

December 18, 2002

To: Community Services Committee, City of Toronto

From: Gloria Lindsay Luby, Vice Chair

Subject: Coroner's Inquest into the Deaths of Gillian and Ralph Hadley
REF: 02-CM#6(16)

Purpose:

The purpose of this report is to respond to the Community Services Committee request that the Toronto Police Services Board review the jury recommendations from the coroner's inquest into the deaths of Gillian and Ralph Hadley.

Financial Implications and Impact Statement:

There are no financial implications in regard to the receipt of this report.

Recommendation:

It is recommended that the Community Services Committee receive this report.

Background:

At its meeting held on November 21, 2002, the Toronto Police Services Board was in receipt of a report, dated October 11, 2002, from Chief of Police Julian Fantino regarding the jury recommendations from the coroner's inquest into the deaths of Gillian and Ralph Hadley.

Comments:

The Board approved Chief Fantino's report and agreed to forward a copy to both the Community Services Committee and the Chief Coroner for Ontario.

Conclusions:

A copy of Board Minute No. P297/02, in the form attached as Appendix "A" to this report, regarding this matter is provided for information.

Contact:

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Gloria Lindsay Luby
Acting Chair

List of Attachments:

Appendix A - Board Minute No. P297/02

A: hadleyinquest.doc

APPENDIX "A"**THIS IS AN EXTRACT OF THE MINUTES OF THE MEETING OF THE TORONTO
POLICE SERVICES BOARD HELD ON NOVEMBER 21, 2002****#P297 RESPONSE TO THE CITY OF TORONTO COMMUNITY SERVICES
COMMITTEE REGARDING THE INQUEST INTO THE DEATHS OF
GILLIAN AND RALPH HADLEY**

The Board was in receipt of the following report OCTOBER 11, 2002 from Julian Fantino, Chief of Police:

Subject: RESPONSE TO THE COMMUNITY SERVICES COMMITTEE FROM THE
INQUEST INTO THE DEATH OF GILLIAN AND RALPH HADLEY

Recommendation:

It is recommended that:

- (1) the Board approve this response to the Community Services Committee from the inquest into the death of Gillian and Ralph Hadley
- (2) the Board Administrator forward a copy of this report to the Community Services Committee and the Chief Coroner for Ontario.

Background:

On 2000 June 20, Gillian Hadley was shot and killed by her estranged husband, Ralph Hadley, at her home in the City of Pickering, Ontario. Shortly afterward, Ralph Hadley committed suicide inside the home.

As a result of these deaths, the Coroner called for an Inquest into the matter. On 2002 February 08, after a 52 day inquest, the coroner's jury returned 58 recommendations, 9 of which were directed to the Police.

Although this incident did not occur within the jurisdictional boundaries of the Toronto Police Service, we have reviewed our practices in light of the jury recommendations. Further, in a letter dated 2002 March 27, the City of Toronto Community Services Committee directed that the Toronto Police Services Board be requested to report to the appropriate Committee following its review of the Jury's recommendation under its purview.

Response to Coroner's Jury Recommendations

Recommendation # 2

We recommend that the Ministry of the Solicitor General conduct audits of police services to monitor compliance with the Model Police Response to Domestic Violence.

In the year 2000, the Ministry of the Solicitor General (now known as the Ministry of Public Safety and Security), to whom this recommendation is directed, issued legislation and guidelines in regard to Domestic Violence Investigations as part of the Adequacy and Effectiveness of Police Services Regulation of Ontario (O/R 03/99).

The Toronto Police Service has reviewed and revised its procedure and continues to monitor and revise its response to domestic violence. A monthly audit entitled the Domestic Violence Quality Control Report (DVQCR) is conducted. The DVQCR has been developed for the express purpose of determining the outcome of domestic-related calls for service and to ensure that the appropriate reports are submitted, as required by Service Procedure 05-04 (Domestic Violence).

Recommendation #3

We recommend that the Ministry of the Solicitor General enhance the curriculum for recruit training at the Ontario Police College in order to produce a qualified domestic violence investigator at graduation in every case. No fewer than forty (40) hours should be spent on domestic violence investigative training.

This recommendation is directed at the Ministry of Public Safety and Security. The Toronto Police Service does not support this recommendation for the following reasons.

Uniform front line officers employed by the Toronto Police Service may not case manage or lead domestic violence investigations. Very few large Ontario police services designate front line patrol officers as Domestic Violence Investigators. Because of their complexity, the Toronto Police Service designates such investigations to trained and experienced criminal investigators. There are no plans to change this policy.

The training recruits currently receive at the Ontario Police College is compliant with Section 6 of LE-024 of the Adequacy Standards Regulation, which states that "Where a police service decides to meet its obligations under paragraph 2 by one of the methods set out in paragraph 5(b)-(d), it should also ensure that its patrol officers receive the required training accredited by the Ministry on the police response to domestic violence occurrences."

This Ministry accredited police response training was delivered to all serving front-line officers by Live-link and Roll Call training.

It would make little sense to train recruits to undertake investigations that most large services, including Toronto, would not permit them to investigate. Our procedures and training are consistent with the requirements of the Provincial Adequacy Standards Regulation, Section LE-024 (Domestic Violence Occurrences), and with the Toronto Police Service Criminal Investigation Management Plan.

Recommendation #4

We recommend that the Ministry of the Solicitor General emphasize the importance of and encourage police services to use the Domestic Violence Supplementary Report Form when investigating domestic violence incidents.

Although directed at the Ministry of Public Safety and Security, it is noteworthy for the Board that the Toronto Police Service procedure on domestic violence mandates the use of the Domestic Violence Supplementary during the investigation of all domestic violence occurrences.

Recommendation #5

We recommend that the police services examine the use of continuously repeating audible signals on their in-car computer terminals.

The stated rationale for this recommendation was that the police officers responding to the 911 call on 2000 June 20, had difficulty hearing radio messages because of an audible signal emanating from the vehicle's computer terminal.

The terminals in Toronto Police Service scout cars, both Mobile Workstations (MWS) and Mobile Data Terminals (MDT), do have an audio annunciator for inbound messages and errors; however, these devices do not generate sufficient amplitude to overcome the audio of the mobile radio. At speed in a vehicle, engine noise is typically louder than the audible indicator on the terminal; thus, unless the mobile radio is turned down to a whisper level, it is not possible to drown the radio out with the terminal.

In any event, officers have the capability to view call information on the MWS or MDT to verify the information received, such as addresses and details of the call.

We are satisfied that the audible signal produced by the MDT or MWS terminal in our scout cars does not adversely affect an officer's ability to hear radio transmissions, and there are no plans to discontinue their use.

Recommendation #6

We recommend that police services change the classification of complaints status on domestic violence call assignment as recorded on the CAD System in order that police response is "without delay".

The Toronto Police Service is compliant with this recommendation. By default, domestic events create a Priority 2 classification in our CAD system. Our Communications policy dictates that Priority 2 calls are events that require immediate police attendance. Furthermore, where an immediate danger to life or the safety of the person exists, the classification may be upgraded to Priority 1, which invokes a 'hotshot' command. Likewise, the classification may be downgraded where no danger to the victim exists. Although both Priority 1 and Priority 2 calls require immediate response, the hotshot command is a verbal cue, which further emphasizes the urgency of the situation.

Recommendation #7

We recommend that investigating officers who respond to domestic violence complaints conduct their investigations without requiring the complainant to obtain statements from others or to gather evidence as a means of completing the investigation.

The Toronto Police Service is compliant with this recommendation. The victim/complainant is not responsible for obtaining statements from others or for gathering evidence as a means of completing the investigation.

Recommendation #9

We recommend that the Ministry of the Solicitor General direct all police services by written policy that release directly from a police service with undertakings and conditions on charges stemming from an incident of domestic violence is not an acceptable practice.

The Toronto Police Service recognizes that Domestic Violence is a serious problem, and is committed to doing whatever we can to protect victims from their abusers. Recommending Detention Orders is one, but not the only aspect to be considered when creating a safety plan. Furthermore, issues of release or detention by a police officer and the criteria to be applied are regulated by the Criminal Code, and officers cannot arbitrarily create a policy that may contravene this legislation. Each case must be looked at individually, and judged based on the facts presented. A police officer must be able to justify seeking a detention order based on the specific facts of the case and the law. In order to comply with this recommendation, an amendment to the Criminal Code would be required.

Recommendation #11

We recommend that police services establish a victim bail notification system that will inform victims as to the date and time of the accused's bail hearing.

The Toronto Police Service is compliant with this recommendation. Our current procedures require that the case manager, when seeking a detention order or judicial interim release, inform the victim of the right to attend the bail hearing. Furthermore, when an accused is charged with a domestic violence related offence, the Officer in Charge (OIC) must ensure the victim is immediately notified of all bail conditions and the next court date of the accused. (This applies to releases from the station by the OIC and releases from court by a Justice.)

Recommendation #12

We recommend that the Ministry of the Attorney General work with the Ministry of the Solicitor General to develop a specialized domestic violence bail program. Components would include a designated specially trained Crown Attorney and police officer in each court jurisdiction to:

- be contacts for other Crown Attorneys and police officers*
- provide guidance, and*
- provide other strategic advice on bail hearings.*

This recommendation is directed at the Ministries of the Attorney General and Public Safety and Security. The Toronto Police Service is not in a position to implement this recommendation; however, we will work in co-operation with these ministries if they choose to implement such a program.

Conclusion:

After reviewing the jury recommendations from this inquest, I am satisfied that our current procedures adequately address the recommendations that are directed to the police.

It is recommended that the Board approve this response to the Community Services Committee from the inquest into the death of Gillian and Ralph Hadley, and that the Board Administrator forward a copy of this report to Community Services Committee and the Office of the Chief Coroner.

Mr. Frank Chen, Chief Administrative Officer, Corporate Support Command, will be in attendance to answer any questions concerning this report.

The Board approved the foregoing.