

## ***CityNews Investigation: Convicted Cops: Searching for Transparency***

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Assault. Domestic Assault. Fraud. Impaired Driving. Sexual Assault.

They are charges you've likely heard of but often don't associate with police officers. But [a CityNews investigation this week](#) has found over the last four years, at least 55 police officers from Toronto, Peel, Durham, York and Halton Regions have been slated to appear at tribunals to face professional charges related to convictions like these. And, overwhelmingly, they've kept their jobs in policing following their convictions. Only five have been fired for their crimes.

We compiled data given to us by the police forces and obtained through our own investigation and found the majority of officer convictions in the last four years involved impaired driving. Only one officer was dismissed in a case which involved driving under the influence of drugs. The Toronto Police officer was charged after stealing Ketamine during a drug bust, ingesting it in a police parking lot, and then driving home. He was found parked in the middle of a live lane of traffic.

The second-largest number of convictions stems from assaults, including those of sexual and domestic natures.

The majority of officers were able to keep their jobs after disciplinary decisions by their respective police tribunals. In most cases, demotions were handed out that had financial consequences to the officers.

For the first time in more than 25 years the provincial Police Services Act, which directly addresses the tribunal process, will be overhauled. And it's a change that's been a long time coming, according to outspoken police critic and Toronto lawyer Julian Falconer.

"You are talking about one of the greatest flawed systems in the regulatory world, [these] police discipline hearings," he says. "The Chief of Police is in charge of any internal investigation. The Chief of Police appoints the prosecutor. And believe it or not, because people don't know this, the chief of police can sit as a judge or appoint a judge."

And even Waterloo Regional Police Chief Bryan Larkin, who is the Vice President of the Ontario Association of Chiefs of Police, agrees transparency is lacking. He notes there is no regulation ensuring tribunal decisions are made readily available to the public.

"It varies from service to service," he admits. "It is very difficult to find decisions around the actual decisions. They used to be posted online."

Of all the five regions, Peel Regional Police is the only force that [posts tribunal decisions online](#), but they are removed from the force's website after three months.

[York](#), [Durham](#) and [Halton](#) Regions do not post any of their decisions online.

In Toronto, the public has the option to request transcripts of previous decisions, but only if an officer's name and a case number are known. These requests come with a price tag of five dollars per page.

"You know who has the power, tomorrow, to clean it up, even if they don't change the statute?" asks Falconer.

The answer, he says, lies with the province's police services boards.

"They're supposed to be the civilian oversight bodies but they tend to be quite lame in their critical leadership," he says. "And this is exactly an area where they could pick up their game. The Police Services Board tomorrow could direct this stuff being put up on the website because it is public information, if they choose to, but there is a real lack of leadership."

Councillor Chin Lee, the acting Chair of the Toronto Police Services Board sent a statement to CityNews, writing "In 2007, the Board did consider the issue of public access to disciplinary charges and tribunal hearings. Consequently, it was determined that a bi-weekly schedule of upcoming hearings would be posted by the Tribunal entrance."

The statement continues to say, "The Disciplinary Hearings Office falls under the jurisdiction of the Chief, as opposed to the Board, so it would be up to the Chief as to whether and how to publish hearings decisions."