



## A Newsletter from the Ottawa Police Services Board

### The Ottawa Police Services Board:

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### UPDATE ON THE BOARD'S PUBLIC INTEREST AGENDA

Earlier this year the Board launched a community engagement strategy to improve its relations with the public and build partnerships with community stakeholders. As explained in previous issues of this newsletter, the cornerstone of the community engagement strategy is a Public Interest Agenda consisting of several special meetings each year to address issues of broad community concern or interest. Three public interest meetings have been held to date.

The most recent meeting was on "Engaging Communities in the Justice System". The moderator for the evening was Carlie Chase of the Wabano Center for Aboriginal Health, who also spoke about community justice in aboriginal communities across Canada and the role of the Wabano Centre in restorative justice. The riveting session also featured talks by Chief of Police Vern White, who completed his Masters Thesis on restorative justice, Assistant Crown Attorney Walter Devenz, who heads up the new Ottawa Youth Mental Health Court initiative, and a live re-enactment of a community justice circle lead by Carl Wake, Coordinating Chaplain at the Ottawa-Carleton Detention Centre. Chief White spoke to a packed room about the benefits

### Welcome From The Board Chair

Welcome to the third quarterly newsletter of the Ottawa Police Services Board, a new initiative designed to reach out to our many community stakeholders in the City, and to improve understanding about the Board and its work. Our first newsletter published in April explained what the Board does, who it is accountable to, and its relationship to the Chief of Police. It also contained an article about the Board's new Public Interest Agenda and the four special meetings planned this year to provide opportunities for community engagement and education; this issue provides an update on the latest meeting. In the second issue we explained how people get appointed to the Police Board and profiled the current members of the Board. This newsletter highlights the police complaints process and how to make a presentation to the Board.

If you are interested in viewing past issues of the "Board Matters" newsletter and other information about the Board, please visit the Board's section of the Ottawa Police Service website at [ottawapolice.ca](http://ottawapolice.ca). I hope you find the newsletters informative and that they lead to a better understanding of the Board and its work.

Henry Jensen, Chair

of a restorative justice approach compared to mainstream justice, and the need for greater community involvement if restorative justice is to really take hold in the City of Ottawa. Those who attended were invited to leave their contact info with meeting organizers if they were interested in becoming involved in community justice by either facilitating community justice forums, mentoring youth/adult offenders, or participating in a community restorative justice committee or advisory group. The response was overwhelming and bodes well for the establishment of an advisory committee that can start to plan for the expansion of restorative justice in Ottawa.

The schedule and topics of Public Interest Meetings in 2009 will be published early in the new year.

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## HOW DOES THE POLICE COMPLAINTS PROCESS WORK?

The Police Services Board often receives inquiries from members of the public wondering how to make a complaint about the police; many people are unclear about who is responsible for the complaints process. This article explains the current police complaints process in Ontario, and then highlights some changes coming in 2009 as a result of new legislation.

In Ontario, the process for handling public complaints about police is contained in provincial legislation called the *Police Services Act*. Under the Act as currently worded, complaints must be referred to the Chief of Police and be dealt with in accordance with the provisions of the Act. It is the Chief's responsibility to ensure the complaint is investigated and to take any action, or no action, in response to the complaint as he considers appropriate. Within the Ottawa Police Service, the Professional Standards Section (PSS) fulfills these responsibilities under the Chief's supervision. PSS conducts an investigation in a thorough and fair manner, with particular regard to the rights of the parties involved. The investigation must proceed without interference by any member of the Ottawa Police Services Board or elected official. The exception to this is if the complaint is about the Chief of Police or a Deputy Chief of Police, in which case the Police Services Board is responsible for reviewing it.

### WHO CAN MAKE A COMPLAINT?

Any member of the public may make a complaint under Part V of the Act about the policies of, or services provided by, a police service, or about the conduct of a police officer. Only the person directly affected by the incident, service or policy can make a complaint; third party complaints are not currently permitted. The exception to this is if the person directly affected is a minor, in which case the parent or guardian may make a complaint. Time is also a consideration, the Act allows the Chief of Police to decide not to deal with a complaint if it has been made more than six months after the incident on which it is based. The Chief may also decide not to deal with a complaint if it is considered frivolous, vexatious or made in bad faith.

## HOW TO MAKE A COMPLAINT

Complaints must be in writing and be signed by the person making the complaint. The complaint may be filled out on a standard form available online at [ottawapolice.ca](http://ottawapolice.ca) or at any police station, or it can be written in the form of a letter. However, because a signature is required the letter or form must be submitted in hard copy (fax is acceptable) to the Professional Standards Section located at Ottawa Police Service Headquarters, 474 Elgin Street, P.O. Box 9634, Station T, Ottawa, K1G 6H5, fax #613-760-8127. Complaints can also be delivered to the office of the Police Services Board at City Hall and will be forwarded to PSS on your behalf.

## IS THERE AN APPEAL PROCESS?

A complainant will receive notification in writing of the Chief's disposition of their complaint. If the complainant is not satisfied with the response, they may request a review within 30 days. The classification of the complaint determines who conducts the review. Complaints about the conduct of an officer are reviewed by the Ontario Civilian Commission on Police Services, an independent, civilian quasi-judicial agency established by the Province and located in Toronto. Complaints about the policies of, or services provided by, the police service are reviewed by the local police services board.

## WHAT IS THE ROLE OF THE POLICE SERVICES BOARD?

As previously mentioned, the Board reviews complaints about the Chief of Police or Deputy Chiefs of Police, and serves as a review body for complaints about policies or services of the police service. The Board is also responsible for ensuring all complaints are handled in compliance with Board guidelines and the *Police Services Act*. The Board holds the Chief to account for his compliance with the guidelines by receiving public quarterly and annual reports on complaints that have been received and investigated. The Board's Public Complaints Guidelines are available online in the Board section of the [ottawapolice.ca](http://ottawapolice.ca) website.

## VOLUNTARY CONFLICT RESOLUTION PROGRAM

The Ottawa Police Service is very proud of a unique program introduced this year developed with the Centre for Conflict Education and Research at

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Carleton University. The Voluntary Conflict Resolution Program offers an opportunity for a timely, confidential, voluntary and mutually satisfactory resolution to complaints about the conduct of a member of the Police Service. The Centre for Conflict Education and Research manages the program and uses professional mediators who are highly skilled and experienced in dealing with complex, emotional and difficult mediations. Should mediation be unsuccessful, the complaint returns to the traditional complaints review process.

## CHANGES TO THE COMPLAINTS PROCESS COMING SOON...

In 2005 the Province undertook a review of the police complaints process conducted by former Justice Patrick LeSage. As a result of his recommendations, the Province passed legislation (Bill 103) in May 2007 that establishes an Independent Police Review Office headed by a Director. The new Office will change the complaints process by making the Independent Police Review Director (IPRD) and his staff responsible for the intake and initial screening of all complaints. The IPRD has the discretion to choose not to deal with a complaint if: it is made more than six months after the facts on which it is based occurred; if it is deemed to be frivolous, vexatious or made in bad faith; if it is not in the public interest, having regard to all the circumstances; or if the complaint is about a policy or service of a police force and the policy or service did not have a direct effect on the complainant.

Once screened, the Director will decide who will investigate the complaint, with the options being: the Independent Police Review Office, the local police service that is the subject of the complaint, or another police service.

Another significant change is that complaints made by persons not directly affected by the incident, policy or service of the police service may be permitted at the discretion of the IPRD; currently no third party complaints are permitted.

The new IPRD is currently in the process of establishing processes and procedures for the administration of the new complaints process introduced by Bill 103. The new process is expected to be operational in early 2009.

## WANT TO SPEAK TO THE POLICE SERVICES BOARD?

Have you ever wanted to speak to the Police Services Board about a problem in your neighbourhood or about an innovative idea you think would improve public safety?

The Police Services Board hears public delegations at its regular monthly meetings. As these are business meetings each delegation is restricted to five minutes, not including any questions the Board members may wish to ask following the presentation. Requests should be made at least one week before the meeting date, and you are encouraged to submit your concerns in writing so they can be distributed to the Board members in advance of the meeting; this allows them to research the matter and come to the meeting better prepared to discuss it with you. Yearly meeting schedules are always available online at the Board's section of [ottawapolice.ca](http://ottawapolice.ca).

If you are interested in speaking to the Police Services Board, please contact the Board office by phone at (613) 560-1270 or by email at [lynn.kennedy@ottawa.ca](mailto:lynn.kennedy@ottawa.ca). **Please note that individual complaints are not considered at Board meetings as there is a legislated public complaints process in place to deal with such matters that must be followed and the Board must not interfere in that process. See the article in this newsletter for details.**

### UPCOMING POLICE SERVICES BOARD MEETINGS...

October 27	5:00 p.m.	regular meeting
November 4	8:30 a.m.	special meeting to table 2009 budget
November 24	5:00 p.m.	regular meeting, plus public delegations & consideration of 2009 budget
December 15	5:00 p.m.	regular meeting

All meetings are open to the public and take place in the Champlain Room, Ottawa City Hall. A schedule for 2009 will be available in December.

**NOTE: The fourth Public Interest Meeting scheduled for October 20, 2008 on the subject of Building Safe Communities has been postponed until early 2009.**