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Ms. Kelly Donovan
11 Daniel Place
Brantford, Ontario
N3R 1K6

Dear Ms. Donovan:

Thank you for your letter regarding alleged systemic misfeasance in Ontario policing. I apologize for the delay in responding.

As you are aware, in April 2016, Justice Michael H. Tulloch was appointed to lead an independent review of Ontario's police oversight bodies. After extensive consultation with more than 1,500 people from across the province, Justice Tulloch's final Report of the Independent Police Oversight Review (IPOR), including 129 recommendations, was released on April 6, 2017. His recommendations are helping us transform the policing oversight system in Ontario, so that it has the confidence of both the public and members of the police.

Justice Tulloch was clear that the status quo needs to change to improve public confidence in Ontario's policing oversight system. The Ministry of the Attorney General invited feedback on the IPOR report online for a period of 45 days between April and May 2017. The ministry also engaged a wide spectrum of stakeholders, including the policing oversight bodies, community organizations, legal and human rights experts, Indigenous stakeholder groups, policing organizations and others. For the full IPOR report, and for more information on policing oversight in Ontario, please visit <http://www.policeoversightreview.ca/>.

Our goal is to make Ontario a leader in policing oversight. On March 8, 2018, the *Safer Ontario Act, 2018*, was passed. This new legislation will transform Ontario's policing oversight framework. The legislation is based on the four key principles outlined in the IPOR report:

1. Increasing openness: taking an open-by-default approach to sharing information with the public regarding investigations, thereby keeping them better informed about the investigative process;
2. Increasing accountability: requiring mandatory cooperation from police officers in oversight investigations and by accessing the tools needed for policing oversight bodies to become more effective;
3. Increasing public confidence: increasing public confidence by restricting investigations and decision making about public complaints regarding the conduct of policing officials to policing oversight bodies only; and,

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4. Increasing cultural competency: improving the cultural competence of the oversight bodies through new training, more diverse staff, and better data collection.

To make the policing oversight bodies more independent, open and accountable, the new legislation will:

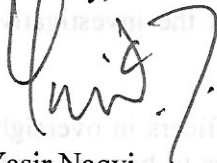
- create stand-alone legislation for policing oversight and remove the oversight agencies from the *Police Services Act*;
- establish the Special Investigations Unit (SIU) as an independent agency;
- expand the mandates of the SIU and Office of the Independent Police Review Director (OIPRD) to include independent oversight over additional policing officials including special constables, auxiliaries and First Nations police in certain circumstances;
- rename the oversight bodies to better reflect their mandates – SIU as the Ontario Special Investigations Unit (OSIU); the OIPRD as the Ontario Policing Complaints Agency (OPCA); and the Ontario Civilian Police Commission (OCPC) as the Ontario Policing Discipline Tribunal;
- transform the OCPC into an adjudicative tribunal hearing professional misconduct and disciplinary matters involving policing officials;
- create a duty to comply with the OSIU and OPCA and penalties for failing to fulfil this duty; and
- strengthen the duty to notify the OSIU of an incident potentially within its mandate.

We are confident that these changes will make Ontario a leader in policing oversight with a system that is robust, open and accountable.

Some of the legislative changes are closely linked to *Police Services Act, 2018*, which falls under the purview of the Minister of Community Safety and Correctional Services (MCSCS) and is expected to come into effect in early 2019. I note that you also copied my Cabinet colleague, the Honourable Minister Marie-France Lalonde, on your letter. As many of the matters you raised fall under the mandate of MCSCS, I recommend that you continue working with MCSCS if you have any further questions about alleged systemic misfeasance in policing in Ontario.

Once again, thank you for taking the time to contact me and for your ongoing efforts to promote ethical conduct in policing.

Sincerely,



Yasir Naqvi
Attorney General

c: The Honourable Marie-France Lalonde
Minister of Community Safety and Correctional Services