



LONDON POLICE SERVICE BOARD

OPEN MEETING AGENDA

Tuesday November 26, 2024

8:00am **and** 11:15am to noon

Police HQ Executive Boardroom 601 Dundas Street

[Link to Livestream](#)

	ITEM	LEAD	DETAILS
OPEN MEETING PART One: 8:00AM			
1	Call Open Meeting to Order	Chair	
2	Motion to move to Closed meeting pursuant to Section 44(1)(b) and 44(2) of the <i>Community Safety and Policing Act</i>	Chair	Decision
CLOSED MEETING UNTIL 11:15AM			
OPEN MEETING PART Two: 11:15AM			
1	Procedural Matters Opening Remarks Disclosures of Interest Introduction of New Business	Chair	Information
2	London Police Service Board Office Board Office Governance Review Updates	ED Johanssen	Information
3	Executive Administration: Professional Standards Quarterly PSB Complaints Report (Q3) Report #2411EA01	Acting Chief Bastien	Information
4	Verbal <ul style="list-style-type: none">Chair UpdatesLPS Updates	Chair Acting Chief Bastien	Information
5	New Business	Chair	Information
6	ADJOURNMENT	Chair	

Next Scheduled LPSB Open Meeting Date: Thursday December 19, 2024



LONDON POLICE SERVICE

REPORT TO THE LONDON POLICE SERVICE BOARD

BOARD MEETING DATE: November 26, 2024

BOARD REPORT #: 2411EA01

MEETING: Open

TO: Chair and Members of the London Police Service Board

FROM: Paul Bastien, Deputy Chief

SUBJECT: **Complaints – Quarterly Report**

PURPOSE: Update / Information Purposes Only

RECOMMENDATION:

THAT the London Police Service Board receive this report for information purposes.

SUMMARY:

Analysis of the data contained in Appendix A show the following:

- The number of complaints is stable overall
- Complaints about the conduct of police officers is stable
- Complaints about service provided by the London Police Service are trending downward
- Most complaints about the conduct of police officers pertain to the performance of duties and interaction with the public
- Many public complaints are screened out by LECA for several reasons¹
- Misconduct is substantiated in only a very small number of the remaining complaints (screened in)

DISCUSSION:

Background

This report is submitted in accordance with London Police Service Board Policy LPSB-060 “Reports to the Board”, which requires that the London Police Service provide the Board with a report on complaints on a quarterly basis, and LPSB-112 “Public Complaints, which sets out the minimum reporting requirements. This report allows the Board to perform its statutory duty with

¹ The Law Enforcement Complaints Agency may screen out complaints for reasons including: complaints that are frivolous, vexatious, not in the public interest, or made in bad faith; complaints that lie outside the jurisdiction of LECA or the reporting timeframe (six months); and complaints in which the complainant is not affected by the conduct, or which are better handled under other acts/laws.

respect to the monitoring of the Chief's handling of discipline within the police service, in accordance with Sec.37(1)(i) of the Community Safety and Policing Act.

London Police Service Board Policy LPSB-112 requires that quarterly reports contain, at minimum, cumulative year-to-date information on:

- a. the number of complaints for current year
- b. the number of complaints for two prior years
- c. the type of complaints
- d. the nature of the allegations
- e. the resolution of the complaints
- f. the number of pending complaints
- g. the number of complaints referred to another agency, and
- h. the number of requests for review made to the Board

In addition to these minimum reporting requirements, this report includes three years of historical data, as well as information on the handling of matters through local response outside the complaints framework.

PREPARED BY: Charlene Humble, Inspector – Professional Standards Branch

Attachments: Appendix A – Number of Complaints
Appendix B – Code of Conduct

APPENDIX A

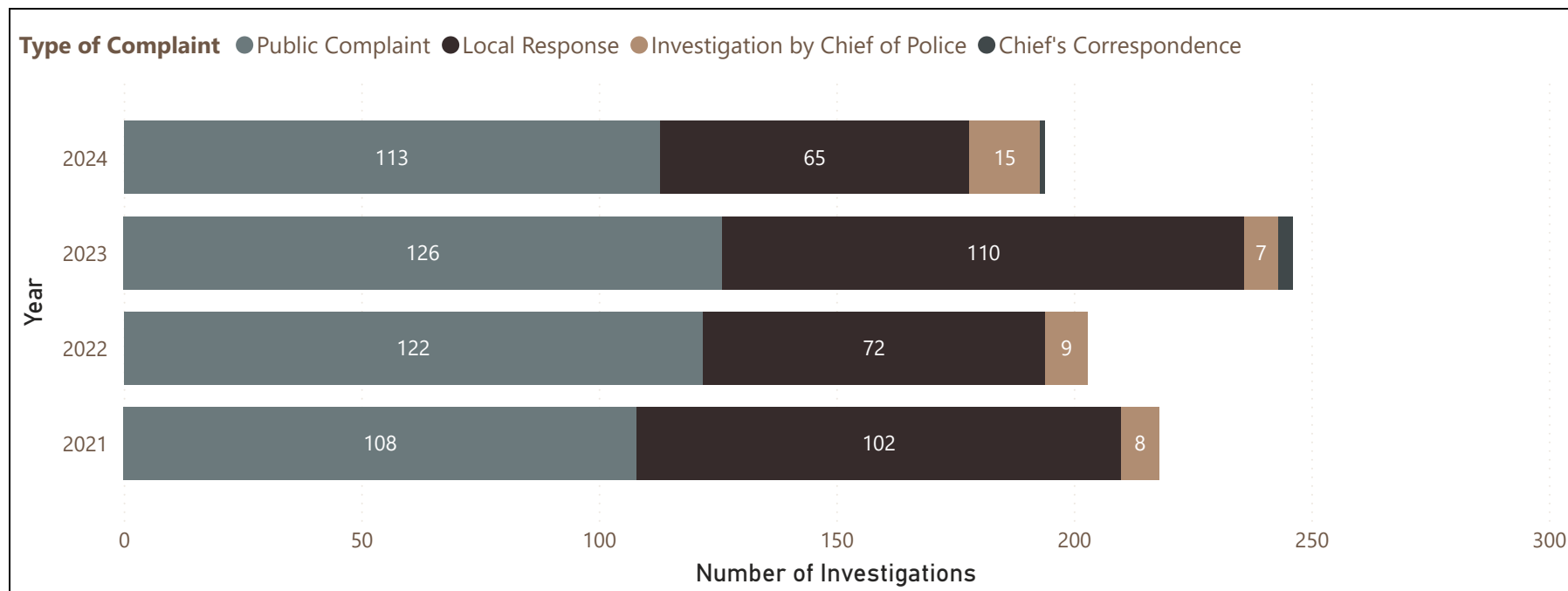
Number of Complaints in Q3 – Current Year and Three Prior Years

As of September 30, 2024, the London Police Service has managed a total of 194 complaints of all types. This includes public complaints referred by the Law Enforcement Complaints Agency² for investigation, Investigations by the Chief of Police initiated pursuant to Sec. 198(1) of the CSPA and complaints dealt with through Local Response or by Chief's correspondence.

Apart from Investigations by the Chief of Police, which are trending higher than the previous three years, the number of complaints of all types is lower through to the end of the third quarter of 2024.

An additional year's data is included for greater context. Future reports will include cumulative data for four additional years beginning at the end of Q1 2025.

Figure 1 - Complaints Received Q1 through Q3 by Year

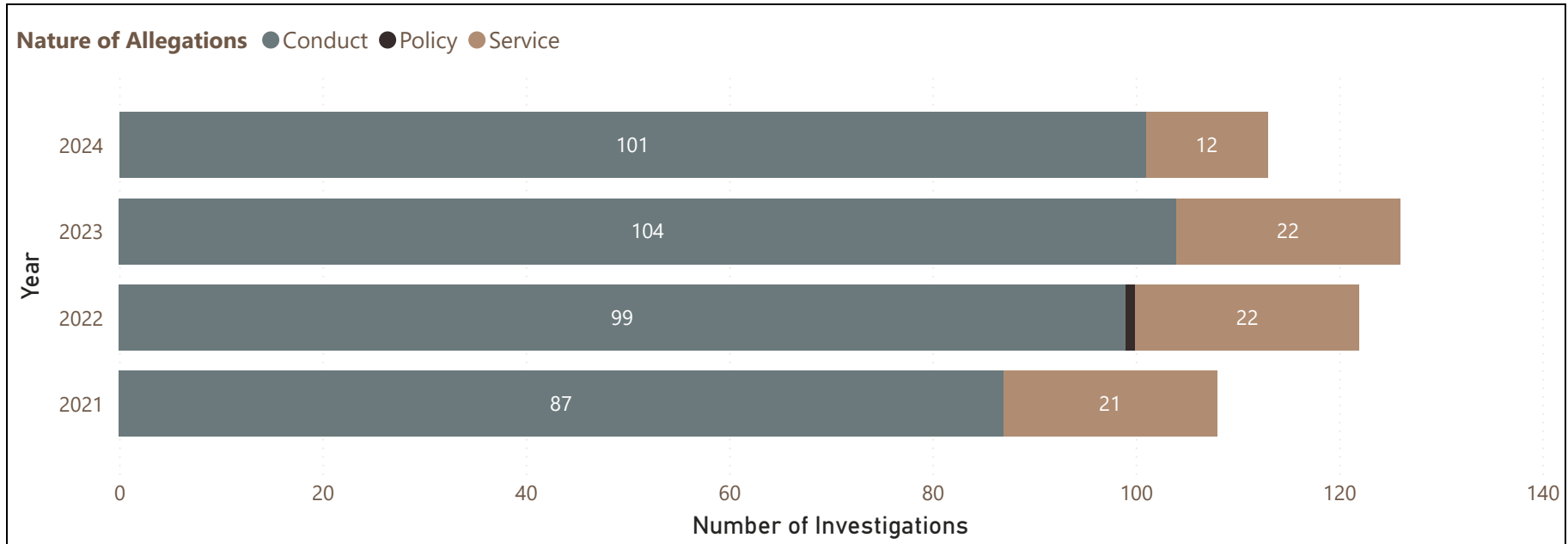


² On April 01, 2024, the Office of the Independent Police Review Director (OIPRD) became Law Enforcement Complaints Agency (LECA) under the Community Safety and Policing Act, 2019. LECA operates in much the same way that the OIPRD did, continuing to receive, screen, and investigate public complaints concerning police conduct. LECA is no longer responsible for complaints about policy and service, which is the responsibility of the Inspectorate of Policing.

Types of Complaints

As indicated in Figure 1, the number of Investigations by the Chief of Police as of the end of Q3 suggests an upward trend. Complaints regarding the conduct of an officer appear to be lower to date, while complaints about service provided by the LPS continue to trend lower than 2023 and 2022. See figure 2.

Figure 2. Nature of Public Complaints Received or Initiated Q1 through Q3 by Year



Nature of Allegations

All allegations of misconduct prior to April 1, 2024, fall under the Police Services Act (PSA).

The majority of complaints about officer conduct pertain to behaviour that falls into two broad categories under the PSA: discreditable conduct and neglect of duty under the Police Services Act (PSA). While discreditable conduct and neglect of duty may involve instances of serious misconduct, they most frequently pertain to matters that are of a less serious nature (e.g. incivility, failing to promptly perform a duty).

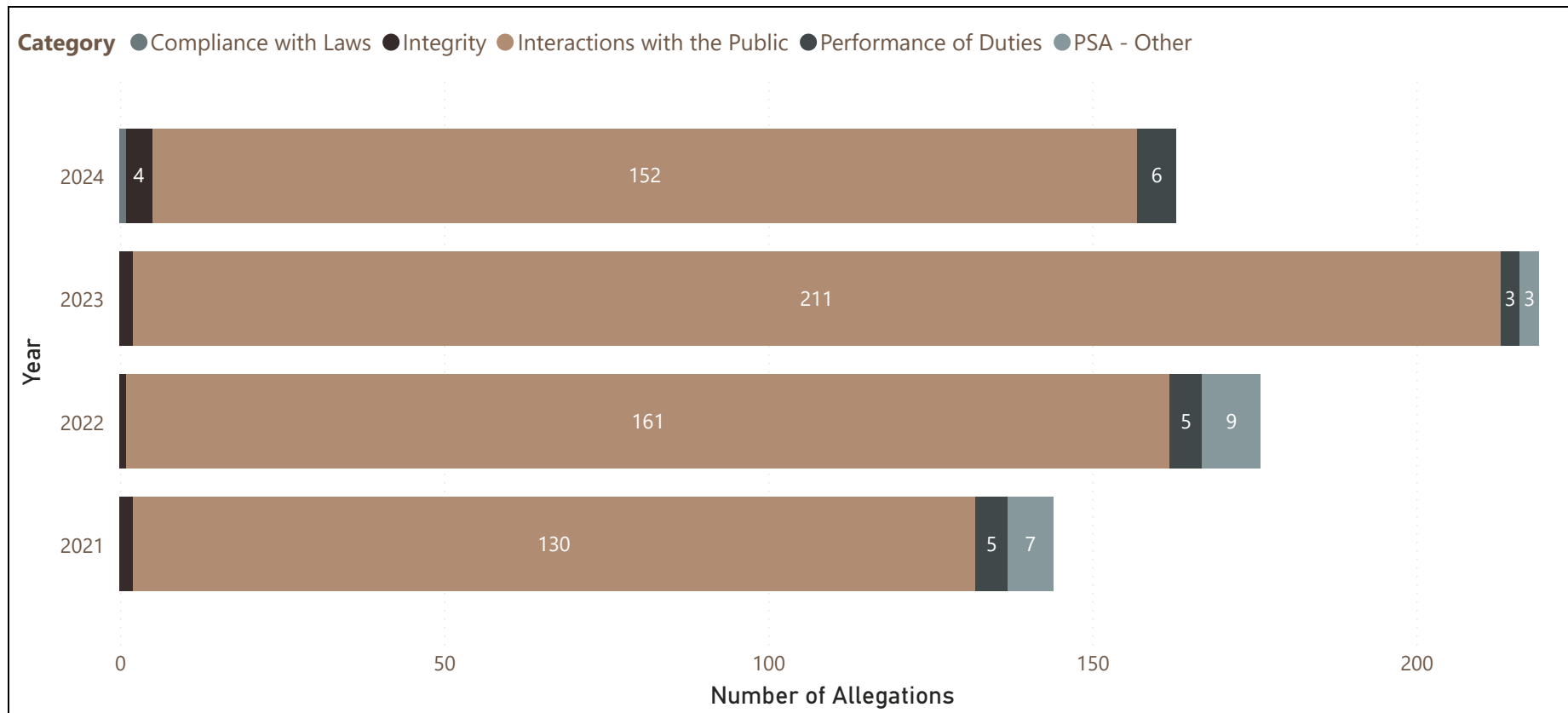
The Community Safety and Policing Act (CSPA) came into force on April 1, 2024. This brought changes to the Code of Conduct for Police Officers. Although behaviours that would constitute misconduct, (however defined) did not change, the new legislation changed the way those behaviours are classified. Regulation O. Reg. 407/23 CSPA is broken into the following five areas: Compliance with Laws, Human Rights and the Charter, Interactions with the Public, Integrity, and Performance of Duties. Appendix 'A' contains an overview of the new Code of Conduct.

Figure 3 illustrates the number and types of conduct allegations as outlined in the CPSA, and shows that the majority of allegations are related to Interactions with the Police (which encompass allegations of Discreditable Conduct under PSA relating to matters prior to April 1, 2024).

The PSA misconduct allegations have been combined and are categorized in the appropriate five areas set out in the CSPA O. Reg. 407/23: Compliance with Laws, Human Rights and the Charter, Interactions with the Public, Integrity, and Performance of Duties.

The allegation types are stable and the overall number of allegations is currently trending lower than at this time last year.

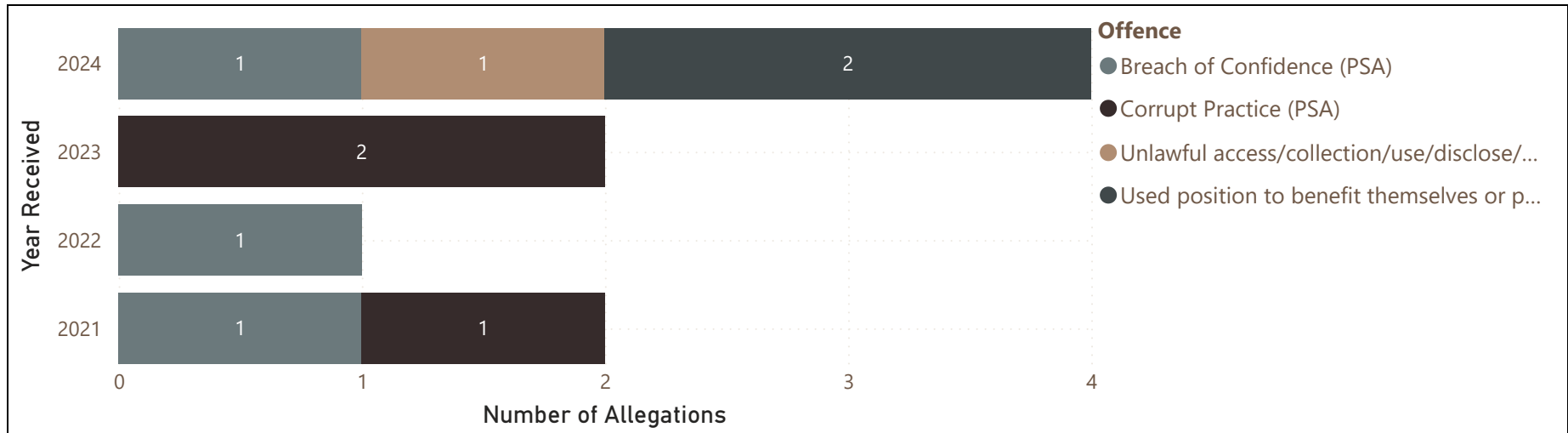
Figure 3 - Alleged Misconduct by Category in OIPRD, LECA and Investigations by the Chief by Year - All Conduct Complaints Received in Q1 through Q3.



³ Although a complaint often consists of one allegation against one officer, a single complaint may result in multiple allegations if there is more than one officer involved or more than one incident of misconduct alleged. As a result, the number of allegations will not match the number of complaints. For example, a complaint about an incident in which three officers are alleged to have used excessive force would count as three allegations.

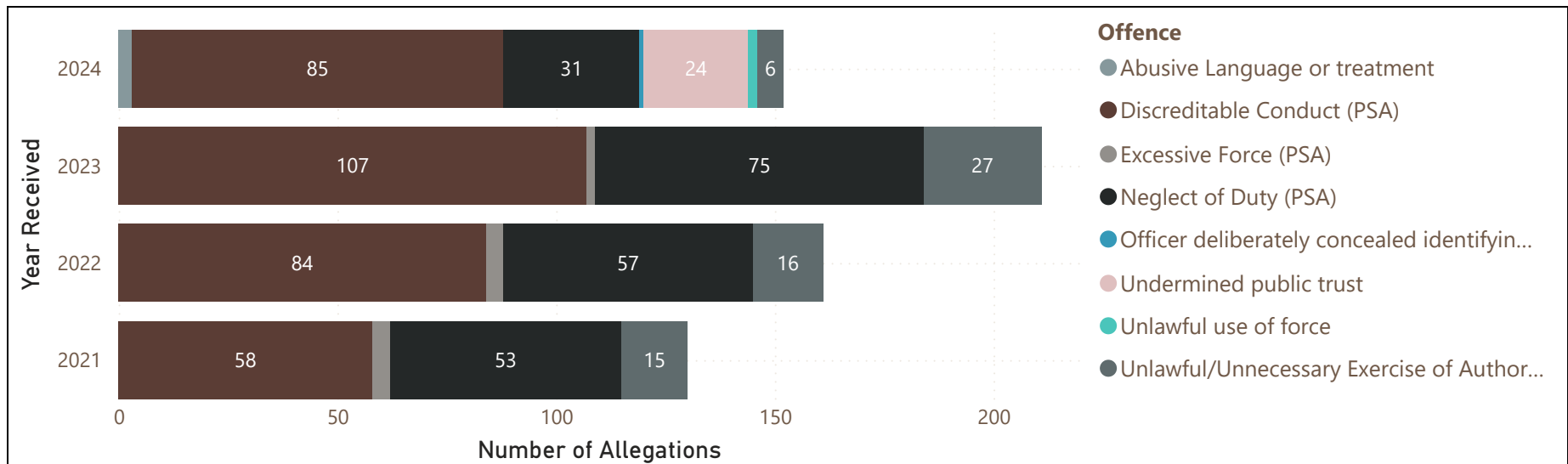
The figure below shows the specific misconduct allegations related to Integrity under the CSPA. Allegations received in Q1 and Q2 in 2024 show the PSA related misconduct as well as the CSPA allegation wordings in Q3. The total number of allegations of this type is very low, resulting in the potential for wide variance year over year.

Figure 4 - Specific Allegations Related to Integrity in OIPRD, LECA and Investigations by the Chief of Police Received in Q1 through Q3



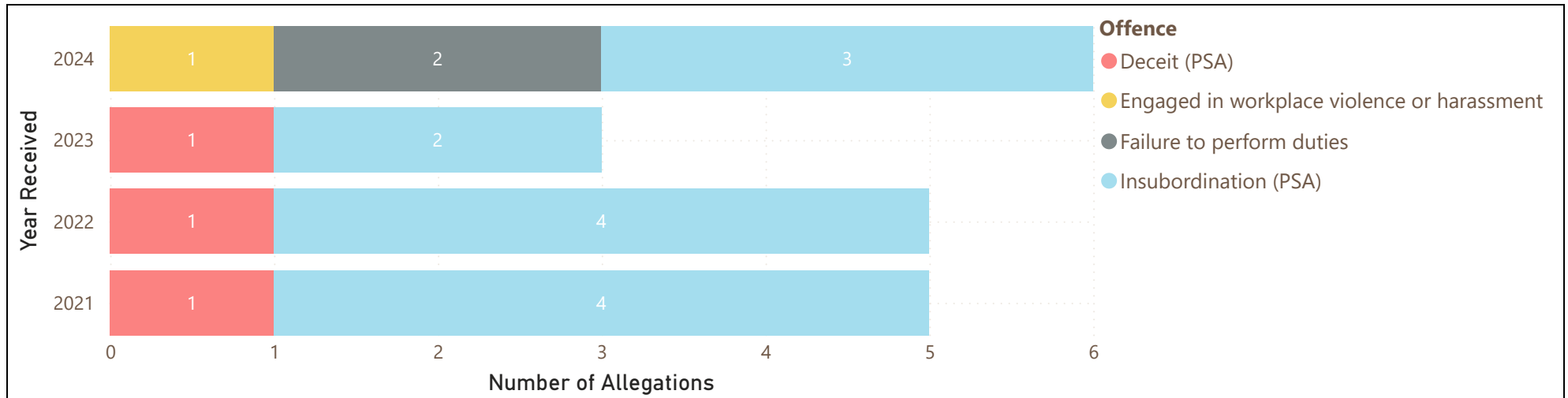
The figure below captures both the PSA and CSPA misconduct allegations. This confirms the majority of allegations are related to Interactions with the Public and discreditable conduct (prior to April 1st, 2024). The types of allegations are stable, while the number of allegations are trending lower compared to 2023 and 2022.

Figure 5 - Specific Allegations Related to Interactions with the Public in OIPRD, LECA and Investigations by the Chief of Police Received in Q1 through Q3



The figure below captures both the PSA and CSPA misconduct allegations specific to Performance of Duty related misconduct allegations. The number and type of allegation are stable across years 2021-2024.

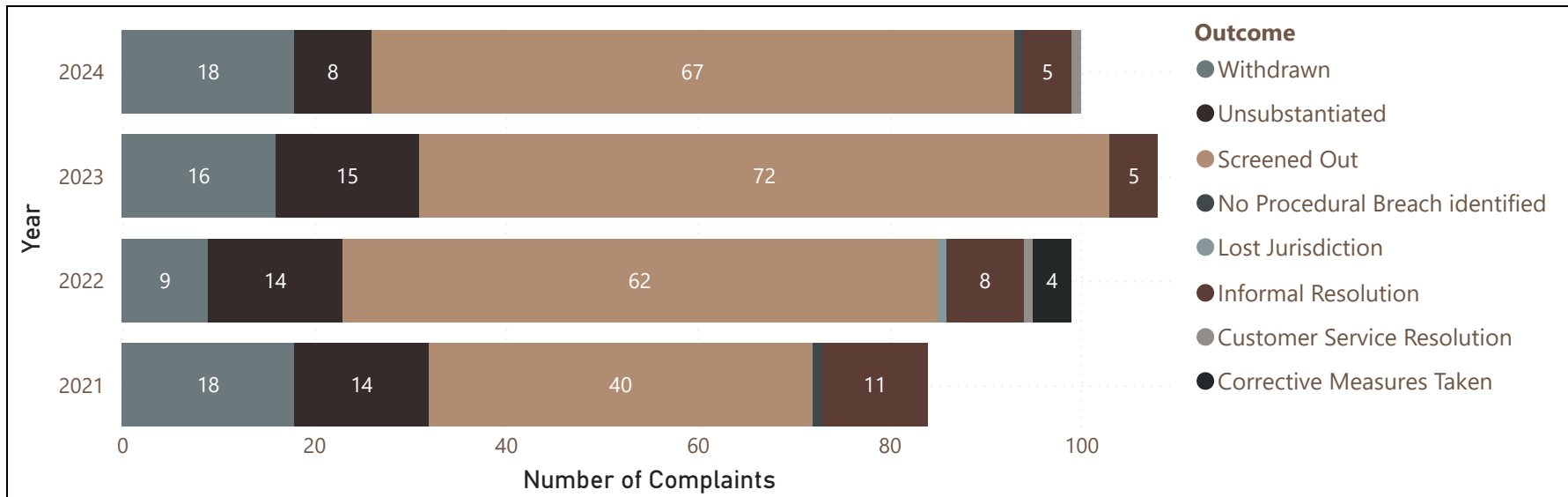
Figure 6 - Specific Allegations Related to Performance of Duties in OIPRD, LECA and Investigations by the Chief Received in Q1 through Q3.



Resolution of Complaints

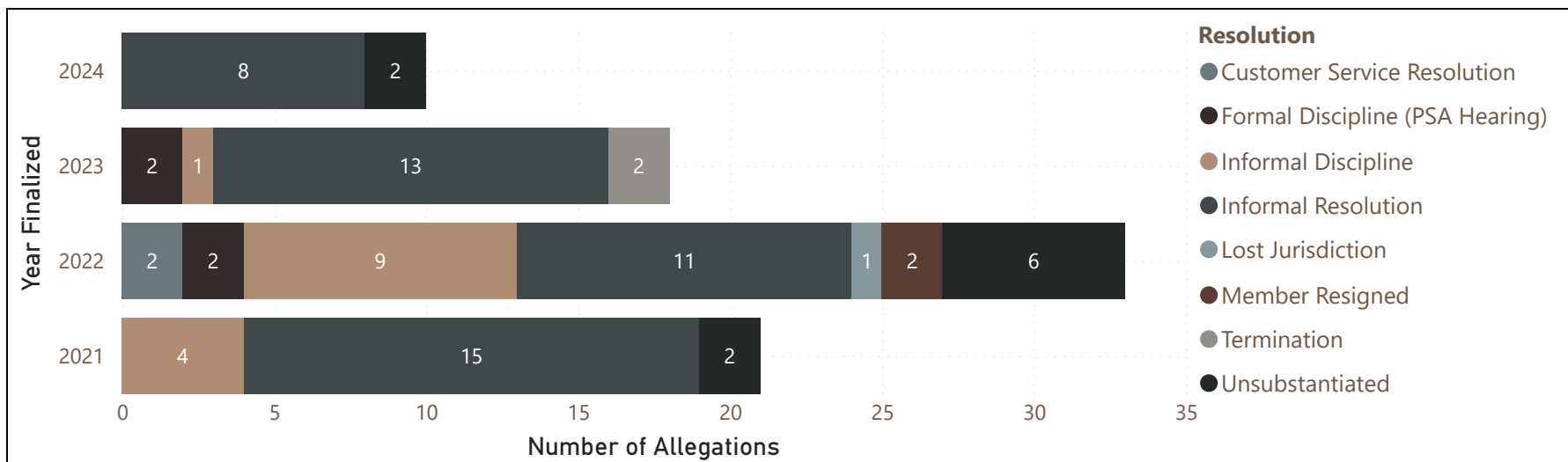
The figures below illustrate the outcome of Public Complaints (Figure 7) and the manner in which they were resolved (Figure 8). The number of complaints screened out by LECA is included for context.

Figure 7 - Outcome of Public Complaints following investigation.



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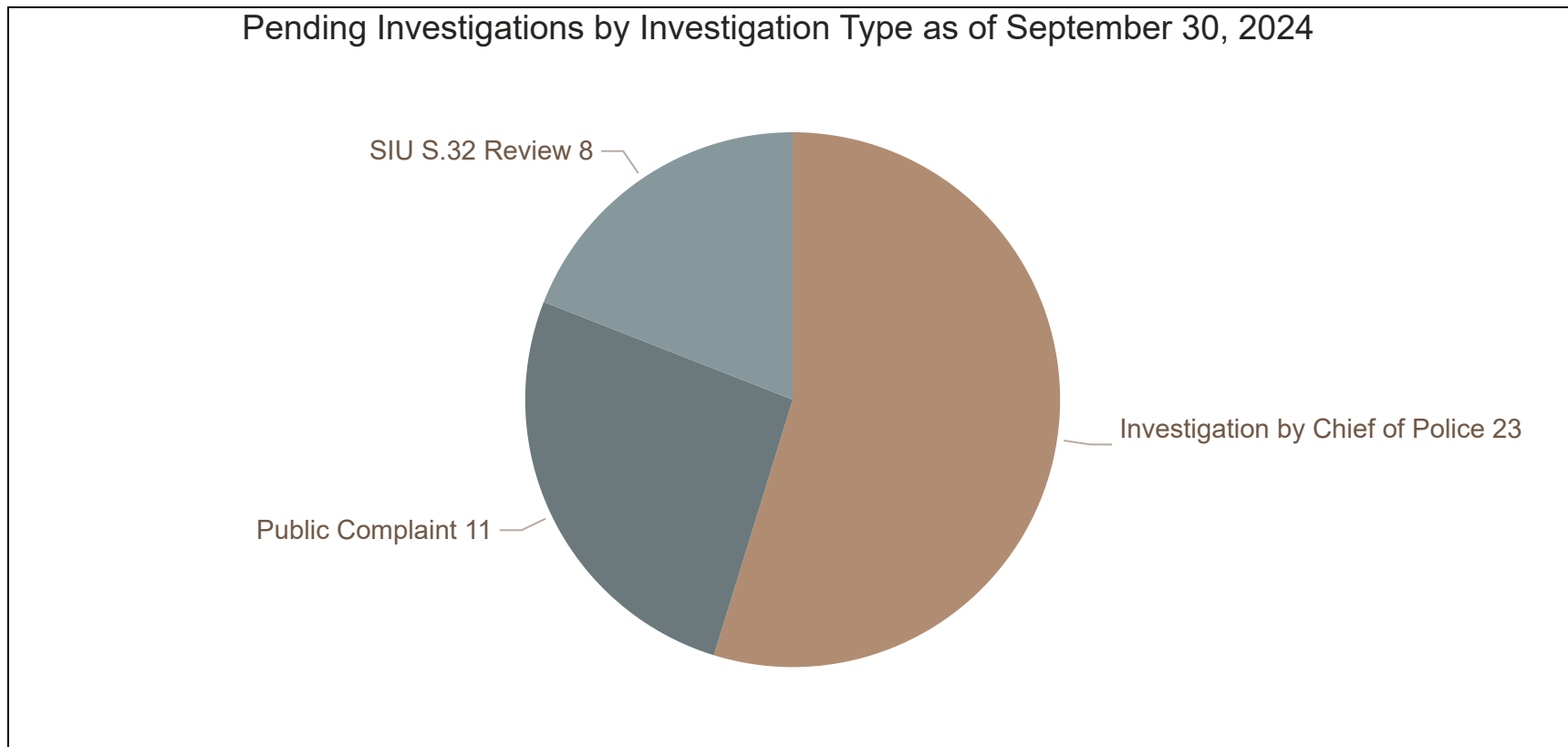
Figure 8 - Resolution of OIPRD, LECA and Investigations by the Chief Conduct Allegations for Investigations Completed in Q1 through Q3 by Year.



Pending Complaints

“Pending complaints” refers to the number of complaints under investigation by the Professional Standards Branch as a measure of on-going workload and capacity. Some investigations will carry over across quarterly reports due to the 120 day timeline for completion. As of September, 30, 2024, there were 42 complaints under active investigation.

Figure 9 – Pending Investigations - Q3 2024



Complaints Referred to Another Agency

As of September 30 2024, there were no complaints referred to another police service for investigation.

Requests for Review by the London Police Service Board

Under the Police Services Act, a complainant who was not satisfied with the findings of an investigation conducted in relation to a service complaint could request a review of the matter by the police services board. Under the Community Safety and Policing Act, responsibility for the investigation of service complaints was transferred to the Inspectorate of Policing, therefore, there is no longer a mechanism for appeal to the board.

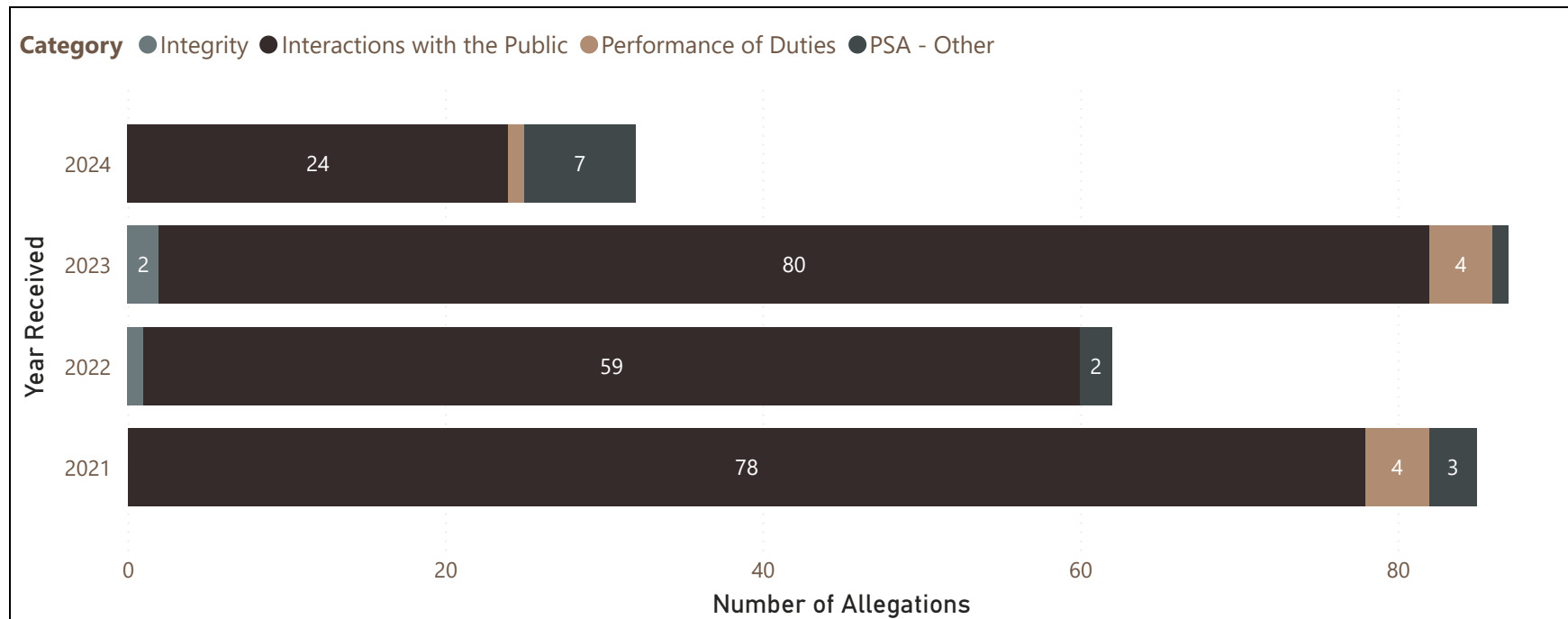
Other Information

Local Response

Anyone making a complaint to the Law Enforcement Complaints Agency may first raise their concerns regarding the conduct of a sworn member of the London Police Service directly to the LPS. The complaint is addressed through a *Local Response* (a process for dealing with concerns from members of the public informally). The process allows the LPS an opportunity to solve, explain, or otherwise settle a concern directly with a member of the public.

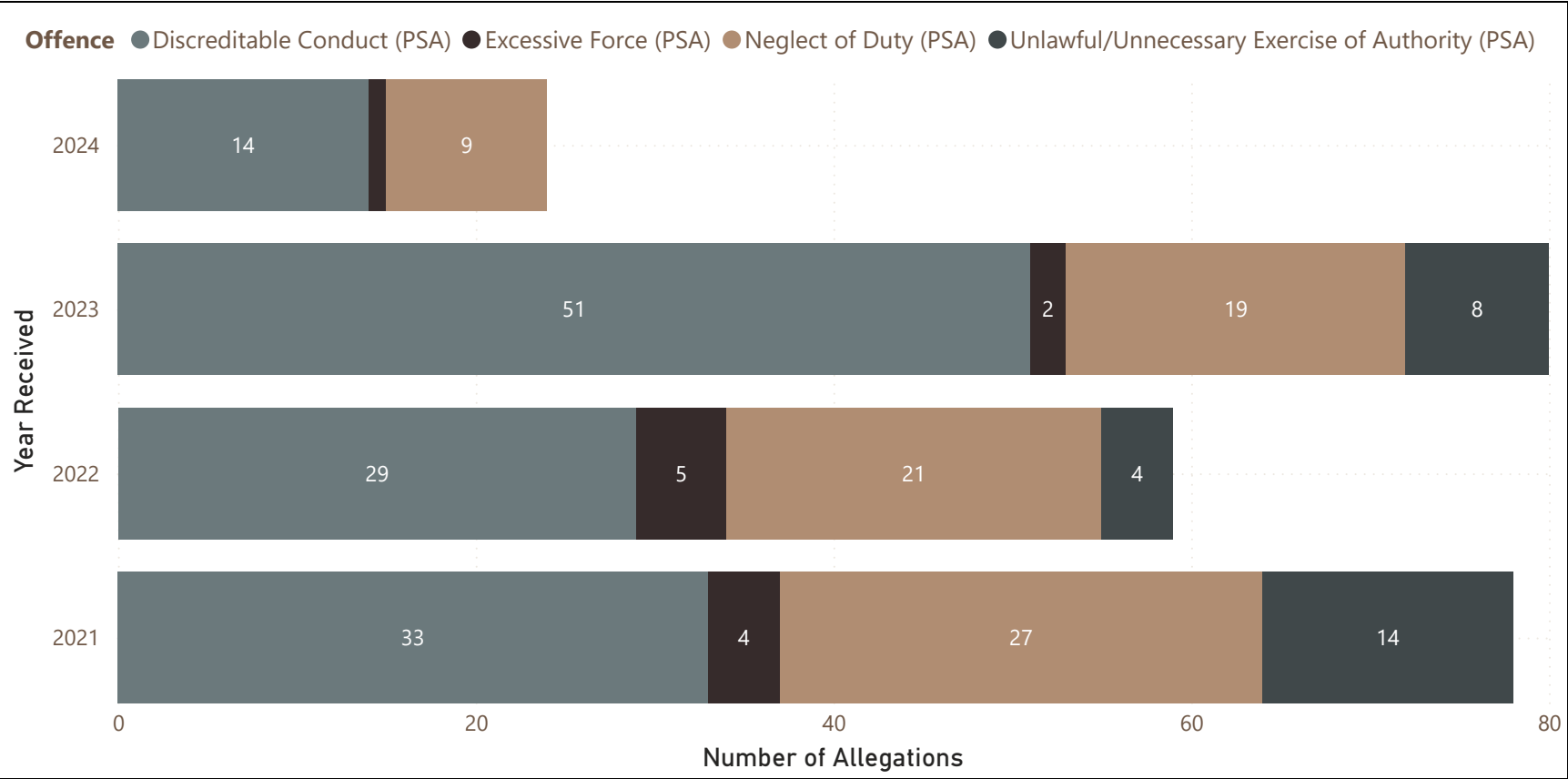
Where a matter has been resolved by Local Response it is not considered to be a complaint. However, police services are required to provide LECA with documentation pertaining to matters dealt with by Local Response. For this reason, statistics on local responses are included in this report. Figure 10 shows that the majority of matters were related to Interactions with the Public.

Figure 10 - Category of Resolved Allegations for Conduct Related Local Responses Q1 through Q3 by Year



The figure below further breaks down the allegations made regarding Interactions with the Public.

Figure 11 - Specific Allegations Related to Interactions with the Public - Local Responses Received in Q1 through Q3 by Year



APPENDIX B

Code of Conduct

O Reg 407/23 Community Safety and Policing Act 2019

The enactment of the CSPA resulted in changes to the code of conduct for police officers. Behaviours and activity that constituted misconduct under the Police Services Act also constitute misconduct in the new Act, however the code has been modernized and arranged under five broad headings: compliance with laws, human rights and the Charter, interactions with the public, integrity, and performance of duties. The following is an abridged version of the CSPA Code of Conduct.

Compliance with Laws

A police officer shall:

- comply with the Act and the regulations made under it
- comply with the Special Investigations Unit Act, 2019 and the regulations made under it

A police officer contravenes this code of conduct if they are found guilty of an offence under the Criminal Code, the Controlled Drugs and Substances Act, or the Cannabis Act.

Human Rights and the Charter

A police officer shall not, in the course of their duties, treat any person in a manner that the officer, at the time, knows or reasonably ought to know would contravene the Human Rights Code.

Interactions with the Public

Arrest, detention, custody, public trust, use of force, abusive language, identification

A police officer shall not:

- make an arrest if, at the time of the arrest, the officer knows or reasonably ought to know that the arrest is unlawful
- authorize or make a physical or psychological detention if, at the time of the detention, the officer knows or reasonably ought to know that the detention is unlawful
- neglect the health or safety of any individual who is in their custody as a result of the officer's duties
- conduct themselves in a manner that undermines, or is likely to undermine, public trust in policing

A police officer shall not use force unless:

- the force is used for the purpose of carrying out a duty
- the officer is entitled, by statute or common law, to use force for the purpose of carrying out that duty
- the officer is acting on reasonable grounds; and
- the force used is no more than is necessary given the circumstances.

A police officer shall not, in the course of their duties, use abusive language with any person or otherwise treat any person in a manner that is abusive.

A police officer shall not deliberately conceal any of the following information that is part of their uniform or is otherwise required to be displayed:

- the officer's name and badge number
- the name of the officer's police service

While acting in the course of their duties, a police officer shall, upon request, provide their name, badge number and the name of their police service to any member of the public in a manner reasonable in the circumstances that allows the member of the public to identify the officer, unless the officer has reason to believe that doing so would undermine the safety of an individual.

Integrity

Bribery, personal benefit, disclosure of information, access to information

A police officer shall not:

- solicit, offer or take a bribe
- accept a gratuity or present of more than nominal value from any person or entity if the gratuity or present could influence or could be perceived to influence the performance of the officer's duties.

A police officer shall not use their position as a police officer to:

- benefit themselves or one or more persons with whom they have a personal relationship
- interfere with the administration of justice.

A police officer shall not disclose to the public information obtained or made available in the course of their duties as a police officer except as authorized in accordance with the procedures established by their chief of police, as necessary for the performance of the officer's duties or as required by law.

A police officer shall not access, collect, use, disclose, alter, retain or destroy information obtained or made available in the course of their duties as a police officer if, at the time, they know or reasonably ought to know that doing so would be contrary to law.

Performance of Duties

Notetaking, fitness for duty, duty to report, insubordination, AWOL, equipment,

A police officer shall not, by act or omission, fail to perform their duties appropriately without lawful excuse if, at the time, they know or reasonably ought to know that their act or omission would amount to a failure to perform their duties appropriately.

A police officer shall take notes in accordance with the duties of a constable and the procedures established by their chief of police.

A police officer shall not perform or attempt to perform duties as a police officer while their ability to perform duties is impaired by alcohol or drugs.

A police officer shall report conduct of another member of the police service if the officer reasonably believes, or reasonably ought to believe, that the member's conduct constitutes misconduct.

A police officer shall not:

- leave an area, detachment, detail or other place of duty except as authorized in connection with performing duties as a police officer or as required by law
- purport to speak on behalf of their police service to the media about a matter connected with their police service, except as authorized by their chief of police
- be absent without authorization from or late for any duty without reasonable excuse

A police officer shall:

- comply with every lawful order from a superior and shall not otherwise be insubordinate toward a superior
- comply with the procedures established by their chief of police

A police officer shall not lose or cause damage to clothing, equipment or other property issued to them, or obtained or made available to them, in the course of their duties, except as may be necessary to perform their duties as a police officer.

A police officer shall report any loss or damage to clothing, equipment or other property described in section 28 to their supervisor as soon as practicable.

Harassment

A police officer shall not engage in workplace violence or workplace harassment, including workplace sexual harassment, as those terms are defined in the Occupational Health and Safety Act. *Deceit*

A police officer shall not deceive or mislead any person in relation to the officer's duties, the officer's employment or the administration of justice through any act or omission, except to the extent required or authorized for the purpose of carrying out the officer's duties.