1,643</b>	<b>945</b>	<b>25</b>

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Complaints screened in 2011-12

	From 2009-10 cases	From 2010-11 cases	From 2011-12 cases	Total
<b>Screened in 2011-12</b>		<b>34</b>	<b>1,746</b>	<b>1,780</b>
<b>Complaints screened in and referred</b>				
Conduct				
Same police service		29	1,520	<b>1,549</b>
Other police service		0	2	<b>2</b>
Policy				
Same police service		3	32	<b>35</b>
Service				
Same police service		2	71	<b>73</b>
<b>Complaints screened in and retained</b>				
Conduct		0	121	<b>121</b>

Complaints screened in and closed 2011-12

	From 2009-10 cases	From 2010-11 cases	From 2011-12 cases	Total
<b>Total cases screened in and closed</b>	<b>22</b>	<b>827</b>	<b>1,169</b>	<b>2,018</b>
Abandoned	0	4	11	<b>15</b>
Better dealt with under another act/law	0	2	3	<b>5</b>
Closed after investigation	14	466	505	<b>985</b>
Closed after request for review	6	144	68	<b>218</b>
Duplicate complaint	0	1	1	<b>2</b>
Frivolous	0	1	1	<b>2</b>
Informally resolved – after investigation	0	1	4	<b>5</b>
Informally resolved – during investigation	2	83	221	<b>306</b>
No jurisdiction S.58	0	4	14	<b>18</b>
No PSA – no breach	0	2	6	<b>8</b>
Not in the public interest	0	0	8	<b>8</b>
Already investigated by police service	0	42	3	<b>45</b>
Other	0	15	0	<b>15</b>
Over six months	0	1	2	<b>3</b>
Vexatious	0	0	1	<b>1</b>
Withdrawn after investigation	0	3	0	<b>3</b>
Withdrawn during investigation	0	58	321	<b>379</b>
<b>Total Screened in and closed in 2011-12</b>	<b>22</b>	<b>827</b>	<b>1,169</b>	<b>2,018</b>
<b>Total Screened out 2011-12</b>	<b>0</b>	<b>60</b>	<b>1,632</b>	<b>1,692</b>
<b>Total Closed 2011-12</b>	<b>22</b>	<b>887</b>	<b>2,801</b>	<b>3,710</b>

## Snapshot of Cases in Progress – April 2011 to March 2012

	2011-12 cases	From 2010-11 cases		From 2009-10 cases		Total
	2011-12 cases referred/retained in 2011-12	2010-11 cases referred/retained in 2010-11 and carried over into 2011-12	2010-11 cases referred/retained in 2011-12	2009-10 cases referred/retained in 2010-11 and carried over into 2011-12	2009-10 cases referred/retained in 2011-12	
<b>Cases screened in and referred</b>	<b>1,624</b>	<b>697</b>	<b>67</b>	<b>20</b>	<b>1</b>	<b>2,409</b>
Conduct	1,521	660	59	20	1	<b>2,261</b>
Policy	32	12	4			<b>48</b>
Service	71	25	4			<b>100</b>
<b>Cases screened in and retained</b>						
Conduct	122	223	3	3	1	<b>352</b>
<b>Total cases Screened in and open during 2011-12</b>	<b>1,746</b>	<b>920</b>	<b>70</b>	<b>23</b>	<b>2</b>	<b>2,761</b>

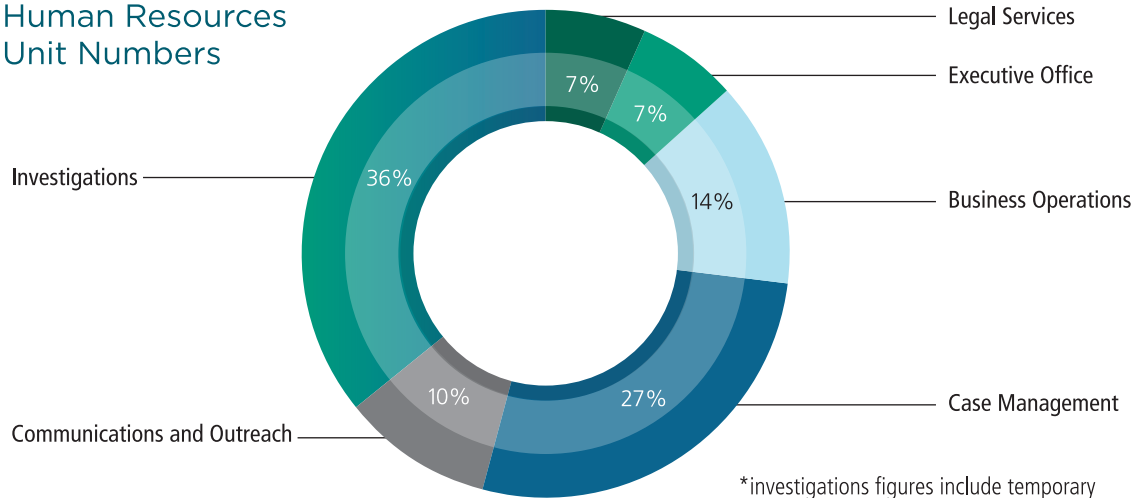
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## Request for Reviews

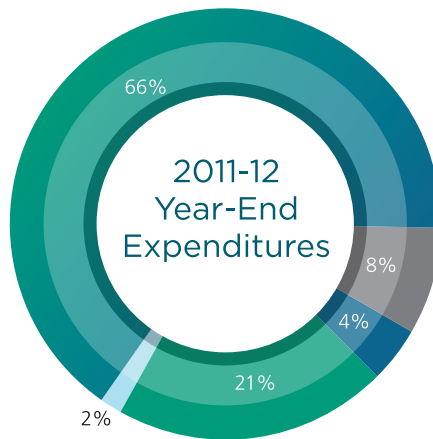
	Carried over from 2009-10	Carried over from 2010-11	Received in 2011-12	Total
Request for Review carried into 2011-12	9	175	0	<b>184</b>
Request for Review received in 2011-12	0	0	111	<b>111</b>
<b>Total Request for Review open during fiscal year 2011-12</b>			<b>295</b>	<b>295</b>
<b>Total Request for Review Closed – no review by panel – file closed</b>	<b>1</b>	<b>6</b>	<b>5</b>	<b>12</b>
No right to review	0	0	1	<b>1</b>
Abandoned	0	2	1	<b>3</b>
Withdrawn	0	2	0	<b>2</b>
Request for review filed late	1	2	3	<b>6</b>
<b>Total Request for Review completed and closed</b>	<b>8</b>	<b>167</b>	<b>72</b>	<b>247</b>
<b>Initial Request for Review</b>				
Assign 2nd investigation to same service	1	20	5	<b>26</b>
Chief's decision confirmed	4	135	66	<b>205</b>
OIPRD takes over investigation	1	1	0	<b>2</b>
Panel varied decision	0	3	1	<b>4</b>
<b>Second Request for Review</b>				
Chief's decision confirmed	2	7	0	<b>9</b>
OIPRD takes over investigation	0	1	0	<b>1</b>
<b>Total Request for Review Open and Carried into 2012-13</b>	<b>0</b>	<b>2</b>	<b>34</b>	<b>36</b>
<b>Initial Request for Review</b>				
Awaiting request for review materials	0	0	9	<b>9</b>
Examining investigative file	0	0	24	<b>24</b>
Summary completed	0	0	1	<b>1</b>
<b>Second Request for Review</b>				
Examining investigative file	0	1	0	<b>1</b>
Summary completed	0	1	0	<b>1</b>

## Human Resources Unit Numbers



\*investigations figures include temporary positions hired during G20 investigations

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Salaries and Wages	\$4,477,803
Employee Benefits	\$552,367
Transportation and Communications	\$289,579
Services	\$1,403,224
Supplies and Equipment	\$105,650
<b>Total</b>	<b>\$6,828,623</b>

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OFFICE OF THE INDEPENDENT  
POLICE REVIEW DIRECTOR

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POLICE REVIEW DIRECTOR



## **BUILDING A SOLID FOUNDATION**

### **2011-2012 Annual Report**

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