



Toronto Police Services Board

40 College Street, Toronto, Ontario, Canada M5G 2J3

Tel 416-808-8080 Fax: 416-808-8082

www.tpsb.ca



November 27, 2020

Ulli Watkiss
City Clerks Office
13th floor, West Tower, City Hall
100 Queen Street West
Toronto, ON M5H 2N2

Dear Ms. Watkiss:

Re: Board's Independent Review into Missing Persons Investigations – Request to Extend Timeline and Increase Budget

At its virtual meeting held on November 24, 2020, the Toronto Police Services Board (Board) was in receipt of a report, dated November 11, 2020, from Ryan Teschner, Executive Director & Chief of Staff, with respect to the above noted matter.

The Board approved the foregoing report and agreed to forward a copy to the City's Executive Committee to allocate and transfer to the Board additional funding for the Review in an amount not to exceed \$700,000, and request that such funds be made available to the Board as of the date of the request, and until the conclusion of the Review.

A copy of Board Minute No. P185/2020 regarding this matter is attached.

Yours truly,

A handwritten signature in blue ink, appearing to read "Diana Achim".

Diana Achim
Board Administrator

Attachment: P185/2020

This is an Extract from the Minutes of the Virtual Public Meeting of the Toronto Police Services Board that was held on November 24, 2020

P185. Board's Independent Review into Missing Persons Investigations – Request to Extend Timeline and Increase Budget

The Board was in receipt of a report dated November 11, 2020 from Ryan Teschner, Executive Director & Chief of Staff, Board Office.

Recommendations:

It is recommended that, with respect to the Board's Independent Review into Missing Persons Investigations (the Review), the Toronto Police Services Board (the Board):

- (1) Approve a request to extend the timeline for the completion of the Review by not more than two months, with the Review being completed on or before March 31, 2021;
- (2) Approve a request to increase the budget of the Review in an amount not to exceed \$700,000; and
- (3) Forward a request the City of Toronto's Executive Committee to allocate and transfer to the Board additional funding for the Review in an amount not to exceed \$700,000, and request that such funds be made available to the Board as of the date of the request, and until the conclusion of the Review.

The Board approved the foregoing report.

Moved by: M. Moliner
Seconded by: L. Kostakis



Toronto Police Services Board Report

November 11, 2020

To: Chair and Members
Toronto Police Services Board

From: Ryan Teschner
Executive Director & Chief of Staff

Subject: Board's Independent Review into Missing Persons Investigations – Request to Extend Timeline and Increase Budget

Recommendation(s):

It is recommended that, with respect to the Board's Independent Review into Missing Persons Investigations (the Review), the Board:

- 1) Approve a request to extend the timeline for the completion of the Review by not more than two months, with the Review being completed on or before March 31, 2020;
- 2) Approve a request to increase the budget of the Review in an amount not to exceed \$700,000; and
- 3) Forward a request the City of Toronto's Executive Committee to allocate and transfer to the Board additional funding for the Review in an amount not to exceed \$700,000, and request that such funds be made available to the Board as of the date of the request, and until the conclusion of the Review.

Financial Implications:

If the recommendations included in this report are approved, the Board will make a request to the City of Toronto's Executive Committee to allocate and transfer to the Board additional funding for the Review in an amount not to exceed \$700,000.

Background / Purpose:

At its meeting of March 22, 2018, the Board approved the establishment of a working group mandated to advise the Board with respect to structural and process options for an independent external review or reviews into systemic concerns related to missing persons investigations (Min. No. P37/18 refers). At its June 21, 2018 meeting, the Board approved the Working Group's Terms of Reference for an

Independent Review as well as a recommendation that it appoint a Reviewer (Min. No P112/18 refers).

As noted in the Terms of Reference, the Review was established to examine Board policies as well as Service procedures and practices in relation to missing person investigations, particularly those involving individuals from the LGBTQ2S+, immigrant, homeless and other marginalized communities.

At the time, the Board also approved a request to the City of Toronto's Executive Committee to allocate and transfer to the Board funding for the Review in an amount not to exceed \$3.0M and that such funds be made available to the Board beginning in 2018 and until the conclusion of the Review. Subsequently, Toronto City Council, at its July 23, 2018 meeting, approved up to \$3.0M for the Review.

At its meeting on August 23, 2018, the Board appointed The Honourable Gloria Epstein, a retired justice of the Court of Appeal for Ontario, to conduct the Board's Independent Civilian Review into Missing Persons Investigations (Min. No. P157/18 refers).

At its meeting of March 26, 2019, the Board approved a recommendation that it agree to expand the scope of the Review, in the manner set out in a proposed revised Terms of Reference, to now include an examination of the specific circumstances involving the investigations into the disappearances of victims associated with Bruce McArthur. (Min. No. P46/19 refers).

The Board considered the Review again at its meeting of January 22, 2020, approving invoices for services rendered to date, and approving a request for additional funding in the amount of \$1M to be allocated to the Review's budget. (Min. No. P7/20 refers)

Discussion:

On November 9, 2020, the Board received correspondence from Mr. Mark Sandler, counsel to the Reviewer. This correspondence is attached as Appendix "A," for your information.

In this correspondence, Mr. Sandler notes that "the Review has been involved in an extensive outreach and engagement with community members and organizations that collectively represent the widest range of lived experiences and perspectives and diversity" and that "the response has been overwhelming." He states that "the Review has examined well over 80,000 pages of documents," reviewing extensive literature and many prior relevant reports. He expects, as do I, that the Review's final report will "be far-reaching, with many findings and recommendations, and "will address a range of issues of importance to the Board, the Service, the City of Toronto, our diverse communities and the public at large."

Mr. Sandler points out, that "[i]n addition to the breadth and complexity of its mandate, the Review's work is facing certain previously unforeseen challenges", including new developments that must be taken into account, such as the 81 police

reform recommendations approved by the Board in August, 2020, the ongoing Ontario Human Rights Commission inquiry, and the new policing legislation in Ontario. In addition, the “complexity of policing-related issues has increased substantially in just the last few months,” given the death of George Floyd and similar events, with “the public discourse has focused on the role the police should or should not play in activities currently within their portfolios, including missing person investigations and, more broadly, the relationship between the police and Toronto’s marginalized and vulnerable communities.” Lastly, Mr. Sandler notes that the challenges imposed by the COVID-19 pandemic has compelled the Review “to take additional measures and time to ensure that we benefit from all relevant information.”

As a result, the Review is requesting both a brief extension to complete the report of no more than two months, with the report being completed on or before March 31, 2021, and, due to the challenges identified above, an increase to the Review’s budget, of no more than \$700,000. If the Board approves this additional funding, it must subsequently request the City of Toronto’s Executive Committee to allocate and transfer to the Board additional funding for the Review in an amount not to exceed \$700,000.

Conclusion:

The Board established this Review in order to facilitate an independent examination of relevant issues that would be comprehensive. As a result of recent developments and police reform efforts, the complexity and range of issues has increased as compared to when the Review began its work. The Review has advised that the additional time and budget funding are required for its work – including its final report and recommendations – to be responsive to this evolving context.

In the end, the Board, the Service and the communities the Service serves require a report that will lead to improvements in missing persons investigations specifically, and policing in Toronto more generally. Therefore, on the basis of the Review’s request and for the reasons it has provided, I am recommending both an extension of the Review’s timeline and an increase to the Review’s budget.

Respectfully submitted,



Ryan Teschner
Executive Director & Chief of Staff