LPS-IAS-001

CSPA Section 81 Reporting Policy

Policy Number	LPS-IAS-001
Effective Date	Upon Approval
Date Approved	TBD
Approved By	London Police Service Board
Board Governance Policy Linkages	LPSB-H-001
Legislation	CSPA Section 81 SIUA Section 15 *Ontario Regulation* 391/23

1. Purpose

The Board acknowledges the significant public interest in incidents where police actions result in death, serious injury, firearm discharge at a person, or allegations of sexual assault, the investigation of which all fall under the mandate of the Special Investigations Unit (SIU).

The purpose of this policy is to establish a clear directive for the Chief of Police and the London Police Service regarding the handling, investigation, and reporting requirements of Section 81 (s. 81) of the *Community Safety and Policing Act*, 2019 (*CSPA*), ensuring compliance with provincial legislation and best practices in police governance.

2. Definitions

1. **Section 81 Reporting:** The Chief of Police's duty under section 81 of the Community Safety and Policing Act, 2019, and O. Reg. 90/24 s. 8 to promptly notify the Board when the SIU or another prescribed body begins an investigation involving the police service, providing the required details to support oversight.
2. **SIU: Special Investigations Unit Act, 2019:** Ontario legislation establishing the Special Investigations Unit (SIU), an independent civilian agency that investigates police-involved incidents of serious injury, death, firearm discharge at a person, or sexual assault, and sets out its mandate, powers, and reporting obligations.

3. Legislative Authority

This policy is established under the following legislative and regulatory framework:

3. ***Community Safety and Policing Act*, 2019 ("*CSPA*") Section 81:** In accordance with the *CSPA*, Part VI, Section 81, the Chief of Police shall promptly investigate any incident involving a police officer in the Chief's police service that becomes the subject of an investigation by the SIU Director under Section 15 of the *Special Investigations Unit Act, 2019*.

4. ***Special Investigations Unit Act*, 2019, Section 15:** Establishes the SIU's authority to investigate incidents that may have resulted from criminal conduct by a police officer.

4. Scope

This policy applies to:

1. All members of the LPS, including officers and civilian police professionals involved in incident reporting and investigation management.
2. All cases where the SIU has invoked its mandate, triggering a mandatory s. 81 internal investigation by the LPS.
3. All reports submitted to the Board by the Chief related to s. 81 investigations.

5. Policy Directives

In accordance with Section 15 of the *Special Investigations Unit Act,* the SIU Director may cause an investigation to be conducted into any incident in which any of the following occurs if the incident may have resulted from criminal conduct by an official:

1. The death of a person
2. The serious injury of a person.
3. The discharge of a firearm at a person.
4. The sexual assault of a person, as reported by the person.

It is the policy of the London Police Service Board that:

1. The Chief of Police develops and maintains procedures and processes for s. 81 investigations that:
   a) Ensure the prompt initiation of an internal s. 81 investigation once the SIU Director or Chief of Police determines whether charges will be laid, with the understanding that if charges are laid, the internal s. 81 investigation will be suspended and only proceed upon the conclusion of related court proceedings.

b) Account for an examination of the members' conduct, policing provided, and procedures engaged concerning the incident.
c) Ensure all members of the police service fully cooperate with both the SIU and the internal investigation.
d) Ensure a structured review process.

2. The Chief of Police shall notify the Board when SIU has been invoked.

3. S. 81 reports to the Board shall contain the following:
   a) An incident summary with a general description (date, location, nature of the incident)
   b) A summary of SIU findings.
   c) A summary of internal investigation findings for:
      i. Officer conduct – whether actions complied with policies, procedures, and legislation.
      ii. Any gaps in training, procedures, or service delivery.
      iii. Corrective actions, if applicable.

4. While individual s. 81 reports are provided as required, an annual summary supports the Board's ability to identify trends, assess systemic issues, and fulfill its broader governance and policy oversight responsibilities. The Chief of Police shall submit an annual summary of all s. 81 investigations to the Board including:
   a) The number and status of s. 81 investigations completed that year.
   b) Findings and implications.
   c) Actions taken by the Service.

6. Public Disclosure, Transparency, and Accountability

1. Reports prepared for the Board under Clause 4 above shall not include the following information:
   a) The name of, or any information identifying, a subject official, witness official, civilian witness or affected person, as those terms are defined in the *Special Investigations Unit Act,* 2019, in the incident.
   b) Information that may result in the identity of a person who reported that they were sexually assaulted being revealed in connection with the sexual assault.

7. Conclusion

This policy sets clear Board expectations for the London Police Service's handling of Section 81 investigations and reports, ensuring transparency, accountability, and compliance with Ontario policing legislation. The Chief of Police must ensure that all internal investigations, reporting obligations, and public disclosures adhere to the *CSPA* and this directive.