

Ministry of Community Safety
and Correctional Services

Ministère de la Sécurité communautaire
et des Services correctionnels



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Nathalie Des Rosiers Abby Dushman		416-8614291	3
Canadian Civil Liberties Association			
FROM/Expéditeur			
NAME/Nom			
The Honourable Rick Bartolucci Ministry of Community Safety and Correctional Services		416-325-6067	
INSTRUCTIONS:			
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MESSAGE/REMARQUES:			
Letter from: The Honourable Rick Bartolucci Ministry of Community Safety and Correctional Services CU10-02894/03006 Hard Copy to Follow by Mail			
Thank You Heather Nettleton Correspondence Unit 416-314-7042			

Ministry of Community Safety
and Correctional Services

Ministère de la Sécurité communautaire
et des Services correctionnels

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CU10-02894
CU10-03006

JUL 29 2010

Ms. Nathalie Des Rosiers
General Counsel
Ms. Abby Deshman
Project Director
Canadian Civil Liberties Association
506 – 360 Bloor Street West
Toronto ON M5S 1X1

Dear Mesdames Des Rosiers and Deshman:

Thank you for your letter of June 25, 2010, seeking clarification with regard to the intentions underlying Regulation 233/10 under the *Public Works Protection Act* (PWPA). I also acknowledge receipt of your letter of June 30, 2010, providing a copy of the Canadian Civil Liberties Association's (CCLA) preliminary report of its observations made during the G-20 Summit, entitled *A Breach of the Peace*. I am pleased to respond on behalf of our government.

As you know, the G8 and G20 Summits were federally led events. The security for the Summit was under the leadership of the Integrated Security Unit, led by the RCMP. Apart from the operational role of the Ontario Provincial Police, the participation of the Ministry of Community Safety and Correctional Services included the process of bringing forward a temporary regulation for this exceptional event. This was done at the request of Toronto Police Service Chief Bill Blair in his letter of May 12, 2010.

As you know, the police have existing authority to ensure public order under different sources of law, including the common law and the *Criminal Code* of Canada. The regulation under the PWPA offered greater legal certainty for specific security measures intended to be implemented by the Toronto Police Service with respect to the security zone.

The regulation was incorrectly described and reported in the media as going beyond its limited effect. In particular, the regulation did not designate an area five metres outside of the security fence. While the ministry proactively sought to clarify the effect of the regulation with media throughout the Summit, in hindsight, it could have been better communicated. Furthermore, ministry staff contacted the Toronto Police Service to clarify the regulation immediately after Chief Blair gave inaccurate information to the media on the matter.

Ms. Nathalie Des Rosiers
Ms. Abby Deshman
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The regulation followed the standard procedure for all regulations made in the province. It satisfied all legislative requirements including being published on e-Laws on June 16, 2010, several days before it came into force.

Further, ministry staff are currently reviewing the CCLA's report, *A Breach of the Peace*. There are some incidents described in the report that relate to operational police matters. The day-to-day operations of a police service and the actions or alleged actions of its officers are the responsibility of the chief of police or his/her representative. As Minister, I must not become directly involved in such matters. However, the *Police Services Act* provides a scheme for the independent civilian review of complaints about the police. The Office of the Independent Police Review Director (OIPRD), which began operations on October 19, 2009, is an arm's-length agency of the Ministry of the Attorney General, staffed entirely by civilians. The Director's decisions are independent from the Ontario government, the police and the community.

The OIPRD is responsible for receiving, overseeing, monitoring and dealing with all public complaints against the police in Ontario. This includes municipal and regional police services and the OPP. A complaint may be about the services or policies of a police service, or it may be about the conduct of a specific officer or officers.

For more information about the OIPRD, you may wish to visit its website at www.oiprd.on.ca. The OIPRD may also be reached by telephone, toll-free, at 1-877-411-4773, and by toll-free fax at 1-877-415-4773.

Again, thank you for writing.

Sincerely,



Rick Bartolucci, MPP, Sudbury
Minister