

16-09-15 - IPOR Scarborough - EN

Pamela: I ... This is just a housekeeping thing. Hi. Hello, everyone. Welcome. I want to thank you and congratulate you for being here on time. Unfortunately, Justice Tulloch is not with us at this point. We were hoping to start at 5:30, so we will at least have to wait for him to arrive. But in the interim, there's lots of good food. Please help yourselves, and we will start as soon as Justice Tulloch arrives. Thank you.

[Talking over each other]

Female: Yeah, just like—and then it'll be like a "Pow!"

Female: And then as soon as you come up there, you go (inaudible) along.

Pamela: Hello, everyone. We are about to get started in just a few minutes. We're just waiting for Justice Tulloch to come back this way. But in the interim, could I please ask you to step or sit up further? There are two absolutely empty tables here. Just fill the room up from the front back. Those of you who need to leave early and all those sorts of things, it's a small room; it's okay, you'll be able to do so. No one will say anything. We know you have to leave when you have to leave. Thank you.

[People chatting in background]

Pamela: Pardon? No, they haven't brought that up yet, but I'll go get it.

[People chatting in background]

Pamela: Good evening again, and welcome, everyone, to the second in the public community consultations of the Independent Police Oversight Review. We had a wonderful evening last night out in the West End at the Jamaican Canadian Association. It was well-attended and we really do appreciate the fact that you and the community members there last night are taking time, with busy schedules and not necessarily the best timing, to come and have Justice Michael Tulloch, who is leading this review, have an opportunity, he and his team, to hear from you, those of you who actually have had experiences and those who may not have but have expectations of our three police oversight bodies. I will introduce Justice Tulloch, who will give a few remarks, and my colleague, Danielle Dowdy, will go over tonight's agenda and we will take the program on from there. And I am very respectful of your time and we will try to tighten the schedule since we've—we're starting a little late. So, for one, we may reduce the time for the group meetings to 45 minutes rather than an hour, but let's see how it goes, but I'm just giving you a flag there. And without further ado, I'd like to introduce Justice Michael Tulloch to give a few opening remarks.

[Applause]

Michael: Thank you, Pamela. Good evening to everyone. My name is Michael Tulloch. To the organizers, the Tropicana Community Services, thank you for allowing us to begin our—or, to, well, begin our public consultations here. You're our second venue and our first here in Scarborough.

The Tropicana Community Services is an important cultural institution, not only in the black community but in the Malvern and the Scarborough area, and it has played a very critical role in the wider community in police oversight and human rights. It's the reason why we felt it was important to hold a public meeting here, to recognize the contributions that you have made. I, myself, was a member of the Board of Directors of Tropicana for about five years back when I was a young lawyer, many years ago, and so I'm intimately familiar with the impact that Tropicana has had, both in this community as well as the greater community.

I want to thank the President, Ms. Jenny Gumbs. I spoke to her just about a half an hour ago, and she indicated to me that she was running late, but she will be here.

I also want to thank the Executive Director, Sharon Shelton, and is Sharon in here? Okay, Sharon, you—Sharon embodies Tropicana. And I got to tell you, Sharon has been here for at least, you know, well, I remember when Sharon first started with Tropicana because I was on the board then, and you've really shapen [sic] and built this organization into what it is today, and I'm really proud of you, Sharon. And thank you for, you know, hosting us, and thank you for the work that you're doing.

I would also like to acknowledge that we are gathered on the traditional indigenous lands of the Mississauga of New Credit and other indigenous nations. By acknowledging this, we are acknowledging the importance and the significance of the traditions of the indigenous peoples.

As many of you know, I have been involved with these issues for quite some time. Actually, for as long as I've been a lawyer. Like, from the days that I was in law school, which is a long time ago. And 20 years ago, I was involved in, I think, the very first review of civilian oversight in policing in Ontario, the Rod McLeod review.

I know and recognize many of you in the audience from the important work that we've done together over the years. I see my friend, Dave, sitting in the front row here. And they've—we've been together for over 25 years, and I appreciate you coming. I see a number of my lawyer friends. Celia Lindo-Butler, we started together as Crown Attorneys on the same day in Brampton. And my good friend, geez, my ... I've got, like, this mental block. But anyway, you know who you are, right?

But anyway, the bottom line is there are a number of individuals here and we've worked together over the years in the community on a lot of these issues, and it's good that we are here collectively to work collaboratively so that we can come to some solutions to the issues that are at hand.

Prior to 1981, there wasn't—there was no independent civilian oversight in Ontario. After a series of reports on civilian oversight, the Office of the Public Complaints Commissioner and a police complaints board was created to address public complaints against Toronto police officers.

In 1988, after the shooting of Lester Donaldson and Michael Wade Lawson, the public demanded greater police oversight. The Jamaican Canadian Association, along with the newly-formed Black Action Defence Committee, or BADC, as we know them, led at the time by Dudley Laws, Charles Roach, Sherona Hall, and Lennox

Farrell, in calling for the establishment of a civilian agency that would oversee and investigate police conduct. This would eventually become the SIU.

In 1990, under Part 6 of the Police Services Act, a provincial system for police complaints was created based on the former Toronto Office of the Public Complaints Commissioner and a police complaints board. This office had power to refer complaints to a hearing before an independent board of inquiry. In 1997, the Commissioner, along with the board of inquiry, was abolished.

Then in 2006, the Office of the Independent Police Review Director, or the OIPRD, was established following an extensive by retired Justice Patrick Lesage. His primary recommendation was the creation of an independent civilian body to administer the police complaints system in Ontario.

Although these bodies were established to enhance the oversight system, the public remains concerned that the current police oversight system needs strengthening. This is why we're here tonight. We will be conducting 17 more public meetings over the next few months. I want to hear from you. I want you to know how you—or, I want to know how you would like to see the system improved and what can be done to improve both accountability and transparency. I'm confident that I will be able to make recommendations that will reflect what I will be hearing over the course of this process.

A little bit about me. As I've indicated, you know, I've been working in this area for a number of years. I am a judge with the Ontario Court of Appeal. Prior to that, I was a judge with the Ontario Superior Court, and prior to that I was a Crown Attorney, and subsequently a defence lawyer, criminal defence lawyer. I was also part of an earlier review as indicated by the Ontario government, the review of civilian oversight on police in 1996. I also served as a past board member with the Tropicana Board of Directors for several years.

On April 29th, 2016, I was appointed to be the independent reviewer for this review. I, along with a diverse and expert team of lawyers, who—some of whom are here tonight, as well as community workers and police personnel, will be reviewing the police oversight bodies in the province and will recommend ways to enhance their transparency, accountability, and efficacy.

It is important to confirm for everyone that I'm here to listen and to hear what you have to say about police accountability. Police oversight ensures that police services and their officers do not abuse their positions of trust and power. It is also intended to maintain public confidence in the police.

The review that I'm conducting is an independent review. This means that I'm free to critically examine how these oversight bodies operate. I will report on my findings and provide recommendations to the Ontario government on how police oversight bodies in Ontario can be improved to operate more effectively.

Now, meeting with you members of the public is a crucial part of my review process. I'm so very grateful that you've taken the time to meet with us here today. I appreciate that many of you have taken time from work and family commitments to be here. I know navigating through the traffic is not an easy task. I also appreciate that speaking about these things may be difficult and emotional for some, but I can

assure you that we will listen with great interest to your stories. We want to understand them and learn from your experiences, and we know that you're uniquely positioned to provide us with meaningful insight into how the system can be improved.

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, and I will, so long as you participate and offer me your perspective. I must clarify: we will not revisit any past judgments nor investigate any current or individual cases. Having said that, individual cases, they provide context for our review, but we're not here to investigate any particular case or reopen any past investigations.

By March 31st, 2017, my report will be submitted to the government and to the public at large. My hope is that the report will be supported by most, if not all. You know, I'm overly optimistic, as you can see. But you know, I'm also very much realistic that, you know, not everybody is going to like the end result. But what I'm hoping is that the end result will be reflective of what the majority of Ontarians want to see in a public accountable oversight body.

I'm encouraged by the government's commitment to strengthening police oversight—the police oversight system, and I'm confident that the recommendations that I make will be acted on and lead to positive changes in the—Ontario's police oversight system. This review should also contribute to public education and to a greater understanding of the many issues involved with police oversight, and in so doing ensure public confidence in the system. It's the foundation of our democracy.

So again, I want to thank each and every one of you for coming out today to share your thoughts and your experiences with us, and we will listen very carefully to your recommendations. And I can assure you that in this process, each and every one of you will be heard. So again, thank you very much.

I'm now going to turn over to one of our team members, Danielle Dowdy, who will make a PowerPoint presentation.

Danielle: Okay, I'm just going to do the presentation from my chair here.

So, good evening, everyone. Thank you so much for coming out. I'm just going to go over really quickly what this evening is about, what our expectations are from you, and what you can expect from this process. So really quickly, we're just going to over why we're here and our Order-in-Council, what the police bodies, oversight bodies, are, what our timeline is, what this agenda is, what our agenda is this evening, the housekeeping, and also social media.

So we're here this evening, as you all know, because there's a been a large outcry from the public. Issues in public trust and confidence in policing. A lot of people looking to see more accountability and transparency in the system. And of course, there's a huge public interest in making sure that we get this right and that our systems work for us.

When this review was established, the Order-in-Council, which is a legal document that is produced by the legislature, and it outlines what the mandate is for our review team. So what we'll be looking at is how to enhance transparency and accountability

into the three—into the system, how the three oversight bodies that we are looking at, how they can have clear and effective mandates. Some of the questions that we'll be probing is should the SIU release their report? Should they release past reports? And if they do, how would they go about that? When an officer is being investigated, should his or her name be released? Should there be a collection of demographic statistics such as race or age or gender for complainants or victims in an investigation? Also, should former or retired police officers be hired by these agencies to investigate police officers?

So the Order-in-Council, which hopefully you all got a copy—it's just outside the room there on the table with other information—and if you didn't, be sure to grab one before you leave, that really outlines what it is that we'll be looking at in this review, and it's very informative. It's a good read.

So in terms of the three bodies that we are reviewing, the three, the SIU, which is the Special Investigations Unit, that's the unit that is tasked with doing investigations in cases of death or serious injury or sexual assault when it comes to police officers. The OIPRD, which is also the Office of the Independent Police Review Director, they handle all police complaints. They review all police complaints in Ontario. The OCPC, also known as the Ontario Civilian Police Commission, they're a body that adjudicates these matters, whether it comes to police services or police services boards, disputes between municipalities and boards, or budget disputes. The public doesn't have a particular interaction with or a frequent interaction with the OCPC, but still, they're there, and they serve a function of police oversight. There's also a sheet outside, if you didn't get a chance to grab one, that explains all of this as well.

So, as Justice Tulloch said, it's really important to know that while we would love to—we're really looking forward to hearing your stories and your personal experiences with these systems, we won't be revisiting or reassessing or opening past cases or making a decision on past cases, but they are really important to us to shape the context and for us to have a historical understanding of where we need to go with our recommendations.

So just as an FYI, our review timelines will be, so from June to September, we've been meeting with community stakeholders, so that's police agencies, community groups, legal groups, individuals. We've met with a host of people just to let them know that we are starting the review and what it was about and to get their input and perspective.

From September to November, we'll be conducting the public consultation, so thank you so much for coming out this evening. After this, we started off last night at the Jamaican Canadian Association. We're here tonight and we have 16 more to go. If you go to our website, you'll see all of the list. There's a full list of all of the dates on where we'll be across the province, everywhere from Thunder Bay to Windsor and many points in between.

Once we conclude the public consultation process, we'll be doing research and writing and compiling all of the information that we got to make sure that we do—that we really reflect the voices that we heard throughout this process, and in March of 2017, that's when our final report will come out.

So for your information, so this introduction here, between Justice Tulloch's speech and this presentation, that's the intro. We're then going to ask you—you'll see around the table, there are worksheets, and we're going to ask those who are seated at a table that doesn't have as many people to join other tables so that you can have a really fruitful discussion. We'll be working through—there's five questions. We'll be working through those questions and to ensure that we really get your input and feedback into this process. And following that, after 45 minutes, we're going to ask that an assigned spokesperson from each table just let us know what your discussion was and your answers to the questions that we have laid out for you there.

Just a bit of housekeeping items, we've got a translator on site. If anyone here speaks French and they would like to listen to this conversation, there's headsets at the back of the room. Just notify any one of the audiovisual people and they'll be— or Hilary, who's waving at the back in the green shirt. Let her know if you need a headset and we'll make sure that you get that.

We don't have private video statements today, but this meeting is being recorded. It's not being webcast, but it's for our records. And so, the camera is at the back of the room and it's filming frontwards, so just so that you're aware that it is being filmed. And if you don't want to be on film, just make sure you're not in the line of sight of this camera here.

In terms of accessibility, as I mentioned, as have translators and we also have our American Sign Language interpreters, who are here to ensure that if there's anyone here that's hard of hearing, that that service is here available for you.

The ladies' room is just underneath the stairs and the men's washroom is around the corner from the ladies' room. In terms of exits, right where you came in, and in an emergency, down this hallway is the—is another exit.

And for those of you on social media, we're on social media as well. We're on Facebook, Twitter, and Instagram. The hashtags that we're using for our consultations is #independentreviewon for Ontario, and for every consultation that we do these are hashtags that we're going to have, and #beheardon. So if you're tweeting or if you're taking photos or you're posting and you have questions, you want to share your information, and you'd like to do that online, feel free to join us. We'll also be live-Tweeting. Simon is at the back there. Wave, Simon. So, if you see Tweets coming out of our account or posted on our Instagram, that's Simon there that's doing that.

And that's it. So, thank you so much for coming. I trust that we're going to have a really fruitful discussion, and I turn it over to Pamela.

Pamela: Thank you, Danielle, and thank you, Justice Tulloch. I'm sorry; I didn't introduce myself. My name is Pamela Grant and I'm the facilitator and strategic advisor for the review.

So just before we actually start the group conversations, there are just a couple of things that I wanted to advise of. In terms of the headsets, for those of you who would prefer also to listen to the proceedings in a more amplified way, you can actually use the headsets that are available to listen to them in English on Channel 1

of the headset, and Hilary can help you with that. You just have to provide a piece of ID so that we can make sure that you actually return the headsets; apparently they're very expensive.

The ... Another piece that's also important is that Danielle did a great job of speaking of all the different ways in which the public can participate. Yes, by being in consultations like this tonight in person and on social media, but also as you get to our website, you can go to our website, independentpoliceoversightreview.ca, and you are able from there to submit written submissions, email your comments, in addition to the opportunities for social media, and I think that's really important for those who do not feel comfortable with social media, but some of the more traditional emailing and access on website approaches.

We will now break into—not break in. We are actually going to stay in the groups that you are, and I'm hoping that this gentleman will feel comfortable enough to join a table so that his conversation is with more than one. And what I'd like to do is ask you please to focus on the questions. It would help to introduce yourselves I think initially, but we're going to give you 45 minutes, and I'll tell you when we start and I'll give you some warnings through that period to discuss the questions and to put forth generally your sense and perception of the three institutions, police oversight institutions, and any experiences you've had directly with them and recommendations for how they can be improved in terms of accountability, transparency, efficacy, and building public trust.

And following that, each table will report back. I'm asking us to try to get our comments into five minutes. We'll test the room and see if we can be flexible as we go through, but that way we're assured at least everyone can report on what was said, and to try not to repeat necessarily. If one group has already said it or two groups have already said it, perhaps you can go to the next point that your group raised that hasn't yet been raised.

So without further ado, I would like you to get started. My time is 6:11, and so you have 45 minutes, but I will give you little points of time, time checks, as we go through.

And finally, the Independent Police Oversight Review team, IPOR team, will be circulating. So, Justice Tulloch and Danielle, and Jamie Kushlash(?), who's up at front, and Danielle Robitaille, who's just come in, and Simon and Justin and—who else am I ...? Matthew, I think, and Jack are all here, and we will be circulating—I will join them—to tables. Another opportunity, again, for you to be heard and for us to listen. Thank you.

[Break]

Pamela: (Inaudible).

John: Okay.

Pamela: Right.

John: Well, hello, everyone.

Pamela: Okay. John?

John: Yes?

Pamela: Can you step just to the side?

John: Absolutely.

Pamela: Yeah, because we can't see you. Okay, thank you.

John: So I guess we started with question number 3, in regards to the positive or negative interactions with the police. So, with interactions with the police as youth workers, we've had some great relationships and also have encountered some challenging relationships.

Concerns with TAVIS. TAVIS was an extreme concern in regards to their interaction with some of our community members. We found that it was difficult to voice our concerns in regards to their aggression, in regards to some of the community members that have interacted with them.

Also, we stated that it was really 50/50 depending on your relationship with the actual police location. For my location, I work out of the KGO, Kingston-Galloway-Orton Park-Danzig-Mornelle, and our Division is 43. We had a great relationship with the Staff Sergeant, so that allowed us to, if there is an individual that was caught in a particular situation, we can go and have a conversation with the Staff Sergeant and allow us to kind of defang some of the situations and to find better solutions to the issues. But as sometimes the positions rotated and you get another person into the position, sometimes the relationship is not there. Also, with the community police liaison, that also helps a lot when you have a great connection with them, and also sitting on the CLPC, which is another organization through the police department where you can voice your community concerns. But then again, you really have to build your relationship with your local department first in order for you to have that 50/50 experience.

Male: So I think we really didn't follow any kind of specific format in terms of how we answered the question. We can fly through the first page. Are you familiar with the SIU? Yes. Are you familiar with the OIPRD? No. And simply, again, just because of some of the work that we do, we understand what they're supposed—is that better? I hate microphones so this is really challenging for me. Okay. So, we understand what they're supposed to do, but there's some immediate barriers in terms of accessing the service, right?

So we talk about the clientele that we work with and we talk about, you know, as civilians. So in terms of support—in terms of reporting a crime, if you report a crime, you dial 911 and report the crime. An officer commits a crime and you have to fill out an application form for—to even get it investigated. And when you look at that form, there's someone with a uniform on the front. So that becomes a barrier because it's like how confident can you be in the system where essentially you see the oppressor as the first image on the application form? So, that was a challenge for us.

Perceptions and expectations. We didn't really get to that because, again, we have no expectations around the OIPRD because a lot of us don't even know what they do. So you can't really have expectations around the system when you have no knowledge or information.

We talked about the need to put forth best practices and we didn't feel OIP did that at all. We are aware of cases that the OIPRD are involved, especially the Neptune case, which involved officers assaulting (inaudible) individual. We saw some young people in the community, but even your own representatives couldn't tell us where that case was currently. So that's a challenge, because now we have nothing to take out to the community, "Here is a case that's gone forward that is now successful or unsuccessful."

What else did we talk about? I feel we really got more into a conversation around just police conduct in general and the challenges with it, and I think the fact that there seems to be no accountability for, you know, that conduct. So just to kind of make it real for us, we've worked with a lot of young people, and if there are other youth workers in the room, we'd say the name Scarface. Right? And a lot of young people and youth workers would say, "Oh, that guy, with the notorious story of the guy, Scarface, who's hit young people with a Yellow Pages book." And the only recourse we saw for his actions was that he just changed divisions, all within Scarborough, right? So now, how do you become confident in any kind of system that continues to allow that behaviour, right?

So we've talked about how we find alternative measures, which is trying not to engage, right? Which even includes if there's some kind of act on against you as a person, as a young person. Let's have a conversation and let's have dialogue. However, reporting it probably won't get you anywhere because we haven't had success as workers in terms of doing that.

John Jet (?) spoke about he had an issue with an officer, took it to the local police station, and they said, "Just let it go," right? Now, now when that's kind of as high as you can go, you've taken it to someone that's supposed to be supporting the work you do in the community, how confident, again, are you in terms of application forms to move that issue or challenge forward?

John: In terms of should these organizations collect and make public demographic information, i.e., race, gender, age, etc., of complaints and victims, well, so on and so forth as you see it there, we were saying, yes, there should be an organization that's responsible for gathering data, but it should be an independent organization. And in terms of, like, dissemination of information, who actually gets access to this information and what is going to be revealed?

Male: Then the final piece for us was just around the education and, again, transparency of understanding the process. And one of—sorry, Justin, to put you on the spot, but he was able to explain the process of—so for us, it's application form if you go the OIPRD route. Application form, investigation, and then the potential of it coming back to the police. So again, when you talk about independent, is it truly independent knowing that it's technically (inaudible) coming back to the person or the organization that you filed the complaint against? And with the understanding that when you're filing a complaint, it is against the system, not an individual, because you're trying to change the behaviour of that system. But when they're investigating and keeping statistics around what they're doing if there's officers, how successful is it and how much belief can we have in that system? So ...

John: Just last—and lastly, not to take up too much time. We said that change takes time. First, you need to re-evaluate. Start considering the hiring process and the

practices. TPS needs to be more culturally competent and ... What else did we have here?

Male: (Inaudible) having officers. There's no fear (inaudible) system.

John: And just having no fear within the police system in terms of misconduct. Yeah.

Male: Oh, sorry. So, the final piece was around, you know, the fact that if an officer is going through an investigation there's still a paid leave, right? So they're still being compensated for their time. However, that potential victim of that crime, you know, is now still suffering with what's happened. So you know, we thought that was a little unjust in terms of ... Is that good? Does that make(?) ...?

[Talking over each other]

Male: (Inaudible) deter.

Male: It doesn't deter them. I'm just going to be your puppet now. It doesn't deter them from committing offences. Did I get that right?

Male: Yeah.

Male: Thank you.

Pamela: Thank you. Next one. Which table would like to go next? This one? Thank you.

Female: Okay, we tried to be very succinct as possible, so question number 1, the answer was that we were familiar with the SIU, but not familiar with the OIPRD or the OCPC; no one was familiar with those.

The B part, "Have you had any direct interaction with any of these organizations? Please list." And we said we had, no, we didn't have much interaction with any except the SIU, and one person said, yes, he had interaction with all.

C, "What is your perception/expectation on transparency and accountability of these organizations?" Limited to no transparency. Primary objective is to collect data to assist in their defence. And who will be making the decision? One of the questions we have is who will be making the decisions re appointment of the members of the review board that will be reviewing the data that's collected from here, other than the Attorney General?

Number 2, "Overall, how confident are you in the police oversight system?" And it's less than zero. One person said minus-200. One person said minus-2,000, sorry. So, basically no. Zero confidence. And the reality is that the police oversight systems look out for the police department's interest over the public interest, so there's no—yeah.

"Have you had any positive or negative experiences with the police?" and members of the table said mostly negative. There was no one who could give positive experiences that they have had, so it was mostly negative. And there were some people who abstained from responding to some of the questions.

"If you had a negative experience with the police, have you reported it? If yes, who did you report it to? What was the outcome? If no, why did you not report it?" And

most people did not report, except one person who has reported and has had a number of negative experiences. The point that all said was that there is fear of retaliation, why they would not report it. And one person has dealt with other boards previously, and the experience has been mostly negative.

“If someone you know had a negative experience with the police, would you encourage them to report it? Why or why not?” No reporting. Fear of retaliation.

“Should these organizations collect and made public demographic information on race, gender, etc., of complainants or victims whose cases are being investigated by one of the oversight organizations? Why?” And the answer is yes, it should be, to show patterns or trends and to recognize and address how to approach a situation or circumstances. So it should be made public so that we see some transparency, and it will show trends and patterns of what are some of the—where they’re going with this, what is happening in terms of demographics. For example, we know that mostly some of the situations that we get reports on is mostly seen in a particular community.

“Please share any thoughts, experiences, or recommendations for police oversight.” And most people said they didn’t want to share for fear of retaliation, and no one wants to report.

Michael: Share with us(?), right?

Female: It goes back to that as well, not only to the public but to other officers who are not—sorry.

Michael: Sorry about that. That question is intended for our feedback.

Female: Okay.

Michael: So what we want you guys to do is to share with us your perspective or your views as to how we can improve the current oversight system, or make recommendations to improve the current oversight system, right?

Female: Mm-hm, mm-hm.

Michael: So it’s not a matter of sharing it with the oversight bodies, but with us as a reviewer.

Female: Okay.

Michael: But anyway, go ahead.

Female: We thought about that, but people felt that sharing, we felt it was only another—and hopefully it will not be another report, another data and information collection that goes nowhere or sits on a shelf somewhere.

So in terms of recommendation, we had, plus-plus-plus, transparency. Public disclosure, other than brief sound bites and from the media in terms of what is happening. We need to have public and community involvement, i.e., focus groups periodically, information-sharing periodically. If public review board, then members should be chosen by the public. There should be psychological testing for potential police officers to determine biases. And training, all those things we see in terms of that needs to happen.

And make sure the information and data is made public and the next steps. So, we're saying we want to hear the response—the report from this, and also what are the next steps that are going to be taken. And of course, implementation of the recommendation is a must. Quite often, we hear of these things happening and there is a report given out, and the implementation, nobody hears what happens to that because they're not implemented. So, we hope that recommendations from the report that you're going to make, we're going to see that those are recommended—they're going to be followed through on that and implementation occurs.

Pamela: Anything else? No? You're good? Okay, who's next?

Female: Oh, I'm going to pass it to you. Hello. We had more of a discussion as opposed to answering the questions. We ended up answering the questions afterwards, but I'll give you some highlights of our discussion after.

But to answer the first question, "Are you familiar with the SIU, OIPRD, OCPC?" So, it turns out that most people at our table were familiar with the SIU but none of the other organizations. There was only one person in our group who was familiar with the OIPRD.

"Have you had any direct interaction with any of these organizations?" There was one individual in our group who had direct contact with the SIU.

Moving on to question 2, our confidence went from zero to low. So, our confidence in these police oversight systems, pretty much non-existent.

Moving on to question 3, none of us really had direct interactions with the police, or it was somewhat indirect. So overall, what we—how we perceived the police was more of a negative because of the stories we heard on the news, because of other people that we may know, family members, etc., that may have had interactions with the police, and not being very positive. So because of that, we felt that our perception of the police was not one that was favourable.

We didn't quite get to question number 4, but the sentiment that we kind of felt is that, yes, there should be some—there should be some information that's shared with the public.

Male: (Inaudible).

Female: Officer's names. Thank you for reminding me.

Some highlights from our conversation, though, when it came to the SIU, we were curious to know what the selection process is. Who are the members that actually sit on the SIU? One member of our group expressed thinking that it was ex-police officers that actually sit on the SIU, which leads us to think, well, how independent is this? How independent are these organizations if it is police officers, former police officers, that are sitting on these groups?

Another topic that came up was civilians. If we are caught or if we break the law, then we are judged by our peers, unlike the SIU. It's not quite the same. Or not the SIU, but by police officers, it's not quite the same, if they're judged on a different scale. As well as with us, if we are—if we break the law, civilians, if we break the law, then we have some harsh consequences, whereas officers, they're pulled off.

They're put on, you know, administrative duty. They still get their salary, and it's not the same. It's definitely not the same when it comes to civilians and police officers, so there was a big question about that.

In terms of information being shared, it's not really a two-way street. Us as civilians, we are kind of forced and almost bullied into giving information and being cooperative with the police, but we don't get information back when something has gone awry and it's the other way around.

These are some of the issues and topics that we touched upon in our general conversation. And overall, you know, I think, like, we share the same sentiments as everybody else in this room, is that it is a definite concern for us.

Pamela: Thank you. Justin, can we do this table over here, please? Thank you.

Michael: Can I just ask a question?

Pamela: Sure. Of course you can.

Michael: And I guess before we go to the next table (inaudible).

Pamela: Oh, you need the mic.

Michael: Okay, maybe someone else at that table can answer this question. I think you had ... You had spoken about the disclosure of officers' ...

[Talking over each other]

Pamela: You have to be miked.

Male: What's the question, Justice?

Michael: Sorry. Okay. I think you had spoken about that officers' names should be disclosed, right?

Female: Yes.

Male: Yes, we did.

Michael: Yeah. Why is that? Are you able to tell us? Why do you feel that, that they should be disclosed?

Male: We didn't have a thorough discussion but we did have some members who rose the—who brought the concern forward that in terms of democracy and transparency, there should be equal opportunity for the person who is being accused or the victim, as well as the officer, to be publicized within the public realm. But someone else can also add to that.

Male: I'll just add that as a regular citizen, if one of us is charged with an offence ...

Michael: Right.

Male: ... our name is disclosed.

Michael: Right, okay. So, just so that I—you know, I'm not here to really have a discussion, per se, but the issue of the disclosure of the officer's name is relevant within the context of when they're exonerated, right? Because when they're charged, it becomes public knowledge and all the information is a part of the public court process. So, the names and all pertinent informations are disclosed.

So, the non-disclosure of the name issue becomes—or, it becomes an issue when the director of the SIU produces a report, and he produces a report when he makes a decision not to lay a charge, right? So the officer is not an accused at that point, right? So he—it's just during the investigative process. And if they've determined then that the officer is not responsible for whatever—or, criminally responsible for the act that he had been involved in, I think the general practice is not to disclose his name for privacy reasons. So it does ...

Male: And would the same thing apply to a private citizen?

Michael: I'm sorry?

Male: Would the same thing apply to a private citizen?

Michael: Yes, in a criminal context, it does, right? So if you're not—if you're being investigated, and in 99% of the cases, if you're—you know, in a few sexual assault-type cases your name may be disclosed in order for them to drum up prospective victims, right? But in most cases, your names are not disclosed unless you're charged, right? So, I think that's an issue of big concern for us, and I think a lot of the public might misunderstand, you know, what that issue is all about.

But anyway, does that change your perspective or does that shed any light on your views with respect to the disclosure of the officers' names?

Male: I think that, with all due respect, Justice Tulloch, you have provided some clarification and some good insight into the process itself as to where the justification for publication becomes relevant versus not. And I think that when you look at situations, whether it be here or across the border, we look at Andrew Loku, where the names have not been published or publicized, I think there's a sense of injustice that is greatly being felt and greatly being ... Ingested by these communities who recognize that there's a serious sense of injustice that has taken place. And because of that injustice and the pain of that and the trauma that comes along with it ...

Michael: Mm-hm.

Male: ... they feel very steadfastly and very firmly that if one does not understand or know the name of an officer, then therefore there is a sense of injustice taking place because that same officer is now allowed to work in that same division and can possibly create that same injustice, being replicated again to other citizens and other families. And therefore, I think that the justification for publication is one that is relevant to the traumatization and continued oppression that these communities feel they have to be inflicted upon and have to unfortunately cope with for the rest of their lives.

Michael: Right. Let me ask you this. Do you think that the fact that in, let's say, the Andrew Loku case, the report, the director's report, was kept secret, right? And nothing with

respect to the investigation was disclosed, so the public was at a loss as to what was the justification of exonerating this officer. Does that make a difference, right? Because I think what the public is concerned about is transparency, right? What they—what you want to know is that the whole process was fair and whatever the decision that was made is one that was a transparent and a fair decision.

Male: Precisely.

Michael: Right.

Male: That is definitely a very important point. But I think also, when one can witness, regardless of your class or racial demographic, that an injustice has taken place and it is clear on camera or clear in video or clear through witness testimony, and then you're not being charged with that action, I think it becomes very problematic in regards to future trusting or intrusting an institution that is supposed to serve and protect you in society. I think it becomes very problematic, Justice.

Michael: Okay, so it's your perception of injustice then, right? But I don't want to argue with you, but the point is if the investigation is properly done and there is no injustice, then—and there's a full disclosure of the information with respect to the investigation, then I take it that that would satisfy that transparency issue, right? Isn't that what this is all about? It's transparency and accountability, right? But anyway, I hear your point. Thank you.

Male: Thank you. I've got the distinct pleasure of actually having a very unique group to represent in terms of young adults who are most at risk and that are also senior college students in the Community and Justice Studies Program at Centennial College, and we had a discussion, and actually, I'm going to frame my comments more in terms of the recommendations in relation to some of those issues that were raised.

So with respect to the questions about knowledge about the oversight bodies, I asked the group, "Do you have any knowledge?" and the answer was no about any of these, and here we are with college students in second year studying criminal justice and community.

Then I asked, "Has a police officer ever attended your school and spoke to you about any of these issues?" No, but they've spoken about bullying, cyberbullying, don't drink and drive, say no to drugs, and all the rest of the stuff.

So, the first problem that we have, Your Honour, is the fact that young people in particular, and now broader in general society, have no clue what these organizations do, which then leads into the question of confidence. If you don't know anything about them, how can you be confident in them? And we put the priority on police educating young people and educating the community on all sorts of things, but no priority on oversight, right? At a very early stage where everybody can get that. Never mind the challenges of folks that are not necessarily connected or new to Canada, in terms of their understanding of this whole oversight regime.

So, what they're recommending is better marketing and information regarding oversight, so whether or not they have one outreach and education unit that will educate—that that's their job, full-time, going to the colleges, going to the schools, going to community centres, churches, wherever, and getting that information out.

This notion that everybody is on social media, so I'll tell you a quick joke. I saw somebody yesterday that still has a flip phone. I'm like, "Who does that?" Right?

And he said, "Listen, you can still get the batteries at Pacific Mall."

So I'm saying, "Alright, we're good to go." Right? So this notion that everybody is connected I think is a misnomer, right? So we need to do a better job of educating about these oversight pieces.

The other piece that the young people spoke about was the fact that in terms of oversight bodies, where there's appointment there should be space made on these boards, in particular OCCOPS, the Ontario Civilian Commission on Police Services, that somebody between the ages of 18 and 26 be appointed, there's a spot. Where's the young person's voice at that table? Generally, it's older folks, connected folks, but not to the reality of the young people that are being impacted by this.

With respect to the collection of stats as it relates to identifying trends and issues, they're in support of that with respect to complainants. But it's interesting in terms of how this question was framed in terms of the public. What about the officers that are subject to it? So in terms of really getting at trends and issues, we need to begin to collect stats on the level of experience of the officers in terms of who's being complained about, whether or not they're in primary response, specialty units, or traffic, in order to get a better handle on the trends in complaints. I think as a community, we all know people that have complained or had an issue, but we don't know enough systemically about what does that look like. What type of officer in terms of a profile is most likely to receive a complaint? So is it something that we can train to? Is it something that we need to account to?

I mean, and one of the things the young people said, even in terms of the interactions that lead to complaints, more maturity, right? We're hiring a lot of young folks. Do they have the requisite maturity in order to communicate with people in a manner that leaves their dignity intact and then leave that situation that—or, create a situation that's fair, safe, and equitable for the people that they're serving?

Yeah, so those, those were the big ones, in terms of the education piece and we need to do a better job, the appointment of a young person to OCCOPS or any other board where there is an appointment, and then also the specific data, demographic and professional data, in terms of the officers. I know there's a study in California, when we were looking at the issue of racial profiling, that looked at the age and gender profile of officers and traffic stops. And one of the interesting things they found was that younger officers that were male were more likely to stop young females, which is an indication of something else. And I mean, logic, you can let your mind go where you need to go, but it wasn't just about, you know, what it is in terms of concern about bias, perception, and discretion, right?

So if you're not tracking the data about those people that are providing the service or that are the subject of the complaint, how do we really then get—so to tell me that the black community in Toronto or Montreal or Ottawa, but for the purposes of Ontario, in Toronto, complained at a rate of, you know, 60%, that's stuff we know (inaudible) from reading, sharing(?), and talking to each other, right? But you need

to tell me, what is the demographic of the officers that are engaged in it and what are the appropriate systemic interventions that are being taken in order to stem that?

[Applause]

Pamela: Thank you, Mr. Mitchell. And then our final table is here, right here.

Female: Hi, thanks. So with respect to question number 1, most of us were aware of the SIU. However—I'm sorry, some of us were aware of the SIU, but most of us were not aware of the other two oversight bodies.

With respect to 1B, none of us really—"Have you had any direct interaction with any of these organizations?" None of us had.

With respect to C, in terms of expectation, I have here the perception is that there's a lack of transparency. We don't hear enough. Most of us felt that we don't hear enough about these bodies, with the exception of when things, you know, something occurs, an incident occurs, and then it's published in the media, and only then did we—do we hear about the SIU, and not necessarily the other two.

Okay, with respect to number 2, most of us were not very confident, and we felt that this was nothing new. The suggestion is that police officers should not investigate other police officers. There was one suggestion among us that only those who were affected by police officers should be investigating police officers.

With respect to question number 3, all of us had both positive as well as negative experiences. We've had responses where some officers were kind and polite, and then others where they were rude or showed a lack of respect. Some of us had concerns with the maturity of some police officers, and one person among us said that he had both a positive and negative.

With respect to 3B, there was one person who did not want to talk about the experience that they've had. One person had an experience and said that it was reported verbally, however because of the interaction that the person had with the police in reporting, no written statement was taken. So, there's that concern there that our concerns are not being addressed.

With respect to C, most people just—sorry. Yeah, most of us said that, yes, we would suggest that they report. It's important to report. However, all of us felt that there were concerns with respect to one's security or safety in reporting, so that would always be a consideration in whether or not one would report. And there was an excellent suggestion made that when one is reporting an incident, that it be done outside of a police department.

With respect to question number 4, the answer here, yes, people—because people are policed differently, so it's important to document those demographics. And we also echo what we've heard before with respect to the fact that the police officers themselves, it should be documented, their backgrounds to type of work they do and how they interact. We felt that, you know, the reason for collecting this as well, the information as well, is because information is power and it also validates the concerns of racialized people or marginalized people who felt that they were being targeted.

With respect to question number 5, the suggestion was made that there should be a change in the hiring process and the training process and the collection of information, the biodata that was referred to earlier. A suggestion was made that there should be psychological testing for investigators, as well as investigators who are hired, it should be a requirement that they have higher education, and the type of education should be important as well. There were also suggestions about police wearing body cameras as well as citizens also maybe recording their interactions with police.

There was a suggestion that the SIU be disbanded and completely rebuilt, starting fresh. There was also a suggestion that in hiring investigators, that a consideration be made with respect to not hiring just ex-police officers, or make sure the makeup of the SIU, it should reflect people from different backgrounds, so different walks of life, different experiences. And the issue there is you hire them and you train them, and then they would be bringing their experiences from different areas. And there were some among the group who felt that no former police officers should be hired as investigators.

One more ... Duh-duh-duh-duh ... Oh, yeah. So, everything is covered, so that was our input. Thank you.

[Applause]

Pamela: Thank you, everyone, and I really would like to thank you deeply for remaining and staying with us throughout. Again, tonight your feedback has been most, well, eloquently put, but profound. I know many of you are here representing others who aren't here, and I'm particularly pleased to see young people here, and we had some before, and those who work with young people and represent young people here. It was one of the comments that we got last night, and so it seems like tonight we had that answered. So, thank you, Scarborough. And thank you to the youth outreach workers and the city, community development officers, and all those that I know are here from Malvern and Galloway and other parts of Scarborough who were able to bring young people out, and Centennial College. Thank you, David. I think that it's helped to inform the discussion and give us some different perspectives, and that's very important

I also want to say that there is so much food left behind. Please, please, please, on a lighter note, please take it with you as you leave. But before we wrap up, I'm going to remind you of one thing, and then I will introduce, reintroduce Justice Tulloch again to give closing remarks.

I think, just to pick up on something David Mitchell just said in terms of social media, I think it's very important to—after you've had some time to reflect and after you've had some time to share tonight's experience with those with whom you work or your family members, friends, that you know that there is an opportunity for you to give written submissions. And you can email them in, you can get to our website, again, which is policeoversightreview.ca, and make comments, make a submission, and you have up until the end of November to do that, November 30th. And I think upon reflection, and as you, again, take this away with you, there may be some opportunity for others to contribute and make presentations. And also, there are other public consultations that will be taking place. Across the province, yes, but in

the GTA, in Toronto in November, on the 20th, right, of November? There's one that will be at Metro Hall downtown.

Male: It's on November 10th.

Pamela: 10th? Thank you. At Metro Hall, and we will be—we will continue to have these meetings and want to hear from you, so if there's somebody that you know that really needs and wants to make a submission or to be heard, point them in the direction of the computer and the actual physical consultations that are taking place. And we will be going out east, so if—those of you who live in Ajax, Pickering, Oshawa, that direction, we'll be having consultations there, and out in the West End as well, in Peel Region, Durham Region, and York Region.

Thanks. Justice Tulloch?

Michael: Okay, great. So I just want to reiterate what Pam has said and thank you guys all personally on behalf of our team for coming out. Again, I want to thank Tropicana, Jenny and Sharon, for opening up the space to us and for having all these folks here. I can indicate to you that we've listened very loudly and we've listened very clearly to what you've said, and everything that you have indicated to us will be considered. And we will report back and, you know, I'm hopeful that our report will reflect the essence of what we've heard throughout these public consultations.

So again, thanks to all of you for coming. And I also want you to encourage those people that you know to put(?)—you know, to come out to our other public consultations, right? They're all—the dates are all on the websites and we're going to be throughout the province. So, maybe you might have relatives in Ottawa or in Kingston or London or Windsor. You know, reach out to them and let them know that their voices are important to us.

And so, thank you, guys.

Pamela: Okay, I think that's it.

Michael: Great.

[Applause]

[People chatting in background]

Pamela: Can I also remind everybody to hand in your written submissions, please? Or leave them on the desk so that we can collect them, or your written notes. Thank you.

[People chatting in background]

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