

16-11-15 – IPOR – Windsor

[Start of recorded material – 00:00:00]

Pamela Grant: Again, good evening everyone. And welcome. We are just about to start. My name is Pamela Grant and I'm the Facilitator and Strategic Advisor for the Independent Police Oversight Review. We are very happy to be here in Windsor and have had a very productive few days here meeting with different groups and we're looking forward to this evening's proceedings. I'll just spend a few minutes acknowledging the university, if I may. We've been very fortunate with the co-sponsorship of Women's and Gender studies, that division, and the Humanities and Social Science division who came together to allow us to use this space for tonight's meeting and for two meetings we had here yesterday that I want to publicly acknowledge and thank them for that.

We will start in a minute or so, Justice Tulloch will give some opening remarks, and my colleague Danielle Dowdy will take us through the evening's proceedings and then I'll be back to walk you through the session where you'll have discussion groups and so on. I just wanted to start by saying each table should have a very long ... a foolscap sign-in document, it's very important that you fill out that form and leave us your email address because each and everyone who's participated in the consultations will be sent the link when the report is released to your very own copy inversion of the report, so it's important that you fill that out.

Without further ado, I'll call in Justice Tulloch to open up the evening.

Justice Tulloch: I want to thank you, Pam, for the introduction. Good evening to everyone. I want to thank you all for coming to speak to us about civilian oversight of policing. As indicated I am Michael Tulloch, I'm a Judge that sits on the Ontario Court of Appeal and I am here to hear from each and every one of you about your thoughts about civilian oversight of policing.

But, first, I would like to begin by acknowledging that we are gathered in the traditional indigenous lands of the Walpole Islands First Nations, and Bkejwanong territory. Now these lands were the meeting place for several indigenous nations, and by acknowledging this we're acknowledging the importance and the significance of the traditions of our indigenous peoples.

Now 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. They are the Special Investigations Unit, or 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.

Since my appointment, I have assembled a team of experts, lawyers, and policy advisors to assist me in this task, some of whom are here and some of whom you will meet this evening. I've held a number of consultations

with public and private stakeholders throughout the province, including the GTA, Thunder Bay, Sault Ste. Marie, Sudbury, Ottawa, and Hamilton. And we've also ... and tonight here in Windsor. In the weeks ahead we will also be holding additional consultations more in the GTA but also London, we'll be there tomorrow, Kingston, Kenora, and back to Ottawa.

I'm consulting broadly and intend to draw on what I learned to make recommendations to enhance the transparency and accountability of these oversight qualities while at the same time ensuring that they carry out their work as effectively and as efficiently as possible. Now by March 21st 2017 I will submit my final report to the government and to the public at large.

Now as mentioned ... I'm going to try and do this ... [unintelligible 00:05:35], sorry. I'm technologically very challenged.

Now as mentioned the focus of the 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.

The OIPRD, the second agency, it 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 make recommendations addressing them.

Now finally the OCPC is primarily an adjudicated body, and 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, and disputes related to the provision of police services.

The OCPC can also conduct investigations into the conduct of Police Services Board members as well as police officers.

Now with that background in mind about the review and the civilian police oversight agencies, I want to take this opportunity to hear from each and every one of you this evening. This review is an independent review, as I've indicated. 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 that process. I'm grateful that you've taken the time to meet with me today and to ... and I am grateful and I appreciate the fact that speaking about some of these issues may be difficult for some of you. But it is essential that a review of this kind be as thorough as possible and that the independent reviewer, myself, consider all relevant information from a variety of perspectives. I can assure you that I will do exactly that, so as long as you participate and offer me your perspective I can assure you that your views will be reflected.

So, again, I want to thank you for coming out tonight and to share your thoughts, experiences, and recommendations with us, and I assure that in this process each and every one of you will be heard. Thank you.

Danielle Dowdy: Good evening, everyone. Before we get started I just have a short announcement in French. [continues speaking in French].

So, thank you all for coming. Just as an opening disclaimer, we want to hear your stories this evening because they're very important for the context of our report and the recommendations that we'll be writing, but we want to also be very clear that we're not going to be revisiting past judgments or past cases, or opening back issues that have already been determined. But we do want to hear your stories because they are important for the work that we're doing, but we just wanted to be upfront that we won't be revisiting any cases that have already been decided or adjudicated.

So, the way that this evening's going to work, this is a short introduction here, and there's questions on your table. We're going to ask you to work on those questions within your groups for the next 45 minutes, talk them through, and come up with your recommendations. And after that we're going to go into the report back session and we're going to ask for you to share the discussions that you had and any recommendations that you may have, and that's ... after that we follow up with a bit of an open mic for anyone who didn't get to share their thoughts during the feedback process.

Just so you know this meeting is being recorded, you'll see the camera at the back there. If you don't want to be on camera just be certain to keep your back to Dylan. Dylan, if you could just wave. Thank you. Just keep your back to Dylan or let us know if you want to speak but you don't want to be on camera and then Dylan will make sure that you're not.

We're also on social media, so we're on Facebook, Instagram, and Twitter, and YouTube as well, but we'll be tweeting tonight at IPO Review under the hashtag #BeHeardON – ON for Ontario. I'll also be taking pictures as I tweet, and Peter Rehak ... Peter, if you could just stand, Peter's also with the team, so if you see him taking pictures it's for our website and also for our social media accounts. If you don't want your picture taken, again, just let us know, it's not an issue at all and we won't do that. And that is it, I believe, thank you again for coming and I'll turn it over to Pamela.

Pamela Grant: Thank you, Danielle and Justice Tulloch. So as Danielle has indicated what we'd like you to do for the next 45 minutes is work within the groups I think that I see all tables full, there's no one sitting all by themselves, right? Great. And we will circulate. During that 45 minutes, I will give you a few time checks, and most importantly would need you to select someone who will give about a four-minute encapsulation of your discussion. And what we need to do is to be able to go through each table first and then come back around so that tables or individuals at tables who have not had their particular points made, or recommendations heard, can speak to that for a shorter period of time, about a minute to two minutes,

and that way that's our way of ensuring that everyone is heard or able to be listened to.

We will pass a mic around and ask that you allow those with the mic, like with a talking stick, to be the only ones that are heard so that it can both be recorded and that Justice Tulloch and our team can hear what's been said. So, I will start the 45 minutes right now, and thank you for your participation.

Pamela Grant: Okay, thanks everyone. I'd just like to remind everyone, I will start with table one, Curtis. Each table will have initially four minutes. If you don't use all of your four minutes, that's fine. And please use your time strategically, you don't need to read the questions or repeat what has already been said, but really work on highlighting the substance of the conversation that took place at your table, all right? So, Curtis, could you stand? Thank you.

Curtis: So, yeah, hi, I'm Curtis. I'm just going to be brief and discuss some suggestions we talked about. So, one suggestion was the hearing shouldn't be at the police station just because of the culture, and it's kind of intimidating to see all the police memorabilia on the wall. We also discussed just a number of complaints, so if a police officer gets a certain number of complaints there should be a decided number and then the police officer should maybe be sent away for some sort of training or just help in general. And then, sorry, we also talked about maybe when it just gets to a certain number of complaints that it should be made public just so the general public's informed, and we also talked about police officers as investigators and that there should be some sort of mediator training with regards to investigations. Yeah, so I'll just pass it to the next table.

Pamela Grant: Thank you, Curtis, over to [Shadia].

[Alshada]: Yeah, my name's Alshada, I'm a university student here. Okay, so in our group for the first portion of our police oversight agencies most of us have heard of these agencies but we haven't had much interaction with them. And about our interactions with police we've had good and bad experiences, but most of them have been bad, whether it be personal experiences or through people that we know. And we think that people are reluctant to go ... you know, report to the police officers because it's kind of stressful. It creates a stressful situation to go report police complaints to the police department, right, so we think there should be neutral bodies that we should be able to go to, whether it be like community organisations to help ease the stress off and so that people don't feel so completely hopeless with their complaints.

And then for the next section about transparency and accountability we don't believe that the SIU is transparent enough, or organisations in general, and so we do want more transparency with that, especially with, you know, their investigations on police officers. We think that they should give their names and explain their protocols, give a timeline of like the report and how they came to their conclusion.

And we also believe that community leaders should have roles in these different organisations to help, you know, maybe influence maybe what happens with the conclusion and just kind of give their say. The names of the police officers should be given regardless of the outcome, first because we feel that it's the right thing to do but, also, we think that it might deter any future incidents when someone sees that someone is being held accountable.

And then for former police officers wanting to become investigators in these organisations similar to what the first group said, we do believe that there should be some type of like level of accreditation or something, or like a license of something, not just so like they can just go in the next process so easily, so some type of medium. And, sorry, just give me one moment, and then for the collection of data we believe that, you know, all these things listed, race, gender, age, and mental health should be collected and then with things like race we think that ethnic origin is also important because someone is not just Asian, someone is not just black, there's more to them and that there's a difference, you know.

And also, religious orientation I think should also be added, we decided that as a group. And we also believe there should be more ... when it comes to the collection of data we think that there should be like a protocol similar to the Access of Information Act as already in place, and that for that ... like so by public request, and also then perhaps even a research body can handle the data because maybe they can see some trends or report any like interesting findings because it's important to like not just have it but also to like, you know, use it practically, and like look at it so we can make some change in the future.

And then for any recommendations to help improve the ... you know, what the organisations do, we've suggested more civilian oversight, and also we think that police schooling needs a bit more of a change, it can't just be like a six week programme or something, there needs to be things added in like learning more about like mental health, so like a psychology class, maybe learning about ... more about the criminal process, and we think that there should also be a continuing professional development like programmes that are in place so it's like you're always learning something new because the communities change, different situations arise, you know, even with things like cyber bullying, that wasn't something set in place before, right, maybe earlier, but now because everyone has computers and stuff there's something new, so new situations do come about and I think that they need to adapt to this change, and I think everyone needs to adapt to this change. So ... yeah.

Pamela Grant: Thank you, Alshada. Could you pass the mic over to [Salam]? She's behind the post. Thank you.

Salam: How're you guys doing? My name is Salam. So some of the things that we ... or some of the questions that we kind of came up with in regards to the questions that are in front of you, and if anybody else has anybody else to add to it please do, is these bodies, so the SIU or OIPRD and OCPC who is

... who are the people that are in them, so are they as ... as what was explained to us some of them are either ex-police officers, or they were police officers, or investigators that have a policing background and whatnot, so if these are bodies that we are supposed to be ... if we're not comfortable going to the police why would we feel comfortable going to representors of police officers. That was one of the questions that was raised.

And then within the bodies is there a representation of those that are being harassed, so whether it's First Nations, blacks, Africans, Canadians, African Canadians, Latinos, are they represented in there, so can I go in and see somebody within my same skin colour. Also, one of the other questions we had was is there different training going on now because one of our ... I'm sorry, I forgot your name. Pardon? Gloria. What she shared was that when she was younger, you know, a police officer would ... they would play with you then if you're ... you know, if you report that your bike was stolen for example, you know, the next day a police officer would do whatever he can to find your bike and bring it back to you or whatnot. Like people weren't afraid of police officers or whatnot so whereas now it's totally different, so what is the training that is going on, or what is it like, you know, a difference in the water that ... or the air that we breathe that has changed that to make us fear them so why do we fear them, and there has to be a reason for that so that was another question that was raised.

As for the transparency and accountability questions, with number five we all agreed that it's a no that it says do you think the SIU shares enough with the public about their investigations of police officers, and we put no. But as far as them being ... their names being publicised and stuff like that, we do think so because when we do with crime or whatnot it's everywhere. If I committed a crime and you Google my name it's going to say everything that I've done so why wouldn't they do the same thing with police officers. Why would they hide that information from us if our information is not ... is hidden from them? Or, sorry, if our information is not hidden from them.

And one of the other questions we had was the SIU, OIPRD, or OCPC, depending on the severity of the case is when it gets taken to that, but what is considered a serious case? What is considered an injury? Sometimes it can be obvious such as a death, sometimes it could just be an injury, and then sometimes it could be repeatedly being harassed to the point where you get a mental illness due to that which is serious but it's not obvious, and it might not be a direct, you know, cause from a punch to a bruise, it's not that obvious or it's not that rapid but it's still a serious injury in the eyes of anybody else, but those type of cases what happens to them. So, that's ... I don't know if I covered everything. Yeah, so those are some of the questions that we covered.

Pamela Grant: Thank you, Salam.

Salam: Oh, I'm sorry-

Pamela Grant: Can you pass the ... oops, yes, Salam?

Salam: I just have one more question.

Pamela Grant: Okay.

Salam: One more question that we also came up with is where are they located? So, if I needed to go to any one of these services where are they located? Do we have ... are there locations? So, that was another one of the questions that we have.

Pamela Grant: Okay. Thank you. Can you pass the mic to Michelle? She's standing up. Thanks.

Michelle: Thank you. Hello, my name is Michelle. So, we went over some questions here. Now a majority of us have heard about the different organisations before, but there is only one of us who have had any kind of experience with them. Now in regards to experiences with police a lot of it we have heard several stories, and again one of us has experienced their own story that wasn't the most positive with the police and I find that in our discussions something that continued to come up is in regards to problems with racial issues where police will [unintelligible 00:25:37] instigating. One person shared a story where they had called the police and once they arrived they began instigating, and even though they had called the police they were accusing them of having acted in a way that they could have caused a crime.

We talked a lot as well about different kinds of institutions and the double-standards that you can see, and how one of the big problems we feel is that a lot of these agencies can be very self-governing, there's this idea of the silent wall is blue, that's very apparent in the police services where the police want to protect their brotherhood of the police and their sisterhood of the police, and we find that it's going to be a lot more helpful if we have more victims, more civilians that are involved in these enquiries and in these reviews, and on these different boards giving more perspective to different officers.

We did all agree fairly across the board in regards to gathering information and collecting data in regards to race, gender, and mental illness as well. We find that it would be very useful for looking at statistics and kind of analysing it. That way we can kind of see any kind of trends that are going on as stated before, as well as information that is gathered from the analysis of the data can also be presented to different government institutions to possibly put forward some kind of legislation in to help prevent these kind of problems, and I think that gathering that information will be very helpful.

And that we really found that one of the large issues in regards to them is that blue wall of silence that we hear a lot about in the news and I think that kind of covers it all.

Pamela Grant: Thank you, Michelle. Can you pass the mic to Cassie? She's over here in the fuschia-purpleley top here.

Cassie: Thank you. Hi, I'm Cassie, and I was lucky enough to have a very opinionated ... wonderfully opinionated group. And we came up with what I would call a few suggestions. We talked about the fact that it's not enough to just have these agencies and these watchdogs, people need to know how to access them because that's just as important. You know ... or you need a way to access the system. We've had some people in our group talking about the complicated process to get answers, when you do access these systems, I mean let alone not talking about the fact that a lot of people wouldn't even know where to go, who to contact. I mean I'm in Law School, I wouldn't even be able to tell you some of these bodies exactly what their mandates are and how they differ from each other.

And just the system that they have in place that kind of wears you out and wears you down and stops you from accessing the answers that you're looking for, you know, the tedious process, a retainer, credit cards, and this is information that should be public and everyone should have access to and there shouldn't be these barriers of access.

There's also ... we also talked about race and people's experiences with police officers. One of the people at the table mentioned a friend who said, you know, I'm scared to have daughters and, you know, she said I'm scared to have sons because, you know, of the racialization issues in the black community. Also, you know, stereotypes of aggression that are very prevalent in police culture and over-policing of areas where there are lots of people of ... in certain communities, and so from that forms this kind of cross-generational memory that lives on that has to be remedies in these bodies and we have to ... they have to strive for more transparency so that they'll be more legitimate to the public.

There is also ... hang on a second ... we also talked about whether these groups should have their names publicised. I believe that was one of the questions. And we ... that was a resounding and unanimous yes. As we said, you know, doctors and lawyers for example are called out publicly, you know their name when they're misbehaving, you know exactly what they're accused of doing, everything is an open book, and as it should be because they're held to a high moral standard in society, they interact with vulnerable sections of the population and that's the way it should be.

Police should be held, at least we're told that they're held to the same high moral standard but they are cloaked somehow where other people who are held to the same moral standard are not, so we would like to see that change. Not to mention the paid leave thing, that kind of tabature demises a lot of things that people feel like, you know, you kind of shouldn't get what amounts to a paid vacation if you just killed somebody, you know.

Also what I think is really important too is that we talked about training of police officers which I think you guys brought up, and we believe that they should learn critical race theory, they should learn about the LGBTQ

community, people with disabilities because, you know, there are some people in society, I mean one size does not fit all, not everyone is the rational person according to law, you know, some people have disabilities that make them suspicious, you know, maybe ... maybe they have a disability that makes them shake, you know, maybe their eyes look shifty, you know, and it's completely arbitrary and they're applying one standard to everyone even though everyone doesn't abide by the same standard.

And so, we feel like, for example, if you talk to anyone who's gone to police academy they know ... they know that most of the people they deal with are going to have mental health issues, but there is nothing in their training that reflects that, and we feel like it needs to reflect society as it is and move forward with society and change and adapt to the needs of society. And that is pretty much what we came up with.

Pamela Grant: Thank you, Cassie. [Amazing]. Can you pass the mic to Jason, please? Thank you.

Jason: So, I think it's good that we address what we came here to do, and also, I want to comment that I think that some of the concerns that have been raised are more changes for the Police Services Act and I don't know that that is what this commission is here to do, and I don't know that that's the power that the report that His Honour will generate will have. Although with regard to the three police oversight agencies we had ... we ... as a group we have concerns, obviously, like everybody else. I'm the only person that has identified in our group as having experiences good and bad with these agencies and with police. Myself, personally, I think that there are significant changes that need to happen within the system to oversee the police agencies in the province of Ontario.

We had a brief discussion and we kind of got off-track when we started talking about whether or not we would refer somebody to be ... to make a complaint, and it came about that some of us think that it's a joke to even make a complaint about police officers primarily because of the summary dispositions that can happen at the OIPRD level whereas they can essentially dismiss a complaint before it's even heard or even investigated, and I think that that's the ... that is the screening process that happens with all complaints that are made.

We believe that ... that there are definite management overview issues and we take issue with ... with the collection of data such as those outlined in question nine. We didn't really get to address question 10 but it kind of fits in line with number nine as well. We collectively came up with a series of recommendations that we feel are important to be addressed here which are training on mental health issues, and identifying police officers that may have mental health issues, and whether or not that that involves including an assessment by an expert witness or not, you know, it involves increased costs, obviously, in an investigation stage.

Some of the recommendations also that primarily come from my personal experience are timeline extensions, so under the Police Services Act it's

typically a six-month window to make a complaint, whereas the Limitations Act in Ontario gives us a two-year limitation period to take action against somebody that we wish to sue. Why is it that police officers should be privy to a shortened timeline? And then if that timeline isn't met and charges aren't brought up against the police officer in time it now relies on the OPP commissioner or that Chief of Police in that police agency to offer an extension of time to lay charges under the Police Services Act against one of their own. So, I think that that needs to be changed.

Something needs ... as I already addressed, something needs to be done about the summary of resolution methods. I would concur with the other table saying that the minimum number of complaints that an officer receives against them should be made public, you know, some sort of minimum number, magic number, or perhaps all reports and all findings by the OIPRD with regard to any kind of investigation had about any officer about misconduct allegations.

I personally have made reports to the OIPRD and they are stamped with ... all of them are stamped with a general, you know, privacy clause on it saying you're not allowed to publish these, you're ... you're ... you know, essentially everything that sets out that a police officer has done wrong and has allegedly, you know, formed misconduct as part of their duties and this is now a confidential report and I don't think that that should be the case, I think that there should be some sort of public database or searchable database about findings about an officer instead of, you know, going after an officer's disciplinary records through the courts and getting a ... getting reports through a court's order.

And again, authority for leave to proceed outside the timelines should not be heard or decided by the internal people or the commissioner or the police chief. And I think I addressed everyone's thoughts. Thank you.

Pamela Grant: Thank you, Jason. Can you pass the mic to Frank? He's behind you. Like at the table right behind. Frank can stand up. Yeah, thanks.

Frank: Hi, I'm Frank. Frank [Bowram] with the Windsor Police Association actually so my views maybe differ ... differ from the group on certain things. As to the first portion of the questionnaire I've had several dealings with police officers and they've all been very good. A couple of recommendations from the table, one was brought up about as far as the definition of injury, to have that expanded to include mental issues not simply physical issues, also the definition that SIU uses for serious injury, bodily harm, death, sexual assault should be expanded to include mental health issues, that's one thing. One thing, and this is more from our perspective was the length of time it takes SIU to investigate and produce results, their findings. We find that that's ... for both, for both sides, for police and for the complainant, SIU can complete an investigation and we know they're sitting on the answer, it's sitting on the Director's desk, and it can sit there for a year and not have a response. And there's no time

limit right now for him to have to respond. We feel that he should have to respond in a timely fashion for both parties, so both parties have closure.

As far as the publishing of officer's names, obviously, we have a different view of it, or at least part of the table does, in that if there's a finding of guilt, or a finding of fault, or wrongdoing that part should be published. If the officer is found innocent or not to have done any wrong, then from our perspective as part of the table is that their names shouldn't be published if they're found to have done nothing wrong. If there's a finding of guilt or of fault, absolutely.

Aside from that, if I can offer some information also, there seems to be some confusion in general. If you do have a complaint no one seems to know where to go to. Our professional standards branch is not in the police station so you don't ... people don't have to go into a police station and feel intimidated by police officers or the presence of police officers to file that, to bring that issue forward. It's at 250 Windsor Avenue, it's a separate building, there's no uniforms, there's no police paraphernalia, you can go in there and it's a little more relaxed setting. I mean it's still a tense situation obviously if you're bringing a complaint forward but it's not in the police building so don't feel like you have to come into the station to do something like that.

Audience: [unintelligible 00:42:00] for four years [unintelligible 00:42:06]-

Pamela Grant: [Ken], I'm sorry, we can't ... we actually can't hear you. Only the person with the mic can be heard, so if we let Frank finish off and we can go back around because we've actually covered all the tables. So, if you can hold your thought and let Frank finish, that-

Frank: That was it, I just thought I'd talk through that little bit of information.

Pamela Grant: Okay, so Justin, can you please-

Frank: If people don't ... or don't know where to go to, that's where we go to, okay?

Pamela Grant: Okay. So, did you want to speak now?

Dave: Ask a question. Sure. Hi, I'm Dave [Semetic], a local for many years, and I'm currently being victimised and I can't find help anywhere in the province. I've been to the police several dozen times, I've been to the OPP, the RCMP, I wrote to the OIPRD, the RCMP Complaints Commissioner I did two years' complaints with the Law Society, I wrote Kathleen Wynn, the Attorney General, I pretty much begged for help and when all these agencies refuse to help then where do you go? So, I have several lawyers being dishonest with our family's estate and I can't even find a lawyer in the province to help me.

So, I was referred to go to Justice of the Peace where I believe the only way I could protect my family is to go to Justice of the Peace and lay private charges. I didn't have no other options. And after three months of

waiting for my court date to bring in ample proof of fraud here in Windsor I ... I was called down the police station three days before my court date where I could bring the evidence in, and the financial crimes investigator threw me in jail. I'd been under house arrest for 15 months, a little more, I haven't even seen my disclosure, and a week before my trial my defence lawyer quit. So now I've got to try to represent myself against several lawyers, and a few members of the law society with ample proof of fraud. They charged me with uttering death threats. I've never had a criminal record, I've ran a ball team for 30 years, co-ed from the university. My entire family had mental health issues, I was the only one that never had to need psychiatric help, if you can imagine the challenges I've had.

I've sat on the Executive Board of my work, I've worked at children's camps, and I have pretty much never bothered anyone for anybody ... for anything. We used to have a million dollars in assets, after 10 lawyers I still can't access my family's accounts which is as an executor. Everyone's trying to say the estate's done as they systematically funnelled me out the back door with 400 grand missing. And when I tried to bring the proof in I get thrown in jail, but the thing is accountability.

According to Revenue Canada the executor to the estate is responsible for an accurate set of assets. How can I do that if 10 lawyers and our financial crimes officers are obstructing me from my family's accounts. I still cannot finish my family's estate, and my wife's a paramedic in this city, she had to go and get counselling.

Pamela Grant: Dave, I'm going to interrupt you because you've actually taken more than four minutes.

Dave: I'm sorry, but I'm just asking when all these watchdogs agencies we've contacted refuse to investigate then what?

Pamela Grant: Well we ... we can [unintelligible 00:46:20]-

Justice Tulloch: Well it sounds to me that you have a problem with your lawyers though, right?

Dave: If they're defrauding us-

Justice Tulloch: Right, so I think ... I think-

Dave: -you go to the police.

Justice Tulloch: Right, so I think you have to deal with the Law Society though.

Dave: They dropped every complaint and said it was out of their jurisdiction.

Justice Tulloch: Hmm.

Dave: So, it's into the police's jurisdiction.

Justice Tulloch: Right. So unfortunately, I'm not here to deal with any particular-

Dave: Right, I'm just-

Justice Tulloch: -case.

Dave: I'm just-

Justice Tulloch: But I hear your concerns, and-

Dave: I can explain policy change-

Justice Tulloch: Right.

Dave: -that would bring back public confidence because I'm a victim.

Justice Tulloch: Okay, well, you know what, I hear you and thank you for your comments, and we're more than happy to receive written submissions further-

Dave: I've been doing that for four years, sir.

Justice Tulloch: -well, to me though. Thanks.

Pamela Grant: Are there any other comments before we wrap up? Was it the gentleman in the back?

Male: I was somewhat misinformed I think, inadvertently. Some of our concerns weren't taken because we thought we'd be getting up to air them our self. So, one of the things I didn't hear, I agree with a lot of what I heard, is what about where a file has been closed on the basis of the evidence that was available at the time but then years later the same officer commits the same crime, or even a more serious crime. Can that file not be looked at retroactively especially when the officers were ... who were involved were also found to be covering up for the officer who was the perpetrator at that time. I think that that needs to be looked at as well, and if those provisions are there they need to be emboldened so that we're aware that they're there. And I think we should be given assistance from outside of the police department in bringing about a complaint such as that particularly with the Crown's office.

I think our local Crowns could probably do a lot for us in terms of guiding us through the system and putting it in a way that the various agencies here would find it more legitimate and unquestionable, so that's something I haven't heard yet.

Pamela Grant: Okay. Got anything?

Female: Excuse me, I just have a question for the panel, I guess. What makes this organisation any different from the three that we were speaking of with our questions? Like how are you different? What can you do that's different to make us feel more comfortable?

Justice Tulloch: Well, one, we're not an organisation as I've indicated earlier, I'm an individual, I'm an independent reviewer, I'm a Judge, I'm a sitting Judge.

My job is to look at these organisations and to see what the deficiencies are, why they're not responsive to the public's needs, and then make recommendations to the government so that they can change the legislations to rectify the deficiencies so that the organisations are more accountable and transparent.

Female: Thank you, I've had that asked a couple of times since yesterday so thank you for clearing that up.

Justice Tulloch: Okay.

Pamela Grant: [Abeola] or ... there are two people a tape, okay.

Female: Okay. This is more of a suggestion than a question. We thought it might be a good idea to have these agencies and access points in high traffic areas. I mean what better way to say we care about your concerns and we're taking them seriously and we want to resolve them in a way that's beneficial than having them in the open air where anyone can access them.

Justice Tulloch: Great.

Pamela Grant: Hmm-hmm. Okay are there any ... Abeola actually. Right. Right here, same table.

Abeola: Oh, good evening, we mentioned at our table that some of us have gone to meetings like this, reviews and stuff like that, and the Judge mentioned to us that March of 2017 the report will be out and we're going to get copies of the report, which is great, I can't wait. However how many months after the report is out should we wait before we start to see changes? And if we do not see changes, no, six months, six years later what can we do? That's my question.

Justice Tulloch: Okay, so I don't think I can answer that question. What I can say to you is this, right, I have a mandate to complete the report and to submit it to the government with the recommendations by the 31st March 2017. After that it becomes a political process as to whether or not the government will implement the recommendations that we are suggesting to them, and we are hopeful that this process would not be taken ... you know, it's a lot of time and a lot of effort, you know, for nought. So, that's all I can say about that.

Female: I just had a single recommendation because of all the electronic data that we have in the world today, and we have a lot of cyber security issues, I guess data management and data manipulation, when you've got a review board that is doing an overview of complaints how do you validate that the data isn't changed, and I think that's just something with today's society that people can get hacked. I think you're ... when you're an overseeing committee and you're making judgment calls on police officers that may have ... may be unpopular to certain criminal elements maybe they could get set up just through an oversight board. So, having that hacking and data security I think is kind of important in today's world.

Pamela Grant: Justice Tulloch, did you want to wrap up now?

Justice Tulloch: Yeah, I'll just hear from this gentleman and then I'll wrap up. No, the gentleman right there, Justin. Okay.

Dave: To whom ... who would be the first person or body that His Honour would be turning over the report to. And then how long after the deadline will the report take to be made available to us in the public?

Justice Tulloch: Okay, so I expect that the date that it's turning over ... so it's the Attorney General that commissioned the report or the review, so I expect to turn it over to the Attorney General on the 31st of March 2017 and it will be made public that same day, so you will have access to it I expect the same day that he has access to it.

Dave: And then our Members of Parliament would have-

Justice Tulloch: They would also have access to it the exact same day.

Dave: Okay.

Pamela Grant: And this is our last comment.

Dave: I just wanted to mention one recommendation, Sir.

Justice Tulloch: Yes.

Dave: And then like I've said I've been through the entire province and it just seems to get deflected. If you have a panel of 10 or 12 members of counsel reviewing these investigations maybe we should put two, three, four victims on that panel and I promise you you'll get 100 percent public confidence back. Have victims screen these, whether it's with the Law Society, the Police, the OPP, the RCMP, but then, you know, everyone I think will be ... or feel protected, you're getting opinions from everybody. Because if I was sitting on these panels I wouldn't have let my complaints go.

Justice Tulloch: Great. Thanks.

Male: You've got to mix a few victims up in there.

Justice Tulloch: I hear you. Thank you.

[00:55:18 - 00:55:46 - Background material]

Male: Justice Tulloch, another question, just a thank you. I, as a member of Windsor City Council, I'm very, very pleased that you chose our community as one of your stops. This consultation process I'm sure is onerous and you're bringing a team across the province of Ontario, and from time to time our community gets forgotten, so on behalf of our community, and notwithstanding how everybody feels about these issues, we're really pleased to have you here, a man of your calibre, we know that

this process is in really good hands, and as you can see from our community turnout this is an interesting and important topic. And I want also to acknowledge that we did have members of Windsor Police service here. Some might think that this would have been a difficult environment for them to attend, but the fact that they're here is a testament to their character and the fact that they also want to see improvements in the system. So, on behalf of our community, to you and your team, thank you so much for being here.

Justice Tulloch: Thank you. Thank you very much.

[00:56:35 - 00:56:41 - Background material]

Justice Tulloch: Well I want to thank all of you ladies and gentlemen once again for coming. What I can commit to you is that, you know, we're going to take each and everything that we've heard extremely seriously. I think all of your points, all of your comments have been heard and will be considered by me. And, you know, not everything is going to be in the report but I will absolutely reflect on them and ensure that whatever recommendations we make the system it will ensure that we have a much more transparent and accountable oversight process and system. So, again, thank you very much, I think this is a great community. Your presence here, and thank you Councillor, and your presence here is evidence of the calibre of the community and the concern that you have for our civility and civilian oversight for this particular community. Thank you again.

[00:57:55 - 00:58:01 - Background material]

Pamela Grant: Thank you, Windsor, and thank you for your patience, and thank you for your candid contributions. What I'd like to do just before we wrap up is to ask each and every one of you to ensure that you have completed the foolscap so that we have the email address and name so that we can send you the link to the report when it's ready. And also, remind you to leave your notes, the written notes that you took, on the table. We will collect those and also add that to our research and work as we pull the report together. Thank you very much and goodnight.

[00:58:41 - 00:58:45 - Background material]

[End of recorded material – 00:58:37]