

OIPRD

OFFICE OF THE INDEPENDENT
POLICE REVIEW DIRECTOR

MAKING CONNECT10NS

ANNUAL REPORT

11

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MAKING CONNECTIONS



I am very excited to be releasing my first annual report since the Office of the Independent Police Review Director opened its doors in October of 2009. This annual report covers the period from April 1, 2010 until March 31, 2011 – our first full year of operation. Over the

past year and a half we have learned a great deal, made great strides and had many challenges. As with any new organization, we are making changes and adjustments as our business grows. I have said since my appointment in June of 2008 that my goal is to enhance public confidence in police and policing and to build a public complaints system that is responsive, transparent and fair to both the public and the police. And as always, I know that there is room for improvement, and I will be using feedback from our stakeholders and from my talented staff to ensure that as an organization we strive to be the best at what we do.

Since June 2008, my transition team and I have travelled the province meeting with stakeholders to gain a sense of the prevailing thoughts toward the new public complaints system. For the most part, people took a wait and see approach but, as with most new systems, there was a healthy scepticism. I am certainly aware that the nature of any complaints system means that you cannot please everyone, but I believe that if both parties walk away with the feeling that the complaint was handled in a balanced, fair and professional manner we have achieved our most important goal. My staff and I have worked hard over the past year and a half to ensure that this goal is being met. I am proud to say that we have had many successes over the past year.

During my travels through the province one of the main criticisms of the old system was the lack of transparency and inconsistencies throughout the province. In some cases, a complainant would receive only a letter with the chief's final decision and would not have heard anything from the time the complaint was filed until the letter was received. This left many complainants feeling as though they had no connection to the process and made them distrust the system. To address this issue, we standardized the process throughout the province. Now all complainants receive a copy of the investigative report and the format is the same, regardless of the service. Through

our website, complainants and respondent officers can use a dedicated number to check the status of the complaint 24 hours a day, seven days a week. We have also used our outreach and education program to increase public knowledge of the complaints system.

The nature of the public complaints system requires our office to work with the police on a daily basis. An investigation requires interviews to be arranged, notebooks and statements to be made available and a general exchange of information. Before we started, many people felt that this relationship would be a difficult one. I am pleased to report that, more often than not, we have received a great deal of cooperation from the police services in Ontario.

This annual report describes our operations over the past year and our goals for the coming year. In July of 2010, I announced our first systemic review into the events surrounding the G20 in Toronto. This project has been a challenge but also a great learning experience for my small team. Although our organization is small and carries a heavy workload, I think we have learned a great deal in the past year and will be making positive changes to increase efficiencies despite these challenges.

As an organization, we work hard to ensure the public complaints system is fair, transparent and accountable. As I have said to police and community organizations throughout the province, civilian oversight is an important part of a democratic society. As we move forward, my goal is to constantly improve our process to make certain we continue to build confidence in the public complaints system. We have learned a great deal in the past year and a half and over the next year we will be using your feedback to promote greater efficiencies and to continue to build an oversight organization that will be a model of excellence throughout Canada.

A handwritten signature in black ink, appearing to read 'Gerry McNeilly', written over a circular stamp or seal.

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.





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 58 municipal police services and 165 OPP detachments with approximately 24,500 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.

POLICE CODE OF CONDUCT

The *Police Services Act* includes general provisions on police misconduct. Section 80 and 81 sets out the categories for which a police officer may be found guilty of misconduct. Ontario Regulation 123/98 sets out the specific Code of Conduct for police officers. It also creates the general categories for public complaints. The Code of Conduct identifies the following 10 acts as potential matters for investigation and possible discipline:

- Discreditable conduct
- Insubordination
- Neglect of duty
- Deceit
- Breach of confidence
- Corrupt practice
- Unlawful or unnecessary exercise of authority
- Damage to clothing or equipment
- Consumption of drugs or alcohol in a manner prejudicial to duty
- Conspiring, abetting or being an accessory to misconduct.

Police officers must work within the Code of Conduct. The PSA includes prescribed guidelines of discipline for violations of the code. Police organizations also have rules that are called policy and service standards that guide how they operate. Police officers must also follow the prescribed policies and service standards that are established by their service.



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.

The matters eligible for local resolution may include issues dealing with:

- Personal property, other than money or a firearm
- The use of profane language
- Acting in a disorderly manner
- Neglect of duty
- Failure to work in accordance with orders
- Failure to report a matter
- Omitting to make any necessary entry in a record
- Improper dress or appearance
- Conspiring and abetting the misconduct listed above.



Susan D. went to the police station in her town with a complaint about the way a police officer handled a call she made about noise from a neighbour's party.

She told the professional standards officer that she had called police at 11:00 p.m. on the night of October 31, 2010, and complained about excessive noise coming from a party at her neighbour's house that had spilled out onto the street. She wanted police to come and break up the party because it was after 11:00 on a Sunday night. She said that the officer on duty told her it was only 11 o'clock and it was Halloween and wasn't going to send a car out for "a little bit of partying." Susan went into the police station and complained that the police should have come when she called and that she was humiliated by the officer for calling into question her judgment on the loudness of the party and belittling her complaint.

Susan and the respondent officer agreed to a local resolution. A senior officer sat with Susan and the respondent officer to discuss the complaint. Susan explained that she felt disappointed and humiliated with the way she was treated. The respondent officer acknowledged he was stressed that evening because he had received more than 20 calls about Halloween parties by the time Susan made her call. He apologised for being short with Susan but explained that his officers had already been dealing with serious incidents including car accidents, vandalism and a theft. Susan felt better after hearing the officer's side and told him that if he had explained this to her at the time she would have understood.

All of the complaints described in this document are fictitious and do not describe any actual complaints filed with the OIPRD. The examples are meant for educational purposes only.

This is an example of the kind of complaint that could be dealt with by local resolution. Sometimes it is beneficial to both parties to settle a minor complaint directly with the police. It provides a face-to-face discussion and allows the police and the complainant to discuss what happened and provides an opportunity to learn from the experience.

Under local resolution, the complainant and the respondent officer are required to agree to the final resolution and sign a form indicating that the complaint has been resolved in a satisfactory manner. A complainant can say what they feel would be an appropriate resolution and police are required to listen to the complaint and explain what action can and cannot be taken.

Some resolutions that may arise out of the local resolution process could be:

- Having the respondent officer make an apology or attend a training course
- Creating an opportunity for a face-to-face meeting between the officer, the complainant and the person facilitating the resolution process
- Providing the parties with advice or support on how best to deal with the complaint and prevent similar incidents from happening in the future.

Local resolution complaints are allowed in accordance with Ontario Regulation 263/09 under the *Police Services Act*, but are not part of the formal public complaint system.

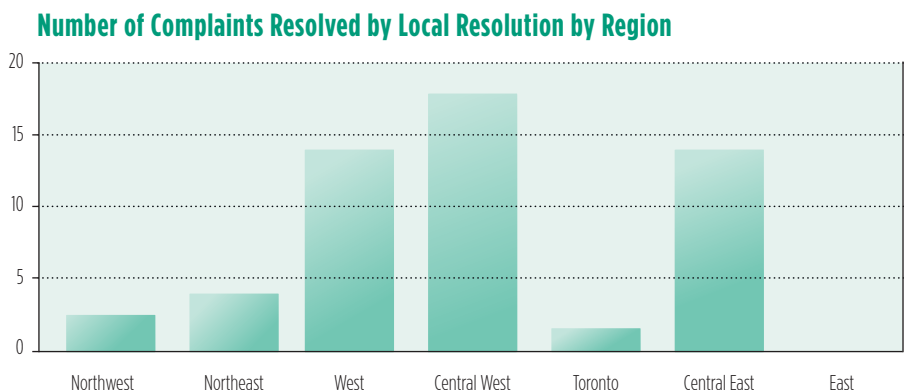
The OIPRD cannot actively participate in the process, but it performs an oversight role.

Complainants must be told about the OIPRD and agree to participate in local resolution instead of filing a complaint with the OIPRD. The police service is responsible for notifying the OIPRD about any resolution that is reached through the local resolution process.

If a complainant changes their mind about participating in local resolution, is unable to agree to a proposed resolution or is unable to agree to a resolution, they may file a complaint with the OIPRD within six months of the date of the incident they are complaining about.

If the complaint is about a matter considered to be serious, such as harassment, discrimination, breach of confidentiality, misconduct or conduct that might result in a criminal charge, local resolution cannot be used.

In 2010-2011 there were 55 local resolutions. Complaints resolved through the local resolution process made up about one per cent of overall complaints. The chart below shows the number of complaints resolved by local resolution by region.





FORMAL COMPLAINTS TO THE OIPRD

Under the *Police Services Act*, any member of the public can file a complaint with our office, with the following exceptions:

- The Solicitor General (Minister of Community Safety and Correctional Services)
- An employee of the Office of the Independent Police Review Director
- A member or employee of the Ontario Civilian Police Commission
- A member or auxiliary (civilian) member of a police service cannot complain about their own service
- An employee of the Ontario Provincial Police (OPP) cannot complain about the OPP
- A member or employee of a police services board cannot complain about their own service
- A person selected by the council of a municipality to advise another municipality's police services board cannot complain about that service
- A delegate to an OPP community policing advisory committee cannot complain about the detachment they advise.

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. 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.

People can file their complaint directly with the OIPRD online using the e-filing function, or download a fillable complaint form or complaint brochure. Complaints may also be filed by fax, mail or in person. They can also be filed at any municipal, regional or provincial police station in Ontario. Any police service will accept the complaint – complainants do not have to hand in their complaint to the service they are complaining about. The police service accepting the complaint must forward it to the OIPRD within three business days. The OIPRD will oversee the management of the public complaint from receipt until the end of the investigation.



ACCESSING THE OIPRD

We set up our website to provide information about the OIPRD and our processes, as well as to allow people to file complaints online and to provide access to a fillable complaint form.

Our e-filing system is one of the first of its kind among civilian oversight organizations in Canada. It was developed to work directly with our case management system by securely feeding complaint information into the system and providing automatic notices of receipt to complainants through the website. Each complaint is assigned a unique number.

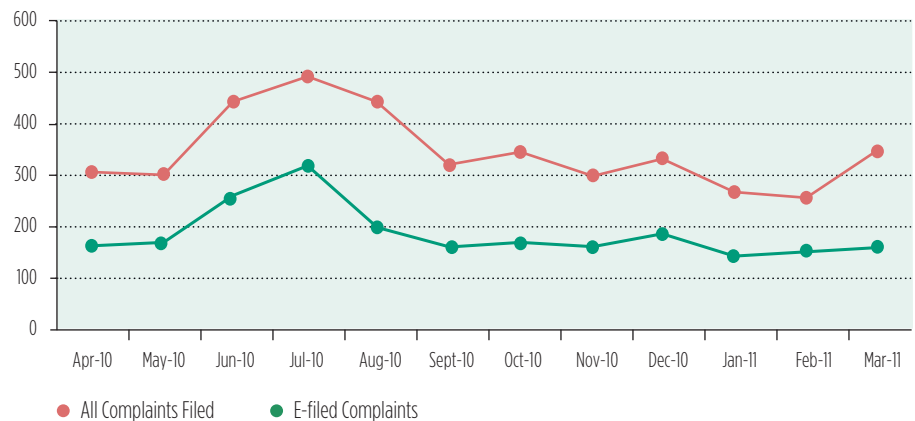
Our website also allows complainants and respondent officers to check the status of their complaints online. This online update system provides complainants and officers with 24-hour access to see where their complaint is in the process.

TREND OF COMPLAINTS RECEIVED BY E-FILE

The graph shows the number of complaints filed using e-file between April 1, 2010, and March 31, 2011. During this period, the month-to-month trend indicated that e-file was used to submit 54 per cent of complaints every month. The average number of complaints filed via e-file was 184 complaints per month. The number of e-filed complaints increased seven per cent from 47 per cent in March 2010.



Number of Complaints Filed Using E-file Between April 1, 2010, and March 31, 2011



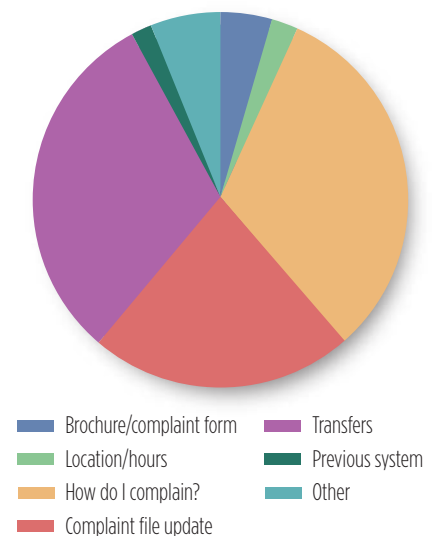
TELEPHONE INQUIRIES

The OIPRD provides access through a toll-free number as well as a TTY number. Complainants may call for updates on the status of their complaint or simply for more information about our process. To get a better understanding of our clients and what information they are looking for, the OIPRD keeps statistics about who is contacting us by telephone and why.

Between April 2010 and March 2011, the OIPRD received over 5,500 telephone inquiries. Approximately 32 per cent were calls from the public regarding filling in the complaint form. Thirty-one per cent of calls were requests to be transferred to a member of staff, the majority being to case coordinators. Twenty-three per cent pertained to inquiries about the status of filed complaints and 10 per cent were inquiries about the OIPRD, our mandate and the complaints process.

The remaining four per cent were general calls from other government agencies, police organizations and the public.

Type of Telephone Inquires





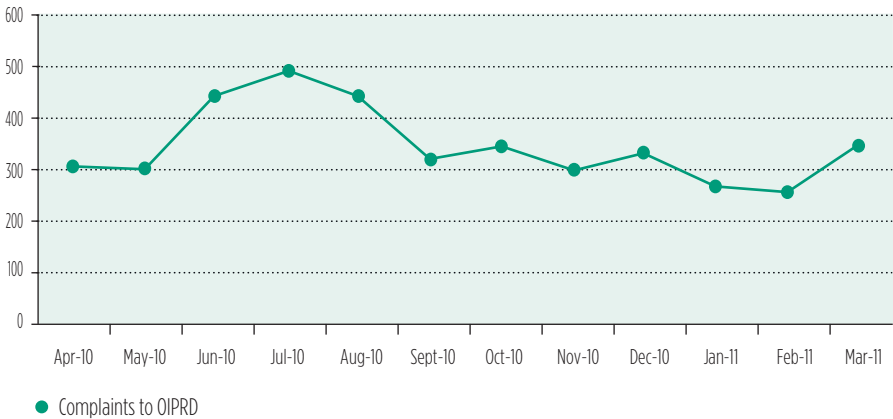
WALK IN INQUIRIES

Consistent with the *Accessibility for Ontarians with Disabilities Act, 2005* (AODA), the OIPRD office is fully accessible for people with disabilities. We also provide services in French and English.

NUMBER OF COMPLAINTS FILED

Between April 1, 2010 and March 31, 2011, the OIPRD received a total of 4,083 complaints with an average of 340 complaints per month. Since the OIPRD opened on October 19, 2009, we have received more than 5,100 complaints.

Number of Complaints Filed Between April 1, 2010 and March 31, 2011



TOTAL COMPLAINTS FILED APRIL 1, 2010 – MARCH 31, 2011

4,083

Number of complaints by region

Northwest	95
Northeast	154
West	399
Central West	692
Toronto	1,432
Central East	568
East	490
*No Service Identified	163
Unscreened (as of March 31, 2011)	90

**Includes cases that were retained/referred and closed after screening*

EXPLANATORY NOTE

Cases carried over from 2009-10:

This is the number of cases that were still in the process of being completed as of April 1, 2010, and were carried into the 2010-11 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, 2011:

Some of the cases open from 2009-10 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 2010-11 still open on March 31, 2011, were in the screening, investigative or request for review stage and some are awaiting a PSA hearing or for discipline to be imposed.

YEAR TO YEAR CASE FLOW

	From 2009-10 Cases	From 2010-11 Cases	Total
Cases carried over from prior to April 2010	544		544
Cases received in April 1, 2010 to March 31, 2011		4,083	4,083
TOTAL			4,627

	From 2009-10 Cases	From 2010-11 Cases	Total
Cases open as of March 31, 2011	24	1,043	1,067
Cases closed in Apr 1, 2010 to Mar 31, 2011	520	3,040	3,560
TOTAL	544	4,083	4,627



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 in order to process the complaint, 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. Matters specified under the legislation include things like:

- The complaint must be about an Ontario police officer
- The complaint must be about a policy, service or conduct as defined by the PSA
- The complainant must be affected by the policy or service.

Our legislation only allows for complaints about incidents that occurred on October 19, 2009, or after. Any complaints filed about incidents prior to that date are required to be screened out. Between April 1, 2010, and March 31, 2011, there were 225 complaints that were outside of the OIPRD's jurisdiction because they were about incidences occurring prior to proclamation. In addition, the OIPRD could not proceed with 79 complaints because they were duplications and 113 complaints because they were outside of our jurisdiction under the PSA.

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.

Policy complaints relate to the rules and standards that guide an officer in delivering police services. Where a particular policy guides police conduct, a complaint may be made about the policy. Service complaints may be about how effectively and efficiently a particular department performs their duties. In order to file a complaint, the complainant must be affected by the policy or service they are complaining about.

Conduct complaints relate to allegations about the conduct of one or more individual police officers, and if proven, could result in disciplinary action against an officer.

Sometimes one complaint can raise issues related to a combination of conduct, police and service. When this is the case, the OIPRD may split the complaint. In addition, we may receive several related complaints regarding one incident and these complaints may be consolidated into one investigation.

Once the complaint has been screened and classified, the case manager reviews and approves the classification of the complaint.

In 2010-2011 the majority of complaints received by the OIPRD pertained to issues involving the conduct of police officers. Approximately 93 per cent of the complaints filed with the OIPRD were related to police conduct, one per cent were related to the policies of police departments and three per cent related to services. Another three per cent were not yet screened or were withdrawn prior to retaining or referring.

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

COMPLAINTS SCREENED OUT

	From 2009-10 cases	From 2010-11 cases	Total
Total screened out cases in 2010-2011	86	2,021	2,107
Screened out - Conduct	80	1,937	2,017
- Abandoned	0	1	1
- Bad faith	0	1	1
- Better dealt with under another act/law	9	205	214
- Complaint form incomplete	4	27	31
- Duplicate complaint	2	76	78
- Frivolous	16	450	466
- No jurisdiction section 58	2	110	112
- Not a complaint	0	3	3
- Not in the public interest	18	413	431
- Not on OIPRD form	12	71	83
- Other	0	14	14
- Over six months	0	80	80
- Prior to proclamation	11	218	229
- Third party criteria not met	2	78	80
- Unable to contact complainant	0	16	16
- Vexatious	0	151	151
- Withdrawn after classification	4	23	27
Screened out - Policy	0	17	17
- Abandoned	0	0	0
- Bad faith	0	0	0
- Better dealt with under another act/law	0	1	1
- Frivolous	0	5	5
- Not a complaint	0	1	1
- Not in the public interest	0	3	3
- Section 90 of PSA	0	0	0
- Over six months	0	0	0
- Prior to proclamation	0	0	0
- No jurisdiction section 58	0	2	2
- Third party not affected by policy	0	3	3
- Unable to contact complainant	0	0	0
- Vexatious	0	0	0
- Withdrawn after classification	0	2	2
Screened out - Service	6	67	73
- Abandoned	0	3	3
- Bad faith	0	0	0
- Complaint form incomplete	1	2	3
- Duplicate complaint	0	3	3
- Frivolous	4	24	28
- Not in the public interest	0	7	7
- Not on OIPRD form	1	5	6
- Section 90 of PSA	0	0	0
- Over six months	0	2	2
- Prior to proclamation	0	7	7
- No jurisdiction section 58	0	1	1
- Unable to contact complainant	0	3	3
- Vexatious	0	8	8
- Withdrawn after classification	0	2	2

◀ EXPLANATORY NOTES FOR SCREENED OUT

From 2009-10 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, 2010, would be processed in the 2010/11 fiscal year.

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

Abandoned

Repeated attempts to contact the complainant are ignored.

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.

Complaint form incomplete

Information may be omitted, such as contact information or signature and attempts to contact the complainant are ignored.

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 police officer the complaint is about does not fall under the jurisdiction of the OIPRD or the complainant is excluded from filing a complaint. The complaint does not contain a policy or service issue and no code of conduct violation can be identified.

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 repetitious
- 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.

Not on OIPRD form

Certain information is required, such as a signature, contact information and details like the date of the incident. If this information is missing and we have made three attempts to contact the complainant with no response, the complaint is closed.

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.

Section 90

Section 90: Under section 90 of the PSA, if a police officer resigns or retires before a conduct complaint about him or her is fully disposed of, no further action can be taken and the case is closed.

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.

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.)

CASES SCREENED IN

From the complaints received between April 2010 and March 2011, the OIPRD screened in 1,972 complaints for investigation. There were also 544 complaints that were 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, 2011, 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 2010/11 that were screened in, 1,881 complaints involved matters of police conduct, 26 referred to policies and 65 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

Region	Carried over from 2009-10	2010-2011
Northwest	12	36
Northeast	24	66
West	46	208
Central West	93	350
Toronto	128	751
Central East	81	294
East	74	240
Not determinable	0	27
Total	458	1,972

**Includes cases that were retained/referred and closed after screening.*

NUMBER OF CONDUCT AND POLICY/SERVICE COMPLAINTS FILED BY REGION

The number of complaints received varies across the regions of Ontario. The population of the region and the size of the police service appear to affect the number of complaints. In 2010-2011 Toronto had the most complaints related to police conduct at 38 per cent, followed by Central West region with 18 per cent. Toronto had the greatest number of complaints regarding police policies and services at 25 per cent, with Central East region next at 21 per cent and Central West region at 20 per cent of total complaints about police policies and services.

NUMBER OF SCREENED IN CONDUCT COMPLAINTS FILED BY REGION

Region	Carried over from 2009-10	2010-2011
Northwest	11	33
Northeast	24	63
West	46	197
Central West	91	332
Toronto	124	728
Central East	75	275
East	73	227
Not determinable	0	26
Total	444	1,881

**Includes cases that were retained/referred and closed after screening.*

NUMBER OF SCREENED IN POLICY/SERVICE COMPLAINTS FILED BY REGION

Region	Carried over from 2009-10	2010-2011
Northwest	1	3
Northeast	0	3
West	1	11
Central West	2	18
Toronto	3	23
Central East	6	19
East	1	13
Not determinable	0	1
Total	14	91

**Includes cases that were retained/referred and closed after screening.*

COMPLAINTS SCREENED IN 2010-2011

	From 2009-10 Cases	From 2010-11 Cases	Total
Screened in 2010-2011	68	1,972	2,041
Conduct Cases Screened In and closed prior to retain/refer (withdrawn)	0	38	38
Cases Screened In: Referred	67	1,675	1,743
Conduct	66	1,584	1,651
- Same Police Service	66	1,583	1,650
- Other Police Service	0	1	1
Policy	0	26	26
Service	1	65	66
Conduct Cases Screened In: Retained	1	259	260

COMPLAINTS SCREENED IN AND CLOSED IN 2010-2011

Cases screened in and closed:			
Closed after investigation	259	433	692
Closed after request for review	43	16	59
Informally resolved-after investigation	0	4	4
Informally resolved-during investigation	79	240	319
Section 90	2	2	4
Unable to contact complainant	0	17	17
Withdrawn after investigation	1	1	2
Withdrawn during investigation	48	287	335
No jurisdiction section 58	0	0	0
Prior to proclamation	0	0	0
Abandoned	0	0	0
Cases screened and closed: Complaint already investigated	2	19	21
Total screened in and closed in 2010-11	434	1,019	1,453
Total Screened out 2010-2011	86	2,021	2,107
Total Closed 2010-2011	520	3,040	3,560

Total Closed = screened in and closed + screened out

EXPLANATORY NOTE FOR SCREENED IN CASES

From 2009-10 cases: This number indicates complaints received in the previous fiscal but carried over during 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.

Conduct Same Police Service

One complaint was investigated by the service and after a request for review, was retained by the OIPRD; this is reflected in both referred and retained.

Section 90

Section 90: Under section 90 of the PSA, if a police officer resigns or retires before a conduct complaint about him or her is fully disposed of, no further action can be taken and the case is closed.

Cases Screened and Closed : Complaint Already Investigated

Some complaints are made by witnesses after the directly affected person has already filed a complaint. In this case, the witness complaints are screened in and closed and they are interviewed as witnesses only.

SNAPSHOT OF CASES IN PROGRESS – APRIL 2010 TO MARCH 2011

	From 2009-10 Cases		2010-11 Cases	Total
Cases Screened In and open during 2010-11	2009-10 Cases Referred/Retained in 2009-10 and carried over into 2010-11	2009-10 Cases Referred/Retained in 2010-11	2010-11 Cases Referred/Retained in 2010-11	
Cases Screened-In: Referred	340	67	1,675	2,083
Conduct	327	66	1,584	1,978
Referred - Same Police Service	327	66	1,583	1,977
Referred - Other Police Service	0	0	1	1
Policy	2	0	26	28
Service	11	1	65	77
Conduct Screened In and withdrawn prior to retain/refer	0	0	38	38
Cases Screened-In: Retained	50	1	259	310
Total Cases Screened In and open during 2010-11	390	68	1,972	2,431

INVESTIGATIONS

Investigative reports have been standardized across the province to ensure consistency in reporting. OIPRD investigators and police investigators use the same format when investigating conduct complaints. At the conclusion of an investigation, the complainant and the respondent officer receive a copy of the investigative report. This change was part of our commitment to transparency within the system.

Our investigations manager, together with the Director, has developed very clear guidelines and expectations about the process of investigations, OIPRD powers and investigative reports for complaints. We provide outreach and education services to police investigators to make certain they understand the expectations for an investigation and the final report.

The OIPRD is required to provide a copy of complaints to the chief of the police service in question and the investigator of the complaint. Sometimes this could be another police service. The respondent officer in a complaint

receives a redacted copy of the complaint with personal information about the complainant removed.

Privacy is very important to the integrity of the public complaints system and to maintain confidence in the system we do not release information about specific complaints other than to those directly involved in the complaint. If a complaint continues to a disciplinary hearing, the hearing and the decision are public.

POLICY/SERVICE COMPLAINTS

The OIPRD screens complaints about policies and services of a police organization and oversees the complaint, but we cannot investigate them. Policy and service complaints are sent to the appropriate chief of police for a response as required by the *Police Services Act*. 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.

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, available on our website, 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. Our office has only nine investigators and we are not able to investigate all complaints. In deciding to refer or retain a conduct complaint, the OIPRD may consider:

- The nature of the allegations in the complaint
- The capacity of the police service to conduct the investigation (i.e., size of service)
- Any potential conflict of interest
- Whether there are ongoing, parallel investigations
- Whether the complaint concerns a high ranking officer
- The geographic location of the complaint
- The public interest in ensuring that investigations are thorough, independent and accountable.

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 reports 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
- Summaries 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 12 conduct complaints to police services for further investigation.

Between April 2010 and March 2011, police services investigated the majority of complaints, with oversight by the OIPRD. Specifically, there were 1,675 conduct complaints referred to police services for investigation. As required by the PSA, 91 policy and service complaints were sent to the police service for a response.

Jane S. complained to the OIPRD about the way a police officer acted when she was stopped on the road.

In her complaint, she said, "I was heading to the airport when I was pulled over by the police. The police officer sat in his car for ages before he got out of his car to talk to me. I was in a hurry, and I think he purposely took his time. When he finally came over, I rolled down my window and asked why he had stopped me. He rolled his eyes in answer to my question and said, "You're joking, right?" So I asked it again. He responded by sarcastically asking me whether I knew the speed limit remarking that from my "lead foot" he gathered I didn't. He demanded to see my documents. I started to pull my documents from my glove compartment. He yelled at me, "Hurry up, I don't have all day." I then told him to stop being rude to me and asked why he was being so impatient. He told me I was obstructing him, and I had 30 seconds to hand over my documents. I felt intimidated and insulted."

All of the complaints described in this document are fictitious and do not describe any actual complaints filed with the OIPRD. The examples are meant for educational purposes only.

This type of complaint – a complaint of incivility – represents the greatest number of complaints that the OIPRD received. Such a complaint, if substantiated, may be considered "less serious," depending on the circumstances.

RETAINED – OIPRD INDEPENDENT INVESTIGATION

In some cases the Director may choose to have the OIPRD investigate the complaint. These cases are most

often the more complex and may involve more serious allegations.

John D. made a complaint to the OIPRD alleging unnecessary and excessive use of force.

In his complaint, he stated: “On July 17, 2010, I was coming out of a nightclub where I had been with some friends. It was about 1:30 a.m.— so I guess that makes it July 18, 2010. The party at the club had spilled out on to the street; everyone was having a good time. We had all had a few drinks and were probably a bit rowdy, but we weren’t hurting anyone. Some people on the street started yelling at us to keep the noise down and some people in our party told them to “get a life” or something. Next thing we know, the police showed up with their sirens going and lights flashing. Two police jump out of the car and one of them tackled me to the ground. I hadn’t said anything to him; they must have singled me out because I was the closest one to them. It seemed I was thrown to the ground, and I think I hit my head because I had a bump there after. Two officers were on top of me punching me in my legs and sides. Both of them held me down, while one officer yanked my arms hard behind my back and handcuffed me. I really didn’t have time to struggle because I was in shock so I had no idea why they were hurting me. They squeezed the handcuffs really tight. I tried to move my hands and loosen them and told the police they were way too tight. They told me to stop resisting arrest or they would pepper spray me and that the cuffs were fine. They threw me in the car and took me to the police station. By the time they took my cuffs off at the station my hands felt numb, but I was told to stop complaining. I didn’t even know why I was arrested.”

John’s two friends that witnessed his arrest also filed a complaint.

All of the complaints described in this document are fictitious and do not describe any actual complaints filed with the OIPRD. The examples are meant for educational purposes only.

This use of force complaint, if substantiated, could be considered “serious.”

Complaints that are about the conduct of the same police officers and affect the same people may be consolidated and only one investigation would take place. All of the complainants would be advised of the consolidation, but one complainant would be deemed to be the “primary complainant.” This would usually be the most directly affected party. Only the primary complainant would be able to make decisions regarding the complaint, but all complainants would be advised of the final outcome.

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).

An investigation could include interviewing and/or recording complainants, officers,

witnesses, or other relevant people, as well as gathering physical evidence such as photographs or conducting forensic examinations of evidence. Sometimes the OIPRD enlists experts from outside our office to assist with examining evidence.

During the investigation the OIPRD provides the complainant and respondent officer with periodic status updates. As always, this is to ensure the process is fair and transparent. OIPRD investigators have the power, on notice to the chief of police, to enter and search police premises or vehicles, where it is deemed necessary, with or without a warrant.

If, during the course of the investigation, the OIPRD feels that there may be criminal activity, the matter would be referred to police for further investigation. We do not have the authority to investigate criminal matters or recommend criminal charges.

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 or chief of police reviews the investigative report and decides, based on reasonable grounds, if the complaint is substantiated (serious or less serious) or unsubstantiated. The report is then given to the complainant, the respondent officer and the chief of police.

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

OUR INVESTIGATIONS

From April 2010 to March 2011 the OIPRD retained 259 complaints for investigation.

One of the primary functions of the OIPRD is to ensure investigations of conduct complaints throughout Ontario are completed within 90 days once all the necessary documentation has been received, and to notify the respondent officer of a hearing within six months. More complex investigations take longer and as a result time extensions are often requested.

The OIPRD generally retains the more complex cases and the average number of hours that our staff dedicates to a case is about 60. Our investigators average approximately eight interviews per case.

We received quite a bit of feedback from police services as well as our own investigators regarding the amount of time it takes to complete investigations. As a result we changed the time allowed for investigations from 90 to 120 days.

In 2010, a reorganization of the investigations unit resulted in the development of a province-wide investigations model that has an option for part-time investigators in all seven provincial regions. This model will be launched 2011-2012.

KEY THEMES FROM OUR INVESTIGATIONS 2010-2011

INCIVILITY

Twenty one per cent of screened-in complaints in 2010-2011 included allegations of incivility. Since our office opened, the biggest single cause of complaints against police officers has been incivility.

Everyone deserves to be treated with respect and dignity. Police officers are given a lot of power and authority in protecting the public and maintaining peace and order. This applies to incivility as well.

Today policing has a greater emphasis on response times and measurable targets than it did in the past. Our analysis of these incivility complaints indicates that most are alleged against officers with between two and seven years of experience on the job.

For the law abiding citizen, negative contact with the police, whether real or perceived, can have a profound impact on their confidence in the police service as a whole. These types of complaints can often be avoided, and we hope to work with the police services to help them reduce these types of complaints.

USE OF FORCE

In 2010-2011, the OIPRD received approximately 275 complaints containing allegations of excessive or unnecessary use of force by police. Many of these complaints contained numerous allegations of use of force; for example, one complaint had 11 allegations of use of force. Use-of-force complaints are significant due to the seriousness of the allegations.

The majority of complaints of use-of-force are in the context of an arrest. Police officers are allowed to use a certain amount of force to make an arrest.

Section 25.4 of the Canadian Criminal Code states: A peace officer who is proceeding lawfully to arrest, with or without warrant, any person for an offence for which that person may be arrested without warrant, and every one lawfully assisting the peace officer, is justified, if the person to be arrested takes flight to avoid arrest, in using as much force as is necessary to prevent the escape by flight, unless the escape can be prevented by reasonable means in a less violent manner.

When a police officer makes an arrest, the officer will identify him or herself, tell the subject that they are under arrest and the reason for the arrest. The officer will take physical control of the subject and in the majority of cases, handcuff the subject with his or her arms behind the back. In some cases, the police officer will take the subject to the ground to affect the arrest, applying a joint or arm lock if necessary. If the subject resists arrest, by pulling, kicking or punching for example, the officer can use reasonable force to make the arrest. The public is often surprised at how violent "reasonable" use of force can look. An arrest is never pretty. However, any force used that is more than necessary to make the arrest is considered excessive.





POTENTIAL OUTCOMES AND THE DECISION PROCESS

WITHDRAWAL OF COMPLAINTS

A complainant may 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.

The Director will decide whether or not consent should be granted with reasons. All requests for withdrawals must be made on the OIPRD withdrawal form. To ensure the process is efficient and effective, the OIPRD attempts to get reasons for all withdrawals.

Between April 2010 and March 2011, 357 screened in complaints were withdrawn by the complainant.

INFORMAL RESOLUTION

Informal resolution is a simple and flexible way to resolve a complaint. Informal resolution may be beneficial to both the complainant and the respondent officer by encouraging dialogue, exploring alternative perspectives and encouraging understanding between the parties.

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.

The decision to recommend informal resolution depends on the factual circumstances of each case. Some

examples of conduct that may be suitable for informal resolution include discreditable conduct that does not involve a breach of trust, discreditable conduct or incivility which may include allegations of discrimination or rude or profane language, damage to clothing or property, unlawful or unnecessary exercise of authority, or excessive use of force that does not result in serious injury.

Some examples of conduct that are NOT suitable for informal resolution include: conduct that would support a criminal charge, deceit, corruption, breach of confidence, unlawful or unnecessary exercise of authority that results in serious injury to the complainant or incidents involving firearms or conducted energy devices in a manner that is inconsistent with the *Police Services Act*.

Informal resolution may include an apology by the officer who is the subject of the complaint, an apology on behalf of the police service, an explanation by a senior member of the police service, referral to education, training or counselling, or various forms of mediation.

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 wishes to revoke their consent to informal resolution before the conclusion of an investigation into a complaint,

the investigation will proceed. If a complainant wishes to revoke 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 2010 and March 2011, there were 319 requests for informal resolution during an investigation and four substantiated less serious complaints were informally resolved after an investigation.

Local resolution and informal resolution allow the police to solve, explain, clear up or settle minor complaints directly with the complainant. This is an excellent venue for both the community and the police to understand each other's view point and is consistent with the OIPRD's plans to develop a mediation program. Consultations with community-based mediation experts are currently in progress with a view to establishing the mediation program. This program is intended to help the OIPRD's goals of building and reinforcing community and police relations.

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.

The concept of *reasonable grounds* is the standard by which all complaints must be judged. Reasonable grounds are facts or circumstances of a case that would lead an ordinary and cautious person to believe that misconduct has occurred. This belief must be more than just suspicion of misconduct and must be based on factual evidence. If reasonable grounds do not exist, the complaint cannot 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.

On March 31, 2011, 3,560 complaints were completed for the 2010-2011 fiscal year, and 977 were still in the investigation stage. From April 1, 2010 to March 31, 2011, 1,755 allegations were found to be unsubstantiated.

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.

The chief of police reports decisions to us. If a police service investigates a conduct complaint from another police service, they report the results to the chief of the police service being investigated and to the OIPRD.

Between April 2010 and March 2011, 107 conduct allegations were found to be substantiated. Eighty-one of these substantiated findings were found to be less serious and 26 findings were serious.

Between April 2010 and March 2011, there were three policy or service complaints where action was taken and 27 policy or service complaints where no action was taken.

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.

When we receive a request for review, a review panel is created to evaluate the entire investigative file. Review panels include members of the OIPRD investigations unit, case management, the legal services unit and our Director. If, upon review, the OIPRD agrees with the complainant, the OIPRD instructs the chief of police/commissioner of the OPP on how to deal with the complaint.

If the OIPRD agrees with the chief/commissioner's decision, the complainant is advised as to why that decision was made. The OIPRD's decision regarding the review is final.

Between April 2010 and March 2011, we received 126 requests for reviews. In addition, 58 requests for reviews were carried over from 2009-2010.

In matters where an officer was disciplined, complainants who are dissatisfied with the result of a disciplinary hearing may make an appeal to 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.



REQUESTS FOR REVIEW 2010-11

	Carried over from 2009-10	Received in 2010-11	Total
Requests for Review carried into 2010-11	58		
Requests for Review received in 2010-11		126	
Total Requests for Review open during fiscal year 2010-11			184

BREAKDOWN OF REQUESTS FOR REVIEW

Total Requests for Review - no review by panel - file closed	3	7	10
No right of review	0	4	4
Review filed late	2	0	2
Withdrawn	1	1	2
Abandoned	0	1	1
Service reopened investigation - request for review	0	1	1
Total Requests for Review completed and closed	48	19	67
Initial Request for Review			
- chief's decision confirmed	41	16	57
- panel varied decision	1	0	1
- returned for 2nd investigation	4	3	7
- OIPRD retained investigation	1	0	1
2nd Request for Review			
- chief's decision confirmed	1	0	1
- panel varied decision	0	0	0
- returned for more information	0	0	0
- returned for 2nd investigation	0	0	0
- OIPRD retained investigation	0	0	0
Total Requests for Review open and carried into 2011-12	7	100	107
Initial Request for Review			
- returned for more information	0	0	0
- awaiting receipt of investigative	0	20	20
- staff completing examination of investigative file	6	80	86
2nd Request for Review			
- returned for more information	0	0	0
- awaiting receipt of investigative file or additional information	0	0	0
- staff completing examination of investigative file	1	0	1

EXPLANATORY NOTES

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.

Service re-opened investigation - Request for review

Following a request for review, the service re-opened its investigation into the complaint.

Panel varied decision

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

Returned for second investigation

Following the initial request for review the complaint was returned to the police service for a second investigation. If, after the second investigation, there is another request for review, that review could return the case to the police service for yet another investigation.

Returned for more information

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



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.

Penalties for less serious conduct complaints may include an apology, an explanation by a senior member of the police service or a reprimand. Penalties may include direction for specific counselling, treatment or training or participation in a specified program or activity. Penalties may also include forfeiture of pay or time off or suspension without pay.

Penalties for serious conduct complaints may include forfeiture of pay, suspension, demotion or dismissal.

In 2010-2011, 26 serious conduct findings and 10 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.

As of March 31, 2011, the OIPRD had received one decision and posted it on our website. There were also nine cases with substantiated less serious findings where the police service had not yet advised the OIPRD whether the matters would proceed to a disciplinary hearing or whether discipline would be imposed without a hearing.

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



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. Our 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. This would include an audit of the service under the board. These audits are conducted, at the board's expense, by an independent auditor and may be 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.

G20 SYSTEMIC REVIEW STATUS UPDATE

On June 26 and 27, 2010, the City of Toronto hosted the fourth summit of international leaders from 20 nations across the world, commonly called the G20. Approximately 20,000 police officers and security personnel from across Canada were brought in to provide security for the G20 as well as the G8, which was held on June 25, 2010, in Huntsville, Ontario.

The event attracted protestors from across Canada and around the world. Protestors began to gather and demonstrate in the week leading up to the summits. For the most part, the demonstrations were peaceful and law abiding.

On the afternoon of Saturday June 26, a group of anarchists, some of whom appeared to use "Black Bloc" tactics, turned violent. Media images showed businesses in downtown Toronto were vandalized, as many as eight marked and unmarked police vehicles were damaged or destroyed and police officers were assaulted. From the media reports it appeared that at this point, police tactics changed and over 1,100 people were arrested. There were also reports of random searches, mass detentions around the city where people were surrounded by police and held for long periods of time.

The events that transpired during the G20 caused great concern for the people of Canada. On July 22, 2010, the OIPRD announced it would be conducting a systemic review of issues surrounding public complaints against police during the G20 Summit in Toronto. At this point the OIPRD had received nearly 275 complaints relating to events during the G20. To date the office has received a total of 357 G20 complaints.

After reviewing the complaints, it became evident a pattern existed. The Director determined that a systemic review of the G20 was necessary to provide an overall review of police practices during the event and provide recommendations for improvement of police practices.



The common themes in the complaints were allegations of unlawful searches, unlawful arrests, improper detention and issues related to the temporary holding facility used to detain people arrested during the G20. The G20 conduct investigations will be used to inform the larger G20 systemic review.

In addition to the information uncovered during the course of the investigations, the OIPRD is gathering disclosure from numerous police services across the province and Canada and conducting interviews of both police and civilian witnesses to provide a balanced and informed opinion on the events that transpired.

As of the end of March 2011 the OIPRD has conducted more than 425 interviews with civilians, police and witnesses to help inform the systemic review.

To date, the OIPRD has received disclosure files from police, containing thousands of pages of documents including planning, training and communication documents, command scribe notes and meeting minutes, photos and hundreds of hours of video footage from CCTV cameras, on the ground cameras and cameras in the temporary detention facility. The sheer volume of information has often been overwhelming and timely to sort through, log and analyze. The OIPRD continues to seek further

disclosure as new information becomes evident under investigation.

The Director and the G20 team are working hard to analyze the information to produce a meaningful report. The recommendations will be made with the intent to improve policing of large protests in the future.



REVIEW OF CASES RELATING TO CELL BLOCK MATTERS AT THE OTTAWA POLICE SERVICE

In November 2010 an Ontario Court of Justice judge released to an Ottawa newspaper a portion of a surveillance video showing a woman being violently strip searched in a cell area by Ottawa police officers in 2008. This incident brought to light other allegations of cell block abuse. In response, Ottawa Police Services Chief Vern White ordered a review of outstanding cases from the cell block to determine whether the cases should be sent to the Ontario Provincial Police for independent investigation.

In December 2010 the Ottawa Police Services sought the participation of the OIPRD in the review of a series of cases relating to cell block matters and public complaints to determine whether the cases should be the subject of an independent investigation. Nine matters were referred to the OIPRD for consideration. The Independent Police Review Director reviewed the cases and provided his findings and recommendations to the Ottawa Police Services in February 2011.



COMMUNICATION AND OUTREACH

The *Police Services Act* specifies that the OIPRD provides publicly accessible information about the public complaints system and assistance to members of the public in making a complaint.

WEBSITE

Our website is a one-stop shop for comprehensive information on the public complaints system, the supporting legislation behind it and the process for filing a complaint, including e-file. We post announcements made by the Director online as well as downloadable brochures, annual reports, systemic reviews and disciplinary hearings. The website also provides specific information about the complaints system for police and police services boards.

Our website is in English and French and meets government accessibility standards—for example it is screen-reader compatible for people with visual disabilities. It is a very user-friendly website that other jurisdictions in the country have sought to replicate.

Based on feedback we receive from the public and police, we continuously update our website. Over the past year

we have added more information specifically for police services boards, as well as additional information on the outreach and education program. In the coming year we plan to further update our website to include a complaints process feedback survey, an outreach calendar and feedback comments from presentations.

BROCHURES/POSTERS

Our brochures explain the complaint process and what to expect in simple language. All brochures are available in large print or audio versions upon request. Four different brochures are available in English and French:

1. Step-by-step how to make a complaint against the police
2. Dealing with your complaint by local resolution
3. How to request a review
4. Talk to us.

The “Talk to us” general brochure is available in eight additional languages: Hindi, Punjabi, Urdu, Tagalog, Tamil, Chinese, Ukrainian and Russian.

We make certain that our brochures are available in paper version in as many locations as possible throughout the province including over 70 Service Ontario locations, all provincial, regional and municipal police stations, many community centres and legal clinics as well as at the OIPRD office. They are also available online to be downloaded, or they can be mailed upon request.

In 2011-2012, we plan to expand the display of OIPRD brochures to an additional 30 Service Ontario sites.

The OIPRD has worked with the Ministry of Community Safety and Correctional Services to develop a process where adults in provincial correctional facilities have access to both the OIPRD complaint forms and brochures, as well as to a 1-800 number, to seek information regarding making complaints about police conduct, policies or services. Posters providing inmates with the OIPRD's 1-800 number have been distributed to all provincial correctional facilities.

In 2010 we developed a series of posters which we distribute to community organizations and police services throughout Ontario.



INQUIRIES

People who have questions for the OIPRD can visit the frequently asked questions (FAQ) page on our website, telephone us, fax, post a letter or visit our office. The public can also e-mail a question or comment to our general e-mail at OIPRD@ontario.ca, and we will e-mail back a response. Please remember all complaints must be submitted on the OIPRD complaint form, not through our general e-mail box.

In 2010-2011 we received over 580 inquiries from the public through our general e-mail inbox.

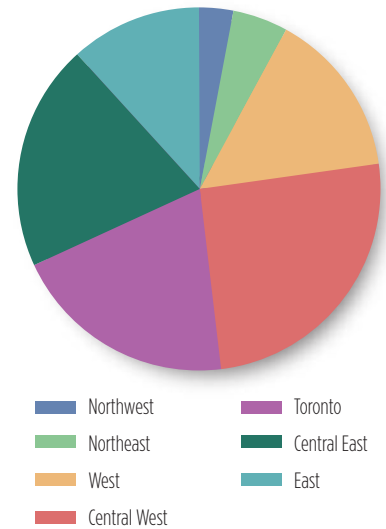
The communications unit also deals with inquiries from the media. In 2010-2011 we received over 150 media inquiries.

OUTREACH AND EDUCATION

Outreach and education is very important to the success of the OIPRD. It provides an opportunity for us to make sure communities and police understand how the complaint process works. Our outreach and education programs also help promote greater awareness, openness, confidence and respect for both the police and the community in the public complaint system. We recognize that there are different issues throughout Ontario and our outreach and education advisors make sure that similar services are provided to Ontarians across the province.

In 2010-2011, our outreach and education advisors made presentations to 168 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 175 community organizations, libraries, MPP and MP offices to provide communications material about the OIPRD.

Outreach and Education Presentations by Region



In 2010-2011 the Independent Police Review Director made approximately 30 presentations and speeches and participated in various conferences, including:

- Ontario Association of Police Services Boards annual conference
- Canadian Institute Law of Policing conference
- Black Law Students' Association of Canada annual conference
- Law Union of Ontario conference
- Canadian Association for Civilian Oversight of Law Enforcement annual conference.

The OIPRD is a member of the Canadian Association for Civilian Oversight of Law Enforcement (CACOLE), a national non-profit organization of individuals and agencies involved in the oversight of police officers in Canada. Since 2008 our Director has participated in CACOLE annual conferences. CACOLE works to advance the concept, principles and application of civilian oversight of law enforcement throughout Canada and abroad.



STAKEHOLDER RELATIONS

Our stakeholders include police services, the general public, communities and the media. We work continuously with them to understand their issues and concerns and seek to build relationships through effective communication. Our goal is to create an environment of trust, cooperation and collaboration with all our stakeholders.

In 2010-2011 we created a handbook on OIPRD procedures and policies for police services, worked with Ontario Justice Education Network on projects focused on youth justice education, and participated in the Ministry of Education Inter-Ministerial Consultation Curriculum Review.

Currently, we are collaborating with the Ontario Association of Police Services Boards to produce a section on the OIPRD for an e-learning module aimed at police services board members.

Another way we are working with our stakeholders is through regional Director's Resource Committees.

In 2010-2011 we set up seven regional Director's Resource Committees – one for each of the seven regions throughout Ontario. These committees are made up of members from various community groups and police services, who will provide feedback to the Director on the public complaints system and offer suggestions on how to better deliver our services. These committees will provide the OIPRD with valuable feedback to ensure we are constantly improving and meeting the needs of our stakeholders.

FEEDBACK

Feedback helps us to determine where the public complaints system can be improved. We encourage anyone who participates in our outreach and education programs, or who has been involved in the complaints process to provide feedback. This helps us to make constant improvements.

We developed an outreach and education feedback form that our outreach advisors provide to participants attending their presentations about the OIPRD. Feedback helps us to ensure we are meeting the needs of our stakeholders and help improve the way the public complaints system is delivered.

In 2010-2011 we developed an automated on-line feedback survey for people e-filing complaints and will implement the survey in 2011-2012.

“It was great to know that this process exists. We deal with numerous clients from all walks of life, and I can see how this information would be critical.”

“The more people who hear and see this information, the better.”

“If we could hear examples of past cases, anonymously if necessary, it would help to understand the process better – especially the outcomes.”

“Just knowing the OIPRD exists was helpful. Now we can let our clients know their options.”



THE ORGANIZATION

STAFFING

The OIPRD received an allocation of 50 full-time staff for the establishment of the organization. In 2010-2011 fiscal constraints required our office to decrease the staff level by one.

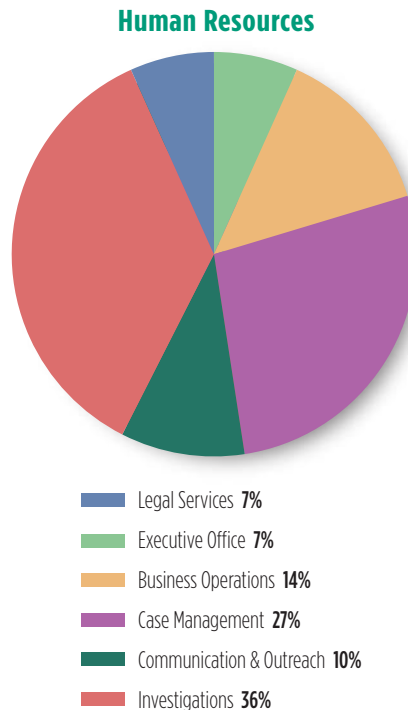
At the end of the 2010-2011 fiscal year the OIPRD had 49 full-time employees, and an additional 10 temporary positions to perform the additional workload requirements as a result of the G20 investigations, regional investigations and requests for reviews.



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 2010-2011, our staff was allocated as follows:



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 complaints
- 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 reviews of police conducted investigations.

Since opening 18 months ago, we have made adjustments in our case management unit to reflect our case flow. We have added more case coordination and intake/inquires staff and adjusted our policies. The additional staff in case management is a response to the number and complexity of complaints our office has received. As we gained experience we were able to adjust for actual timelines to make our processes more efficient.

INVESTIGATIONS

The Investigations Unit is headed by a manager and composed of a team of nine full-time, highly skilled and experienced investigators. These investigators come from both civilian and police backgrounds. Our civilian investigators have had experience in the organizations that do investigations, such as Ontario's Public Guardian and Trustee, while a number of our investigators with police service backgrounds served in professional standards units. Between April 2010 and March 2011, five of our investigators were civilians and four had police backgrounds. A team lead position has been developed in line with the increase in the number of staff.

The investigations unit is responsible for:

- Overseeing investigations by other police services
- Undertaking independent investigations of police conduct complaints
- Auditing and analyzing police service management of public complaints
- Conducting investigations into systemic issues arising from public complaints.

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 plans 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 Ministry of the Attorney General and other ministries.

COMMUNICATIONS AND OUTREACH

The Communications and 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.

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, administrative functions, compliance and information and knowledge management and retention
- Information technology and management required to support IT-based case management system, the OIPRD-to-police correspondence system and network-accessible complaint fillings, 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.



FACILITIES

In 2010-2011 the OIPRD obtained the balance of its allotted space by acquiring an additional 2,000 square feet of office space directly adjacent to its current office. This will provide appropriate accommodation for our full complement of staff. The project is targeted to be completed in spring 2011.

Office space for dedicated G20 systemic review investigations was procured on another floor of our building at 655 Bay Street.

TRAINING

The success of any organization depends on its people. At the OIPRD we have a strong committed staff and as an organization we are committed to supporting the continued growth and development of our people.

In 2010-2011 the OIPRD set up a diversity, inclusion and employee engagement committee to develop and implement initiatives to increase awareness about diversity and inclusion within the organization. Our goal is to help ensure that diversity and inclusion within the OIPRD is a practice that is factored into strategic decision-making at all levels of the organization.

We have conducted staff training in areas such as the *Police Services Act*, conflict management and case management. In addition, our staff regularly takes training courses to update and upgrade skills in their individual professional areas as well as customer service.

Work-life balance is important and valued at the OIRPD. Recognizing that for work/life initiatives to be successful, we all must take responsibility for making such programs work, an internal learning network was implemented to provide our staff with opportunities to learn about topics of interest that are not work-related.

INTERNAL STAKEHOLDERS

In order to deliver our services effectively, we work collaboratively with other government organizations:

- ServiceOntario warehouses and distributes OIPRD publications province-wide
- Ministry of the Attorney General provides:
 - Financial reporting, procurement, human resources and policy advice
 - IT hosting services
- Ministry of Transportation provides investigative fleet vehicles
- Justice Technology Services (JTS) provides technical support on IT projects
- Ministry of Finance performs an annual agency audit.





FINANCIAL EXPENDITURES

2010 / 2011

Original Budget	\$8,445,200
Revised Budget	\$5,299,000
Total Annual Expenditures	
for the year ended March 31, 2011	\$5,394,622

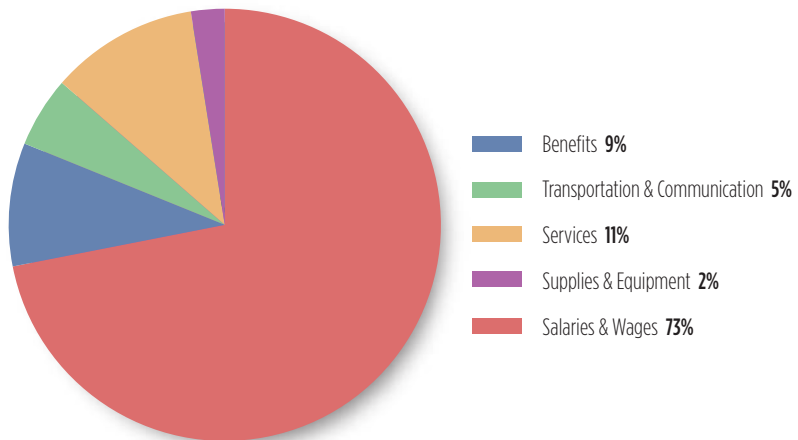
2010/2011 EXPENDITURES

Salaries and Wages	\$3,886,589	73%
Benefits	489,010	9%
Transportation and Communication	279,284	5%
Services	609,748	11%
Supplies and Equipment	129,991	2%
TOTAL	\$5,394,622	100%

The variance between the original budget and expenditures is primarily in the services standard account as a result of the outreach and mediation programs in the start-up phase. Facilities expansion and leasehold improvements were

postponed to fiscal 2011-12. In addition, there were limited opportunities to implement the fee-for-service regional investigative model, resulting in the use of other models for investigation.

2010/2011 Expenditure Breakdown





LOOKING FORWARD

- We anticipate an increased demand for our services in the coming year.
- As a result of feedback from police organizations, we have introduced more realistic timelines for investigations, increasing the time allowed from 90 to 120 days.
- The OIPRD is in the process of developing a 'time and motion' study to analyse the impact of increased complaint cases and the time required by the intake/screening/assessment process on staff workload.

In 2010-2011 my office established a quality assurance program pilot to provide an internal review of operations. Going forward, we are expanding the pilot to all operational units to ensure we are providing quality service. This program will include:

- Performing weekly reviews of decisions made by the OIPRD in relation to complaints to ensure compliance with policies and procedures
- Collecting feedback from those involved in the complaints process as well as from community outreach presentations to improve on the provision of existing services
- Continuous monitoring of the OIPRD's compliance with key directives, policies and procedures to ensure controls are in place and working effectively
- Ensuring resources are used efficiently in supporting our programs and activities.

My office is in the process of establishing its mediation services program to provide an alternate means of resolution for the local resolution and informal resolution processes. We are consulting with community-based mediation experts to set up a program centred on a model of facilitative and transformative mediation.

During the pilot phase, mediation will be offered as an option in local resolution where both parties would have to agree to the option of local resolution and to engaging a mediator.

The mediation services program will make the local and informal resolution processes more effective, efficient and allow for relationship-building between the public and the police.

Over the next year, I plan to increase our quality assurance program to help create greater efficiencies and improve service delivery. The quality assurance program will examine our case management processes and procedures, including our online system, and I will implement any changes necessary to constantly improve our case management model. Our quality assurance team has already outlined important changes for our case management system that will help to improve the flow and management of complaints. Part of the program will include establishing firm timelines and tracking our success in meeting these performance measures. I will be including these results in the next annual report.

The communications, outreach and education team is developing phase two of our strategy which includes fully implementing our Director's Resource Committees and developing new education programs for our stakeholders. In phase two we will continue to reach out to those stakeholders that are not aware of the public complaints system but will also offer educational programs for those stakeholders who are familiar with our office but require more specific knowledge of the public complaints system. As the program grows and develops, we will be offering a wide array of communications, outreach and education opportunities to meet the needs of a wide range of stakeholders throughout the province.

With the first year and a half behind us, the OIPRD will enter a new phase of growth. I am committed to providing better service, efficiencies and programming to meet the needs of stakeholders in Ontario. I am looking forward to a year that will bring new opportunities and more experience to the OIPRD.



MAKING CONNECTIONS APPENDIX

Service by Service Statistics

Total Complaints Filed
April 1, 2010 – March 31, 2011

Complaints Screened Out

Complaints Screened In and
Screened In and Closed

Total Complaints Screened In by Region

Not Screened as of March 31, 2011

Number of Screened In Conduct
Complaints Filed by Region

Number of Screened In Policy/Service
Complaints Filed by Region

Year to Year Case Flow

Snapshot of Cases in Progress –
April 2010 to March 2011

Conduct Complaint Allegation Decisions
by Region

Policy and Service Complaint Decisions
by Region

Requests for Review 2010-11



SERVICE BY SERVICE STATISTICS

	Total Officers Subject To PSA Part V*	Local Resolutions	Total Public Complaints Received 2010-2011	Total Complaints - Conduct	Total Complaints - Policy	Total Complaints - Service	Total Screened Out 2010/2011	Total Complaints Screened In 2010-2011	Screened In Complaints Carried Over From 2009-2010	No Breach Identified	Allegations – Breach Of Confidence	Allegations – Consume Drug/Alcohol Prejudicial To Duty	Allegations – Corrupt Practice	Allegations – Deceit	Allegations – Discreditable Conduct	Allegations – Improperly Deal With Property	Allegations - Insubordination	Allegations – Damage To Clothing Or Equipment	Allegations – Neglect Of Duty	Allegations – Unlawful Arrest	Allegations – Unlawful/Unnecessary Exercise Of Authority	Informal Resolution	Abandoned	Withdrawn	Lost Jurisdiction	Unsubstantiated	Substantiated – Less Serious	Substantiated - Serious - Hearing	No Action Taken (Policy/Service)	Action Taken (Policy Service)	Outstanding Investigations (March 31, 2011)	
Alymer	30	0	2	2	0	0	1	1	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	1	0	0	0	0	0	0	
Amherstburg	13	0	3	3	0	0	3	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	222	4	46	45	0	1	23	23	10	0	0	0	0	0	6	0	0	0	0	5	3	10	6	0	3	0	23	0	0	0	0	9
Belleville	87	0	23	22	0	1	16	7	3	0	0	0	0	0	1	0	0	0	1	0	2	0	1	3	0	3	0	0	0	0	3	
Brantford	158	0	31	29	1	1	14	17	3	0	0	0	0	0	6	0	3	0	2	0	16	0	0	4	0	27	0	0	0	0	8	
Brockville	42	0	11	10	1	0	5	6	0	0	0	0	0	0	4	0	0	0	0	0	2	0	0	0	0	6	0	0	0	0	3	
Chatham-Kent	165	0	21	17	1	3	11	10	2	0	0	0	0	0	1	0	0	0	0	0	1	2	0	2	0	2	0	0	1	0	5	
Coburg	32	0	3	3	0	0	2	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0	
Cornwall	91	0	18	16	1	1	6	12	1	0	0	0	0	0	11	0	0	0	12	1	2	1	0	0	0	20	6	0	0	0	8	
Deep River	9	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	
Dryden	21	0	4	4	0	0	4	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Durham Regional	915	1	138	127	4	7	60	78	16	0	0	0	0	0	10	0	0	0	4	0	36	1	0	33	1	49	0	0	0	0	34	
Espanola	12	0	5	5	0	0	5	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Gananoque	15	0	5	5	0	0	2	3	0	0	0	0	0	0	2	0	0	0	0	0	0	0	0	1	0	2	0	0	0	0	1	
Guelph	191	0	15	12	2	1	1	14	5	0	1	0	0	0	12	0	0	0	10	1	18	0	0	1	0	42	0	0	1	0	6	
Halton Regional	611	0	89	86	0	3	57	32	10	0	0	0	0	0	36	0	0	0	11	0	15	1	0	13	0	60	2	0	2	0	9	
Hamilton	802	4	181	170	3	8	90	91	21	0	1	0	0	0	28	0	0	0	16	2	11	29	0	15	0	52	2	3	2	0	32	
Hanover	15	0	2	2	0	0	1	1	3	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0	
Kawartha Lakes	38	0	23	22	0	1	15	8	2	0	0	0	0	0	0	0	0	0	1	0	2	0	0	0	0	3	0	0	0	0	3	
Kingston	197	0	44	44	0	0	22	22	3	0	0	0	0	0	13	0	0	0	1	0	3	4	0	3	0	17	0	0	0	0	5	
LaSalle	36	0	3	3	0	0	2	1	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	
London	587	2	84	80	0	4	40	44	11	0	0	0	1	0	12	0	0	0	15	1	33	10	0	1	0	56	5	0	1	0	21	
Midland	26	0	4	4	0	0	2	2	0	0	0	0	0	0	2	0	0	0	1	0	0	0	0	1	0	3	0	0	0	0	1	
Niagara Regional	732	0	114	112	1	1	61	53	7	0	1	0	0	0	31	0	0	0	15	1	53	1	0	5	0	93	2	6	1	0	26	
North Bay	89	0	10	8	0	2	6	4	1	0	0	0	0	0	0	0	0	0	1	0	2	0	1	1	0	3	0	0	0	0	1	
Ontario Provincial Police	6,216																															
Central East/OPP		5	172	160	1	11	82	90	23	0	0	0	0	0	30	0	1	0	18	3	37	3	1	15	0	83	5	2	1	0	47	
Central West/OPP		1	48	44	0	4	22	26	8	0	0	0	0	0	5	0	0	0	3	0	6	0	0	7	0	12	2	0	0	0	13	
East/OPP		0	90	88	1	1	47	43	17	0	0	0	0	1	23	0	0	0	22	2	30	4	0	6	0	68	9	1	0	0	27	

*From Statistics Canada, Police Resources in Canada, 2010, Actual Strength

SERVICE BY SERVICE STATISTICS (continued)

	Total Officers Subject To PSA Part V*	Local Resolutions	Total Public Complaints Received 2010-2011	Total Complaints - Conduct	Total Complaints - Policy	Total Complaints - Service	Total Screened Out 2010/2011	Total Complaints Screened In 2010-2011	Screened In Complaints Carried Over From 2009-2010	No Breach Identified	Allegations – Breach Of Confidence	Allegations – Consume Drug/Alcohol Prejudicial To Duty	Allegations – Corrupt Practice		Allegations – Discreditable Conduct	Allegations – Improperly Deal With Property	Allegations - Insubordination	Allegations – Damage To Clothing Or Equipment	Allegations – Neglect Of Duty	Allegations – Unlawful Arrest	Allegations – Unlawful/Unnecessary Exercise Of Authority	Informal Resolution	Abandoned	Withdrawn	Lost Jurisdiction	Unsubstantiated	Substantiated – Less Serious	Substantiated - Serious - Hearing	No Action Taken (Policy/Service)	Action Taken (Policy Service)	Outstanding Investigations (March 31, 2011)
North East/OPP		1	66	64	2	0	39	27	13	0	0	0	0	1	9	0	0	0	10	0	5	2	0	0	0	21	4	0	0	0	14
North West/OPP		3	41	36	4	1	27	14	5	0	0	0	0	0	0	0	0	0	11	0	8	0	0	4	0	25	0	0	0	1	4
West/OPP		3	103	99	4	0	57	46	13	0	0	0	0	0	13	0	0	0	8	0	7	3	0	14	0	23	2	2	0	0	20
Orangeville	41	1	10	10	0	0	6	4	0	0	0	0	0	0	1	0	0	0	1	0	0	0	0	0	2	0	0	0	0	0	4
Ottawa	1,351	0	287	273	2	12	147	140	48	0	3	0	0	1	62	0	0	0	8	3	36	11	0	45	0	110	1	0	1	1	52
Owen Sound	41	0	4	4	0	0	2	2	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	3
Peel Regional	1,855	12	204	200	1	3	91	113	39	0	0	0	0	0	37	1	0	0	3	1	22	51	0	14	0	62	2	0	0	0	37
Pembroke	30	0	4	4	0	0	3	1	1	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	1	0	0	0	0	0	1
Perth	15	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
Peterborough Lakefield	124	0	16	16	0	0	12	4	6	0	0	0	0	0	4	0	0	0	1	0	4	0	0	1	0	9	0	0	0	0	1
Port Hope	26	0	3	3	0	0	1	2	1	0	0	0	0	0	0	0	0	0	0	0	0	1	0	1	0	0	0	0	0	0	0
Sarnia	113	0	26	26	0	0	13	13	1	0	0	0	3	0	2	0	0	0	1	0	5	0	0	2	0	9	2	0	0	0	8
Saugeen Shores	21	0	3	3	0	0	1	2	0	0	0	0	0	0	2	0	0	0	0	0	3	0	0	0	0	4	1	0	0	0	1
Sault Ste. Marie	138	0	26	23	0	3	12	14	3	0	0	0	0	0	3	0	0	0	4	0	0	3	0	1	0	1	0	6	0	0	8
Shelburne	12	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
Smith Falls	25	0	6	6	0	0	2	4	0	0	0	0	0	0	0	0	0	0	6	0	0	0	0	0	0	6	0	0	0	0	3
South Simcoe	79	1	6	5	0	1	3	3	1	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	2
St. Thomas	66	0	5	5	0	0	3	2	2	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	1
Stirling Rawdon	9	0	2	1	0	1	0	2	1	0	0	0	0	0	1	0	0	0	1	0	1	1	0	0	0	3	0	0	0	0	0
Stratford	57	0	3	3	0	0	1	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	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	255	0	31	28	0	3	18	13	5	0	0	0	0	0	6	0	0	0	7	0	5	0	0	5	0	18	0	0	0	0	5
Thunder Bay	223	0	50	49	0	1	28	22	7	0	0	0	0	0	11	0	3	0	9	0	0	0	0	2	1	23	0	0	0	0	13
Timmins	86	3	11	11	0	0	5	6	2	1	0	0	0	0	2	0	0	0	0	0	2	0	0	1	0	5	0	0	0	0	0
Toronto	5,774	2	1,432	1,384	10	38	681	751	128	0	0	0	17	0	302	0	22	0	85	13	223	60	0	80	2	631	21	1	14	0	466
Waterloo Regional	730	6	94	88	2	4	39	55	9	0	0	0	0	2	35	0	0	0	16	3	27	17	0	4	0	74	9	0	1	0	24
West Grey (formerly Durham)	20	0	1	1	0	0	1	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
West Nipissing	22	0	5	5	0	0	3	2	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0
Windsor	466	1	41	39	0	2	16	25	6	0	0	0	0	0	1	0	0	0	0	0	16	12	0	1	0	17	0	0	0	1	8

*From Statistics Canada, Police Resources in Canada, 2010, Actual Strength

SERVICE BY SERVICE STATISTICS (continued)

	Total Officers Subject To PSA Part V*	Local Resolutions	Total Public Complaints Received 2010-2011	Total Complaints - Conduct	Total Complaints - Policy	Total Complaints - Service	Total Screened Out 2010/2011	Total Complaints Screened In 2010-2011	Screened In Complaints Carried Over From 2009-2010	No Breach Identified	Allegations – Breach Of Confidence	Allegations – Consume Drug/Alcohol Prejudicial To Duty	Allegations – Corrupt Practice	Allegations - Deceit		Allegations – Discreditable Conduct	Allegations – Improperly Deal With Property	Allegations - Insubordination	Allegations – Damage To Clothing Or Equipment	Allegations – Neglect Of Duty	Allegations – Unlawful Arrest	Allegations – Unlawful/Unnecessary Exercise Of Authority	Informal Resolution	Abandoned	Withdrawn	Lost Jurisdiction	Unsubstantiated	Substantiated – Less Serious	Substantiated - Serious - Hearing	No Action Taken (Policy/Service)	Action Taken (Policy Service)	Outstanding Investigations (March 31, 2011)											
Wingham	6	0	1	1	0	0	0	1	0	0	0	0	0	0		1	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0											
Woodstock	65	0	6	6	0	0	2	4	2	0	0	0	0	0		5	0	0	0	2	0	3	0	0	0	0	10	0	0	0	0	2											
York Region	1,425	4	149	144	2	3	71	78	14	1	1	1	0	3		41	0	2	0	10	1	14	15	0	12	0	63	5	5	2	0	26											
Service disbanded/amalgamated with OPP April 2010 to March 2011:																																											
Leamington	43	1	4	4	0	0	1	3	1	0	0	0	0	0		0	0	0	0	0	0	0	3	0	0	0	0	0	0	0	0	0	0										
Wawa	12	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											
Not Screened as of March 31, 2011																																											
		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	0										
No Service Identified																																											
		0	164	154	0	10	136	28	0	0	0	0	1	0		5	0	0	0	2	1	2	0	1	11	0	11	1	0	0	0	0	11										
TOTAL	24,513	55	4,083	3,818	43	132	2,021	1,972	457	2	7	1	22	8		777	1	31	0	324	36	663	244	4	315	4	1,755	81	26	27	3	977											

*From Statistics Canada, Police Resources in Canada, 2010, Actual Strength

TOTAL COMPLAINTS FILED APRIL 1, 2010 – MARCH 31, 2011

4,083

Number of complaints by region

Northwest	95
Northeast	154
West	399
Central West	692
Toronto	1,432
Central East	568
East	490
*No Service Identified	163
Unscreened (as of March 31, 2011)	90

**Includes cases that were retained/referred and closed after screening*

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COMPLAINTS SCREENED OUT

	From 2009-10 cases	From 2010-11 cases	Total
Total screened out cases in 2010-2011	86	2,021	2,107
Screened out - Conduct	80	1,937	2,017
- Abandoned	0	1	1
- Bad faith	0	1	1
- Better dealt with under another act/law	9	205	214
- Complaint form incomplete	4	27	31
- Duplicate complaint	2	76	78
- Frivolous	16	450	466
- No jurisdiction section 58	2	110	112
- Not a complaint	0	3	3
- Not in the public interest	18	413	431
- Not on OIPRD form	12	71	83
- Other	0	14	14
- Over six months	0	80	80
- Prior to proclamation	11	218	229
- Third party criteria not met	2	78	80
- Unable to contact complainant	0	16	16
- Vexatious	0	151	151
- Withdrawn after classification	4	23	27
Screened out - Policy	0	17	17
- Abandoned	0	0	0
- Bad faith	0	0	0
- Better dealt with under another act/law	0	1	1
- Frivolous	0	5	5
- Not a complaint	0	1	1
- Not in the public interest	0	3	3
- Section 90 of PSA	0	0	0
- Over six months	0	0	0
- Prior to proclamation	0	0	0
- No jurisdiction section 58	0	2	2
- Third party not affected by policy	0	3	3
- Unable to contact complainant	0	0	0
- Vexatious	0	0	0
- Withdrawn after classification		2	2
Screened out - Service	6	67	73
- Abandoned	0	3	3
- Bad faith	0	0	0
- Complaint form incomplete	1	2	3
- Duplicate complaint	0	3	3
- Frivolous	4	24	28
- Not in the public interest	0	7	7
- Not on OIPRD form	1	5	6
- Section 90 of PSA	0	0	0
- Over six months	0	2	2
- Prior to proclamation	0	7	7
- No jurisdiction section 58	0	1	1
- Unable to contact complainant	0	3	3
- Vexatious	0	8	8
- Withdrawn after classification	0	2	2

COMPLAINTS SCREENED IN 2010-2011

	From 2009-10 Cases	From 2010-11 Cases	Total
Screened in 2010-2011	68	1,972	2,041
Conduct Cases Screened In and closed prior to retain/refer (withdrawn)	0	38	38
Cases Screened In: Referred	67	1,675	1,743
Conduct	66	1,584	1,651
- Same Police Service	66	1,583	1,650
- Other Police Service	0	1	1
Policy	0	26	26
Service	1	65	66
Conduct Cases Screened In: Retained	1	259	260

COMPLAINTS SCREENED IN AND CLOSED IN 2010-2011

Cases screened in and closed:			
Closed after investigation	259	433	692
Closed after request for review	43	16	59
Informally resolved-after investigation	0	4	4
Informally resolved-during investigation	79	240	319
Section 90	2	2	4
Unable to contact complainant	0	17	17
Withdrawn after investigation	1	1	2
Withdrawn during investigation	48	287	335
No jurisdiction section 58	0	0	0
Prior to proclamation	0	0	0
Abandoned	0	0	0
Cases screened and closed: Complaint already investigated	2	19	21
Total screened in and closed in 2010-11	434	1,019	1,453
Total Screened out 2010-2011	86	2,021	2,107
Total Closed 2010-2011	520	3,040	3,560

Total Closed = screened in and closed + screened out

TOTAL COMPLAINTS SCREENED IN BY REGION

Region	Carried over from 2009-10	2010-2011
Northwest	12	36
Northeast	24	66
West	46	208
Central West	93	350
Toronto	128	751
Central East	81	294
East	74	240
Not determinable	0	27
Total	458	1,972

*Includes cases that were retained/referred and closed after screening.

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NOT SCREENED AS OF MARCH 31, 2011

	From 2010-11
Conduct	80
Policy	4
Service	6
Total	90

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NUMBER OF SCREENED IN CONDUCT COMPLAINTS FILED BY REGION

Region	Carried over from 2009-10	2010-2011
Northwest	11	33
Northeast	24	63
West	46	197
Central West	91	332
Toronto	124	728
Central East	75	275
East	73	227
Not determinable	0	26
Total	444	1,881

**Includes cases that were retained/referred and closed after screening.*

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NUMBER OF SCREENED IN POLICY/ SERVICE COMPLAINTS FILED BY REGION

Region	Carried over from 2009-10	2010-2011
Northwest	1	3
Northeast	0	3
West	1	11
Central West	2	18
Toronto	3	23
Central East	6	19
East	1	13
Not determinable	0	1
Total	14	91

**Includes cases that were retained/referred and closed after screening.*

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YEAR TO YEAR CASE FLOW

	From 2009-10 Cases	From 2010-11 Cases	Total
Cases carried over from prior to April 2010	544		544
Cases received in April 1, 2010 to March 31, 2011		4,083	4,083
TOTAL			4,627

	From 2009-10 Cases	From 2010-11 Cases	Total
Cases open as of March 31, 2011	24	1,043	1,067
Cases closed in Apr 1, 2010 to Mar 31, 2011	520	3,040	3,560
TOTAL	544	4,083	4,627

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SNAPSHOT OF CASES IN PROGRESS – APRIL 2010 TO MARCH 2011

	From 2009-10 Cases		2010-11 Cases	Total
Cases Screened In and open during 2010-11	2009-10 Cases Referred/Retained in 2009-10 and carried over into 2010-11	2009-10 Cases Referred/Retained in 2010-11	2010-11 Cases Referred/Retained in 2010-11	
Cases Screened-In: Referred	340	67	1,675	2,083
Conduct	327	66	1,584	1,978
Referred - Same Police Service	327	66	1,583	1,977
Referred - Other Police Service	0	0	1	1
Policy	2	0	26	28
Service	11	1	65	77
Conduct Screened In and withdrawn prior to retain/refer	0	0	38	38
Cases Screened-In: Retained	50	1	259	310
Total Cases Screened In and open during 2010-11	390	68	1,972	2,431

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CONDUCT COMPLAINT ALLEGATIONS DECISIONS BY REGION

	Unsubstantiated	Substantiated-Less Serious	Substantiated-serious
Northwest	48	0	0
Northeast	48	4	6
West	188	19	2
Central West	350	10	9
Toronto	631	21	1
Central East	244	11	7
East	236	16	1
Not determinable	10	0	0
TOTAL	1,755	81	26

POLICY AND SERVICE COMPLAINT DECISIONS BY REGION

	Action Taken	No Action Taken
Northwest	1	0
Northeast	0	0
West	1	3
Central West	0	6
Toronto	0	14
Central East	0	3
East	1	1
Not determinable	0	0
TOTAL	3	27

REQUESTS FOR REVIEW 2010-11

	Carried over from 2009-10	Received in 2010-11	Total
Requests for Review carried into 2010-11	58		
Requests for Review received in 2010-11		126	
Total Requests for Review open during fiscal year 2010-11			184

BREAKDOWN OF REQUESTS FOR REVIEW

Total Requests for Review - no review by panel - file closed	3	7	10
No right of review	0	4	4
Review filed late	2	0	2
Withdrawn	1	1	2
Abandoned	0	1	1
Service reopened investigation - request for review	0	1	1
Total Requests for Review completed and closed	48	19	67
Initial Request for Review			
- chief's decision confirmed	41	16	57
- panel varied decision	1	0	1
- returned for 2nd investigation	4	3	7
- OIPRD retained investigation	1	0	1
2nd Request for Review			
- chief's decision confirmed	1	0	1
- panel varied decision	0	0	0
- returned for more information	0	0	0
- returned for 2nd investigation	0	0	0
- OIPRD retained investigation	0	0	0
Total Requests for Review open and carried into 2011-12	7	100	107
Initial Request for Review			
- returned for more information	0	0	0
- awaiting receipt of investigative	0	20	20
- staff completing examination of investigative file	6	80	86
2nd Request for Review			
- returned for more information	0	0	0
- awaiting receipt of investigative file or additional information	0	0	0
- staff completing examination of investigative file	1	0	1

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MAKING CONNECTIONS
OPIRP ANNUAL REPORT 2010 / 11



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