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REPORT

Peel Police Service Board

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Subject: **2024 CORPORATE RISK MANAGEMENT ANNUAL PUBLIC REPORT**

From: **Nishan Duraiappah, Chief of Police**

Recommendation

It is recommended that this document be received as the 2024 Corporate Risk Management Annual Public Report.

REPORT HIGHLIGHTS

- Investigative Support Bureau.
- Police Service Act Discipline Offences.
- Public Complaints.

Discussion

The purpose of this report not only provides transparency for the public, as well as satisfies annual legislated reporting to the Peel Police Service Board (P.P.S.B.). This report contains data as it relates to risk management within the Professional Standards Bureau.

1. Investigative Support Bureau

The Special Investigations Unit (S.I.U.) is a civilian law enforcement agency that investigates incidents involving police officers where there has been death, serious injury or allegations of sexual assault. The Unit's jurisdiction covers more than 50 municipal, regional and provincial police services across Ontario.

Previously under the *Police Services Act (P.S.A.)*, and now under the *Community Safety and Policing Act (C.S.P.A.)*, the Director of the S.I.U. must determine, based on the evidence gathered in an investigation, whether an officer has committed a criminal offence in connection with the incident under investigation. If, after an investigation, there are reasonable grounds to believe that an offence was committed, the Director has the authority to lay a criminal charge against the officer. Alternatively, in all cases where no reasonable grounds exist, the Director does not lay criminal charges but files a report with the Attorney General communicating the results of an investigation.

The Investigative Support Bureau shall:

- a. Be designated as the policy centre for S.I.U. matters in order to maximize efficiency and consistency of operation;
- b. Conduct the administrative investigation for the purpose of reviewing procedures, processes and practices of Peel Regional Police (P.R.P.) in relation to all incidents under investigation by the SIU; and,
- c. Direct the investigation into the criminal conduct of any person injured in the Occurrence, who forms the basis of the S.I.U. investigation.

The following statistics relate to incidents involving members of P.R.P. in which the S.I.U. became involved. These statistics are shown in comparison with those captured at year-end in 2022 and 2023.

Investigations	2024	2023	2022
SIU Investigations	32	34	26
Subject Official Designations	35	36	21
Witness Official Designations	76	119 (6 other Services)	43
Total Legal Expenses	\$358,664.22	\$266,237.70	\$90,962.72
Disposition of Cases			
Case closed: No further action	28	20	19
Cases involving other police services	5	3	2
Investigations terminated	2	5	9
Cases where charges laid	2	1	1
Investigations ongoing	13	14	8

Conclusion:

The S.I.U. became involved in a total of 32 P.R.P. incidents in 2024. The S.I.U. closed 28 investigations indicating that there would be “No Further Action” as the officers were cleared of any criminal liability. They terminated two (2) investigations based on evidence showing that the injuries were not as serious as first believed, or that the P.R.P. member was not directly involved.

13 investigations are currently ongoing. There were five (5) incidents where members of the P.R.P. Investigative Support Bureau were required to liaise with the S.I.U. for incidents that involved members from other police services. Four (4) P.R.P. members were designated as Witness Officials (W.O.)’s in four (4) of the five (5) cases; the fifth case did not require P.R.P. officers to be designated.

A total of 111 officers were designated in 2024, 35 as Subject Officials (S.O.)’s and 76 as W.O.’s. Legal representation was requested by and provided for the designated officials.

The total legal expenses incurred was \$358,664.22.

2. *P.S.A* / *C.S.P.A* Discipline Offences

Previously the *P.S.A.* and now the *C.S.P.A.* govern all police services across the province. Misconduct includes any violation of the Code of Conduct.

A total of nine (9) *P.S.A./C.S.P.A.* investigations were resolved during the course of 2024. Following are the details of the misconduct and the disposition of these matters:

- a. **Summary of Offences:** The officer was involved in Intimate Partner Violence (I.P.V.) incidents with two (2) separate victims. The officer was charged criminally and pled guilty to two (2) counts of Assault. Following that the officer was charged with two (2) counts of Discreditable Conduct and pled guilty to both.

Disposition: Dismissal from P.R.P. in seven (7) days unless their resignation was tendered within that timeframe. The officer resigned.

- b. **Summary of Offence:** The officer was at Brampton Civic Hospital with an individual they had apprehended under the *Mental Health Act (M.H.A.)*. While waiting for a physician's assessment of the individual they had apprehended, a second patient, already assessed and held on a Form 1, was being escorted from the washroom to their room by hospital security. This patient approached the officer and appeared disoriented and unsteady on their feet. The officer armed their taser and pointed it at the patient, telling them to "back off". Hospital security guided the patient away from the officer who then discharged their taser at the patient and striking them in the back. The patient was tasered a second time when they did not comply with the officer's commands to place their hands behind their back. The officer was charged with one (1) count of Unlawful or Unnecessary Exercise of Authority and pled guilty.

Disposition: Reduction in rank from First Class Constable to Second Class Constable for a period of 10 months, following which the officer will be returned to the rank of First Class Constable on the basis of satisfactory work performance to be determined by the officers Divisional Commander.

- c. **Summary of Offences:** While off duty, the officer was involved in I.P.V. incidents with their girlfriend on two (2) separate occasions. The officer was charged under the criminal code for these offences and received a conditional discharge. Following this, the officer was also charged under the *P.S.A.* with Discreditable Conduct. Further investigation into unrelated matters lead to additional Discreditable Conduct charges regarding the treatment of an individual suffering from a mental health crisis.

Disposition: Reduction in rank from First Class Constable to Third Class Constable for a period of six (6) months followed by 12 months as a Second Class Constable after which, the officer will be returned to the rank of First Class Constable on the basis of satisfactory work performance to be determined by the officer's Divisional Commander.

It is worthy to note that the officer has since resigned from P.R.P.

- d. **Summary of Offences:** The officer was off duty and operating their vehicle when they were cut off by another individual in an aggressive manner. The officer and the driver of the other vehicle had a verbal exchange when they were both stopped at the next intersection. Both drivers then went their separate ways. Within an hour, the driver who had made the aggressive driving move, answered a phone call and was asked if they were the owner of the business their vehicle was registered to. The caller, later identified as the officer, threatened to kill the other driver. The officer was charged with Uttering Death Threats under the *Criminal Code of Canada*. The criminal charges were later stayed by the Crown Attorney and the officer was then charged with two (2) counts of Discreditable Conduct. The officer pled guilty to one (1) count of Discreditable Conduct and the second count was withdrawn.

Disposition: Forfeiture of 32 hours pay (Four [4] days).

- e. **Summary of Offences:** The officer was off duty and at a car dealership to have their vehicle serviced. During this time the officer was aggressive and used profane language, showing their police badge twice in an attempt to receive preferential treatment. They also made antisemitic, disparaging comments regarding race and religious beliefs. Subsequently the officer was charged with two (2) counts of Discreditable Conduct. After pleading guilty to one (1) count of Discreditable Conduct the second count was withdrawn.

Disposition: Forfeiture of 144 hours pay (18 days).

- f. **Summary of Offences:** The officer was involved in I.P.V. incidents involving their spouse and child. Criminal charges were laid by Halton Regional Police. The officer then breached their release conditions resulting in further criminal charges being laid. Ultimately the officer was convicted of Failing to Comply with Probation. Discreditable Conduct charges were laid.

Disposition: Reduction in rank from Sergeant to First Class Constable for a period of two (2) years, following which the officer will be returned to the rank of Sergeant, on the basis of satisfactory work performance, to be determined by the officer's Divisional Commander.

- g. **Summary of Offences:** Hamilton Police Service were conducting an investigation into the activities of a well-known criminal who was suspected of arson. During the investigation, it was discovered that there was frequent contact between the officer and the subject of their investigation. It was also learned that the officer owned a business with the suspect and that they jointly owned a rental property. Previously, the officer had been convicted of Discreditable Conduct for associating with the suspect and had been directed to cease all contact and divest themselves of any business or property jointly owned. Having not done this, the officer was charged with Discreditable Conduct and Insubordination. The officer pled guilty to Discreditable Conduct and the charge of Insubordination was withdrawn.

Disposition: Reduction in rank from Sergeant to First Class Constable for a period of 12 months, following which the officer will be returned to the rank of Sergeant on the basis of satisfactory work performance as determined by the officers Divisional Commander.

- h. **Summary of Offences:** The officer was involved in an accident in their personal vehicle in the City of Guelph. They had lost control of their vehicle, mounted a curb and struck a pedestrian who sustained minor injuries. Upon arrival of police, the officer was arrested and ultimately charged with Excess Blood Alcohol and Impaired Driving Causing Bodily Harm under the Criminal Code. The officer pled guilty to Operation of a Conveyance While Impaired to any Degree by Blood Alcohol Concentration (B.A.C.) or Drug or a Combination of Both under the Criminal Code. The penalty assessed was a \$2,500 fine and a 12 month driving prohibition. Following that, the officer was charged with Discreditable Conduct.

Disposition: A reduction in rank from First Class Constable to Second Class Constable for a period of two (2) years, following which the officer will be returned to the rank of First Class Constable, on the basis of satisfactory work performance, to be determined by the officer's Divisional Commander.

- i. **Summary of Offences:** The officer was charged criminally over the span of seven (7) months, with two (2) counts of Criminal Harassment and six (6) counts of Fail to Comply with Recognizance, Extortion and Intimidation of a Justice Participant by Niagara Regional Police. All charges were associated with one (1) victim. The officer pled guilty to several of the charges and received a sentence of time served which was 34 days in custody, three (3) years probation and a 10 year firearms prohibition. Following their conviction, the officer was suspended without pay and further charged with six (6) counts of Discreditable Conduct and one (1) count of Deceit. The officer pled guilty to four (4) counts of Discreditable Conduct while the remaining charges were stayed.

Disposition: The officer's employment with P.R.P. was terminated.

Conclusion:

The following *Police Service Act* investigation statistics provides an annual comparison.

2024	2023	2022	2021	2020
9	11	7	16	7
Yearly average – 10				

3. Public Complaints Bureau

Discussion:

On April 1st, 2024, The C.S.P.A. replaced the former P.S.A. which resulted in the Law Enforcement Complaints Agency (L.E.C.A.) replacing the Office of Independent Police Review Director (O.I.P.R.D.).

The public complaint process in 2024 was governed partially under *Part V* of the P.S.A. and the C.S.P.A. In 2024, it makes it the fifteenth full year for statistics in which the public complaint process has been governed by provincial mandate. Statistics for this year's complaints are categorized as follows:

- Conduct of officers;
- Policies of the police service; or
- Services provided by the police service

Analysis:

The Public Complaints Investigation Bureau received 87 conduct complaints from the O.I.P.R.D. and L.E.C.A. in 2024. This represents a 4.4% decrease from the 91 complaints received in 2023. Compared to a five (5) year average of 97.8 per calendar year, 2024 marked a decrease of 5.4% over the previous five (5) year average.

The O.I.P.R.D. retained zero (0) complaints for investigation in 2024, compared to one (1) in 2023. The O.I.P.R.D. and L.E.C.A. assigned zero (0) investigations in 2024 to an external police service to investigate, compared to one (1) in 2023.

There were zero (0) conduct complaint investigations that resulted in discipline in 2024, compared to eight (8) in 2023.

There were 10 Service/policy complaints in 2024, compared to 24 in 2023.

There were 210 administrative files sent to P.R.P. from the O.I.P.R.D. and L.E.C.A. in 2024, compared to 170 in 2023. These are complaint files sent to the P.R.P. by the O.I.P.R.D. and L.E.C.A. that have been deemed by them as being frivolous, vexatious or made in bad faith. They are more appropriately dealt with by another Act or law, past the legislative time limit to be investigated or not in the public interest to proceed.

There were two (2) Local Resolution/Local Response Agreements in 2024, compared to five (5) in 2023. On April 1st, 2024, Local Resolutions were replaced with Local Response under the new Act. A Local Resolution/Local Response is when a citizen chooses to go directly to the police service with a complaint and has come to an agreement about how to resolve the complaint informally.

The Early Resolution program provides an opportunity for complainants and respondent officers to voluntarily resolve complaints before they are formally screened under the *P.S.A./C.S.P.A.* In 2024, there were 13 Early Resolution agreements assigned compared to 23 in 2023.

Complaints	2024	2023	2022	2021	2020
Administration File	210	170	133	181	144
Public Complaint	87	91	97	103	111
Service/Policy Complaints	10	23	8	4	3
Local Resolution/Local Response	2	5	3	6	13
Early Resolution	13	23	19	16	8
External Complaint	0	1	2	4	0
Total	322	313	262	314	279

Finally, as of December 31, 2024, the Public Complaints Investigation Bureau had 26 open/ongoing investigations, and there were zero (0) open/ongoing investigations that were previously retained by the O.I.P.R.D and L.E.C.A.

Active/Open Investigations	2024	2023	2022	2021	2020
	26	33	34	34	34

Dispositions of Completed Investigations – Five (5) Year Trend

93.8% of 2024 Public Complaints were Informal Resolutions, Unsubstantiated, or Withdrawn. The “Other” category includes Frivolous, Abandoned, Loss of Jurisdiction, Terminated, No misconduct, Unfounded and Past Time Limit.

Disposition	2024	2023	2022	2021	2020
Informal Resolutions	43	36	32	52	39
Unsubstantiated	16	18	21	20	39
Withdrawn	27	21	44	26	33
Other	6	8	5	7	5
Substantiated	0	8	1	3	2
Total	92	91	103	108	118

Conclusion

P.R.P. are transparent in the reporting of matters investigated by the Professional Standards Bureau. Incidents are thoroughly investigated, and appropriate action is taken to mitigate further risk to the organization.

Approved for Submission



Nishan Duraiappah, Chief of Police

For further information regarding this report, please contact Staff Superintendent Martin Ottaway at extension 4004 or via email at 1872@peelpolice.ca.

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