



Legal Indemnification Claims PRP-LG-006

Effective Date: 2017/09/29

Amended: 2018/11/23

Policy Statement

The Peel Police Services Board is committed to supporting members of the police service who face legal proceedings as a result of the performance of their duties when they are found to have acted in good faith, and ensuring they are provided with legal representation.

This policy applies to requests for legal indemnification and payment of legal accounts submitted to the Board pursuant to the Uniform, Civilian or Senior Officers Collective Agreements. This policy further establishes the delegation and levels of authority to be followed when requests for legal indemnification are submitted for approval by members of the Service.

The 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.

It is therefore, the policy of the Peel Police Services Board that:

1. Policy Requirements

- 1.1. In accordance with the Uniform, Civilian or Senior Officers Collective Agreements, the Board will provide legal representation for a member of the Service who is a defendant in civil or administrative claims for damages arising out of the attempted performance, in good faith, of his/her duties.
- 1.2. Uniform and Civilian Members of Peel Regional Police may be entitled to legal indemnification in accordance with their respective Collective Agreement. Such indemnification is subject to the conditions set out in the applicable agreement, which includes the application in writing to the Chief of Police or the officer designated by the Chief to deal with such applications.
- 1.3. Where an investigation is commenced by the Special Investigations Unit pursuant to Section 113 of the *Police Services Act*, a member's entitlement to legal representation shall be determined in accordance with the applicable Collective Agreement, until such time as the matter is brought to the attention of the Board. When the matter is brought to the Board for approval, it shall be governed by the provisions of the Collective Agreement with respect to entitlement and this policy with respect to payment of accounts.
- 1.4. Requests for legal representation where criminal charges are laid as a result of an SIU investigation shall be governed by the provisions of the Collective Agreement and the *Police Services Act*.

2. Delegation of Authority

- 2.1. The Chief of Police or the officer designated by the Chief is responsible for processing all legal indemnification applications in accordance with Board policy and the applicable provisions of the collective agreements.
- 2.2. The Chief of Police will submit all recommendations for denial of legal indemnification to the Board for its consideration.
- 2.3. The Board delegates the authority to approve the payment of eligible legal indemnification claims in the amounts up to \$15,000 to the Chief of Police or the officer designated by the Chief.
- 2.4. All legal indemnification claims in the amounts over \$15,000 require the approval of the Board.

3. Reporting

The Chief of Police shall report annually on:

1. Total number of legal indemnification claims processed;
2. Type of legal indemnification request; and
3. Total legal expenses.

The report will reflect statistics in comparison with the previous year.

4. Authority/Legislative Reference

Section 31(1)(c), Section 50 of the *Police Services Act*
Peel Regional Police Association Collective Agreement (Uniform), Article 20
Peel Regional Police Association Collective Agreement (Civilian), Article 20
Peel Regional Police Senior Officers Association Collective Agreement. Article 25
Board Minute #85/17
Board Minute: IC35-11-18