



Tribunals Ontario
Ontario Civilian Police Commission

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Tribunaux décisionnels Ontario
La Commission civile de l'Ontario sur la police

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**In the Matter of Thunder Bay Police Service and the Thunder Bay
Police Services Board under sections 23(1) & 24(1) of the Police
Services Act, R.S.O. 1990, c. P.15, as amended**
ORDER

Order Made by: Sean Weir, Executive Chair, Tribunals Ontario, Chair, Ontario
Civilian Police Commission

Date of Order: April 26, 2022

File: 22-FIL-001

Case Name: Thunder Bay Police Services Board (2022) (Re)

1. The Executive Chair of Tribunals Ontario made an Order on April 19, 2022 appointing an Administrator of the Thunder Bay Police Services Board (hereinafter called the TB Board).
2. This Order clarifies the powers of the Administrator as set out in paragraph 26 of the Order made on April 19, 2022.
3. The clarifications contained herein are being made pursuant to paragraphs 29-31 of the Order made on April 19, 2022.
4. The Administrator's powers include the following:

Pursuant to subsection 23(5) of the PSA, the Administrator will have all the powers necessary to perform the following functions detailed herein:

1. Until the Administrator is of the opinion that the TB Board will perform its duties pursuant to its statutory obligations under the *PSA* and regulations, the Administrator shall preside over all regularly scheduled and special meetings of the TB Board, including the *in-camera* portions. The Administrator shall also attend and preside over all sub-committee meetings. The Administrator shall have the sole vote.



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2. After the Administrator is of the opinion that the aforementioned conditions have been satisfied, has given the Executive Chair five days written notice in advance of forming such an opinion, and has received the approval of the Executive Chair, the Administrator may at the Administrator's sole discretion continue to attend, either in person or by conference call or video conference, all regularly scheduled and special meetings of the TB Board, including all *in-camera* portions. The Administrator may, in the same manner, attend all sub-committee meetings.
3. The Administrator has all the powers necessary to make binding decisions on behalf of the TB Board at all regularly scheduled and special meetings of the TB Board, including all in-camera portions, and at all sub-committee meetings regardless of whether or not a quorum exists.
4. The Administrator has all the powers necessary to make binding decisions on behalf of the TB Board by way of resolution in the time period between TB Board meetings.
5. The Administrator shall review the TB Board's implementation of the recommendations applicable to the TB Board contained within the Sinclair Report. Within the six-month period of his appointment, the Administrator will prepare a report on the status on their implementation and decide which of the unfulfilled recommendations should be implemented on a priority basis. The Administrator's report will be made publicly available.
6. The Administrator shall have unrestricted access to any and all of the TB Board's past and current records as the Administrator may specify for the purposes of this Order on request, without delay.
7. The Administrator will liaise with the Commission's investigators to ensure the TB Police Service's compliance with its responsibilities vis-à-vis the s. 25 investigation into the TB Police Service and certain members of the TB Police Service which I ordered on February 10, 2022. The Administrator will also update the Commission's investigators on his activities and/or observations when requested by the investigators.
8. The Administrator will have the power and responsibility, upon the direction of the Commission, to secure any documents that are summonsed by the Commission. The Administrator will have the power to request documents from any member of the TB Police Service or TB Police Board in order to secure them.



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9. On his own initiative or upon request from any member of the TB Board, the Administrator shall provide advice to the TB Board and/or individual members, where appropriate, about *inter alia*: TB Board processes including, but not limited to issues such as the recording of votes, taking of minutes, scheduling agenda items, delegation of authority and composition of subcommittees.
10. The Administrator will have full power and authority to make any changes to the TB Board processes which he, in his discretion, deems necessary or advisable to enhance governance of the TB Police Service.
11. The Administrator may make recommendations to the Executive Chair of the Commission on the TB Board's composition, including the power to suspend any or all of its members.
12. The Administrator will advise the Executive Chair about the need to vary or cancel any Order made in response to changing circumstances and in consultation with the TB Board.
13. The Administrator will report at such times as the Executive Chair directs, and not less than monthly to the Executive Chair, and will advise the Executive Chair about the need to vary or cancel his powers as necessary.
5. Except as expressly clarified herein in accordance with paragraph 4 of this Order, all other terms of the Order made on April 19, 2022 shall remain unchanged and shall continue in full force and effect.
6. The Order is effective as of April 26, 2022.

Dated in Toronto, this 26th day of April, 2022.

Sean Weir
Executive Chair, Tribunals Ontario,
Chair, Ontario Civilian Police Commission