



HUMAN RIGHTS APPLICATIONS MANAGEMENT AND DISPOSITION PRP-AI-005

Effective Date: 2012/11/30
Amended: 2015/09/25

Policy Statement

It is the policy of the Regional Municipality of Peel Police Services Board that the policy requirements set out in this document shall form part of the Board Policies and the Chief of Police is directed to implement and comply with these requirements in the administration and operation of the Peel Regional Police.

1. Objective

It is the Board's intent to defend itself when it is named as a party to human rights application filed with the Human Rights Tribunal of Ontario, in a manner that :

1. Protects the interests and reputation of the Board and the police service, including any individual members that may be named;
2. Protects the interests of the residents of the Region of Peel; and
3. Provides for the professional administration of all applications with a view to bringing a resolution in as effective and cost-efficient manner as possible.

2. Definitions

Application

Means a human rights complaint filed with the H.R.T.O.

Board

Means the Regional Municipality of Peel Police Services Board.

Complainant

Individual who files an application with the H.R.T.O. (members of the public and employees may file complaints to the HRTO).

Human Rights Code

A law that protects individual in Ontario from discrimination and harassment in five areas: employment, accommodation (housing), goods, services and facilities, contracts, membership in trade and vocation associations. The *Code* prohibits discrimination and harassment on any of the following grounds: race, colour, ancestry, place of origin, citizenship, ethnic origin, disability, creed, sex, including sexual harassment and pregnancy, sexual orientation, gender identity, gender expression and family status.

Human Rights Tribunal of Ontario (H.R.T.O)

A governing body that deals with all applications of discrimination and harassment brought under the *Human Rights Code*. The Tribunal's primary role is to provide a process to assist parties to resolve applications, through mediation, and to decide those applications where the parties are unable to reach a resolution through settlement.

3. Policy Requirements

It is the policy of the Board that any procedures and processes regarding the management and disposition of matters arising from a human rights application filed with the Human Rights Tribunal of Ontario against the Board and/or members of Peel Regional Police be based on the following principles and guidelines:

1. That decisions be made in accordance with the stated objective; (*refer # 1*)
2. Complete compliance with legislative and constitutional requirements, and recognized legal principles and guidelines;
3. Fair treatment for the public, the police service and its members;
4. Professional, prompt and thorough handling of all applications;
5. Integrity in the administration of all applications received from the H.R.T.O.;
6. That applications are processed in accordance with the provisions of the Human Rights Tribunal of Ontario and this policy;
7. That the Board continues to exercise its oversight function through the receipt of reports as set out in this policy;
8. That the Board will provide direction in any Human Rights Application relating to:
 - a. A significant event reported or very likely to be reported by the media which could create or does create a negative perception or could adversely impact the reputation of the Board and/or police service; or,
 - b. Issues of potentially significant liability for the Board and the police service, and/or any application likely to involve a settlement to a third party in excess of \$40,000; and
 - c. In such event, a summary report with recommendations shall be received from the Board's solicitor, Chief's counsel and Chief of Police in sufficient detail for the Board to determine its position with respect to the complaint. This report shall be provided prior to engaging in either Mediation or Hearing proceedings with the Human Rights Tribunal, the Board's participation in which shall be at its discretion.
9. Any resolution reached by the parties to settle an application before the HRTTO matter must have final approval by the Board.

4. Measurement Methods

The Chief of Police, shall forward a report to the Board as set out in Section 5 of this policy.

5. Reporting

On an annual basis, no later than the March meeting of each year, the Chief of Police shall forward a report to the Board containing the following:

1. A brief description on how Human Rights Tribunal applications are handled administratively;
2. A report shall include:
 - a. The total number of human rights applications ongoing;

- b. The total number initiated the past calendar year, and the number resolved the past year;
- c. The statistical analysis will include a comparison to the previous year(s);
- d. A synopsis of the circumstances of each human rights application to include the date of the incident, the complaint date, the type of complaint, the amount being sought in damages and the current status; and
- e. Each Human Rights application resolved the past year shall also include a description of how the matter was concluded, including any damages and /or costs paid.

6. Authority/Legislative Reference

Police Services Act Part III
Ontario Human Rights Code as Amended

Supercedes : Human Rights Complaints II-N-4
Human Rights II-N-1 to II- N-3

Board Minute # 96/12
Board Minute # /15

7. Linkage to Appropriate Board and or Police Service Procedure/Directive

I-A-205 (F) Workplace Discrimination and Harassment
I-A-231 (O) Human Rights Applications Against Peel Regional Police
I-B-136 (F) Diversity Relations and Anti-Discrimination
1-A-204(F) Code of Ethics, Conduct and Discipline
AS-AI-003 Equal Opportunity, Workplace Discrimination, and Harassment