

MEMORANDUM TO: All Chiefs of Police and
Commissioner Thomas Carrique
Chairs, Police Services Boards

FROM: Richard Stubbings
Assistant Deputy Minister
Public Safety Division and Public Safety Training Division

SUBJECT: **Issues Related to the Protection of Persons
Administering and Enforcing the Law - Sections 25.1 to
25.4 of the *Criminal Code of Canada***

DATE OF ISSUE:	April 24, 2020
CLASSIFICATION:	For Action
RETENTION:	June 30, 2020
INDEX NO.:	20-0059
PRIORITY:	High

Requirement for Annual Reporting

The ministry is required to prepare a report for the period of February 1, 2019 to January 31, 2020 consistent with the statutory requirement to make public an annual report on the use of specific portions of the law enforcement justification provisions by police services in Ontario, as stated in s. 25.3 of the *Criminal Code*. In order to comply with this obligation, we require the following information:

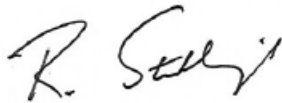
- **Number of Designations by a Senior Official Under Subsection 25.1 (6):**
State the number of times a Senior Official made emergent designations and the nature of conduct being investigated in these instances. As per this subsection, a Senior Official may temporarily (48 hours) designate a Public Officer in circumstances which require such quick police response that awaiting the Minister's approval of designation through the normal protocol may affect the timeliness of a critical investigation.
- **Number of Authorizations by a Senior Official Under Paragraph 25.1 (9)(a):**
State the number of times a Senior Official provided written authorization to a Public Officer to commit an act or omission – or direct its commission – that would otherwise constitute an offence and which was likely to result in serious loss of or damage to property, prior to the act(s) or omission(s) being committed. State the type(s) of act(s)/omission(s) that was committed.

- **Number of Times that Acts or Omissions Were Committed by Public Officers in Accordance With Paragraph 25.1 (9)(b):** State the number of times that a Public Officer, due to exigent circumstances and without prior written approval from a Senior Official, committed an act or omission – or directed its commission – that would otherwise constitute an offence and which was likely to result in serious loss of or damage to property. State the type(s) of act(s)/omission(s) that was committed.

In order to maintain consistency in the ministry's reporting, the attached reporting template provides you with general categories for (a) nature of conduct being investigated and (b) types of acts or omissions authorized to be committed, or committed, by a Public Officer or directed by a Public Officer, which would otherwise constitute an offence. The categories are accessible by drop-down boxes embedded within the form. The document is protected when completed.

Please complete the attached reporting template and return it to the Criminal Intelligence Service Ontario (CISO) by **June 30, 2020**. Replies may be e-mailed with encryption directly to ciso.c24@ontario.ca. Should you have any questions, please contact Steve Rowbottom at 519-773-4403 or steve.rowbottom@ontario.ca or Kristin Ridout at 416-679-2138 or kristin.ridout@ontario.ca.

Sincerely,



Richard Stubbings
Assistant Deputy Minister
Public Safety Division and Public Safety Training Division

Attachment