



# LONDON POLICE SERVICES BOARD

“Deeds Not Words”

Report #: 20-07

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**To:** Chair and Members of the London Police Services Board

**Date:** January 16, 2020

**Subject:** **Mandated Yearly Report: Collection of Identifying Information in Certain Circumstances (O. Reg. 58/16)**

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**Board Action:**

- ☒ Update / Information Purposes Only
- ☐ Seeking Input
- ☐ Seeking Decision
- ☐ Evaluation

**Synopsis:**

The Inspector assigned to the Corporate Support and Continuous Improvement Branch of the Corporate Services Division is responsible for preparing the annual report regarding the collection of identifying information in certain circumstances, in accordance with Ontario Regulation 58/16.

Officers that engage in regulated interactions are required to make a submission to the London Police Service's Record Management System, at which time the submissions are reviewed by a designated verifier who will determine if the interaction was made in accordance with the Regulation or if it should be moved to a restricted database.

During the period of January 1, 2019 to December 31, 2019, the London Police Service (LPS) recorded a total of zero (0) regulated interactions as defined by the Regulation.

**Background:**

In June 2015, the Ministry of Community Safety and Correctional Services (MCSCS) announced the Government of Ontario would move forward on regulating street checks to ensure a fair and consistent approach throughout the province.

In October 2015, MCSCS published draft Regulations and, in March 2016, announced Ontario would prohibit carding and street checks and set out new rules for Police Interactions (O. Reg. 58/16). The implementation date of the new legislation was January 1, 2017.

In addition to the rules, initial and ongoing training for officers was also prescribed. Initial training took place in 2016, with refresher training required every three years.

During the course of 2019, all sworn members of the Organization were required to complete the 3-year refresher training for “Collection of Identifying Information in Certain Circumstances” (CIICC), as mandated by the Ministry.

*Findings from the Inspector’s review of any regulated interactions*

As noted, there were no regulated interactions as defined by O. Reg. 58/16. The contents of the annual report to the Board, made under section 14 of the Regulation requires the following to be reported annually:

|  |   |
|--|---|
| Number of attempted collections  | 0 |
| Number of attempts in which Identifying Information was collected  | 0 |
| Number of individuals from whom identifying information was collected  | 0 |
| Number of times the following provisions were relied upon to advise the individual of his/her rights that they were not required to provide identifying information to police: |   |
| i) might compromise the safety of the individual   | 0 |
| ii) would likely compromise an ongoing police investigation  | 0 |
| iii) might allow confidential informant to be identified   | 0 |
| iv) might disclose the identity of a person contrary to law  | 0 |
| Number of times an individual not provided a receipt because they didn’t indicate they wanted one  | 0 |
| Number of times a receipt was not provided as doing so might:  |   |
| i) compromise the safety of the individual   | 0 |
| ii) might delay the officer from responding to another matter  | 0 |
| Number of times officers permitted access to identifying information that has been restricted  | 0 |

Because there was no regulated interaction with members of the public reported, there is no evidence of disproportionate collection of information.

An additional reporting requirement of the Regulation is a report of the number of complaints received relating to regulated interactions (see Appendix A).

*Continuous Improvement:*

The London Police Service continues to enhance Organizational capacity and understanding of London’s diverse communities in an effort to maintain a bias-free approach to all our interactions with the community.

The 2019-2021 London Police Services Board Business Plan, “Vision for a Safer London” highlighted a redeveloped Mission, Vision, and Value Statement for the Organization, embracing London’s diverse community, embedding equality, diversity, inclusiveness, and trust with our Organizational priorities.

The recently updated Diversity, Equity, and Inclusion Plan includes a “21-Point Plan” which supports the Strategic Priority of Community Wellbeing in the 2019-2021 Business Plan.

Explicit and implicit bias was a major underpinning of the findings in relation to how and why “carding or street checks” were being undertaken. As such, we continue to invest in our members to enhance the quality of our interactions with members from our diverse communities. In 2019, this included sending three (3) members of the LPS to attend training at the Cross Cultural Learning Centre to learn, and become, trainers for the entire Organization, to instruct our members to identify how culture and stereotypes impact an individual’s interactions, and how to become aware of them and interact without bias. This training forms part of the mandatory in-service training curriculum in 2020.

### **Financial Implications**


There are no financial implications associated to this Report.

### **Recommendation(s):**

It is recommended that the Board receive this Report for their information.

PREPARED BY: Tom Allen – Inspector, Corporate Support & Continuous Improvement Branch  
PRESENTED BY: Stuart Betts, Deputy Chief, Administration

Attachment:                   Appendix A

|   |  |   |                       |
|---|--|---|-----------------------|
|  | <b>Memorandum</b> Professional Standards Branch  |   | <b>No.: 20-05</b>     |
|   | <b>LONDON POLICE SERVICE - COMPLAINT REPORT -<br/>IN ACCORDANCE WITH PART 2 CHAPTER R, COLLECTION OF<br/>IDENTIFYING INFORMATION PROCEDURE</b> |   |                       |
|   | <b>To:</b> Inspector Tom Allen,<br>Corporate Support Branch  | <b>From:</b> Inspector Kelly O'Callaghan<br>Professional Standards Branch |                       |
|   | <b>Date Issued:</b><br>January 3, 2020   | <b>Date Effective:</b><br>January 3, 2020                                 | <b>PAGE</b><br>1 of 1 |

This report is submitted in accordance with LPS Procedure Part 2, Chapter R, 13, Collection of Identifying Information.

During 2019 the Professional Standards Branch received one (1) complaint from the public related to regulated Interactions.

The following table will outline these complaints from 2017 forward, with a 5-year comparison.

| Origin of Complaint       | 2017 | 2018 | 2019 | 2020 | 2021 |
|---------------------------|------|------|------|------|------|
| Public                    | 0    | 0    | 1    |      |      |
| Public – substantiated    | 0    | 0    | 0    |      |      |
| Public – unsubstantiated  | 0    | 0    | 1    |      |      |
| Chief's Office            | 0    | 0    | 0    |      |      |
| Chief's - substantiated   | 0    | 0    | 0    |      |      |
| Chief's - unsubstantiated | 0    | 0    | 0    |      |      |

The one complaint was investigated as a 'Local Discussion' and was unsubstantiated. It was also determined that it was not a regulated interaction as defined in O. Reg. 58/16.

Kelly O'Callaghan  
Inspector  
Professional Standards Branch