

16-11-10-IPOR-Toronto

[Start of recorded material 00:00:00]

Pamela: Good evening again, Toronto, and welcome to the Toronto Public Forum for the Independent Police Oversight Review. Welcome, everyone. For those of you who came as early as 4.45 and before, I thank you for your patience and we will be starting right away. My name is Pamela Grant. I'm the facilitator for this evening and I'm also strategic advisor for the review with Justice Tulloch and the team.

This evening what we will be doing is I will say a few opening remarks, then Justice Tulloch and my colleague Danielle Dowdy will take us through the evening's format, which I will flag for you now, is going to be a little different from what many of you are expecting. But it has had great success across the province as we've been to... This is I guess number ten public consultation and we have many more to go. But Justice Tulloch will tell you all about that.

But again, thank you very much for taking the time out of your busy schedules to be here tonight and to discuss the very important issue of police civilian oversight. Thank you. Oh, I actually did say, I'm Pamela Grant, I'm the facilitator for this evening and I'm a strategic advisor for the team.

J Tulloch: Thanks, Pamela. Good evening to everyone. My name is Michael Tulloch. I am a judge and I'm currently a judge on the Court of Appeal for Ontario. I want to thank each and every one of you for coming. We're here to speak about civilian oversight, the policing issues. I would like to begin by acknowledging that we're gathered on the traditional indigenous lands of the Mississaugas of New Credit and other indigenous nations.

These lands were the meeting place for several indigenous nations in the area. Now, by acknowledging this, we're also acknowledging the importance and the significance of the traditions of our first indigenous peoples. Yeah, by way of background, on April 29th 2016 I was appointed by the Provincial Government to lead an independent review of three civilian agencies that oversee police conduct in the province of Ontario.

The agencies are the Special Investigations Unit, or what is commonly known as the SIU, the Office of the Independent Police Review Director or the OIPRD, and the Ontario Civilian Police Commission or what is called the OCPC. Yeah, since my appointment I have assembled a team of experts, both legal and policy and strategic experts to assist me, a number of whom are here with me this evening.

I've held a number of consultations with public and private stakeholders throughout the province, including the GTA, Thunder Bay, Sault St

Marie, Sudbury, Ottawa and Hamilton. Now, in the weeks ahead I will be holding additional consultations both in the GTA as well as London, Windsor, Kitchener and Kenora. I'm consulting broadly and intend to draw on what I've learned to make the recommendations that we need to make to the government to enhance the transparency and accountability of the oversight bodies that we're engaged in reviewing, and while at the same time ensuring that they carry out their work as effectively and efficiently as possible.

This we feel will restore confidence, the confidence of the public into these agencies. Now, by 31st March 2017 I will submit my final report to the government, as well as to the public at large. As was 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 that conducts criminal investigations into circumstances involving police and civilians that have resulted in serious injury, death or allegations of sexual assault.

Now, the OIPRD is another body that 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 may arise from complaints about the police and then make recommendations, addressing the issues that they find.

Finally, the OCPC is primarily an adjudicator 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. It also adjudicates disputes related to the provision of police services.

Now the OCPC can also conduct investigations into the conduct of police services boards, as well as 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 to thank each and every one of you for coming out and I want you to know that we're here to hear from you.

The review is an independent review. This means that I'm free to critically examine how these oversight bodies operate and I want you to know that meeting with each of you members of the public is a crucial part of the process. I'm grateful that you have taken the time to meet with us today and I appreciate that speaking about some of these issues may be difficult for some.

However, it is 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 so, but I'm dependent on you to participate and for you to offer me your perspective. So again, I thank you for coming out tonight to share

your thoughts, experiences and your recommendations, and I assure you that in this process you will all be heard. Thanks very much.

Danielle: Good evening, everyone; bonsoir tout le monde. [Speaks French] So I have a disclaimer. Just so that you're aware, the review we are interested, we'd love to hear your stories 'cause they're very important for context, but we want you to know that we won't be opening past cases or revisiting past judgements.

So if you have a specific case with any of the oversight bodies, we would love to hear that story and that experience and what that was like for you; however, we won't be assessing that individual case, just so that you're all aware of that. So the way that this is going to unfold this evening, this presentation is only going to take a couple of minutes. As soon as I wrap up here, my colleague Pamela will just go through what will be expected of you.

There's question at the tables that we want you to respond to, to discuss, and for about 45 minutes and then after that there's going to be a report back where you let us know your feedback, your thoughts, anything that is going to be pertinent for the review, and then that's followed up by a little bit of an open mic. Just so you know, we are on social media and we will be tweeting this evening and taking pictures. This meeting is also being recorded.

The cameraman is at the back there; Dylan, if you could just wave, thank you. So if you don't want to be on camera, just make sure that you're not facing him if you get up to speak and you have something to say, or just let us know if you don't want to be filmed. The best position for you is probably any one of these tables here near the front, but anyone that's speaking the camera will be on you, so just so that you're aware of that. We will also be taking pictures. Sorry, the recording of the meeting will be on our website with closed captioning, and that'll be up in the coming weeks.

And our past meetings are there right now, so you can go and see the ten previous meetings that we've had so far. We are tweeting and posting on Instagram under the hashtag #BeHeardON – ON for Ontario, so if you have any questions or comments about this evening or any comments or questions about the review, feel free to engage with us on social media. We're also on Facebook, as you can see. And that's all, thank you very much.

Pamela: Thank you, Danielle, and thank you Justice Tulloch. Before we start, I just want to make sure that everyone at each table has signed in on the long sheet that's on your table. That's important because if we have that information and as we have that information we'll be able to send you the link to the copy of the report when it's released at the end of March. It's quite critical that you actually fill that form out, each and every one of you.

In addition to that, I want to make sure that everybody does have a copy of the questions at the table; you should also have a copy of the Order in Council and a background document that also indicates how you can submit written comments of any kind at our email address info@policeoversightreview.ca. Those comments that you would submit, we need to have those before the end of the month, before 30th November so that they can be considered along with all of the rich information that we're receiving from these events.

And so it's important again to know, and for your friends to know and colleagues who you feel have an interest in this, that they too can make a contribution, even though they haven't been able to attend tonight. So we have also tables, which is good, because what we will be asking you to do, or what I'm asking you to do tonight, is to work as a group to answer the questions. You have 45 minutes in which to do that. I will give you some time checks over the course of that period to let you know how much time you have left.

I will also be circulating to get a sense from each table which one of you will give the report back; you'll have about four minutes per table to start initially and then what time we have left we can have a, you know, the additional information that may come from each table or additional stories that need to be told. But we do want to have the opportunity for every table to be heard from this evening. And if you have any questions, we will be circulating, the rest of the team and you can ask us and we'll help you through that process. So I'm going to press the button right now and your 45 minutes starts now, thank you.

[Discussions at tables]

Pamela: Okay, Scott, are you ready? Justice Tulloch? Before we have our first report-back I'm just wanting to remind everybody that in order to ensure that we actually get to have each and every table report back I'd like to encourage everyone with respect for time and full participation that we stick to the four-minute initial time allotted to each table to report back, just so we can get through and make sure every table is able to speak, okay. Scott, thank you.

Scott: I'll do my best to do it in four minutes. But just quickly off the top, I'd like to thank my table and if you're at tables these dialogues take courage and I just want to thank all of you for participating tonight. This is awesome. So four minutes is going to be difficult for 45 minutes of conversation, so all of us have had, you know, positive and negative experiences with these entities except for the Ontario Civilian Police Commission which no one ever has heard of, and we don't know where those people are.

I think in terms of police, you were here to talk about the processes in governance and so to complement that we want to make sure that we should also look at how do we reduce the need for police complaints in the beginning, so just as some context off the top. A lot of people don't

understand the process of the OIPRD and that needs to be reviewed. In terms of the SIU, we discovered that, you know, people think the names of the officers should be shared if they are charged, but also we should think of special considerations if we're releasing the name of an officer because there's a different [threshold] risk for someone who's been involved in investigating criminal activity and we should put considerations in place for their families as well.

The Victim Support Services through the SIU are stretched so thin they're almost nonexistent, so victims aren't impacted by those pieces. We definitely think that we should collect the identified data on individuals, including race and gender. I'm trying to think of the other pieces. Anything else I'm missing in the four minutes? There's a lot of concern about who's conducting the investigations and the transparency about that process, understanding that the investigation is a private matter but there's concern about police officers investigating police officers and what that looks like.

And just the report back so, you know, if there's a criminal charge laid there's usually a report back from Toronto Police on their website about someone they're investigating, but there doesn't seem to be that same level of detail when it comes to the SIU. Also there should be transparency in finance, oh, findings – and finance. Sorry, I'm not doing the best job representing our table, okay, thank you.

Pamela: Thank you, Scott. Can you pass the mic please over to Andrea and/or Daniel at this table right in front? Thank you. That was less than three minutes, by the way.

Andrea: Hi, so my name's Andrea. First and foremost we want to thank Black Lives Matter Toronto for bringing even this space because it was them who has shed the light on SIU, the rallies at SIU, the people getting away with murder, so we have to give it up to Black Lives Matter Toronto, first and foremost, as well bringing into light if we are looking at police oversight review at the SIU and all of the other ones, does that not put into question the legitimacy of the police in and of themselves. And then I'll pass it to Daniel.

Daniel: Hi, everybody. I'll get off. So I guess a lot's going to mirror what the first table was talking about, but what I guess we can add to that is for question two in terms of good or bad experiences with police. There was a professional side of things, as people at our table work with youth with mental issues as well as homeless youth, and there seemed to be a mainly positive outlook on that and something that seemed like it was getting better. Whereas when you spoke to more of a personal thing, being out with your friends, that's where it got negative, feelings of condescending and power tripping. So that's kind of where we can differ and add a little bit more information.

In terms of reporting bad experiences, there was a resounding no in terms of the whole idea of police policing police. And I guess as the

questions got on, we dig into it deeper, but that was the overall feel is that there was a... it seemed like a confusing process as well as a pointless one, especially for socially marginalised and racialized groups not feeling like it was a safe space to enter even. Do we think they give up enough information? No, that's like the first table talked about, we also thought that yes, the report should have names of officers. We didn't specify that it had to be if they were charged; we kind of just felt like yeah, if they're being looked into that's something people should know. We didn't really take into consideration their families.

What else was there, what am I missing? A big thing for us was whether or not former police should work on these investigations and we kind of thought that while they obviously would have interesting input to put in there, they definitely shouldn't make up the majority of any team and it should also be contingent on their work as police before they retired, and taking a look at what their track record was like before they're able to engage in these types of things.

Yes, we do think they should be collecting information on race, gender, age, mental health, even if it's to benchmark what has been done and what that information looks like and to track progress. And we also just overall thought that it might be better if there was more outreach from these three, 'cause we as a table only really know about SIU, and just having more information out there, having those bodies actually be out there a bit more and not have you only hear about them when you need to, 'cause that might help people in terms of reporting stuff.

Oh yeah, sorry, we also think that there should be stats on the number of police who are charged and then actually convert it into convictions and how much time of that they serve. Thank you very much for listening to me ramble.

Pamela: Daniel, could you pass it over to Hagil who's right beside you. He's the next speaker, thank you.

Hagil: I want to thank you for coming, thank you for the moderators for having us, have an opportunity to come out and speak together and to put something in. And the Judge said that he will be listening to us so we will trust you on that, and look forward to, you know, seeing and look forward to the report in March, knowing we're watching you, you know, alright. Alright, let's do this. We were only familiar, like a lot of us here tonight, we're only familiar with the SIU, not so much the OIPRD and the OCPC. I think I've heard of OIPRD before but not really knew what...

We didn't know that we could make, file complaints to them and what exactly they did. We just kind of hear it like, you know, see something on Twitter or the news, they just mention it in like a couple of seconds and then we just go on with our business. We didn't know that we could contact them if we have an issue, you know. We feel like sometimes helpless when an officer of the law does something to us that's unjust or

we feel is unjust, allegedly or whatever, they say. We're not really sure, we don't know where our power lies, who we can complain not. So it's just SIU that we're more familiar with.

As for past experiences, most of us have had bad experiences when it comes to police, if anything, not so much good experiences but we have had some. But for the most part predominantly it's bad experiences. We feel that as far as number three, why should we report problems with police to the police, we didn't know that we could really report problems, as we said earlier in question one, and yeah, we don't really know about those experiences with reporting to OIPRD or the OCPC.

So if someone we know has an issue we wouldn't encourage them to report it if we don't even know how to report it, right. It's not, it should be on the news, like on the TTC. There should be like how we have all these ads for trips to different places whatever, there should be like an ad that says do you have a problem with the police, go to OIPRD, you know what I'm saying, alright, cool. So we're not feeling the SIU was showing enough info at every stage of the investigation but at the same time we try to be just people.

We want to be fair to anyone that's involved in any situation if there's a need for justice and equality. So, you know, are there legal...? We want to know if there's legal reasons why an officer's name isn't mentioned. Is there like a legal reason why? If not, then is it just because oh, don't mention my name, okay, Officer Johnson, we won't mention your name because, you know, you're a nice guy. No, but if it's something that, you know, can be mentioned then yeah, like as long as like if he is innocent then we don't want him having to worry about his family being targeted or on social media some people are very unforgiving and unjust.

But, you know, we're wondering though, are there stages where like... We want to know like the legalities involved with different stages with the SIU so that we know what's going on, just open disclosure, you know. And when there is a report, like after they've done the report, we want a full summary. And as far as when an officer is charged, we felt that it would be, as I just mentioned, be fair to just reveal the names more so when an officer is charged, because if he's innocent we want to be fair in that situation.

Just, you know, it depends on, you know, if the whole three knows about something it's... [female interjection]. Okay, but basically we feel that the police also need more training so they know how to deal with people with mental health issues, and for instance with Andrew [Locu] that was handled too quickly, where it was like under a minute; there was no compassion or understanding, no kind of hey, sir, put down the hammer, we're here to help you. Those kind of situations will make a difference with police and civilian contact and things like that. Thank you.

Pamela: Thanks, Hagil. Can you pass the mic over to Sharon? Sharon, can you stand up so that he can give the mic to you? Thank you. Thanks, Hagil.

Sharon: Michelle, Mitchell, Brady, the lawyers, the police officers, lawyers, had a recent conference hearing, I'm being set up by a spiteful authority, I'm not from Toronto, by the way. And yes please?

Male: [Inaudible 00:26:48]

Sharon: Okay, so the police never even searched for the father of my daughter in a light green [turkey] Jeep.

[Inaudible conversation 00:27:06]

Pamela: You have four minutes.

Vernon: Four minutes, I'll only take three minutes. The lady says she worked with Stephen Lewis before. We went through this process in 1992. I sent a letter to Stephen Lewis and I sent to Bob [Way] and Bob Way sent me a copy. Four years ago I was recommended by somebody to the police and the police, sorry, I'm [whole], and the police came to me and he told me you're the white guy to get rid of the laws, everybody know who, that the law... I say what? I report him to the SIU and they said what you're saying is not reality, it's in your head.

The SIU, the all of them have been there all the time. I've been all over because I want this process to continue. I've been here since the first black guy was killed. I'm sick and fed up of seeing black youth dying and so on. They say we're not accountable or whatever. I had a lot of problem with the police. I work here in 98, I quit. I work with [Derek] Peterson office, I quit. So you know what you're saying, we went through all of this before. It's politics, a politician does certain things to make...

They have to make you believe that they're doing something right. My name is Vernon [Bassoo]. Shiela Cops told me in 1981 this process would always continue. She drove all the way from Hamilton to Queens Park and went to New York in 1981, racial violence, she told me, would always have a problem with white people here, but it's not right what is happening and it's not going to stop. Thank you. You want to say something?

Male: Sorry, I'm trying to make this go a little quick. Okay, I'm just going to read the numbers. Number three, the fearful of reporting bad experience is due to possible repercussion. Okay, number three, people are fearful of repercussion, that's why they do not want to make any report. Number five, we need more transparency – cameras and body cameras. Number six, the report should begin with the arresting person's point of view, then the officer's, then the witness.

Number seven, yes, if they have more, or if they have one or more... If the officers on team, yes, they should have one or more, just one per

team and if no prior complaints, right, no if there's no prior complaint. [Unintelligible conversation 00:30:50]. Okay, if the police name should be released, yes, it should be released if they have more than one complaint and no if it's just one. Number eight, one former police officer to a team and the community should be involved, someone especially with mental health issues, which was mentioned once.

Number nine, collection of data based on race, gender, age, mental health, can't all be true. Data is to be used constructively. And data rather under the heading assault, manslaughter, car chases, murders, discharged weapons, etc. And number 11, all three parties, SIU, OIPRD, OCPC, any duplication can be streamlined, should be mixed of police and civilians. Sorry, I'm just reading two pages.

Pamela: It's written. We will certainly get what's written afterwards, so if you wanted...?

[Inaudible conversation 00:32:42]

Pamela: Okay, thank you. So the next person to speak will be Jean. Can you pass the mic over to Jean? She's on the very far side, thank you.

Jean: Hi, thanks. Basically our group doesn't trust the police. We had a good example of how British Police deal with the mentally ill by using their tall plastic shields, surrounding the person who's mentally ill that may be carrying a weapon, slowly circling that person, moving in slower, slower, slower, saying all the time we're here to help, we're not going to do anything to you. And it works.

Number one, someone in our group has had a very difficult time trying to deal with the death of her son. Apparently he was alive for an hour. She wasn't even told. She's not getting any help from anybody. If she wants to pursue this through the courts she has to pay a huge... thousands of dollars to do so. And she was told by the police, contact the SIU, and the SIU told her they couldn't help her. So this person is in a black hole and can't get on with her life as a result.

Number five, police oversight agencies, are they open? Absolutely not, there's zero transparency. The case of Andrew, the black boy, was also mentioned in our group, and the fact that it was redacted, our blacked-out reports come back to groups that ask for answers. Number six, what the public should get after an SIU or an SIU investigation, we want to know who is charged, we want to know what the charge was; we want a published result and we want the witnesses' names listed and how they interacted with what went on.

Seven, names of police officers should absolutely be revealed. Once again this is a transparency issue which seems to be totally missing within all police forces in Ontario. Eight, should police officers be part of these groups? Absolutely not. We're looking at police brothers

protecting police brothers and nothing much happening if they investigate each other. That's what's going on, people.

Number nine, I think we agreed that race, gender and age is irrelevant, in opposition to what other people seem to be saying tonight. It's irrelevant to what these investigations have to deal with. With regard to mental health, it has been suggested that the mental health of the people that are complainants should – or about which these investigations reflect – should be noted so that the various police groups can share data on mentally ill people, so that at least they know what they might expect if they deal with these people.

Regarding this piece of paper here about oversight agencies, it was suggested that more data is needed for the public to understand how training is done, the policies and procedures, the hierarchy, the place. And please improve the SIU website to better educate the public. I believe that's everything, but we certainly talked a lot on different issues. In order to improve transparency regarding the SIU, this is needed to build public support for doing what's right and what is expected. Thanks.

Pamela: Thank you, Jean. Dave is next. Can you pass it back to Dave, please? Can you stand up? Thanks, Dave.

Dave: Thanks. Well, we had a good discussion about this form of questions and we came up with a few answers. And as for the oversight agencies, we think that they're all useless and thus create paper, generate more paperwork and the ball just goes around and around and around and nothing ever gets stopped. So once you get in, it just goes and goes and if you happen to create a problem you will have a problem; if you didn't have one, you will get one. It's coming in the mail. And do I know these agencies?

Of course I know these agencies, you'd have to live in a box not to, but I would never ever jeopardise my freedom to tell you guys one of information to help you, because I know what might happen to that information and that would not be good for me or anybody at our table, I should say, because we've had some other issues that people are not happy about in their own special ways. And all their experiences have been bad.

So on number three, everyone's had bad experiences and no one seems to have ever given me an answer of these experiences ever being resolved. Everything's been just left with a checkmark and you have to go on with life, just ever dreaming of maybe one day a miracle happen and God comes down on Judgement Day. And number four, I would never really encourage anybody unless they're ready to strip themselves naked and run down the street naked in front of the police, because that's just what they might do to you in a way, in their own way, I should say.

And about the agencies being open enough, well all the time that I read in the paper I've never seen anything that's open and it's all closed, behind closed doors. And if you want to pry that door open you'd better have some money and you'd better have some guns and you'd better have some backup that's willing to die for the cause. Because you're not going to break the status quo. It's rooted in our system and to change it, it's diabolical what it's become. It's a monster that breeds, lives and breathes in our society.

And as far as for people to share their information with an SIU investigation, like I said, it's just like rolling a dice. Do you feel like rolling a dice? Do you think you can go to the casino and roll a dice and come out a winner every day? You're not gonna, so the law of averages is not good on the side of SIU if you're the perpetrator or the one that wants a result, to see results. If you've lost a loved one, it's a sorry thing and it's never going to be healed, but it would be nice to get some kind of cons... being consoled in some way of your loss. But it never seems to come that way.

And as far as to keep the names of officers, I would put every name of every officer that was involved with any investigation, to know where the corruption started, where it got and where it's going and where it's stopping. And even the officers that don't... that are good and don't say anything are just as bad as the ones that are doing it.

Pamela: Dave, your time is up.

Dave: Time's up?

Pamela: Yeah, can you wrap up?

Dave: Okay, give me the last question here. Let's disband the whole thing of every one of these agencies and then we'll start the cameras going for the first person to get hired in the new system. And we'll roll the cameras and anything that goes on will be documented, every minute of every day by independent system. But I don't know how that could ever be created and it wouldn't be... find a way to corrupt it. Because corruption just has a way of finding its way into everything, unfortunately.

Pamela: Okay, thank you. Can you pass the mic to Derek, please? Derek, can you stand up so Dave can see you? Okay, great.

Derek: Hi, everyone. My name is Derek. I graduated from Ryerson University with the Criminal Justice program and I'm currently as an [admin] for a law office. I'd like to thank every member of my group for being comfortable with sharing their story with what essentially are strangers. So most of our group are familiar with the SIU but we don't know the other two agencies as well as we know the SIU.

In terms of our interactions with the police, we've had a kind of mixed review. There were a couple of traumatic stories and then a few other members of our group had good exchanges. One traumatic story that I will take this time to share involved a lady who resides in Toronto. At approximately 2am in the morning six police officers came to her door; they busted open her door, they entered her residence and demanded the location of her grandson. They said it was concerning a white Nike sweater. She shared with us that two of them carried shotguns and the other four officers...

Female: I said don't do it.

Male: No, leave him alone.

Female: Don't do it, don't do it.

Derek: Okay, apparently she's changed her mind about sharing the story. The consensus we came to in our group was that we would like there to be more transparency from the SIU and the other agencies. We think the way to improve this transparency is if we had more knowledge in terms of a step-by-step process that occurs when a complaint is filed. We all know how to file a complaint; we just don't know what happens as soon as we file a complaint.

It seems that a complaint is filed and then we might get vague updates, but we don't know exactly what is being done in terms of a step-by-step process, so we feel that would be really beneficial. In terms of gathering data on race, gender, mental health, most of our group felt that would be a good thing. There was one concern, however, on how this data would be used. We were scared of whether this would be used for profiling and were scared about the security of this information in terms of personal data being leaked.

We would like this information to be used to established patterns on how the police deal with members of our community in terms of race, gender and mental health. And that's about it. Overall there was a mixed bag in terms of our interactions with the police. Like I said, there were a couple of traumatic stories and we'd just like to thank you for giving us this forum to voice our opinions, thank you.

Pamela: Thank you, Derek. Thank you very much. Can you pass it on to Richard or Gary, just the table to your right, or left, sorry, my right?

Gary: Justice Grant and Mr Justice Tulloch, thank you for giving me the opportunity to speak. I've been given this opportunity because I guess I have a little bit of experience with the police and that would be four years ago tomorrow, being wrongfully arrested, strip searched, left to walk in the rain for four hours, la, la, la, goes on from there. The part about there is one problem with, that I saw at least, with the complaint sheet, you have to use the Ontario Independent Police Review Director complaint sheet. It's you use their sheet or you don't do anything.

So I swore a statement myself before a notary public and every one of my questions basically said please see declaration. Now the problem with their form is that at the end the question reads, if there are many incidents that happened over a period of time, include that information below. If you don't add the information they can refuse to pursue the matter saying this is an incomplete questionnaire, you didn't complete the questionnaire so we don't have to deal with it. If you do add it, they can say well this happened before, you know, too long ago, and so they can dismiss it like that.

So the problem is that using their form at all limits the general public to what they can say, because you have to answer their questions, only their questions. You cannot add anything, you cannot – thank you – as someone said, the scope is too narrow, or the scope is I believe is the thing's contained so you can only, you know, use our questions, use our form, answer, give us the information that we want, don't add anything else and don't leave anything out. If it's not filled in to their satisfaction, it's over and done with.

And the other thing was the part about, okay, should former officers work as investigators at the SIU or OIPRD or OCPC. I have no problem with that, but I think maybe they should be from out of province, okay, the reason being, you know, if you get a cop in Vancouver with 25 years experience and he hears about this opening for director of one of these agencies, that will be fine. He's not going to have too many friends here, they can go ahead and have to pay off, so to speak, if I can use that word, or there's no – what's the word – yeah, there's no buddy system here.

Pamela: One at a time, please.

Gary: He's neutral, he's more neutral from coming out of province than he would be from being in province. If you have a police officer who's been here for 25 years and he gets appointed to the OIPRD, he's probably rubbed shoulders or elbows with a lot of the police officers in the past. So I just think that they should be from out of province, that would be my suggestion. My friend Richard is going to elaborate, I guess.

Pamela: You have a minute, Richard.

Richard: One minute?

Pamela: Yes, that's what left, one minute and ten seconds. Go ahead please.

Richard: Hello, everyone, my name's Richard [Steele]. I work in private security and investigations. I came here with the notion of wanting to voice out my grievance against these organisations for some of the things that police have done in the past few years and my personal interaction with them. Having spoken with a few of the colleagues at my table, I realise that I'm not alone in this matter.

I have seen several injustices committed by police officers in the city, province, maybe even country. I'm sad to say that the police, in my belief and opinion, simply are not doing enough in protecting the rights of private citizens like you, convicting the guilty, and enforcing the law. And that is why we are all in the same mess or boat that we are in.

We need to equip ourselves with the knowledge of the laws of this land and for some of you, I'm sure, many of you should know, okay, that from my viewpoint as a security guard you should know about the few basics of the Canadian Charter of Rights and Freedoms, the Criminal Code of Canada, for many of you who drive, the Highway Traffic Act and the Criminal Justice system. When they're not being applied that's exactly why these conflicts occur between police and private citizens, civilians like you and me. And I think that's the whole basic bread and butter of this entire forum.

Pamela: Thank you, Gary.

Gary: Alright. My words of wisdom to you, okay, which I wish you [depart], is just to stay strong, stay knowledgeable and be in the know. Police can make mistakes, they are human like you, and we can make mistakes. We're human, alright. The only way to overcome this is through the knowledge of education and thus, as someone said, education frees you from bondage. We are in this kind of bondage situation, alright. Thank you, ladies and gentlemen.

Pamela: Thank you. Tommy, you're next, can you stand up, Tommy, so that Gary can pass you the mic? Thank you. We're going all the way round; we're going to the back of the room and then we're coming back.

Tommy: Hi. At our table we were very lucky. We had people with a variety of different experiences. We had a PhD in Police Oversight, we had people with years of lived experiences interacting with the police; we have a security expert and I myself am the lead plaintiff on the G20 Class Action lawsuit. So I want to just sort of say what we collectively felt at the table, so it's not necessarily me but just the general feeling that everybody here had.

And right off the top the general feeling that's come from other tables tonight was another survey, another consultation, can't you reach back into any decade and find the same recommendations. One of the things that people here were wondering, if you were to grab the recommendations that were made, the giant reports that were made on policing culture from the past 20 years, would you find the same thing coming through all those reports and would that make tonight unnecessary?

I believe the OIPRD itself was a response to consultations like this. I mean there's lived experience out there that already informs a lot of these choices, but of course the flipside is here we are, this is the reality that we're dealing with, so there are of course some things in there that

we would reiterate that everyone else said, data collection being a huge one. I mean that's the reason why the census was taken away from Canada so that we wouldn't have the information, so we wouldn't know what was going on in our communities. So we need to start gathering that information, that's how we can fix things.

One of the big concerns, and I think we saw it really dramatically here tonight, is a fear of coming to these organisations. People are more afraid of what could happen to them than getting justice from these organisations. There's a service gap there with how do they come to you and feel safe; they feel alone after they come to you, or if they can even figure out the language on the form about how they're supposed to properly complain about a trauma. You can't have a complicated system for people experiencing trauma.

We were wondering with this, if there are still issues with policing culture and accountability, do we do another consultation or who would be responsible. Who do we hold accountable if this next consultation doesn't work? We're just wondering if you guys would be willing to put out a name or step forward yourselves and say yeah, I'll be held accountable if we have to do these consultations again. That was something at the table that people were wondering.

Other people were also very, very concerned that you need dramatic change and that this feels like a small step. So those were some of the really, really big themes that we had here from people with a variety of experience and one thing I would say to the justices, I myself having gone through the OIPRD's flagship investigation, I met with them multiple, multiple times about what happened on the G20, I was there at the press conference when Gerry McNeilly came up to me personally and said you're really going to enjoy what's in this report.

Yeah, it was a great report from the OIPRD, gross violation of prisoner rights, unlawful arrests. It was all in there, 72 recommendations, commanders that needed to be charged. However, only one of those commanders was ever charged. There was flimsy interpretation of those 72 recommendations, so where's the follow through? When the Police Chief of that organisation is in charge of doing the OIPRD's recommendations, it doesn't happen. It's just a bad connect. You can't have independent oversight when the guy's buddy is deciding whether or not they should be charged. And the Police Act itself has some serious problems.

The reason a lot of those officers weren't charged is they retired. They violated the Canadian Charter of Rights and Freedoms, the Geneva Convention on Prisoners, but they retired and got away with it. Now look at me. I'm a semi-charming white guy, I was, you know, at the front of a super big case; I got these great pro bono lawyers, found out this morning G20 Class Action's going ahead. I'm lucky and privileged enough to have these pro bono cases, all this media attention on the

G20, to go forward and seek justice. Shouldn't have to sue to seek justice but that's where it's going.

What is that black boy who runs into the cop in the neighbourhood where he's not supposed to be, according to that officer, how does he get through this process? Because the OIPRD didn't work for me and 1000 other people in one of the highest profile cases in this country, it did not work, there was not justice. What's going on one-on-one for those people who don't have the privilege and accessibility that I do? Now, I will say that since then I've had the opportunity to work with frontline community police officers. I've seen heroic stuff; I know there's good stuff out there.

To talk about police accountability you can't just say everybody's anti cop. That's not what it is; we want better, you know. People want better for their favourite sports teams but they're going to complain about 'em when something wrong's going on, you know. So bit of frustration that we hear we have another consultation, hoping that you can take and listen to what everyone's said here tonight.

Take a look at some past reports and thank you for listening, and again I feel like a lot of us have sat across at these consultations with other justices and people and saying, you know, we're trusting you, but this time I mean you guys have said it yourselves, we can trust you, so we're really looking forward to where this goes. And just take a look at what happens with the G20 OIPRD investigation, what they said needed to happen and what actually happened, 'cause that's a really good case to look at, and imagine how that translates down to the individual without power. Thank you.

Pamela: Thanks, Tommy. Chris, you're next. Would you stand up please so Tommy can pass you the mic, thanks?

Male: Will we get an opportunity to go round everyone?

Pamela: Actually the process that we're undertaking is that we're hearing from all the tables and then we'll come back around, okay, so you will be heard. Thank you.

Chris: Thank you. My name's Chris. So for the first one, did you know these agencies. Some of the people who are here had a rough understanding of what these agencies were, but they learned more through your introduction at the beginning. Only one of the people here had knowledge of all three agencies involved, that was myself. Number two, has anybody, have you had any good or bad experiences with police. Two of us said they'd had bad experiences; there'd been a couple of good experiences in there in the mix as well.

Number three, if you had a bad experience with police did you report it. One person said yes, that was me; one said no. If yes, who did you report it to? The police service, the SIU, the OCPC and the courts. What

happened? Nothing, waste of my life. If nothing and if no, why didn't you report it? In the case of the person that didn't report it, it was because they were too young; they were 16 at the time.

Number four, if someone you know had a bad experience with police would you encourage them to report it? Basically the answer was maybe yes, mostly because reporting bad cops is something that we should be doing, but at the same time we would warn those people that in filing a report don't expect anything to happen and don't expect justice. And it was also brought up that some people may be dissuaded from filing a complaint because they would have fear of repercussions from having had other involvement with police and they would be concerned about those situations.

Number five, do you think oversight agencies are open enough? We had a simple answer for that, no, not at all. Number six, do you think they share enough information or, if you don't, what could be done to improve it? We felt the SIU's complete report should be made public at the end of it and that there should be a public meeting following the release of that information for the media and the public to get some feedback from the SIU on what happened.

Number seven, should the names of the officers being investigated be made public? Yes, they should. The feeling was they're public servants and therefore that's an expectation that their names would be made public if a complaint is made against them. In an extraordinary circumstance where the safety of the officer might be endangered by releasing that information then there might be a situation where they could justify temporarily withholding that information until that danger had passed and then after that time the information should be released.

One of the reasons for that is that for the public to be able to see if there are certain officers that are regularly having complaints that perhaps the SIU or others aren't necessarily following through on and charging these officers or that they're not getting convicted but that nonetheless there may be a pattern there of certain officers. And if we don't know their names we can't know that.

Number eight, should former officers work as investigators? The problem we saw with that is that it creates an us against them mentality of the police sticking together and the blue line of... blue wall of silence. And we thought maybe the way to deal with that would be to have the lead investigator of a case be a civilian and that officers could be used to do investigative work that they're specialised for. But that the decisions as to whether to proceed in the overall interpretation of the investigation should be handled by a civilian.

Number nine, the collection of data, we thought yes, there should be information collected for race, gender, age and mental health, but that that information should only be released publically in the aggregate. Part of the reason for maintaining that information was so that we can

see if there's any patterns happening where there's a certain group of people that are filing more complaints or that their complaints are or aren't getting followed up on.

And essentially that if we don't track that information we can't know if there's any problems happening. And also there was with number ten that dealt with the collection and handling of that data, we also thought that one of these oversight groups, it was suggested that they should be looking at the racial and other information of all interactions between police and the public in order to see if there is some type of systemic bias happening.

Pamela: Chris, your time's up but if you could give us very quickly your recommendations?

Chris: Essentially the recommendation was that we're looking for greater transparency in the system overall and that that was the real thing that needed to change. And it was also brought up the issue of officers being suspended with pay is certainly something that needs to be dealt with in certain situations. Thank you.

Pamela: Thank you. Could you pass the mic to Hugh, please, behind you, thanks?

Hugh: Thank you. Justices, members of the committee, a pleasant evening. So there's a missing question from this questionnaire, are these agencies relevant with the changing demographics and the societal upheavals and the general distrust of institutions? So that, I throw out there for consideration. So question one, we do have members of our group knowing of the SIU, majority, minority of the other two.

Question two, we had two persons having bad experiences, the other members of the committee, the overall experience was good. And a member of our group, she has had a case outstanding for 12 years that has not been given consideration, having gone through all three bodies. Number four, the response is yes, we would encourage that reporting of incidents with the police.

On the note of number five, no, we said they do not, so really they need to be more transparent. They need to share more information with the investigation of police officers within the parameters of the laws that govern such, and that there are no violations either of the police's right under the charter. Number six, full details is needed and in real time, and using various digital media to share information. And number seven, yes, the names should be within the ambits of the law and that there are no violations under the charter.

Absolutely not for number eight. And the reason is that, one, it does affect the judgement and the level of transparency because we figure that the police will cover up for other police officers, as they currently do. And the investigators should have limits on them as it relates to

who's doing the investigation, so at least in 18 months, 36 months, people know what will happen and not be waiting 12 years beyond for some response.

Number nine, only when there's a complaint we figure there should be collection of data, aggregate data not proportional. And again, we refer to this because there are groups within the society that have been traumatised, been targeted by police, and what is important is that rights are not violated and that no personal information is shared in this. And that's why we encourage that aggregate data be shared, not individual proportional.

And number ten, it should be deleted, the data should be deleted if the charges are dropped, because sometimes in the system people have their charges dropped but it's still in the system and it can be used against them in a judgement. And number 11, the issue of accountability, the big thing is around transparency. Members should be civilian of these oversight bodies, not police, and we're not apologetic about that. And there should be training and education, public service announcement on digital media platforms about these oversight bodies and where reports are needed by these bodies from the police services, reports should not be redacted.

And clear policies and processes that are simplified for citizens to understand must be made available in all forms, digital and print. And the issue of community policing popped up as it relates to is this something that supported, and generally it's not because then it's also eavesdropping and setting communities against one another and individuals against one another.

What we need to have is first reflect on the changing demographics, the changing societal upheavals, the general concern and how relevant these oversight bodies are, given that we're in 2016 and this is not 1970s, 1980s or 1990, because the challenge is that we've been here before. The question is where do we want to go. And that becomes very important to the justices and the powers-that-be and that the resources must be allotted to make this happen because there's a lot of hurt and there needs to be a lot of healing, not just within this room but in our nation as a whole. Thank you.

Pamela: Thank you, Hugh. Pat next.

Pat: Alright. First off, I should say I'm the reluctant reporter tonight. As you can see, I've lost most of my table because most of them feel uncomfortable being videotaped or even being here, which I think speaks volumes about the level of mistrust of the police and the oversight and even just the consultation. So we spent the lion's share of our conversation discussing bad experiences with the police.

Unfortunately, we didn't really get too much further into the transparency and accountability. Generally speaking, there's not a lot of

knowledge about the three organisations. The SIU, certainly that was universally known around the table. The other two, much less so. I think I knew about the OIPRD because of the G20, and that's basically it. There was one of the people who did have experience with other organisations here and found it to be uncomfortable. She found it to be an adversarial experience and she certainly didn't feel that there was an even playing field, that basically she had to go in there and advocate for herself when, you know, the police were there and there was a heavy police presence, that she didn't feel she was comfortable doing that.

We didn't get on to the if someone you know had a bad experience with the police but I can speak for myself and say that I would definitely encourage them to report it if they felt comfortable. Let's see, in terms of the SIU and accountability and transparency, it was universally agreed that we should absolutely be releasing the names of the officers. The SIU seems to be able to come in and I should say when there is a need for the SIU to come in, immediately all information is suppressed.

You don't see that in any other crime, right. I mean, we as members of the public, we all are subject to our information being published if we're suspected of a crime and yet there is this double standard for the police. It's this perhaps unnecessary protection for the police. Why should the police be able to not be identified? Why shouldn't they have to live by the same standard as we do in terms of being under suspicion of a crime?

There's a very strong reaction to the notion that the SIU is composed of former police officers and that should not be the case. There's a concern about the police being impartial. Well, I should say there's no thought at our table that the police are impartial, that it's basically just a way of covering over crimes and excusing the police wrongdoing, so there's virtually no trust there.

Interestingly enough, there was a concern though in terms of mental health that the police are not well trained in dealing with people with mental health, but a few people brought this up as well, that the police suffer from mental health issues and that there should be some – I don't know if this is in the purview of this conversation – but that there should be more mental health resources for the police. I guess we have to recognise it as a stressful job. One suggestion, I'm jumping around here, but one suggestion is –

Pamela: 15 seconds left.

Pat: Pardon me? Oh my God, I've got no time. I thought I had more time. Yeah, one minute notice, hey. So yes, definitely collection of data, absolutely, we should be collecting the data because how the hell do we ever, ever find out systemic issues with the police if we're not collecting the data and publishing it. And I guess that's it, that's my 15 seconds. Thank you very much. And I'd also like to thank Black Lives Matter for hauling out there and for bringing the issues of the SIU and police

accountability. I think without them, would this meeting be happening? Would we? I don't think so, so thank you.

Pamela: Thank you, Pat. [Keith]? Oh, alright, I know you're not Keith.

Female: Hi, we started off saying that we do understand the difficulties, of the challenges of police officers. However, interactions with residents need to be improved. Dismissive behavior, arrogance, disinterest, dishonesty, a lack of transparency, they're not appropriate in any profession. And we spent a lot of time on cases at our table and unfortunately what we're hearing is that some of those negative qualities negative aspects, are what people are hearing.

The cases that were discussed here, it's like the other table, it's kind of as far as we got in a lot of ways, because those cases have had such a large impact on the people financially, personally on their lives, and they're still stalled with those cases. They have had disinterest from the police, particularly for racialized groups. They feel that the common thread here at our table is frustration, a deep frustration that police are disinterested in investigating complaints like fraud, break-ins, traffic accidents, injuries, small things, well not small but those kinds of investigations aren't being done. They've been stalled for years and they have a large impact.

The concern is that there's difficulty in getting the police to release information that might help advance those investigations, or those cases, that the police are more interested in writing tickets than in engaging in complex investigations that would solve these problems. There's understanding that the three oversight agencies exist but in a sense they don't exist because people still feel where do I go with these problems.

The desire is for a coordination between federal and provincial governments on issues like immigration and fraud. Perhaps the police could be a one-stop shop for that kind of thing because people who don't have financial resources, don't have time, don't have job security, don't have the ability to run around and find out how to solve those issues for themselves. There's a desire for accountability and transparency, accountability through the media.

We didn't have a lot of really practical ideas on how to get at that, but the one suggestion was the media. There should be also easier freedom of information from the police about materials that relate to charges, to their tickets, to their court cases, so that that puts the complainant, the person in a better position to help themselves through the system. We feel oversight bodies should have some former police members who can shed light on the conditions or the challenges of the job, but the majority of members should be from the public and they should be people who represent the community's diversity.

We talked about as well, in terms of the accountability, we talked about videos and whether body cameras would be helpful in solving

interactions, and the feeling is that those are band-aids that don't address the underlying issue of behaviour, that it's the core of the problem, the behaviour of the officers because of the training and the candidate selection process, the training and candidate selection of those problems; perhaps we need more social workers with community skills than we do enforcement officers.

Pamela: Thank you. Justin is bringing the mic to the gentleman in the middle who wanted to speak before, and then we have one other speaker, Dionne, after that. And sir, because of the time, I'm going to give you a minute, two minutes at the most, okay.

Male: Anyway, good evening everybody. Yes, I've been invited to this forum and I'm very pleased to be here - by a lady just beside on my table. Anyway, I know I have a short time to speak so I therefore would like to tell you that a definite duty has been imposed on me to speak and assert my facts with utmost brevity. I have enjoyed your forum tremendously, immensely, so many terms come to my acknowledgement that are talking about police accountability, talking about resource, resource for mental health issues, and that the police is not well trained.

Thank you very much for this forum, I've enjoyed, and I would like to come back again. Please tell me when you're having this thing. I enjoyed myriads of terms and everything and I really have had a great time. You're doing a great thing. We are holding the police accountable for their own actions and I think this is a lot what this is about, was about. Thank you very much and I've enjoyed being here.

Pamela: I appreciate that, thank you so much.

Male: Well good evening again.

Pamela: Actually sir, there's a woman, Dionne, who's before you. In fact, I didn't have you on my speaker's list.

Dionne: Just very briefly, I know there are many comments tonight that were made by individuals and all comments, Justice Tulloch has already said, is received. I just want to address our dear sister tonight who had emotional concerns because of her own personal experience, and she has allowed me permission to do so. And part of why I want to say that is because resoundingly we hear that people are fearful of making complaints and pursuing complaints and holding the police accountable, which we're all entitled to by law.

And some of the comments caused her to become more fearful because some people were saying don't complain, and you have a right to say that because that's your position. But it made her fearful, it was so traumatic because this incident only just recently happened. But now she feels empowered. She feels empowered to be back in this room with us here as community, and that's what I want us to all be encouraged

with, to recognise that we are community working in solidarity to ensure that we all have the ability to live and thrive.

So if there is something affecting your life that limits your ability to live and thrive, I encourage you, we encourage you to be able to speak up and speak with community to go forward in those issues, so that they can be addressed.

And perhaps what this commission may want to take forward, which they already know about because they've heard the stories, they've heard people's experiences, perhaps what this commission may want to take forward and put forward to the government is that there's an actual distinct and separate police complaint court or tribunal or mechanism that's in place where people do not feel the burden of having to face the police to make their complaints but can go directly to resources that are available for them, that support groups are made available to them so that they can go forward with those complaints.

And that those issues are addressed by government representatives, legal representatives, that will hold the police accountable for those actions. So if anything, if we leave here tonight knowing that this team of people are going to be leaving with the knowledge of what you've shared with them to ensure a better Ontario for all. Thank you.

Pamela: Thank you, right on time, thank you. I want to thank everyone and just pass the mic over to Justice Tulloch to say a few closing remarks. Thank you, everyone.

J Tulloch: Ladies and gentlemen, again I want to thank each and every one of you for coming and for sharing your views with us. As indicated at the outset, we're all listening very carefully, we've made notes and we will be taking them back and considering each and every one of your recommendations and comments. I am aware, you know, of some frustration that a lot of you have voiced, because of, you know, years of reviews and consideration of some of these exact same issues.

And what I can say to you is, one, I'm not a part of the government; we're independent and I would only have undertaken this process because I had some confidence in the ability of our team to actually make a difference. We've been told that, you know, oh the government is committed to opening up the legislation so that there can be some changes, and I take them at their word.

And so all of your recommendations are going to be reflected in that and I do believe that there's a consensus from all of the consultations that we have heard that there needs to be changes with respect to the issues of transparency and accountability so that these agencies can reflect the citizens of Ontario, so that there can be a level of confidence and legitimacy that goes along with them. Because without the confidence of the community, of the public, then really the police

cannot really serve and really, you know, they're supposed to serve and protect.

And they cannot serve that aspect of their duty unless they have the confidence of all of you, including all of us that are here as members of the community. So that's what we're trying to ensure, to ensure that we have a better system, a more transparent system, a more reflective system, so that it engenders the confidence of our community.

So again, I want to thank each and every one of you and as we go forward into the province I can indicate to you that we will be listening very, very carefully and at the end of the day you will hear from us, by 31st March, and I'm hopeful, you know, you will see the results of our work. Thank you.

Pamela: Can I remind everyone please to complete the sign-in sheets so that we can actually send you the report on March 31st? And please leave all of your notes. We'll collect those to inform the report. Thank you.

[End of recorded material 01:25:36]