

Safety, Licensing Appeals and
Standards Tribunals Ontario
Ontario Civilian Police Commission

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Tribunaux de la sécurité, des appels en
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Press Release

Ontario Civilian Police Commission Appoints Investigator

July 24, 2017

Investigation into Thunder Bay Police Services Board

The Ontario Civilian Police Commission (the “OCPC”) has serious concerns about the state of civilian police oversight and public confidence in the delivery of police services in Thunder Bay, specifically regarding:

- The Thunder Bay Police Services Board's (the “Board”) ability to address matters raised by Indigenous leaders relating to a recent series of deaths of Indigenous youth and the quality of the investigations into these deaths conducted by the Thunder Bay Police Service (the “Service”);
- Board representatives stating that the public’s concerns about systemic racism existing within the Service and the quality of the Service’s investigations are without basis; and
- The recent criminal charges that were laid against the Thunder Bay Police Service’s (the “Service”) Chief of Police, who was charged with breach of trust and obstruction of justice.

To ensure the maintenance of public confidence in the delivery of police services in Thunder Bay, the OCPC, relying on powers granted by s. 25(1)(b)-(d) of the *Police Services Act* (PSA), has initiated an investigation into:

1. The Board's performance in carrying out its responsibilities pursuant to s. 31(1) of the PSA to ensure the provision of "adequate and effective" police services in Thunder Bay;
2. The Board's role in determining "objectives and priorities with respect to police services" in Thunder Bay, pursuant to s. 31(1)(b) of the PSA;
3. The Board's role in establishing policies for the effective management of the Service, pursuant to s. 31(1)(c) of the PSA;
4. The Board's role in ensuring that police services provided in Thunder Bay are provided in accordance with the Declaration of Principles set out in section 1 of the PSA which provides that police services shall be provided throughout Ontario in accordance with the following principles:
 - The need to ensure the safety and security of all persons and property in Ontario.
 - The importance of safeguarding the fundamental rights guaranteed by the *Canadian Charter of Rights and Freedoms* and the *Human Rights Code*.
 - The need for co-operation between the providers of police services and the communities they serve.
 - The importance of respect for victims of crime and understanding of their needs.
 - The need for sensitivity to the pluralistic, multiracial and multicultural character of Ontario society.
 - The need to ensure that police forces are representative of the communities they serve.

Appointment of Investigator

The OCPC has appointed retired Judge and current Senator, the Honourable Murray Sinclair as the independent investigator in this matter.

Senator Sinclair served the justice system in Manitoba for over 25 years. He was the first Aboriginal Judge appointed in Manitoba and Canada's second.

He served as Co-Chair of the Aboriginal Justice Inquiry of Manitoba, which studied the relationship between Indigenous People and the Justice system in Manitoba. He also presided over the Paediatric Cardiac Surgery Inquest, which studied surgically related deaths of twelve children at Winnipeg's Health Sciences Centre and resulted in a report that has significantly influenced the field of medical error in Canada. He also presided as the Chair of Canada's Truth and Reconciliation Commission (TRC). As head of the TRC, he participated in hundreds of hearings across Canada, culminating in the issuance of the TRC's report in 2015.

Senator Sinclair has been invited to speak throughout Canada, the United States and internationally, including the Cambridge Lectures for members of the Judiciary of various Commonwealth Courts in England, and the Canadian Association for Civilian Oversight of Law Enforcement.

He has served as an adjunct professor of law and of graduate studies at the University of Manitoba. He was active within the legal profession and his community and has been recognized several times for his work, including the National Aboriginal Achievement Award for Justice (1994) and for Lifetime Achievement (2017); the Manitoba Bar Association's Equality Award (2001) and its Distinguished Service Award (2016) and has received Honorary Doctorates from 14 Canadian universities. Senator Sinclair retired from the Bench and was appointed to the Senate on April 2, 2016.

Scope of Investigation

The OCPC will ensure its work neither interferes with nor duplicates the systemic review underway by the Office of the Independent Police Review Director (OIPRD) and any ongoing Coroner's and police investigations. The OCPC shall seek to work cooperatively with other organizations carrying out related investigations where practicable.

In accordance with s. 25(3) of the PSA, the OCPC will prepare an interim report and a final report. It will provide the reports to the Board, Indigenous communities, the Service, the Minister of Community Safety and Correctional Services and the public. The interim report will be completed by October 31, 2017. A final report will be completed by March 31, 2018.

Quick Facts

- The OCPC investigation is not punitive and not directed to any specific conduct issues. Ultimately, there is a public interest in ensuring that the Board is meeting its obligations.
- There are three ongoing Indigenous death investigations in Thunder Bay: the death of Tammy Keeash (May 7, 2017), the death of Josiah Begg (May 18, 2017) and the death of Stacy DeBungee (October 19, 2015).
- On May 23, 2017, the Service's Chief of Police was charged criminally with breach of trust and obstruction of justice. Members of the Board have been identified as potential witnesses in the matter.

Background Information

- The Ontario Civilian Police Commission (OCPC) is an independent, quasi-judicial agency. It is one of five tribunals in the Safety, Licensing Appeals and Standards Tribunals Ontario cluster.
- The OCPC has a broad mandate, including ensuring that police service boards are providing sufficient oversight of police services in a manner that ensures adequate and effective police services in the community and that maintains public confidence in the delivery of policing.
- The Office of the Independent Police Review Director (OIPRD) is an independent, arms-length agency that works to identify and offer solutions to systemic or ongoing issues within police services and is responsible for performing audits to ensure the complaints system is being administered effectively. It is also responsible for administering public complaints about police in Ontario.

Additional Resources

- [Safety, Licensing Appeals and Standards Tribunals Ontario](#)
- [Office of the Independent Police Review Director](#)

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