



SPECIAL INVESTIGATIONS REPORTING PRP-OP-006

Effective Date: 2021/11/26

Policy Statement

The Board acknowledges that there is public interest in Special Investigation reports. Transparency, public accountability and the need for greater public disclosure must be balanced with valid concerns about privacy, confidentiality and legal considerations.

The Board is committed in providing the public with effective and equitable policing, incorporating community expectations and experiences into the work that we do. Section 34 reports, legislated by the Police Services Act, are used to review policy, procedures, service, officer conduct and training and to identify gaps and recommend changes where necessary.

The Board is committed to compliance with the Act and therefore, the policy requirements set out in this document shall form part of the Board Policies and the Chief of Police is hereby directed to implement and comply with these requirements in the administration and operation of the Peel Regional Police.

1. Legislation

Ontario Regulation No.268/10 Part VIII – Investigation of Certain Incidents by Chief of Police contains the following:

Section 32 - Investigation:

(1) A chief of police shall promptly cause an investigation to be conducted into any incident involving a police officer in the chief's police force that becomes the subject of an investigation by the SIU Director under section 15 of the Special Investigations Unit Act, 2019. O. Reg 603/20, s. 1.

(2) The purpose of the chief of police's investigation is to review the policies of or services provided by the police force and the conduct of its police officers. O. Reg 603/20, s. 1.

(3) The chief of police's investigation is subject to the lead role of the SIU Director in investigating the incident. O. Reg 603/20, s. 1.

Section 34 - Report:

(1) In the case of an investigation by a chief of police of a municipal police force, the chief shall, no later than the day referred to in subsection (3), report to the board of the police force his or her findings and any action taken or recommended to be taken, and the board may make the chief's report available to the public. O. Reg 603/20, s. 1.

(2) In the case of investigation by the Commissioner, the Commissioner shall, no later than the day referred to in subsection (3), prepare a report of his or her findings and any action taken, and may make the report available to the public. O. Reg 603/20, s. 1.

(3) The day referred to in subsections (1) and (2) is the day that is 30 days after the SIU Director has, in relation to the incident, either given public notice under section 33 of the Special Investigations Unit Act, 2019 or published a report under section 34 of that Act. O. Reg 603/20, s. 1.

2. Board Policy

- 2.1 Subsection 32.(1) of O. Reg. 268/10 requires the Chief of Police to conduct an investigation into any incident which has been investigated by the Special Investigations Unit.
- 2.2 The Chief of Police is to submit a report to the Board upon completion of the Chief's investigation in accordance with legislation. These reports will be referred to as Section 34 reports.
- 2.3 In accordance with Section 34.(2) of O. Reg.268/10 , the Peel Police Services Board has the discretion to make a Section 34 report available to the public.
- 2.4 Section 34 reports received by the Board in November 2021 and thereafter, will be available to the public by accessing the the Board's website with the exception of *Section 2.6* of this policy. Historical reports can be provided upon request in accordance with the Board's *PRP-AI-008 Access to Information* policy.
- 2.5 For SIU investigations where no charges are laid against the Police Officer(s), the Chief's Section 34 report will be placed on the Board's website for public access, upon receipt by the Board. The report shall include the following:
 - General description of the incident, without any personal identifiers
 - Result of the SIU's investigation
 - Results of the Chief's investigation related to:
 - Conduct Findings
 - Policy findings
 - Service Findings
 - Conclusion.
- 2.6 For SIU investigations which result in criminal charges being laid by the SIU against any Officer(s), the Section 34 report will not be released to the public until the conclusion of the judicial process, so as to protect the integrity of the judicial process.

5. Authority/Legislative Reference

Special Investigations Unit Act, 2019

O.Reg.268/10 – PART VII Investigation of Certain Incidents By Chief of Police

Section 32 – Investigation

Section 34 - Reports

Board Minute: #04/11/21