

When considering an appeal, the Commission ensures that a police disciplinary hearing decision is based on facts established by the evidence and reflects the proper application of the law.

After receiving submissions, the Commission may:

- confirm, vary or revoke the decision of the disciplinary hearing;
- substitute its own decision; or
- order a new hearing.

The Commission will provide written copies of its reasons to all parties or their representatives. Copies of all decisions are posted on the Commission's website.

There is no appeal from a Commission decision on a disciplinary appeal. However, parties to an appeal may apply to Divisional Court for judicial review.

For more information, please read the Commission's brochure "Bringing An Appeal" online or call to request a copy.

Committed
to **serv**ing
the public

ONTARIO CIVILIAN POLICE COMMISSION

MISSION STATEMENT

The Ontario Civilian Police Commission is an independent oversight agency committed to serving the public by ensuring that adequate and effective policing services are provided to the community in a fair and accountable manner.

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To learn more about the Commission's mandate, please visit our website at:

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**AN INTRODUCTION
TO THE
ONTARIO CIVILIAN
POLICE COMMISSION**

OVERVIEW

The Ontario Civilian Police Commission is a quasi-judicial civilian agency of the Ministry of Community Safety and Correctional Services.

The Commission consists of a full-time Chair and part-time members, who are appointed by Order-in-Council and represent a cross-section of professions and communities.

Established under the *Police Services Act*, the Commission ensures the delivery of adequate and effective police services in Ontario.

To ensure compliance with the Act, the Commission has the authority to investigate policing-related matters, hold hearings and consider appeals.

INVESTIGATIONS AND INQUIRIES

The Commission may investigate and inquire into:

- the administration of a municipal police force;
- the manner in which policing services are provided; or
- the policing needs of a municipality.

The Commission may be directed by the Lieutenant-Governor-in-Council to hold an inquiry into any matter relating to crime or law enforcement.

As well, the Commission may investigate and inquire into the conduct or work performance of:

- a police officer;
- a chief of police;
- a member of a local police services board;
- an auxiliary member of a police service;
- a special constable; and
- a municipal law enforcement officer.

The Commission ensures that disciplinary complaints initiated by a chief of police are processed in the same thorough manner as complaints brought by members of the public.

HEARINGS & APPROVALS

The Commission:

- decides disputes between local police services boards and municipal councils about annual police budgets;
- approves the restructuring of municipal police services;
- determines whether or not a disabled member of a police service has been accommodated;
- rules on disputes about membership in municipal police bargaining units;
- approves the appointments of First Nations Constables; and
- rules on whether or not prescribed standards of police services are being met.

Chiefs of police, members of police services and police services boards are held accountable and public safety is enhanced through the Commission's use of its oversight powers.

APPEALS

Members of the public and police officers may appeal decisions from police disciplinary hearings to the Commission.

A police disciplinary hearing may be called in two ways:

- *by a chief of police about the conduct or work performance of a police officer; or*
- *by the Office of the Independent Police Review Director, a civilian oversight agency, after reviewing an investigation of a public complaint.*

Both a complainant and a police officer have the right to appeal to the Commission within 30 days of receiving a written decision from the police disciplinary hearing.

A complainant has the automatic right to appeal the *acquittal* of an officer; however, appealing the *penalty* imposed at a police disciplinary hearing requires permission from the Commission.

A police officer may appeal both the conviction and the penalty imposed at a police disciplinary hearing.

An appeal to the Commission of a decision by a police disciplinary hearing is not a re-hearing.