



The following *draft* Minutes of the special meeting of the Toronto Police Services Board held on July 06, 2010 are subject to adoption at its next regularly scheduled meeting.

MINUTES OF THE SPECIAL PUBLIC MEETING of the Toronto Police Services Board held on **JULY 06, 2010** at 9:30 AM in the Auditorium, 40 College Street, Toronto, Ontario.

PRESENT:

Dr. Alok Mukherjee, Chair
Ms. Pam McConnell, Councillor & Vice-Chair
Ms. Judi Cohen, Member
Mr. Frank Di Giorgio, Councillor & Member
Mr. Hamlin Grange, Member
Mr. Adam Vaughan, Councillor & Member

ALSO PRESENT:

Mr. William Blair, Chief of Police
Mr. Albert Cohen, City of Toronto - Legal Services Division
Ms. Deirdre Williams, Board Administrator

The Board met to consider an urgent matter and Chair Alok Mukherjee advised that section 7(1) of the Toronto Police Services Board By-Law 107 governing the Board's proceedings states:

The Chair may at any time summon a special meeting of the Board on twenty-four hours' notice to the Members and shall summon a special meeting of the Board when requested in writing to do so by a majority of the Members.

Given that 24 hours notice had not been provided, Chair Mukherjee further advised that section 33 of the By-Law allows the Board to waive any rules of procedure established by the By-Law as it considers appropriate.

The Board agreed to waive section 7(1) of the By-Law in conjunction with the authority established under section 33 of the By-Law.

**THIS IS AN EXTRACT FROM THE MINUTES OF THE SPECIAL PUBLIC MEETING
OF THE TORONTO POLICE SERVICES BOARD HELD ON JULY 06, 2010**

**#P189. TORONTO POLICE SERVICES BOARD INDEPENDENT CIVILIAN
REVIEW**

The Board was in receipt of the following report dated July 6, 2010 from Alok Mukherjee, Chair:

Subject: TORONTO POLICE SERVICES BOARD INDEPENDENT CIVILIAN
REVIEW

Recommendations:

It is recommended that:

1. The Toronto Police Services Board (“the Board”) approve the proposal for the creation of an Independent Civilian Review contained in this report;
2. The Board approve the mandate of the Independent Civilian Review which is appended to this report;
3. The Board authorize the Chair to develop Terms of Reference within 2 (two) weeks and bring back for Board approval;
4. The Board authorize the Chair to engage communications consulting advice and any other professional services that may be required and that these costs be borne by the Special Fund;
5. The Board authorize the Chair to identify for Board approval a Reviewer who will carry out this independent civilian review.

Financial Implications:

The financial implications are not known at this time.

Background/Purpose:

At its public meeting held on June 29, 2010 the Board approved the following:

THAT the Chair report to the Board at its July 22, 2010 meeting with a proposal for a process for the Board to exercise its civilian oversight responsibilities, using the Chief’s SMAART report as an opportunity for public discussion on the policing of the G20 Summit, and further that the Chair consult with the Ontario Independent Police Review Director and the Ministry of Community Safety and Correctional Services and the Ministry of the Attorney General in developing the process.

Discussion:

This report and the recommendation contained herein are the result of broad consultation by the Board with significant members of the community and with key stakeholders.

The action now being recommended is consistent with the Board's overall responsibility under Ontario's *Police Services Act* (the *Act*) to provide "adequate and effective policing services," some of its priorities with respect to community-based policing and, most importantly, its governance and oversight role.

Under the *Act*, in communities where a municipal police service exists, the responsibility for oversight of policing rests with a civilian police services board. The *Act* spells out the roles and responsibilities of police services boards. In the City of Toronto, that oversight is exercised by the 7-member Toronto Police Services Board.

The G20 Summit was a federal undertaking. Policing of the G20 Summit in Toronto on June 26 and 27, therefore, was a joint responsibility of several jurisdictions, with planning and execution being carried out by an Integrated Security Unit ("ISU"). It was a complex operation insofar as the authorities of different jurisdictions as well as cultures and practices of a large number of police services were required to be integrated to ensure a seamless operation.

There is need now to carry out an independent review of the oversight, governance and policy aspects of this integrated security operation to understand how its complex, multi-jurisdictional nature affected the exercise of the Board's oversight responsibilities vested in it by Ontario's *Police Services Act*.

I am, therefore, proposing an Independent Civilian Review of the oversight of G20 policing in the context of our Board's governance role and policies conducted by a person of high credibility with an extensive background in dealing with issues of police governance (the Reviewer). This Reviewer will carry out a comprehensive review in order to identify issues and concerns regarding oversight, governance, accountability, transparency, as well as communication and supervision issues arising from the multi-jurisdictional model of policing applied to policing the G20 Summit.

As part of the mandate, the Reviewer may seek the input of any individuals, agencies, organizations or associations who may have information that could assist in the review. In addition, he or she will review relevant legal authorities, policies and practices as well as decision-making structures and processes with respect to policing during the Summit.

Following completion of the review, the Reviewer will submit his report to the Toronto Police Services Board with recommendations related to policy, structural and systemic issues for consideration and any action, as he deems necessary.

I anticipate that the review will be completed in 12 weeks.

This recommended response is consistent with how the Board takes reasoned and thought out action in response to significant issues. The proposed review is in keeping with the Board's approach and constitutes a measured response to concerns expressed by Board members as well as the public.

Conclusion:

Policing of the G20 Summit was a complex undertaking involving different jurisdictions and agencies. As a result, developing an integrated seamless operation within the framework of civilian oversight laid down by Ontario's *Police Services Act* presented a challenge with respect to issues of governance, oversight, accountability, transparency, communication and supervision. These are important issues in terms of the implications for community trust and confidence in the Board and the Toronto Police Service.

I believe that the proposed review, subject to the development of satisfactory Terms of Reference, will enable the Board and the community to understand the effectiveness of local civilian oversight in the context of this multi-jurisdictional policing operation and to identify measures needed to ensure the presence of such oversight in similar future undertakings.

Chair Alok Mukherjee discussed this report with the Board.

The Board agreed with the process outlined for the proposed independent civilian review and, given the importance of proceeding quickly, inquired whether or not the timeline for the Terms of Reference could be accelerated. Chair advised that he would do his best to ensure that the Terms of Reference were presented to the Board within two weeks, or earlier, if possible.

Following a discussion, the Board approved the foregoing report.

TPSB Independent Civilian Review Oversight of G20 Policing

The Independent Civilian Review (ICR):

The Toronto Police Services Board (TPSB or the Board) is establishing a process for an independent review of the oversight and policy aspects of the G20 Summit held in Toronto on June 26 and 27, 2010. The review will include the legal framework and relevant policies under which, and structures and practices according to which, decisions were made.

Background:

Under Ontario's Police Services Act (the Act), in communities where a municipal police service exists, the responsibility for oversight of policing rests with a civilian police services board. The Act spells out the roles and responsibilities of police services boards. Under the Act, the board has overall responsibility for the provision of adequate and effective policing services. In the City of Toronto, that oversight is exercised by a 7-member Toronto Police Services Board (TPSB or the Board).

The G20 Summit was a federal undertaking. Policing of the G20 Summit in Toronto on June 26 and 27, therefore, was a joint responsibility of several jurisdictions, with planning and execution being carried out by an Integrated Security Unit ("ISU"). It was a complex operation insofar as the authorities of different jurisdictions as well as cultures and practices of a large number of police services were required to be integrated to ensure a seamless operation.

There is need now to carry out a public independent review of the oversight, governance and policy aspects of this integrated security operation to understand how its complex, multi-jurisdictional nature affected the exercise of TPSB's oversight responsibilities vested in it by Ontario's Police Services Act.

Mandate:

The Independent Civilian Review (ICR) will carry out a comprehensive review in order to identify issues and concerns regarding oversight, governance, accountability, transparency, as well as communication and supervision issues arising from the multijurisdictional model of policing the G20 Summit.

At its discretion, the ICR may invite written or oral submissions from members of the public with respect to their experience with police during the G20 Summit. The Reviewer may also seek the input of any other persons, agencies, organizations or associations who have information that will assist in the review. In addition, it will review relevant legal authorities, policies and practices as well as decision-making structures and processes with respect to policing in place during the Summit.

Following completion of this review, the ICR will submit a report to the Toronto Police Services Board with recommendations related to policy, structural and systemic issues for consideration and any action, as it deems necessary.

Timeline:

The review is to be completed in 12 weeks.

Terms of Reference:

The Reviewer will develop the Terms of Reference for the review in consultation with the Board.

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#P190. ADJOURNMENT

Alok Mukherjee
Chair