

HALTON REGIONAL POLICE SERVICES BOARD

POLICY DOCUMENT

Policy No.:	ADM-13
Policy Subject:	Special Investigation Unit (SIU) Reports Section 11 Investigation Reports
Date Approved:	October 20, 2016
Reporting Requirement	
Review Date:	

A. Legislative Authority:

1. Section 113 of the Police Services Act requires there shall be a special investigations unit of the Ministry of the Solicitor General¹. The Province of Ontario established the "Special Investigations Unit" whose mandate it is to:

"conduct investigations of incidents involving the police that have resulted in death, serious injury, or allegations of sexual assault. The SIU is a civilian law enforcement agency independent of the police. While the Unit is an agency of the Ministry of the Attorney General, it maintains an arm's length relationship with the Government of Ontario in its operations. The SIU's investigations and decisions are also independent of the government."

2. Ontario Regulation No. 267/10 - Conduct and Duties of Police Officers respecting investigations by the Special Investigations Unit – contains the following:

Investigation caused by chief of police

11. (1) *The chief of police shall also cause an investigation to be conducted forthwith into any incident with respect to which the SIU has been notified, subject to the SIU's lead role in investigating the incident.*

(2) *The purpose of the chief of police's investigation is to review the policies of or services provided by the police force and the conduct of its police officers.*

(3) *All members of the police force shall co-operate fully with the chief of police's investigation.*

(4) *The chief of police of a municipal police force shall report his or her findings and any action taken or recommended to be taken to the board within 30 days after the SIU director advises the chief of police that he or she has reported the results of the SIU's investigation to the Attorney General, and the board may make the chief of police's report available to the public.*

¹ Authority for the SIU was transferred to the Attorney General in 1992. The Police Services Act was not amended accordingly.

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B. Board Policy:

1. Subsection 11.(4) of O. Reg. 267/10 requires the Chief of Police to conduct an investigation into any incident which has been investigated by the Special Investigations Unit (SIU). The purpose of the investigation is to review the policies and/or services provided by the Police Service, and to review the conduct of members of the Police Service.
2. The Chief of Police is to submit a report to the Police Services Board within 30 days following the submission of the SIU's report to the Chief. These reports are known as Section 11 reports.
3. Pursuant to section 11.(4) of O. Reg. 267/10, the Police Services Board has the discretion to make a section 11 report available to the public.
4. For SIU investigations where no charges are laid against the Police Officer(s), it is the policy of the Halton Regional Police Services Board that the Chief's Section 11 report be drafted in such a manner that it can be included on the Board's public meeting agenda. The report shall include the following:
 - General description of the incident, without any personal identifiers
 - Result of the SIU's investigation
 - Results of the Chief's investigation related to:
 - Conduct Findings
 - Policy Findings
 - Service Findings
 - Conclusion.
5. It is the policy of the Police Services Board, that for SIU investigations which result in criminal charges being laid by the SIU against an Officer(s), the section 11 report will be submitted in confidence so as to protect the integrity of the judicial process.

C. Reporting

1. The Chief shall report to the Police Services Board anytime the mandate of the Special Investigation Unit has been invoked.