



STAFF REPORT ACTION REQUIRED

Toronto Police Services Board – Independent Civilian Review of the Policing of the G20 Summit

Date:	October 17, 2011
To:	Executive Committee, City of Toronto
From:	Alok Mukherjee, Chair, Toronto Police Services Board

SUMMARY

The purpose of this report is to request City Council's approval, via the Executive Committee, to fund the completion of the Independent Civilian Review (ICR) of the policing of the G20 Summit.

RECOMMENDATION

It is recommended that the Executive Committee approve a one-time transfer of projected surplus funds from the Toronto Police Service's 2011 Operating Budget, in the amount of \$480,000, to the Toronto Police Services Board's 2011 Operating Budget, to cover the costs of the ICR from October 2011 to its estimated completion date of March 2012.

FINANCIAL IMPACT

The amount of money that has been expended by the Board to date on the ICR is \$507,064.91. These costs have been paid from the Board's Special Fund. In addition, there is a pending invoice in the amount of \$100,448.00 that will go to the Board for approval shortly, for a total amount of \$607,512.91.

One of the requirements of the Special Fund policy is that the Special Fund must maintain a minimum balance of \$150,000 in order to meet its corporate recognition obligations. Given that the balance of the Special Fund is projected to be \$16,875.00 as at December 31, 2011, the Board will not be able to fulfill those obligations in 2012 from that source.

As a result, at its meeting of October 4, 2011, the Board determined that there is a need to explore a number of options so that it may continue to meet its obligations and bring the Special Fund back to good health. At this time, the Board agreed to pay for services rendered for the ICR from the Board's approved 2011 Operating Budget during the period October 4, 2011 to November 15, 2011.

The Board also agreed to request the City's approval to fund the completion of the ICR, potentially through a one-time transfer of expected surplus funds from the Toronto Police Service 2011 Operating Budget to the Board's 2011 Operating Budget, in the amount of \$400,000. Subsequent to this meeting, Justice Morden has submitted an estimated budget for the completion of the ICR in the amount of \$480,000, which forms the basis of the request to the City. As of the July 31, 2011, the TPS was projecting a year-end surplus of \$1.6 million.

As has been the case throughout the course of the ICR, it must be noted that this figure represents an estimated cost as there is no way to accurately predict future fees for the ICR with complete certainty, given the broad scope of the review, the detail of work required and the number of elements beyond the control of the review team.

We expect to receive the remaining invoices on a monthly basis between October 2011 and early to mid 2012.

The Deputy City Manager and Chief Financial Officer has reviewed this report and agrees with the financial impact information.

ISSUE BACKGROUND

Background of the ICR

At its special meeting on July 6, 2010, the Toronto Police Services Board approved a proposal to carry out an Independent Civilian Review (ICR) of the policing of the G20 Summit held in Toronto on June 26 and 27, 2010.

The purpose of the ICR is to identify issues and concerns, raised by the public and the Board, regarding oversight, governance, accountability, and transparency as they relate to the multi-jurisdictional model of policing applied at the Summit. These issues will be reviewed in the context of the governance role, legislated mandate and policies of the Board.

The Board, at its meeting of July 22, 2010, approved a two-step approach to the Independent Civilian Review. The first step was the development of scope of work and Terms of Reference by Mr. Doug Hunt, Q.C., in consultation with the Board and other appropriate parties, and the second step is the ICR itself, to be carried out by an independent Reviewer.

At its meeting of September 14, 2010, the Board approved the Terms of Reference for the ICR. The Terms of Reference approved by the Board are attached as Appendix A.

The Board, at its meeting of September 23, 2010, approved the retention of The Honourable John W. Morden, a former Associate Chief Justice of Ontario and a very senior member of the judiciary, to conduct the ICR. At this time, the Board also

approved a recommendation that funding for the ICR would come from the Board's Special Fund.

Status Updates

The ICR has provided consistent status updates to the Board on its work throughout the process.

The ICR has also issued a number of media statements, the majority of which were related to the public hearings held as part of the review. The ICR has also issued two status updates to the public, the first of which was released on June 22, 2011, after the completion of the public hearings. This release outlined the next stages of the work of the ICR and is attached as Appendix B.

In addition, at its meeting of March 3, 2011, the Board received a report from Alok Mukherjee, Chair, containing a status update of the ICR. This report is attached as Appendix C.

On October 4, 2011, the ICR issued a press release in which it provided a brief update on its progress to date and estimated the completion date for the report as March 2012. This release is attached as Appendix D.

Current Funding Status

The amount of money that has been expended by the Board to date on the ICR is \$507,064.91. In addition, there is a pending invoice in the amount of \$100,448.00 that will go to the Board for approval shortly, for a total amount of \$607,512.91.

As stated above, the Board approved the use of its Special Fund as the source of funding for the ICR.

One of the requirements of the Special Fund policy is that the Special Fund must maintain a minimum balance of \$150,000 in order to meet its corporate recognition obligations. Given the state of the Special Fund, at this time, the Board will not be able to fulfill those obligations in 2012.

Based on projections the Special Fund balance will be \$16,875.00 as at December 31, 2011. As a result, at its meeting of October 4, 2011, the Board determined that there is a need to explore a number of options so that it may continue to meet its obligations and bring the Special Fund back to good health. At this time, the Board agreed to pay for services rendered for the ICR from the Board's approved 2011 Operating Budget during the period October 4, 2011 to November 15, 2011.

The Board also agreed to request the City's approval to fund the completion of the ICR, potentially through a one-time transfer of projected surplus funds from the Toronto Police

Service 2011 Operating Budget to the Board's 2011 Operating Budget, in the amount of \$400,000. Subsequent to this meeting, Justice Morden has submitted an estimated budget for the completion of the ICR in the amount of \$480,000, which forms the basis of the request to the City.

As has been the case throughout the course of the ICR, it must be noted that this figure represents an estimated cost as there is no way to accurately predict future fees for the ICR with complete certainty, given the broad scope of the review, the detail of work required and the number of elements beyond the control of the review team.

Request to City of Toronto

As is apparent, at this stage, the Board is not in a position to continue to fund the ICR from the Special Fund.

However, the Board is of the unanimous view that the completion of this review is imperative and that the recommendations that will be included the final report will be invaluable to policing and civilian governance in the City of Toronto.

Indeed, the work of the ICR is directly related to the Board's legislated responsibility to provide adequate and effective policing for the City of Toronto. The City, too, has a shared responsibility to ensure the provision of adequate and effective policing to the municipality.

Justice Morden and the law firm with which he is associated, Heenan Blaikie, have made a clear commitment throughout this process to conduct the ICR in the most efficient manner possible. The Board is confident that this has been the case and has seen that the ICR has gone to considerable lengths to ensure that the public funds being expended are used responsibly.

The Board believes that to discontinue the vital work that has been completed to date, at this critical point, would be highly problematic. Many hours of diligent and detailed work have already been completed, including considerable research and analysis, interviews and public hearings. There will be a significant negative public reaction if the review is discontinued at this stage, potentially bringing permanent disrepute on the Board.

For these reasons, we are asking the City to assist us in ensuring that this important work which is very much in the public interest, be provided the resources necessary to continue to completion and are recommending that the Executive Committee approve a one-time transfer of expected surplus funds from the Toronto Police Service's 2011 Operating Budget, in the amount of \$480,000, to the Toronto Police Services Board's 2011 Operating Budget, to cover the costs of the ICR from October 2011 to its estimated completion date of March 2012.

A copy of the Board's Special Fund Policy is attached to this report as Appendix E.

CONTACT

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Toronto Police Services Board
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SIGNATURE

Alok Mukherjee
Chair

ATTACHMENTS

Appendix A – Terms of Reference
Appendix B – Press Release – June 22, 2011
Appendix C – Board Minute No. P54/11
Appendix D – Press Release – October 4, 2011
Appendix E – Toronto Police Services Board – Special Fund Policy
Confidential Attachment 1

cc. Mr. Cam Weldon, Deputy City Manager and Chief Financial Officer
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Appendix A

Toronto Police Services Board

Terms of Reference for the Independent Civilian Review

WHEREAS the Toronto Police Services Board ("the Board") is responsible, pursuant to section 31(1) of the *Police Services Act*, R.S.O. 1990, c. P.15 ("the Act"), for the provision of adequate and effective police services in the City of Toronto;

AND WHEREAS the Board must, pursuant to section 31(1) of the Act, generally determine after consultation with the Chief of the Toronto Police Service ("the Chief") objectives and priorities with respect to police services for the City of Toronto, establish policies for the effective management of the Toronto Police Service and direct the Chief and monitor his performance;

AND WHEREAS the Toronto Police Service played a lead role along with other federal, provincial and municipal police agencies and other security agencies in the development and implementation of strategies for policing the G20 meeting of world leaders ("the G20") that was held in Toronto, from June 25 through June 27, 2010;

AND WHEREAS the Board believes that it would be beneficial and of assistance to the Board in carrying out its responsibilities pursuant to section 31(1) of the Act to conduct a Review of the role played by the Toronto Police Service in developing and implementing the strategies for policing the G20 to determine whether those strategies were adequate and effective police services and to conduct a Review of the role of the Board with respect to the planning for and policing of the G20;

THEREFORE the Board is appointing the Reviewer to conduct an Independent Civilian Review (the "Review") into the role played by the Toronto Police Service in the development and implementation of the strategies for policing the G20;

AND to conduct the Review the Reviewer shall be provided with such resources as are required, and be authorized by the Board and shall have the authority to engage lawyers, experts, research and other staff as the Reviewer deems appropriate, at reasonable remuneration approved by the Board;

AND the Chief will cooperate fully with the Reviewer in conducting the Review;

AND the Chair and members of the Board will cooperate fully with the Reviewer in conducting the Review and will instruct all personnel employed by the Board to cooperate fully with the Reviewer in conducting the Review;

AND the Reviewer may request any person, organization, the Chief and any personnel employed by the Board to provide relevant information or records, including video recordings, for the Review where the Reviewer believes that the person or organization has such information or records in his, her or its possession, custody or control;

AND the Reviewer may hold such public or private meetings, interviews and consultations, and may make such procedural decisions with respect thereto, as the Reviewer deems advisable in the course of the Review;

AND the Reviewer shall conduct the Review and make a report to the Board without expressing any conclusion or recommendation regarding the civil or criminal responsibility of any person or organization and without interfering in any ongoing criminal, civil or other legal proceedings;

AND the Reviewer may produce an interim report at the Reviewer's discretion and shall produce a final report containing the Reviewer's findings, conclusions and recommendations and deliver it to the Chair and members of the Board for distribution to the public;

AND the reports shall be prepared in a form appropriate for release to the public, pursuant to the Freedom of Information and Protection of Privacy Act;

AND these Terms of Reference shall be interpreted in a manner consistent with the limits of the jurisdiction of the Board;

AND in the event that the Reviewer is unable to carry out any individual term of these Terms of Reference, the remainder of the Terms of Reference shall continue to operate, it being the intention of the Board that the provisions of these Terms of Reference operate independently;

AND the subject matter of the Review shall be:

Pre-G20

1. (a) A review of whether or not after Toronto was selected as the location for the G20, the Toronto Police Service had sufficient time to adequately develop a framework and plan the strategy for policing the G20 and to provide adequate information to the Board so that the Board had sufficient time to discharge its responsibilities pursuant to the Act.

(b) A review of the role that the Toronto Police Service played in developing the framework and plan for policing the G20.

(c) A review of the role played by the Toronto Police Service in the command structure for the policing of the G20, including whether the fact that a number of other police agencies and security agencies were involved with the Toronto Police Service impacted on the Toronto Police Service delivery of police services or created complications in the command structure during the G20.

2. (a) A review of the information given to the Board by the Toronto Police Service and other agencies concerning the framework and plan for policing the G20 and the issues that were anticipated to arise in connection with the policing of the G20 and whether it was adequate to allow the Board to discharge its responsibilities pursuant to the Act.

(b) A review of any issues or problems faced by Board members with respect to the information that they received, or felt that they ought to have received, having regard to the multi-faceted nature of the responsibilities that Board members had within the City of Toronto governance structure and/or with respect to the community.

(c) A review of the briefings with respect to G20 policing issues that were provided to the Board by the Toronto Police Service and other City of Toronto officials and whether the

manner in which the Board received the information was adequate to allow the Board to appropriately consider it.

3. With respect to the following matters, a review of the information that the Board was given, if any, and the role, if any, the Board played in:

- (i) considering and approving the framework and the strategy for the policing of the G20 including the command structure;
- (ii) considering and approving any request of the Ontario government by the Toronto Police Service for additional legal powers to protect an area inside the security fence that resulted in the passing of Ontario Regulation 233/10;
- (iii) erroneously communicating to the public or in failing to correct an erroneous communication to the public by the Toronto Police Service that Regulation 233/10 applied to a five-meter zone outside the security fence;
- (iv) considering and approving directions or instruction that would be given to or by police officers with the Toronto Police Service who were going to be performing policing duties at the G20 with respect to:
 - (a) their obligations under the Charter of Rights and Freedoms and under the Criminal Code,
 - (b) demanding identification from people,
 - (c) their powers to search individuals without a search warrant,
 - (d) their powers to arrest individuals without an arrest warrant, and
 - (e) the use of force on people participating in a demonstration.
- (v) considering and approving the use of a strategy, colloquially known as “kettling”, for detaining and/or arresting people participating in a demonstration;
- (vi) entering into agreements relating to police officers who were not with the Toronto Police Service but who were assisting with the policing of the G20 with respect to whether or not or how they would be held accountable for their conduct while assisting with the policing of the G20;
- (vii) negotiating contracts, setting or approving budgets, making decisions with respect to human resource issues and procurement issues relating to the policing of the G20 and was the role that the Board played appropriate.
- (viii) considering and approving the principles and policies governing the design of and/or the use that would be made of the Prisoner Detention Centre.

4. (a) Was the information given to the Board by the Toronto Police Service and relevant City of Toronto officials sufficient to allow the Board to properly discharge its responsibilities under the Act in relation to the policing services provided to the City of Toronto during the G20.

(b) Did the Board ask appropriate questions of the Chief and of relevant City of Toronto officials sufficient to allow the Board to properly discharge its responsibilities under the Act in relation to the policing service provided to the City of Toronto during the G20.

5. (a) Did the Board have policies in place prior to the G20 for dealing with crowd control at mass demonstrations and, if so, what were they.

(b) Did the Board have policies in place prior to the G20 requiring police officers with the Toronto Police Service to wear name badges and/or police badge numbers while on duty and, if so, what were they.

6. (a) Did the Toronto Police Service have procedures in place prior to the G20 for dealing with crowd control at mass demonstrations and, if so, what were they and did the Toronto Police Service monitor compliance with them.

(b) Did the Toronto Police Service have procedures in place prior to the G20 requiring police officers with the Toronto Police Service to wear name badges and/or police badge numbers while on duty and, if so, what were they and did the Toronto Police Service monitor compliance with them.

7. (a) What role, if any, did the Toronto Police Service play in requesting additional legal powers to protect an area inside the security fence that resulted in the passing of Ontario Regulation 233/10.

(b) What role, if any, did the Toronto Police Service play in erroneously communicating to the public or in failing to correct an erroneous communication to the public that the additional legal powers contained in Regulation 233/10 applied to a five-meter zone outside the security fence.

8. What policies and principles were used to design the Prisoner Detention Centre on Eastern Avenue with respect to medical care for prisoners, access to lawyers, access to Duty Counsel, housing of prisoners with disabilities, housing of young people, access of young people to their parents, strip searches of prisoners, supply of food and water for prisoners, access to toilet facilities, personal property of prisoners, and releasing prisoners without charge. Were there any difficulties in the implementation of the policies and principles. Was the Prisoner Detention Centre adequate with respect to these policies and principles.

During the G20

9. (a) What were the reasons that the Toronto Police Service gave orders or instructions to disperse demonstrators from the designated demonstration area at Queen's Park on June 26, 2010.

(b) What were the reasons that the Toronto Police Service gave orders or instructions to detain and/or arrest people participating in a demonstration on The Esplanade on June 26, 2010.

(c) What were the reasons that the Toronto Police Service approved of and used a strategy, colloquially known as "kettling", at Queen Street and Spadina Avenue during the evening on Sunday, June 27, 2010 for detaining and/or arresting people participating in a demonstration.

(d) What orders or instructions were given by the Toronto Police Service, and what were the reasons for them being given, in response to the situation that arose when people were destroying Toronto Police Service police cruisers and damaging other property in and around the financial district.

(e) What orders or instructions were given by the Toronto Police Service, and what were the reasons for them being given, with respect to the use of tear gas or some similar substance to disperse people outside the Prisoner Detention Centre on the morning of June 27.

(f) What orders or instructions were given by the Toronto Police Service, and what were the reasons for them being given, to police officers with the Toronto Police Service or were

given by officers with the Toronto Police Service to police officers who were not with the Toronto Police Service but who were assisting with the policing of the G20 with respect to:

- (i) their obligations under the Charter of Rights and Freedoms and the Criminal Code,
- (ii) demanding identification from people,
- (iii) conducting searches of individuals and their property without a search warrant,
- (iv) arresting people without an arrest warrant, and
- (v) the use of force towards people participating in a demonstration.

10. Did police officers with the Toronto Police Service remove or cover their name badges or police badge numbers during the policing of the G20 contrary to Toronto Police Service and Board policy.

11. Did the nature of the demonstrations and the actions of some people who were demonstrating differ from the previous experience of the Toronto Police Service and what impact, if any, did it have on the Toronto Police Service management of the policing of the G20.

Recommendations

12. In addition to reviewing and reporting on policing by the Toronto Police Service during the G20, the Reviewer should make such recommendations as the Reviewer deems fit to assist the Board in discharging its responsibilities pursuant to the Act, including, but not limited to, recommendations:

- i) to assist the Board in formulating policies relating to all aspects of the policing of mass demonstrations, including policies relating to the command and control structure relating thereto;
- ii) to assist the Board in assessing its practices with respect to the manner in which it receives information during Board briefings by the Toronto Police Service and others;
- iii) with respect to the role of the Board in communicating to the public when extraordinary policing measures are being taken as a result of special circumstances; and,
- iv) with respect to whether the Act ought to be amended to clarify the role and responsibilities of the police service boards in Ontario and to clarify the role and responsibilities of police agencies in Ontario with respect to providing information to their respective police service boards, particularly in circumstances where the police agency is interacting with or has interacted with other police and/or security agencies, including the Integrated Security Unit.

Approved at Toronto, Ontario this day of September, 2010.

Dr. Alok Mukherjee,
Chair, Toronto Police Services Board

Appendix B



INDEPENDENT CIVILIAN REVIEW INTO MATTERS RELATING TO THE G20 SUMMIT

PRESS RELEASE

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G20 Review Moves to Next Stages

Toronto, June 22 – The Independent Civilian Review into Matters Relating to the G20 Summit has completed its public hearings and will now move to the next stages of its work, including obtaining internal documents from the Toronto Police Service and then conducting interviews of key individuals.

On June 1, 6, and 13, 2011, the Review held three public hearings in Toronto. A number of individuals and organizations offered insight specifically on the Review's Terms of Reference and generally, on the role civilian oversight should play concerning the policing of major events, like the G20 Summit. The Review wishes to thank members of the public for their thoughtful input and ideas. The Review will continue to accept written submissions from members of the public until July 13, 2011. The submission form can be found on the Review's website: www.g20review.ca.

In addition, for the last several months, the Review has been examining thousands of documents in the Toronto Police Service's possession in order to identify which documents are relevant and require further review. In the next two weeks, the Review will submit its request for information to the Toronto Police Service for documents that relate to its Terms of Reference. The Review will then engage in a close analysis of the documents produced, and conduct interviews of the Chief of Police and members of the Police Services Board.

Once the document review phase is complete, the Review will provide an estimate as to when its final report and recommendations will be provided to the Board. The Review remains committed to conducting a thoughtful analysis of available information, and providing a report as soon as possible.

About the Review

The Independent Civilian Review into Matters Relating to the G20 Summit was launched by the Toronto Police Services Board on September 23, 2010, as an independent, arms-length entity. The Review will examine issues concerning the role the Board played with respect to the policing of the G20 Summit that was held in Toronto on June 25-27, 2010. The Review will also examine the role played by the Toronto Police Service during the G20 Summit, with a view to determining whether the plans developed and implemented were adequate and effective for policing of the Summit. The Board appointed the Honourable John W. Morden, a former Associate Chief Justice of Ontario, to conduct the Review and provide a report and recommendations.

Appendix C

THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE TORONTO POLICE SERVICES BOARD HELD ON MARCH 03, 2011

#P54. INDEPENDENT CIVILIAN REVIEW (ICR) OF THE POLICING OF THE G20 SUMMIT – STATUS UPDATE

The Board was in receipt of the following report February 10, 2011 from Alok Mukherjee, Chair:

Subject: INDEPENDENT CIVILIAN REVIEW (ICR) OF THE POLICING OF THE G20
SUMMIT - STATUS UPDATE

Recommendation:

It is recommended that the Board receive this report for information.

Financial Implications:

There are no financial implications arising out of the recommendation contained in this report.

Background/Purpose:

At its special meeting on July 6, 2010, the Board approved my proposal to carry out an Independent Civilian Review (ICR) of the policing of the G20 Summit held in Toronto on June 26 and 27, 2010 (Min. P189/10 refers). The purpose of the ICR is to identify issues and concerns, raised by the public and the Board, regarding oversight, governance, accountability, and transparency as they relate to the multi-jurisdictional model of policing applied at the Summit. The ICR would review these issues in the context of the governance role, legislated mandate and policies of the Board.

At its meeting on September 23, 2010, the Board approved the appointment of The Honourable John W. Morden to conduct the ICR.

Discussion:

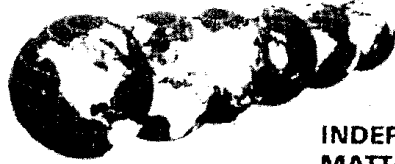
At this time, I thought it would be helpful to provide an informational update concerning the work that has been done to date in relation to the ICR.

Based on its significant scope, a considerable amount of background work has been required for the ICR. This background work will assist in setting parameters for the Review and informing the analysis of the issues set out in the Terms of Reference ("the Terms"). It is also expected that this background work will prove of substantive utility in relation to the ICR's final report and recommendations.

Mr. John Sewell, Toronto Police Accountability Coalition, was in attendance and delivered a deputation to the Board. Mr. Sewell also provided the Board with a written submission in support of his deputation; copy on file in the Board office.

The Board received the foregoing report and Mr. Sewell's deputation and written submission.

Appendix D



INDEPENDENT CIVILIAN REVIEW INTO MATTERS RELATING TO THE G20 SUMMIT

FOR IMMEDIATE RELEASE

G20 Review Anticipates Release of Report in March 2012

Toronto, October 4 – The G20 Review has almost completed its analysis of thousands of documents, obtained from the Toronto Police Service, the Toronto Police Services Board, the Royal Canadian Mounted Police, and others. In addition, the G20 Review has conducted in-depth interviews with members of the Board, and interviews with Chief of Police William Blair will be completed by month's end.

Following the interview phase, the Honourable John W. Morden will turn his attention to writing the final report and recommendations, for presentation to the Police Services Board. Mr. Morden's report will address the questions and issues outlined in the Terms of Reference, which were adopted by the Police Services Board, and which have governed the work of the Review.

The Review will work diligently on its report, relying on its own research, analyzing the information obtained through the document and interview processes, and considering the dozens of submissions received from members of the public who appeared at the public hearings in June 2011. The Review estimates that its report will be completed by **March 2012**.

About the Review

The Independent Civilian Review into Matters Relating to the G20 Summit was launched on September 23, 2010 by the Toronto Police Services Board. The Review will examine issues concerning the role the Board played with respect to the policing of the G20 Summit that was held in Toronto on June 25-27, 2010. The Review will also examine the role played by the Toronto Police Service during the G20 Summit, with a view to determining whether the plans developed and implemented were adequate and effective for policing of the Summit. The Board appointed the Honourable John W. Morden, a former Associate Chief Justice of Ontario, to conduct the Review and provide a report and recommendations.

For more information about the G20 Review, visit www.g20review.ca.

For information and media inquiries, contact Ryan Teschner, Review Counsel, at (416) 643-6890.

Appendix E



TORONTO POLICE SERVICES BOARD

SPECIAL FUND

DATE APPROVED	November 4, 1993	Minute No: P624/93
DATE(S) AMENDED	May 1, 2000 January 25, 2007 May 21, 2009 November 15, 2010	Minute No: P156/00 Minute No: P32/07 Minute No: P149/09 Minute No: P292/10
DATE REVIEWED	May 12, 2005 November 15, 2010	Minute No: P157/05 Minute No: P292/10
REPORTING REQUIREMENT	Quarterly unaudited financial reports Annual Audited Financial Statement Chair to report annually on requests authorized by Chair and Vice Chair Program evaluation report	
LEGISLATION	<i>Police Services Act</i> , R.S.O. 1990, c.P.15, as amended, ss. 31(1)(c), 132(2).	
DERIVATION		

Section 132(2) of the *Police Services Act* establishes that the Toronto Police Services Board has the sole authority for spending the proceeds from the sale of property which lawfully comes into the possession of the police service. The *Act* stipulates that "the Chief of Police may cause the property to be sold, and the Board may use the proceeds for any purpose that it considers in the public interest."

It is the policy of the Toronto Police Services Board with respect to the approval of expenditures from the Special Fund that expenditures will fall within one of the following five categories:

1. Community Outreach

Initiatives supporting community-oriented policing that involve a co-operative effort on the part of the Toronto Police Service and the community.

- a. Initiatives benefiting children and/or youth and/or their families. Initiatives must involve members of the Toronto Police Service. For example, the project must reduce the need for policing intervention or strengthen the relationship between police and the community, particularly with marginalized youth; and

- b. Initiatives addressing violence prevention or prevention of repetition of violence or the root causes of violence. Initiatives must involve members of the Toronto Police Service.

2. Awards and Recognition Programs

Expenditures related to recognition of the work of Board Members, Toronto Police Service members, auxiliary members, other volunteers and school crossing guards.

- a. The Chair and the Vice Chair have been granted standing authority to approve expenditures from the Special Fund for costs associated with the Board's awards and recognition programs; and
- b. The Chair is required to report to the Board annually, all approved requests.

3. Toronto Police Amateur Athletic Association

Funding to offset the expenses of members participating in Toronto Police Amateur Athletic Association ("TPAAA") sponsored events and competitions

- a. The Special Fund will be used for funding the TPAAA sponsored sporting events and competitions to a maximum of \$200.00 per member, per event;
- b. The Chair and the Vice Chair have been granted standing authority to approve these requests; and
- c. The Chair is required to report to the Board annually, all approved requests.

4. Fitness Facilities

Shared funding of fitness equipment for police facilities.

- a. The Board will offset the cost of equipment located in police facilities;
- b. To offset the cost of equipment for fitness facilities, and, as referenced in the collective agreement, the Board will endeavour to obtain the maximum amount of government funding possible. The balance of the cost will be shared according to the Board's current policy: 1/3 payable by the Board; 1/3 payable by the TPAAA (assuming that the TPAAA agrees) and 1/3 payable by the members;
- c. The Chair and the Vice Chair have been granted standing authority to approve these requests; and
- d. The Chair is required to report to the Board annually, all approved requests.

5. Consultative Committees

In accordance to the Board's Community Consultative Groups Policy, the Board will provide an annual contribution to each of the following:

- a. Divisional and Traffic Services Community Policing Liaison Committee
- b. Chief's Consultative Committees
- c. Chief's Advisory Council
- d. Chief's Youth Advisory

Application Assessment Criteria

Requests for funding will be evaluated according to the following criteria:

- a. Falls within one of the five delegated categories;
- b. Proposes clear, measurable objectives and benefits;
- c. Involves both community partners and the Toronto Police Service;
- d. Clearly indicates how funded initiatives will be evaluated;
- e. Where appropriate, applicants must indicate how they propose to sustain the initiative after Board funding has been utilized; and
- f. Provides evidence of management and fiscal responsibility with respect to funds granted by the Board.

Application Procedures

Request for funding must be made in writing, signed and forwarded to the Chair of the Toronto Police Services Board.

In addition to the requirements stated in the Application Assessment Criteria section, requests must include:

- a. Project mandate
- b. Budget
- c. Timelines for completion
- d. One or more letters of endorsement

Assessment Procedures

Requests for funding will be forwarded to the Board's regular monthly meeting for consideration, with a recommendation from the Chair, based on assessment of the request for completeness, accuracy and compliance with this policy.

Applications not complying with this policy will be deemed incomplete and will not be forwarded to the Board for consideration.

Administration

It is the policy of the Toronto Police Services Board with respect to the administration of the Special Fund that:

1. All requests for funding will be considered as part of the Board's public agenda;
2. The Board will not commit to recurring donations or to the on-going funding of particular initiatives/projects. The approval of funding for a particular purpose will not be considered as a precedent which binds the Board;
3. The Special Fund will not support retroactive funding of events that have already taken place;
4. The Special Fund must maintain a minimum balance of \$150K (one hundred and fifty thousand) in order to meet its corporate recognition obligations;
5. Recipients of funding will be advised that as a condition of receiving funds, they must file a report that accounts for and evaluates the effectiveness of the event or project which was funded, the use of the funds and, further, they must return any unexpended monies;
6. Recipients of funding must provide this report to the Board within 60 days of the conclusion date noted in their application;
7. All unaudited expenditures will be reported to the Board on a quarterly basis. Expenditures will be compared to the Fund balance;
8. The Board will receive audited financial statements annually;
9. The cost of auditing the Special Fund will be borne by the Special Fund; and
10. The Board, on a case-by-case basis, may consider exceptions to this policy.