

16-11-16 – IPOR London

[Start of recorded material 00:00:00]

Pamela: So, good evening. Hello London, thank you very, very much for taking time to come and meet with us tonight so that we, Justice Tulloch and his team from the Independent Police Oversight Review can hear from you. Hear about your concerns and hear about your recommendations and hear about your stories, here in London and the environs, I guess. And we want to get a context as we travel across the province and hear from members from the community from right across the province. I will call on Justice Tulloch in a moment or so and then my colleague Danielle Dowdy, who will take you through the program for tonight. It'll be a little different from those that you may have attended in the past, but the ultimate goal is to hear from each and every one of you and have your voices heard. So, without further ado, I will pass it on to Justice Tulloch to bring greetings.

Justice Tulloch: Good evening to everyone. I want to thank Pamela for that introduction. My name is Michael Tulloch, I am a judge from the Court of Appeal for Ontario. And I'm tasked with conducting this independent review. So, we're here this evening to speak to you about civilian police oversight. Before we do that, I just want to acknowledge that we're gathered on the traditional indigenous lands of the Chippewas of the Thames First Nation, the Oneida Nation of the Thames and the Munsee-Delaware Nation. Now, these lands were the meeting place for several indigenous nations in the area and by acknowledging this, we're acknowledging the importance and the significance of the traditions of the indigenous peoples. Now by way of background, on April 29th, 2016, I was appointed by the provincial government to lead an independent review of civilian agencies that oversee police conduct.

The Special Investigations Unit or what is known as the SIU, the Office of the Independent Police Review Director or the OIPRD and the Ontario Civilian Police Commission or what is known as the OCPC. Now, since my appointment I have assembled a team to assist me. Some of my team members are here, they're experts or lawyers, we've got Danielle Robitaille, Danielle Dowdy, Pamela Grant and Justin Reid who is in the room somewhere. These are some of the experts and lawyers that work together on this team and what we have been doing, is we have been holding a number of consultations with public and private stakeholders throughout the province, including the Greater Toronto Area, Thunder Bay, Sault Ste. Marie, Sudbury, Ottawa and Hamilton, and we just came from Windsor, we're here tonight. And in the weeks ahead we'll be holding additional consultations again in the GTA as well as Kingston and Kenora.

Now, I'm consulting broadly and intend to draw on what I learn to make recommendations to enhance the transparency and the

accountability of the oversight bodies that we are looking into. While at the same time ensuring that they carry out their work as effectively and efficiently as possible. Now, by March 31st, 2017 I will submit my final report to the government as well as to the public at large. So, everybody will have access to our report on that date, it could be before, but certainly by that date. Now, as I mentioned, the focus of this review is on three civilian police oversight bodies, the SIU, the OIPRD and the OCPC. The SIU is a civilian law enforcement agency, independent of the police; it conducts criminal investigations into circumstances involving police and civilians that have resulted in serious injury, death or allegations of sexual assault.

Now the OIPRD, the second body, is mandated to receive, manage and oversee all public complaints about the conduct, policies and services of police in Ontario. In addition, the OIPRD also has the power to examine issues of a systemic nature that arise from complaints about the police and make recommendations addressing them. Finally, the OCPC, the third body that we're looking into, is primarily an adjudicative body. Its mandate, among other things, is to conduct hearings and adjudicate disputes related to police disciplinary decisions, budget disputes between municipal councils and police services boards as well as disputes related to the provision of police services. The OCPC can also conduct investigations of police services board members and police officers.

Now, with that background in mind about the Review and the civilian police oversight agencies, I want to take this opportunity this evening to hear from each and every one of you that are here. This review is independent, it's an independent review and I want to reiterate that, it's totally independent. I am a sitting judge; I'm not a part of the government nor am I a part of the police. This means that I'm free to critically examine how these oversight bodies operate. Meeting with you, members of the public, is a crucial part of the process. I'm grateful that you have taken the time to meet with me today and I appreciate that speaking about some of these issue may be difficult for some of you. However, it's essential that a review of this kind be as thorough as possible and that as the independent reviewer, I consider all relevant information from a variety of perspectives. I can assure you that I will do exactly that, so long as you participate and offer your perspective.

So again, I want to thank you for coming out tonight, to share your thoughts, your experiences and your recommendations and I and my team can assure you that in this process, each and every one of you will be heard. So again, thank you and I look forward to sit in and listen in to your thoughts.

Danielle D: Good evening everyone. I have a short announcement for all the French speakers. [Speaks French] So, thank you for coming. Just as an upfront disclaimer, we wanted you all to know that while it's very important to hear your stories and we do want to hear your stories,

because they add very important context for our review and for the recommendations. We will not be looking at or revisiting past judgments or past cases, individual cases. And so, we do want to hear your stories, but we're unable to revisit, reopen, re-adjudicate any matters that may have been settled already, okay.

So, just as an overview of this evening, we're doing the introduction right now. We're going to get right into the round table discussion, so you should all have questions at your table and we're going to ask that you go through the questions and have discussions and share your thoughts and make your recommendations. And then after that, we'll do that for about 45 minutes, and after that we're going to ask you to just report back to us, your ideas, the feedback, what was discussed at your table. And after we finished the report back, there should be some time allowed for an open mic if there's any thoughts that you care to share that you didn't have a chance to share or that weren't captured during the report back.

For all of our social media folks, we are online. We're on Facebook, Twitter and Instagram. We'll be live tweeting this evening at IPOReview under the hashtag, #BeHeardON, O-N is for Ontario. So, if you go on that hashtag you'll see all of the previous meetings that we've been live tweeting as well. Feel free to share your comments, your thoughts, tag us in to any of your tweets, we'd appreciate it. Just so you also know, this meeting is being recorded. All of our meetings are on our website, and if they're not on, this meeting this evening will take about a week or two to go up on our website, but you can go back and have a look at our past meetings and this one as well.

So, we are recording, there's Dylan there at the back of the room, Dylan if you could just wave, so. That's very nice of you. So, if you don't want to be on camera, just make sure if you are the one that's speaking, just keep your back to the camera there or, and if you just let us know that you don't want to be recorded as well, we'll make sure we make note of that. I will also be taking pictures as I Tweet and Peter Rehak, Peter if you could just stand and wave, Peter's with our team, he's our media consultant. He's also going to be taking pictures and they go up on our Instagram feed and also on our website. So again, if you see Peter, taking a photo or you see myself and you don't want to be captured, perfectly fine, just let us know and we will move along, okay. Thank you so much.

Pamela:

Thank you Danielle and Justice Tulloch. I just wanted to give you a few housekeeping tips. There is a foolscap sheet on each table and I'm asking you, please, each and every one of you to complete that. Most important item is your email address, because that is what we will use when the report is being released as Justice Tulloch has suggested, to send you the link and you will have your own copy of the document and recommendations when it's released. So, that's very, very important if you fill that out right away before you forget. You have the questions on the table, I'm going to ask that you work together for

the next 45 minutes to go through the questions and pay particular attention to the recommendations on the back and perhaps the last three questions are particularly important.

And as we report back, I will ask each table initially to speak for four minutes and that allows us to make sure that we get through the room at least once. And then, as Danielle has suggested, there'll be opportunity for additional feedback and input if the points that you wanted to raise or the uniqueness of your story was not captured in the feedback. I also would like to suggest as well that as you work, I will give you time checks throughout, so you know how much time you have left and to be strategic in your report back. It's not necessary to repeat what others have said before you or to read out the questions, because that of course eats into your time. It's a conversation anyway, so we can just give feedback that's unique to your table. Okay, so I will press the button for 45 minutes, now.

Okay, we are now going to report back, we'll start with table one and Jessica and Chris.

Jessica: Okay, so we focused on question number seven, should the names of police officers who are investigated by the SIU be made public, even when the SIU decides not to charge them why or why not. So, we decided that no, the names of police officers who are just investigated and not charged by the SIU should not be made public for a few reasons. So, the first reason was that we thought that it might affect the morale of the police force and it might also cause distrust among the public and we also thought that it might cause harm to police officers' reputations. And we also believe that you could still have transparency with the public by making the fact that there is an investigation public, but not revealing the specific officers' names and we don't see that there's real purpose to revealing an officer's name who hasn't actually been charged. So, we think that officers' name should only be made public if they are in fact charged by the SIU. And that's everything.

Pamela: That's it, all right, Jessica thank you and Chris. And could you pass the mic on please to Benjamin, who is right there.

Benjamin: So, just for clarification, are we to go through all of the questions or focus on one?

Pamela: You can go through as many as you wish in the four minutes that you have, knowing that Jessica only used about a minute of hers.

Benjamin: Okay well, I think we can probably get through this in four minutes, so here we go. So, as for question one, we had one gentleman that actually had, for the most part it was kind of mixed as to whether we knew of the agencies. One gentleman had and in terms of his experience, it wasn't to his description, terrible. But it was somewhat uncomfortable and he did report it, he reported it to the OIPRD. And

his experience was what appeared to be less than satisfactory, but he seemed pretty much okay with that experience at the end of the day. And so, moving further, I think that kind of sums up a lot of the first four questions. So, as to onto five, pardon me, we don't really know whether they're required to provide the information and to the extent we were discussing, for the most part, issues regarding if the complaint is more severe, should the reporting requirements be commensurate, in other words, should they be more in-depth. So, written report as appose to let's an oral report or a simple quick letter.

And on to, I guess, seven at this point, so I think we agreed with table one on this. As per eight, we don't believe that the officer should work as investigators at the agencies and the reason for that is to promote at least a sense of independence and impartiality. In terms of collection of data, we do believe that data should be collected; however, we believe that data should be collected voluntarily. So, individuals who wish to submit this data to the agencies, should have that right. And then on to ten, the data should be collected in a way that protects and seals it. So, it should be provided to the agencies, it should not be provided to the public and it should not be provided to the police force for fear that it may be used against individuals in the future. And I think that basically sums up our questions.

Pamela: Thank you. Benjamin, could you pass the mic over to Dennis please.

Benjamin: Absolutely, Dennis.

Pamela: Dennis, would you stand so Benjamin can see you.

Benjamin: There you are.

Pamela: Thanks.

Dennis: Hi, I'm Dennis. The only one that we really got involved with was, do we know the agencies and what they do and nobody in this group knew who the Office of the Independent Police Review Director, except me, being that I have a case in front of them still right now. But we do have some issues with bad experiences by the police, would you like me to do that later or do you want me to start now?

Pamela: Use your time as you wish, go ahead you have four, well you have less now.

Dennis: Okay, my name's Dennis [Allsop 00:18:20], I got involved in cold cases about three years ago; my father left me some files. The interesting thing was they, most cold cases the families aren't particularly interested. And three cases the families are interested, the [Alcock 00:18:46], the English and [Karin Coglán 00:18:47]. And they are totally, totally dissatisfied with what they're getting with the OPP. There's two other families that are in here, Pricilla [Mural 00:18:56], the files gave them an answer. And the one that really

makes me upset, the OPP would go to this family every year and tell them it's still open, still working on it. Through some strange coincidence I met the family, told them the reality of the situation, they told the OPP what they knew, the person left, I don't know if she wasn't prepared or wanted to go back to higher ups to get her reports.

They confirmed the situation, that family is not interested anymore. They know what happened. These families don't know what happened. In the case of Don Alcock, Jackie English, and Karen Coglan, there is DNA. Karin, the Don Alcock and the Jackie English were looked at separately, the families don't know if the DNA was matching up to the suspect that was presented to them. Karin Coglan's family is desperate for this independent review and there's two people there, nothing. So, these people are not happy. So on that note, the OPP, from these families' perspective think it's their case, I personally think it's the family's case, the family thinks it's their case.

We have some recommendations that cold cases can be forwarded to an external review and I will provide a copy, that members of the victims' families be apprised to the findings of the community and in real time and have full confidential access to their finding. That law enforcement receives additional training in sensitivity and appropriate handling of cold cases with victims' families and receive new guidelines for their interactions. That cold cases be given the attention they deserve, as they often involve criminals who go on to reoffend and solving them can prevent future crimes. Doesn't apply in these cases, 45 years old. The two that were resolved, the person is dead, so nothing will ever be done, but at least the family has some idea what happened.

And I like to use the word, closure, don't use the word closure with these families, there is none. That transcripts and evidence regarding unsolved crimes be properly catalogued and tracked for reference purposes. The police evidence and cold cases be made available for viewing to private citizens without a judge's order after a period of 10 years. That DNA evidence be made available for private testing in cold cases after a period of 20 years. That secondary and indirect items belong to the families be returned to them after a period of five years. If you ever see a picture of Jackie English, she's got a beehive hairdo, it's the only picture they have. There is some photos; the family would love to see what she really looked like normally. The legislation determined that the rights of victims and their families should always supersede those of the convicted, thank you.

Pamela: Thank you Dennis, could you pass the mic to Dave please, Dave is right across the room at the table to your right.

Dennis: Thank you.

Pamela: No, it's all right.

Dave: We at this table here, only one of us had contact with bad experiences. The agencies, none of us have any prior contact with any of the agencies. As far as, do you have any [unintelligible 00:22:53], good or bad experiences, yeah one of us have continuously been profiled by police on a regular, pulled over by between two and five cars. We question of, we talked about why we think that might have happened is because the kind of vehicle that was being driven. We have reported the incident before and at one time we did have a consultation with the diversity officer. We do believe that good or bad experiences, we should still report it so that data is, so that stuff like this can happen. If nobody reported it, we wouldn't be here right now. As far as number, I think we're at number five now, [unintelligible 00:24:06]. Number five we said no we don't, do you think you shared information with the public, no.

Number six, independent investigations, investigative body, diverse group and train people to investigate instead of having, which ties in with number eight, where we don't believe police officers should be investigating on these boards here, because we can't have like foxes investigating foxes in the hen house. We believe data should be collected, but it should be used transparently, but transparently and not against like for police to use it in their favour against the public. There's another question here that, or somebody else answered at another table. The one about, should names of police officers who are investigated by the SIU be made public, we believe that police officers' names should be made public, because when we hear of something in the media, the person that the police is investigating, their name is blasted all over the media. So, there's no reason why the police should be able to hide behind a curtain of whatever is going on. And that's basically all we have here.

Pamela: Thank you very much Dave, could you move it on to Selena and Marcel at the table beside you, thank you.

Selena: So, we collectively as a table, I think we were in a slightly different advantage, if I was going to say that. Because for us when we, the first portion which talks about the Ontario Police's oversight agencies, about 90% of the table knew what SIU, OIPRD and OCPC were or stand for and what their roles are. In terms of any contact, very much limited in terms of professional basis if, even on a preferable level. Good or bad experiences with the police over all, apparently I got a lot of lead foots on this table, because everybody was talking about speeding tickets. But I guess it just came down to that we had heard more often of people with bad police experiences, not necessarily been on the receiving end or perhaps not having recognized them as such. The interesting piece of the conversation that happened was, as we started kind of going down the memory lane to say, okay 60s, 70s, 80s, 90s.

You would find that police officers would be asking, stopping and kind of, you know, saying, okay who are you, why are you out there,

show us your ID and that kind of conversation that would take place. But it was never seen as an issue or as intrusive at that moment. Whereas in now, with people being more aware of their rights, understanding more about the charter and freedoms and having a little bit more access to that bit information, especially with the, you know, the same young folks who are going to have that attitude who are, who had attitude back in the 60s and 70s. Now of course, when that attitude comes out, there's some serious kind of form of conflict or possibility of conflict that also comes with it. Just because people in positions of power and authority may not like being challenged as much. We talked about if someone you've had, if someone has had a bad experience, would you encourage them to report it why or why not.

I think more or less it was, we don't really think that we would be encouraging them to report it, because it may not go anywhere. So, there was this bit of, I will never use complacency, but I think there is some disheartened, some definite disheartening around this approach. Transparency and accountability, we kind of dealt with all of these questions all together. Number eight, everybody said no. So, should former police officers work as investigators at the SIU, OIPRD, OCPC, it was a resounding no around the table. In terms of, do you think that they share enough, I think the conversation was very much around the fact that they don't have teeth, they're pretty toothless, you know. They may be out there, do they even have access to the scene when they should have it, which should be or could be immediate, but it actually takes so much time for them to actually even walk into that place. Do they have access to the evidence?

You know, things have been moved around or not, they have no idea, so they're kind of coming in towards the end. And then even when something is being proposed by the SIU, if the police chief decides not to or if the police chief is basically ignoring the kind of call that will be coming in through SIU, there's really no, there's no enforcement, there's nothing that comes out of that at the end of the day. One thing that I wanted to say was very and I wrote it down was, Selma said; who decides, who gets to decide what is a racist encounter, who has the power of, who has the position, who's got the control to actually make that kind of comment. And to actually put that kind of, you know, label on that scenario. Because the person, the community member, the victim may say that this is a hate crime or that this is what I'm feeling it to be that this is a racist incident. But what ends up happening is who actually has that power in their hand to make the final call right, so.

That was, I think that's very important to keep in mind. We talked about specifically London as a city where perhaps the majority would remain silent when it comes to the issues of street check. For the simple reason that they may feel quietly and silently that it is the right thing to do, because it does not affect them directly. So for them, again you know, we did mention racial divide, we did see that.

There's also socio-economics, you know, situation and again a lot of it does fall down, fall under the racial divide issue where you have a very, very large population of conservative, traditional, mostly white people who are not going to be impacted, if at all, by the whole issue of street check. In fact, they might encourage it because for them it gives them the feeling of security. And they feel that it's something that actually is helping enforcement as it is supposed to take place. So, that perhaps puts London at odds with some of the other cities.

I think the good question that we had was, should we consider the social cause, and I can let Marcel talk a little bit more about it. There was the, we had the benefit of a lawyer. So he spoke about, Jeff spoke about Section 9 of the Charter, that it prohibits arbitrary detention and, this is all lawyer speak, legal defensibility of street checks depends on voluntary notion of the contact. Which basically means that the person needs to know that they can actually walk away from it. But as we had some police chiefs inside western region have mentioned that they probably don't want the public to know at large. You know, public at large to know that they can actually walk away from that encounter, that they don't have to, you know, they can say; I don't have to talk to you about this and walk away. Because that would mean that we will lose that intelligence that we really, really need to have so that it can support us to do the job that we need to do.

So, it kind of comes down to a system that we're looking at so, you know, questions around systemic change and what would it look like, Marcel will -

Marcel:

Sure, just quickly I'll just highlight some discussions that we had after answering the questions. We discussed street checks and racial profiling. And one of the points that we wanted to communicate, was that police officers and leaders should acknowledge the need to enhance training, critical thinking and self-evaluation. So, that when police officers are challenged, they can deal with being challenged in a non-emotional way. So, we're talking about defensiveness, denial and sometimes even disdain towards marginalized communities in this era of black lives matter and street checks and things like. We also talked about the social costs and do the social costs outweigh the benefits of the intelligence gathering. We talked about the relationships and building relationships and effective community engagement. So, making community engagement or warm contacts versus cold contacts and that's what street checks are.

So, if you go back to community policing, the reliance on cold contacts or street checks are going to be reduced, because you actually have built relationships in the community. We talked about rhetoric from police leaders or actually, we didn't talk about that, that's my thing. So, adversarial rhetoric in the community towards marginalized communities, particularly in this era of black lives matter. Acknowledging that yes, all lives matter, but that's non-productive, it's about really building relationships and we talked about, finally, the

idea that the community expectations should guide policy. So, we have needs in our community that maybe didn't exist 10 or 15 years ago. And so, we need to adjust and address our – make sure our policies are meeting the needs of changing communities.

Pamela: Thank you, that's very thorough. Could you pass the mic over to Suzan and Kelly please?

Susan: How's it going. Hi, I'm Susan, I was at a very interesting table made up of a majority of acting or former police officers. So, a lot of what we talked about was very, and the rest of us were lawyers, so interesting conversations. So, a lot of what we talked about is really coming from that perspective and one of the biggest themes that I heard over and over again, was the lack of consistencies between various police services. So, each municipality and the OPP, very different cultures, very different systems, very different processes in place to deal with complaints. And there was also a sense of a lack of faith, again, in the consistency of leadership and specifically around police chiefs and how they deal with complaints from the public, internally, how they deal with interactions with SIU, OIPRD and so on.

Another theme was around police culture and how police culture is very strong, we had somebody in our group who's in particular doing research on gender and police culture and the intersection over the two, Leslie [Beekos 00:36:05], if anybody wants to talk to her, she's doing some interesting research around that. So, that's something that we had to acknowledge as a table that there is a police culture that we're dealing with in the context of all these questions. And then from the police perspective, a lot of the officers spoke about access to a process, and Kelly's going to talk about this a little bit more. Two police officers who want to report misconduct and don't feel that they have even the same protections that the public have under the Police Services Act, if they make a complaint. So, that came up as well.

And just even around the oversight process, a lot of these complaints actually end up being shunted back to the police services that originated the complaint and that certainly causes a huge concern around public perception of the independence of the process. And another officer mentioned that hearings of police officers are incredibly lengthy, expensive, there is some issues around procedural fairness there, and one officer said that they're complicated than a criminal hearing. So, from a taxpayer perspective, there was concern around that as well. Lack of transparency was another theme and not just to the public who are seeking the investigations, but also by police officers who are making complaints or the subject of the complaint. Transparency was an issue to all the parties involved.

In terms of the SIU in particular, there was a lot of benefit that the table acknowledged to having some former police officers within the SIU. Because they understand, the police culture that we're talking

about, but I believe there's an acknowledgement that it shouldn't be every single investigating officer, and certainly it shouldn't be every single investigation manager. And I believe right now the majority of investigation managers in SIU are all white former police officers, so there's a real lack of diversity there. In terms of transparency at the SIU in releasing names, the one challenge there is that SIU is involved no matter what the incident is about. So even when it's clear that there is no wrongdoing from the police officer, for example in cases where there might be suicide and there was a police presence. And so, there's some concern about in a case like that, should the police officer have a lime light thrust upon them, but again, from my perspective and I'll leave some of my own thoughts for the open mic.

There is, we acknowledge that transparency and public perceptions were a problem. And again, from the police perspective, another interesting point was, when SIU is involved, police want to their own internal investigations about possible misconduct and there's no sharing between the SIU and the police services, again, we understand the policy reasons behind that, but it certain makes it harder for internal police investigations on a member to occur. Data was another interesting one, I think there is, we universally acknowledge that yes, data should be collected, but we heard a lot about how it has to be done comprehensively, objectively and thoroughly and that context was really important, because numbers can be used in any way possible. So, we have to make sure that when the numbers are collected and presented, they're done with the full picture in mind.

Whistleblower protection for police officers was something that came up, because who knows the police better than the police. And so, having some of those protections for police who want to make complaints about officers that they see engaging in wrongdoing, but on the flipside, it was acknowledged that no matter how strong the whistleblower protections are in place, the reality is that there's a real lack of confidence. So, nobody really wants to be the whistleblower. Because if somebody finds out, your career is potentially, has come to an end. So yeah, that was pretty much our table. I'm just going to let Kelly have the microphone to add a couple of things.

Pamela: Okay, I want to note that everybody so far has had more than 4 minutes the last two, so please, please – but I just wanted to make a note of that so you would acknowledge that fact, okay.

Kelly: Okay, I'll be – So, the issue that I discovered is that, you know, when you look at the OIPRD and the OCPC and even Police Services Board, there's all these mechanisms in place for civilians to bring a concern forward and for there to be oversight. But I was concerned with the lack of ability of members of police services to come forward. And I located a transcript online from 2007 when the OIPRD was being created and there were individuals that pointed out that why would we prohibit a member from coming forward with a concern about their own service. Because again, they would be the best source

of information and at that time, I believe it was Graham Boswell who, at the time, was working for the ministry said, it would be up to the service to have their own internal policies in place.

But there's nothing requiring police services to obtain or continue to have a policy that permits members to complain. So, we have to have a legislative framework that is forcing police services to do certain things to allow oversight to happen from within. Because if you don't, you're allowing corrupt practices to continue and there are some police officers that are willing to be the whistleblower and, you know, not be afraid. But without that legislative framework, you leave it up to the police services and everybody wants to trust the police services and we don't want confidence to be breached, but we have to make sure that there are mechanisms in place. Because sometimes what is seen inside is worse than what the public is dealing with.

Pamela: Thank you Kelly. Mojdeh and [Shan 00:42:02].

Mojdeh: So we, I'm just going to reflect broadly around some big elephants in the room. So in 1990, black elder activists involved as well as the Young Street uprisings, which involved many youth, the SIU was born. And I don't believe that that intent in their sort of hard years of pressing for this review body that their intent was to have police policing themselves. And so, you know, in the true spirit of a consultation, I have some questions for the review body. Why has it taken decades to come to the realization that this is a bad idea? To have police policing police. It is no coincidence that police have positioned themselves to be policed, investigated and held accountable by other police. Why did we not decide to base our criminal justice system around the process of criminals investigating criminals? And although our jury system has holes and huge gaps with respect to representation of black, brown, indigenous, poor and other equity seeking groups.

Why was that process not replicated in the case of a body governing police conduct and procedure. Why has the criminal justice system not been parodied to review police? But I think that we need to address police conduct and training so that we don't, in a sort of proactive measure and sort of a system overhaul. We've had some reoccurring themes around systemic racism and sexism being embedded in policing as a whole. So, that we don't have to come to a place where we have to question how we should review police, I think we should address and review conduct and training that police undertake to their jobs. History points to police hindering black, brown and indigenous people's access to basic freedoms, like going back home to their families from residential schools or leaving a place where they were enslaved. We can't erase that history, so we cannot appear alarmed, that suddenly these groups in communities are not trusting police.

Matt: My name's Matt, I wasn't on the list, but you can take it down. So, one theme that I just want to touch on really quickly is, how to ensure

that a body like the OIPRD is an effective mechanism where access to justice really exists for individuals. And one of the thoughts is that this has two axis to it. And so, the first is to ensure that the process by which individuals can levy a complain, can lodge a complaint, is one that is accessible to individuals so that the forms are accessible to lay people and don't require legal help that if it's even available in different languages. It's something that can be easily accessed and that's one way.

So, to ensure that people going through the process have a fair shot at it. And the second is to ensure that the perception of this body is one that's separate from the police force at large. And so, to ensure that an individual who goes through this process, won't face reprisals and won't face any sort of stigma from the local police force when they do lodge some sort of complaint. So, it's both the ability to go through the process and have access to it and to ensure that the perception of that body is truly independent.

Shan: We got a few comments here to, first of all in terms of a consultation process here, I think it should have been more publicised and that it should be trying to draw communities who these problems are most affected by first of all. Secondly, I think all levels of policing should be reviewed as many communities and certain ones in particular, whether it's by race, cultural group, religious group have no faith in police at all. So, they don't even have faith in a process like this or a process of oversight, because they don't even have process at the basic levels of policing.

And the biggest recommendation that I would have is in terms of board makeup. Public needs to be more aware of who makes up who this board consist of, it needs to have more diverse representation, who chooses this board, how do you apply, we need to know things like these. And you should never have a situation where police are investigating and holding themselves accountable, especially as the culture that I was alluded to before that occurs within the police service.

Pamela: Thank you Shan, could you pass the mic over to Janet please.

Janet: I'm not sure that I have anything very original to say, because there seem to be themes of consensus moving around the room. However, I will reiterate the feeling that the composition of the SIU investigative units needs to be overhauled to remove the perceptions of bias. The collection of data is important, who does it, how thoroughly, how rationally, how objectively needs to be monitored. And it's very important that it be analyzed and used effectively for good policy development. I speak a little bit personally, none of this came from the table. Many, many, many years ago, I got married, my husband was a man of European extraction and I foolishly thought that we would have a nice little quiet honeymoon driving around Cape Breton Nova Scotia, where I was living at the time.

We were both astonished to be stopped by an RCMP officer who demanded to know who we were and what we were doing there. We told him, he moved on. I moved to Ontario. My husband and I went to Toronto, we were walking down the street minding our own business, the surface was uneven and so I separated from him to avoid falling. And the police officer who happened to be there behaved in a manner which suggested he thought that there was something quite untoward about us being together. I just mention this, because there's just something in the air that happens to people minding their own business on whom the police take an inordinate interest from time to time. These incidents were separated by decades and well, who knows it might still be happening.

So, if I felt I needed to complain to somebody about how I was being made to feel, I wouldn't have had a clue that there was a body to whom a complaint would be made. I've never heard its name, I don't know its address, I don't know how I would find them to complain and nobody at our table did either. So, some education needs to happen so that members of the public educated or otherwise are made aware that there is this body and how independent is it and how are these complaints likely to be received and dealt with. I think there's a division of opinion as to whether or not police officers should be named when they're involved in investigations. At our table I think there was a view that in all fairness members of the public are named when there's a question about their conduct so should the police. I think otherwise all seems to be in order. Thank you.

Pamela: Thank you Janet. The mic is going to Richard next, that's the final table at the end. Thank you.

Richard: Good words. My name's Richard and our table seemed to be united in one way, particularly as a gentleman from the table next to us brought up, the makeup of the Police Services Board. What motivated me personally to be here, I was just astounded that counsel would vote six to nothing in favour of refusing carting and that the Police Chief's reserves the right to keep on carting. I'm obviously pretty naive, but in a democracy I believe the counsel reflects my opinion and my fellow citizens much more clearly than a paramilitary police force. Now, since the Police Services Board is the only body that has the mandate to tell the Police what they want done, I want to know who makes up this Police Services Board. Are they just compliant ex-police officers appointed by Deb Mathews? Who are they, I want to know? Are they timid people that don't stand up for what's right, it seems to me we have too many of these people in power.

I want every Canadian to be more empowered with the right to walk and go where they want freely, not subject to the whim of somebody wearing a uniform who's supposed to be serving the public, that's what I want; I don't think I'm that unusual. Anyway it's easy for me to say all this, because I've never been stopped at 3am by a police officer, I'm surprised it's never happened to me. I've had encounters

with the police, there used to be a brochure in Toronto right in front of the 52 Division, you could walk right in and it was a brochure, "How to Complain About the Police Department". I was stopped by a police officer driving one time and I had occasion, I had reason to fill out that brochure. I met with that police officer in court, it was on a driving charge and I got justice, I got real satisfaction. So, I've experienced a positive thing.

Maybe something like that could be implemented here, where there's a brochure right in the Police Department, you could get it there you don't have to fill it out there. You could maybe go to legal aid and get their help to do it, I don't know how that is done, I'm not a lawyer. But anyway, I want Canadians to be empowered, that's what I want. My fellow person, Don, wanted to say something.

Don:

Yeah, I'll just tell you about a personal experience I had with the London Police Service. Five years ago I was hit by a truck and I was in the hospital for eight months and while I was in the hospital my accident benefits account was being embezzled by certain lawyers in the city. I wrote up a report and I gave it to the RCMP, I didn't want to give it to the London Police Service, because they're a little shady. If anybody lives in London and observes them, they see every Friday they used to head down work in the bars, which is a total conflict of interest. They used to cherry pick on their ride programs, so I give it to the RCMP. Well, the Sergeant then told me straight, told me to take over and throw it on the front desk of the London Police Service, because they should know what's going on. I went over there and threw it on the front desk, the Sergeant came out and he says, I can't read this; this has to go to the Chief. He wrote Chief on the package and put it in his mailbox and I left.

Well, what do you think the London Police did? Within a week I had about seven of the officers harassing me, they went to Shoppers Drug Mart, told the male clerk every time I come in on my scooter to call me a bad name; they've tried to get me thrown out of housing. And the Shoppers Drug Mart, I made a complaint to the head office in Toronto and they sent down their consumer affairs and the owner, [Mr. Poye 00:55:42], who owned Shoppers Drug Mart, it was a franchise, his brother worked in the store. And he came up to me and he says, we fired the girl and he says you did the right thing, he says we notified the Chief that to keep the officer out of our store. So, I made a complaint to OPEC and they claimed it was just frivolous, they did nothing. So, I was told, I went and got a lot of information from the United States that a police force that tries to turn the tables and put something on you rather than investigating the original crime is a totally corrupt police force.

Well, there's enough evidence to support that. And OPEC is politically motivated, it's just a total sham and anybody that lives in London should know that there's a certain woman NPP that all the police and all the liars in this city run to when anything goes wrong to

have it blocked. I even wrote a letter to the Toronto Star. And if you read the little thing from the City Editor in her newspaper, she didn't, they didn't want to investigate and print anything, because they didn't want to offend the people of London. Well, the Toronto Star's a liberal newspaper and they did everything in their power to block the investigation. So, that's all I have to say. Anybody that lives in this town will know the whole story. I had a whole thing printed up.

Pamela: Thank you.

Don: It was being -

Pamela: Thank you very much.

Don: Okay, thank you.

Pamela: Were there any comments from the, other comments from that table or are we now to?

Richard: No, no comments from [unintelligible 00:57:40].

Pamela: Okay, thank you.

Female: Thank you. Mine's just very quick. It's not so much a comment as it is a question, because I feel like all the comments, I agree with everyone at my table. I have a question about today's meeting. So, and it's about accountability. So, how do we keep the reviewers accountable and how are you capturing our concerns today and what, how will we know what concerns specifically have been passed on? And where, I just want to know a little bit more about the transparency that's going to be there or the transparency I'm assuming is going to be there.

Danielle R: Hi again, is my mic on Pam?

Pamela: Yeah. You can just -

Danielle R: Okay great. So again, my name is Danielle Robitaille, I'm council to Justice Tulloch, the independent reviewer. I can advise that today's proceedings have been recorded and a transcript is being prepared, so everyone who gave oral submissions today we'll have a recording made for our subsequent review as we prepare the report to the government. We are also collecting the hand written notes that you've made at the table, so anyone who wishes to give those to us, we will be collecting those and reviewing those as well. Finally, there are opportunities to participate online, so our website has a link to our email address where can provide submissions electronically. Those will be reviewed as well as we prepare the report. And this is one of 18 public meetings that we've held across the province.

Justice Tulloch was very clear when he designed the process that regionalism was an important factor, that he wanted to go to grass roots communities to find out what it's like on the ground, to get a

view of the differences in different communities and so that's why we're here in London. We've met with targeted stakeholder groups, racialized communities, the indigenous community, mental health communities, police associations and police services. So, that's the type of evidence that we're collecting as part of the review. We're trying to be as transparent as possible posting the videos of the transcripts as they become available, so we encourage you to visit our website to check it out. And if you have any additional questions please see me.

Pamela: If you also upon reflection have comments that you want to make before the end of this month the email address to which you can make those is info@policeoversightreview.ca. Are there any other questions?

Male: Can you repeat that?

Pamela: Info@policeoversightreview.ca.

Danielle R: You can just go to the website, there's a link directly where you can click on and email directly.

Pamela: Yeah, but you'd need to scroll down to find it if you go straight to info@policeoversightreview.ca it's much easier. All right, are there any other comments, before we wrap up?

Kelly: I just wanted to add, because a few people have mentioned about Police Service Boards and I don't know if anybody knows this, but your police service boards will meet once a month and they are, they have to be open to the public, there may be a closed session, but the meeting is an open meeting. Anyone can attend. And what frustrates me as a police officer is that some people, you know, they have constant concerns and they want the accountability and they want the transparency. But that is a forum that is open to you to attend once a month and when you go and when you sit there every month and you listen to the discussions that happen, you start to get an idea of how your police services run.

And that's when you can start being more vocal and you can start demanding that your elected official, because you'll see your mayor at the table, you'll see city councillors, they work for you. And that's your opportunity is to contact them and have them take your concerns to the table. Anyone can sit and present a delegation; you can speak up to ten minutes at your police service board meeting. So, if there is a concern you have, that's your, that's your venue to voice that concern. And I think too many people sit back and talk about the way things should be, but not a lot of people are willing to put the time in and go and be heard. So, I would encourage you, if that is a concern, if that's something that would interest you, is to start to get involved. Start to see what actually happens in that room and how you can make a difference.

Pamela: Thank you Kelly. [unintelligible 01:02:33] There's back behind you Justin. Yeah.

Mojdeh: This is just a response to the comments before me and I do appreciate the invite to sort of witness what happens at the police services board, but I think it is also fair to say that though the conduct and happenings of the board are really different than the actions of police on the ground. And the two things I think are really, really different. So, you have a board and then you have boots on the ground. And I think that it does come from a real place of privileged to invite people who are sceptical of the police in general to come to a space like that, where again, you cannot erase history. And how is it that it is ensured that we are in a safe space and, you know, an invitation to witness the discussions at a police board level I think are distinctly different than police interactions and misconduct and investigating really serious crimes, like murder by police.

Justin: Thank you

Pamela: Okay. I am about to pass the mic back over to Justice Tulloch to give closing remarks and before I do I want to thank each and every one of you for your candour and your patience as we went around the room to hear from everyone else. I also want to remind you that if you haven't already done so, to put your name and email address on the foolscap paper so that you can actually get a copy of the report when it's released. And to leave your notes on the table if you wish, so that we can collect those and add that to the substance in the contribution to our report. Thank you.

Justice Tulloch: Okay. I just want to thank all of you for coming. I've listened, I've been sitting listening very carefully to all of the comments and the recommendations that you have given and I can indicate to you that all of your recommendations, your, and your thoughts will be considered. And they will be reflected in some way shape or form in our report. There are some issues that are outside of our mandate and we will not be able to deal with them, but others are and we can assure that, you know, it is going to be reflected. But, you know, I thank you for being engaged and I thank you for coming out. I know it was a sacrifice for all of you to come out here tonight, but it reflects your level of concern, not only for police and, but for your community. And so, I certainly as an independent reviewer appreciate your involvement tonight. Thank you.

[End of recorded material 01:06:08]