

# TURNING THE PAGE



## **An Urgent Memo to the Thunder Bay Police Services Board from the Independent Expert Panel**

September 20, 2022



We respectfully acknowledge that Thunder Bay is located on the traditional lands of the Fort William First Nation within the Robinson Superior Treaty and is the traditional territory of the Anishnaabeg. We also acknowledge the contributions of the Métis peoples.

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# 1. Background

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## 1.1 A Message from the Independent Expert Panel

In March of 2022, we, the Independent Expert Panel, were engaged by the Thunder Bay Police Services Board ('the Board') to identify issues related to the handling of mental health, human rights and workplace culture by the Board and the Thunder Bay Police Service (TBPS) and to propose a roadmap for change through required and tangible actions. We are a group of nine individuals with expertise in police governance, Indigenous justice, human rights, mental health, and labour relations. We hope our collective experience and perspectives will help the Board carry out its important governance responsibilities. We share the view expressed by many that real change is urgently required in the policing of Thunder Bay so that the public receives the policing service it needs and expects while members of the Service are treated in a manner that is compassionate, caring, and supportive.

Our work is not meant to replace or reiterate the findings from previous investigations and reviews related to the pervasive policing issues in Thunder Bay. Rather, we will build on these critical findings to understand the factors contributing to the perception of Board's "willful blindness" (Sinclair, 2018) that has resulted in "broken trust" (OIPRD, 2018) between the peoples of Thunder Bay and across Northwestern Ontario and the Thunder Bay Police Service. We acknowledge that many in Thunder Bay and across Northwestern Ontario, especially members of the Indigenous community, are deeply disappointed and frustrated by the failure to fully implement the recommendations and directions from these earlier reports.

To the people of Thunder Bay: during our consultations, we committed to listening, learning from, and honouring your voices and the voices of your communities. This report reflects what we heard from you; that nothing short of bold action from the Board will be justified nor accepted.

Through our work, we have concluded that there is an immediate need and opportunity for action that will set the stage for meaningful, real change in how policing services are provided in Thunder Bay and how members of the Service themselves are enabled and supported to deliver those services. We will produce a final report, which will contain a detailed roadmap for such change. This interim report – an urgent memo to the Board – addresses three areas where action taken now can create the needed conditions for long-term change. These areas are (1) the selection of a new Chief of Police, (2) appointment of a new Board and, (3) labour relations. The Board's acceptance and implementation of proposed actions in these areas will signal its commitment to rebuilding trust, ensuring justice, and providing closure to affected individuals and communities of Thunder Bay and of Northwestern Ontario for which the city is the regional hub.

## 1.2 Setting the Context

Policing in Thunder Bay has been under a critical lens for nearly three decades, beginning with the Grass Roots Committee on Native Unsolved Murders in Thunder Bay published in 1993. Since that time, the Board and Service have been the subject of multiple reviews, inquests and investigations from the province's Chief Coroner, Forensic Pathologist, Ontario Civilian Police Commission (OCPC) and Office of the Independent Review Director (OIRD). Each body has made extensive recommendations for changes in the way policing services are provided to the community. Twice, in a short space, the OCPC has appointed Administrators to try and improve the quality and effectiveness of police governance. The Board and Service are also currently the subjects of multiple human rights complaints. These examinations and other public consultations point to a pattern of differential and unequal treatment of the needs of Indigenous and other under-represented members of the community as well as officers and civilian staff within the Service.

To the best of our knowledge, this is more scrutiny than any police board or police service has received in Ontario, if not the country. Taken together, the current state-of-affairs demands decisive leadership and bold action for immediate, far-reaching changes. Temporary fixes will not serve as an acceptable path forward.

We promised to apply our learnings from the community and the Service with respect, interest, and openness. We have combined what we heard with our own understanding of the situation and our collective experience to support the Board in providing bold leadership that is committed to taking bold action both now, and for the years to come.

## 1.3 Purpose of This Document

This interim report is a call-to-action for the Board and other responsible entities to introduce fundamental changes in areas requiring immediate attention, including the need to appoint a new Chief of Police and to re-constitute the Police Services Board. These opportunities, if taken full advantage of, will help to put in place the right leadership for implementing long-term changes in governance and the delivery of police services.

This report is also a call-to-action to address outstanding issues of labour relations, specifically in relation to mental health and human rights. The Thunder Bay Police Service deals with a disproportionately large volume of complex and potentially traumatizing events related to crime and safety in the community relative to its size. The Board, as employer, has an obligation to implement and oversee labour relations policies and practices that ensure members are treated in a compassionate, supportive, humane, and equitable manner and that recognize and respect their mental health and human rights. It has been said that "hurt people, hurt people." However, through the practice of sound and just labour relations, the

Thunder Bay Police Service will not only enable its members to give their best to the community but will also send a message of being a welcoming, compassionate, and supportive workplace for employees and an employer of choice for members of Indigenous and other groups so significantly under-represented in the organization.

Let us be clear: after multiple reviews, investigations and inquiries, the community is no longer prepared to stand idle and accept the status quo. They require the Board to take urgent and assertive action to begin mending relationships and allowing the space for closure and restorative justice. We believe that actions proposed in this interim report will set the stage for achieving necessary lasting and meaningful changes.

The proposed actions are founded on two core considerations. First, that the TBPSB and TBPS, as service provider and employer, must embrace and reflect the lens of Equity, Diversity and Inclusion (EDI), Anti-Racism and Human Rights. There must be no tolerance for any expressions of racism, a strict adherence to the requirements of Ontario's *Human Rights Code* and a deliberate application of the tenets of EDI. Service delivery- and workplace-related actions and decisions of the Board and the Service must take into account the demographic and cultural diversity of Thunder Bay and the region, be inclusive of this diversity, and ensure outcomes that are equitable. Second, a trauma-informed culture and practice must be a guiding principle. The following note explains what we mean by this.

## 1.4 A Note on Trauma-Informed Culture and Practice

Trauma-informed culture and practice is a fundamental principle underlying our proposals for action to address issues of mental health, human rights, and workplace culture. During our consultations we heard from Dr. Teresa Marsh, an expert in trauma-informed practice, that this type of approach is essential for those that respond to calls for service, especially from the Indigenous and other marginalized communities. A trauma-informed approach ensures that those who assist people with histories of trauma do so with the knowledge, skills and empathy required to rebuild trust while giving effective and compassionate help. A trauma-informed approach must therefore inform and be reflected in the policies, procedures, protocols, and practices of the Board and Service, and be implemented through training at all levels, including the Board, Senior Command, uniform and civilian managers and supervisors, officers, and civilian staff.

We are well-aware of the prevalence of trauma amongst Indigenous peoples that manifests itself as the current imprint of pain, horror, and fear caused by historical events including colonization, racism, residential schooling, the destruction of traditional culture and languages, and sexual violence. Others in our society also carry traumas produced by such social determinants as poverty, homelessness, sexism, racism, and sexual violence. It is critical that the response and practices of those responsible for helping are themselves not re-traumatizing. Trauma-informed practice can assist these individuals to establish the trusting relationship required to give effective help.

At the same time, empathy and compassion must be extended to members of the Service who provide assistance to ensure their own wellness and healing. The work many of them do, whether as first responders, investigators of violent deaths, human trafficking, or child pornography, or as 9-1-1 call takers, can have a deep impact on their mental, emotional, and psychological health.

The actions laid out in this interim report call on the Board and the new Chief to take a leadership role in implementing a trauma-informed approach in the delivery of policing services. The actions also require that the Board and the Service’s response to addressing TBPS employees’ mental health needs be grounded in this approach. We will have more to say about a trauma-informed service delivery model in our final report. Our interim report asks, as a matter of priority, that practices related to labour relations and human rights be trauma-informed in light of the employee claims of PTSD and other related challenges, and their implications on the ability for TBPS to deliver effective service.

## 1.5 Approach to Gathering Information

The actions outlined below are based on extensive information gathered from two sources: documents and consultation with members of the public and the Thunder Bay Police Service. We have conducted a thorough review of background documentation that includes, but is not limited to:

- Coroner’s Inquest
- OCPC Sinclair Report
- OIPRD “Broken Trust” Report
- Blended Investigation Team Report
- Implementation Updates
- TBPSB Policies
- TBPSB Strategic Plan
- Organizational Change Initiative
- Collective Agreements
- HRTO Complaint Files
- TBPS Mental Health/Resiliency Training
- Community and Employee Satisfaction Surveys

We also spoke with over 70 organizations and individuals, including:

- Indigenous Leaders
- At least 26 Present and Former Front-Line Officers/Civilian Staff

- Majority of Present and Former TBPSB Members and staff in the last 5-7 years
- City Staff
- Majority of Senior Command of Thunder Bay Police Service
- Representatives from bargaining units of the Thunder Bay Police Service
- At least 25 Community Organizations and Service Providers
- Experts and Key Informants
- Community Town Halls

## 2. Immediate Priorities to Action

### 2.1 Priority One: Chief Selection

#### ***Introduction***

Under the Ontario *Police Services Act*, the appointment of a Chief of Police as well as setting the Chief’s annual performance objectives and evaluating performance are key – and probably, the most important – responsibilities of a police services board. The responsibilities of a chief include implementation of the board’s policies, setting and enforcing day-to-day operational strategies and directions, oversight of members’ training, performance and conduct, management of the service’s budget, and acting to maintain and enhance trust and confidence in the police service.

The Thunder Bay Police Services Board must make changes today, to discharge this statutory responsibility in the most thoughtful, inclusive, and consultative manner possible. The health of the Service, its future direction, and its relationship with the community, especially, the First Nations, depend critically on who is placed at the helm.

We have identified two key success factors that must inform the selection of the new Chief of Police: (1) the selection process, and (2) the attributes of the new chief (criteria). With the former, each component of the selection process will demonstrate to the public that the process is open and fair, and that the chosen candidate is the one who will best serve the local community. For the latter, we have developed a profile of the ‘ideal candidate’ not only based on our own experience and expertise, but on the perspectives of the community, as heard through consultations.

## ***Actions for Improving the Selection Process***

The key actions to include in the selection process of a new Chief of Police are:

Apply Equity, Diversity and Inclusion (EDI) lens to the selection process

Consult with community, including First Nations groups, Thunder Bay Police Association and Thunder Bay Senior Officers Association, in developing selection criteria that incorporate cultural competence

Consult with, seek input from and participation of Fort William First Nation, Anishinabek Nation, Nishnawbe-Aski Nation, Matawa First Nations, Grand Council Treaty #3 in the selection committee and process

Conduct outreach to attract candidates from First Nations and other backgrounds. For example, reach out to the First Nations Police Governance Council and First Nations Chiefs of Police Association

Give preference to selecting a Chief who is Indigenous, or, alternatively, from a racialized background, who possesses demonstrated police leadership experience and meets the attributes required below

The five points above do not reflect the entire selection process, but rather the key steps for the Board to take in choosing its new Chief. We strongly recommend that this process for selection of a new Chief of Police be adopted as standard practice for all future recruitments of Chiefs and Deputy Chiefs.

## ***Priority Characteristics for Selecting a New Chief of Police***

The attributes for a new Chief of Police listed below reflect our determination of the highly desired characteristics required to confront the issues and challenges facing Thunder Bay Police Service today. As well, these reflect the perspectives and needs voiced by the community. The successful candidate must, therefore, be one who comes closest to meeting these priority characteristics:

1. Demonstrates sound knowledge and appreciation of Thunder Bay as the regional hub of Northwestern Ontario.
2. Possesses a critical understanding of the importance of social determinants of community safety and well-being, such as poverty, homelessness, mental health, and racism.
3. Embraces, supports, promotes, and works to ensure strong and effective civilian governance.

4. Understands the presence and role of the region's First Nations governments, and their relationship to Thunder Bay's municipal government.
5. Demonstrates willingness to build formal relations and develop a shared service delivery model with the region's First Nations police services, as a priority.
6. Demonstrates commitment to innovation in service delivery, including use of uniform and civilian personnel with a variety of knowledge, skills, and expertise, and building partnerships with Indigenous and non-Indigenous community-based service providers.
7. Demonstrates leadership qualities, experience in leading organizational change, effective communication, active listening, successful relationship/team building and accountability.
8. Possesses a proven track record in effective leadership in policing.
9. Understands and is committed to implementing a trauma-informed approach to the care of members of the Thunder Bay Police Service and delivery of policing services to the community.
10. Demonstrates commitment to promoting and upholding the principles of Equity, Diversity, and Inclusion (EDI), Anti-Racism and Human Rights.
11. Is committed to implementing Indigenous principles of justice, specifically, restorative justice, generally and, in particular, when dealing with Indigenous peoples.
12. Demonstrates ability and willingness to advocate vigorously with municipal, provincial, and federal governments for targeted funding to implement recommendations in this and past reports regarding TBPS and the Board.

## 2.2 Priority Two: Board Appointments

### ***Introduction***

Strong and effective civilian governance is the cornerstone of our democratic system of policing. Ontario's *Police Services Act* gives a police service board a set of important responsibilities, the carrying out of which demands a broad range of knowledge, understanding, skills, expertise as well as community connectedness. These responsibilities include establishing policies for the effective management of the police service, recruiting and appointing the chief of police, and monitoring the chief's performance.

The Board must have the caliber, expertise, political sophistication, and, most importantly, the political savvy to provide visionary leadership. In addition, the Board must also have the financial and human resources it needs to carry out its responsibilities effectively. For far too long, the Board has been unable to provide the quality of leadership required. This is not a reflection on the dedicated people who have

served as board members. It is, however, a comment on the collective failure of several decision makers to ensure Thunder Bay has the level and quality of civilian governance it deserves.

The opportunity is currently before us to fix this longstanding issue. We have heard from communities; they are frustrated, they have lost faith, and they look in vain for the implementation of the hundreds of recommendations that lie entombed in past reports. Change will not happen until and unless the Province and the City act wisely and with deliberation to constitute a police services board that the City of Thunder Bay, the region of Northwestern Ontario and, no less important, the members of the Thunder Bay Police Service need and deserve.

### ***Board Appointments***

It is urgently required that the process for police board appointments to the Thunder Bay Police Services Board be revised to ensure new representation has the right skills, commitment, and motivation to implement changes to policies, structure and strategies that reflect the entire community's best interests. According to the OCPC report by the Honourable Murray Sinclair, the Board has not carried out its duty under the *Police Services Act* to provide the leadership needed to ensure success of the service they oversee. The appointment process laid out below is intended to put in place a board that would be unlikely to repeat the failures of the past:

1. Thunder Bay Police Services Board work with the City, Ontario Civilian Police Commission and Ontario's Solicitor General to seek exemption to expand its membership to 7 members and remove the requirement of local residency due to the unique nature of Thunder Bay as the regional hub of Northwestern Ontario and the need for the Board to be reflective of the communities the Police Service serves.
2. Use the [Winnipeg competency model](#) for appointment of police board members recommended in the Ontario Civilian Police Commission report by former Senator Murray Sinclair.
3. Ensure that Board members are informed about, embrace, and are committed to principles of EDI, Anti-Racism and Human Rights, and actively support a trauma-informed approach to dealing with members of the Thunder Bay Police Service as well as the community.
4. Ensure that in a five-member Board, two are First Nation members drawn from local and remote communities. In an expanded seven-member Board, Indigenous representation should rise to three. While one member should be from Fort William First Nation, the additional one or two members should be drawn from First Nations based on considerations including use of Thunder Bay's educational, medical and other services by members of their communities, and their history of leadership and advocacy for changes to policing, such as the Coroner's Seven Youths' Inquest, implementation of recommendations from the Inquest and initiatives related to anti-racism.
5. Work actively with First Nations leaders to identify and seek out appropriate potential Indigenous candidates from local and remote communities.

6. Work with City Council to establish a full-time chair position paid equal to a City Councilor (or as established by the City's Compensation Specialist).
7. Retain the Chair and Vice Chair in their role for five years to ensure stability and continuity.
8. Increase remuneration/honorarium for other citizen members to fairly reflect the time, effort and fiduciary as well as reputational risk involved in being a Board member, while ensuring citizen members can dedicate the time and attention necessary to fulfill their responsibilities,
9. Develop and enforce a mandatory Board Governance Training Program that includes, at a minimum, the following:
  - a. Knowledge of the critical governance elements of the *Police Services Act* and Regulations.
  - b. Knowledge of the PSA and Thunder Bay Police Services Board Codes of Conduct.
  - c. Understanding of a Board member's oaths of office and secrecy, and their scope.
  - d. A police services board's responsibilities and the line between policy and operation as delineated in the Independent Civilian Review into Matters Relating to the G20 Summit conducted for the Toronto Police Services Board by the Honourable John Morden.
  - e. Characteristics of policy governance (For example, Government of Ontario's Public Appointees Training).
  - f. Strategic planning, risk assessment, goal setting and performance evaluation.
  - g. Knowledge of the Ontario *Human Rights Code* and *Workplace Health & Safety Act* (especially in relation to workplace discrimination and harassment).
  - h. Knowledge of the principles of anti-racism, equity, diversity, and inclusion.
  - i. Knowledge of the elements of a trauma-informed practice.
  - j. Knowledge of the findings and recommendations directed to the TBPSB contained in the Coroner's Inquest in the death of seven Indigenous youth, the Ontario Civilian Police Commission's investigation of governance by the Honourable Murray Sinclair, the Ontario Independent Police Review Directorate's "Broken Trust" report as well as the Independent Civilian Review into Matters Relating to the G20 Summit report by the Honourable John Morden to the Toronto Police Services Board.
10. Retain a qualified trainer/facilitator to develop and deliver an interactive and experiential Board Governance Training Program using case studies, scenarios, and presentations as appropriate.
  - a. Ensure that this training is provided within 6 months of the appointment of the new Board and all members receive the training as condition for remaining on the Board.

11. The Ontario Civilian Police Commission support and implement this Board Governance Training as part of the mandate of the Administrator.
12. Provide for a transition period for the development of the training program.
13. Ensure that there is no repetition of the failure to follow up on the training provided by Andrew Graham and Fred Kaustinen as a result of the Sinclair report.

### ***Immediate Priorities for the Board to Action***

To demonstrate its commitment to the community of Thunder Bay to improving its operations, the Board must take immediate action to resolve their highest priority issues. Based on our conversations with stakeholders, we have prioritized key areas for the Board to act on in the short-term. These priorities are:

1. Establish a formal nation-to-nation relationship with First Nations leaders to, among others, exchange information, consult on policy, address issues, and promote joint service delivery through a memorandum of understanding or formal agreement with policy and procedure (to ensure accountability and structure).
2. Establish a policy that the Chair be a citizen member to recognize the Police Services Board's status as an independent entity from the Municipality of Thunder Bay and to ensure the Board's concerns and business receive the chair's undivided attention.
3. Review, strengthen and enforce Board Code of Conduct as necessary to promote accountability.
4. Work with City Council to obtain funding necessary for the Board to have adequate staffing with necessary expertise and to obtain additional support as needed either through a shared service arrangement with the City or externally to have the capacity to oversee the delivery of adequate and effective policing services.
5. Ensure that the Board receives regular advice and guidance on governance issues by either appointing a full-time governance specialist as Executive Director or establishing a committee of experts to consult with on strategic issues on an ongoing basis.
6. Ensure that the Board budgets properly, supported by City Council, to ensure access to independent legal advice and counsel for carrying out its governance responsibilities, separate from Thunder Bay Police Service legal counsel, and avoid any perceived or potential conflict of interest.
7. To enhance the Board's capacity, encourage participatory governance and benefit from the knowledge and expertise of the community at large, establish Board/Service/Community advisory committees to provide advice, guidance, and direction on urgent issues, such as mental health, substance use, intimate partner violence, alternative or collaborative approaches to community safety, and EDI, human rights, and anti-racism. The newly expanded Governance Committee can serve as a template for creating additional advisory committees.
8. Develop and use a formal process for advertising the advisory committees, inviting expressions of interest from members of the community, and ensuring transparency in selection. The outreach

process should include a description of the committees' scope of work, structure, responsibility, estimated volunteer time commitment and term of appointment.

9. Develop and implement a system for annual evaluation of Board performance and publication of a public report card. This should be conducted by an independent external panel.
10. Ensure that there is a standing update at every month's Board meeting on the progress in the implementation of actions from the Interim and Final Reports.

## 2.3 Priority Three: Labour Relations

### ***Introduction***

The TBPS is a large employer in the city of Thunder Bay and surrounding region. Those who work for the Service, be they in uniform or civilians, perform critical work for the safety and well-being of those who live, work, and play there. As the employer, the Board has important responsibilities around labour relations under the province's *Police Service Act*. It negotiates and enters into collective agreements with the police associations who represent many employees; by extension, it has a direct role in dealing with disputes that lead to grievances and arbitrations. Besides employment, it has the formal responsibility to approve promotions and a statutory responsibility to ensure that tenets of the Canadian *Charter of Rights and Freedoms*, the Ontario *Human Rights Code* and the Ontario *Workplace Health and Safety Act*, among others, are upheld in letter and spirit.

In all of these areas, labour relations have a crucial role to play. The Board has, at minimum, a joint responsibility with the Chief to ensure labour relations practices support the organization's ability to conduct business while taking care that employees' legitimate needs and concerns are met, and the workplace is safe and free from harassment and discrimination. Additionally, the Board and Chief must ensure that employment-related decisions are fair and transparent, and any disputes are resolved in the best interest of all parties. It is through sensitive, careful, and effective handling of labour relations that the Board and the Service signal the nature of the organization's workplace culture.

We have identified labour relations – and the associated area of human rights – as a priority based on our review of documents and consultations with members of the Service at all levels, both sworn and civilians. In particular, we were struck by the relatively high number of disciplinary actions, requests for PTSD or other mental health related accommodations and human rights complaints involving treatment of sworn and civilian employees.

We also took note of the startling responses found in the Employee Survey that was carried out in connection with the preparation of the 2021-2023 Strategic Plan. In this survey, a majority of respondents identified "workplace culture" as one of five negative factors affecting satisfaction at work, and over 57% of the respondents did not feel valued or slightly felt valued by the Service. Over 66% of the respondents chose "sometimes," "seldom or never" when asked about adequate measures to promote employee

health, wellness, and safety. Taken together, these findings contribute to what we have heard from the Service about the workplace culture being “toxic.”

While it is not our mandate or intention to make any finding on the merits of these issues, our focus is on the cumulative pattern around mental health, human rights, and workplace culture in labour relations practices. As we have said earlier, members of TBPS are called upon to deal with complex issues of community safety and wellness. To give their best, they must feel treated fairly and with compassion, respected, heard, and supported while also held to a high standard. Attention is necessary not only from the perspective of those who are already in the organization but also of those the Service wishes to recruit, in particular, members of Indigenous and other under-represented communities.

### ***Immediate Priorities to Action to Improve Labour Relations***

We have identified the following priorities for the Board to act on immediately to create the conditions for the broader changes required to appropriately manage human resources. We will continue to build on these areas in our final report to the Board later this year. In light of the history with the implementation of recommendations from previous reports, it is critical that the Board’s actions in response to these priority proposals be timebound.

1. The Board declare, as a priority, its full commitment, in principle, to the introduction and implementation of a trauma-informed labour relations approach for the assessment of employees’ wellness, mental health claims, fitness to return to work, accommodations, and, where appropriate, discipline, based on any feasibility studies and costing that may be required. These activities should be completed within 30 days of this report, followed by decisions on implementation of actions laid out in item 2.
2. The Board retain an independent external expert in trauma-informed practice for assistance in carrying out the following tasks immediately after its decision as per item 1, in collaboration with the Chief of Police:
  - a. Develop and implement the necessary Board policy and corresponding Service procedures to put the commitment to a trauma-informed labour relations approach into action.
  - b. Ensure Senior Officers, Command Team, and all civilian and uniform managers and supervisors receive training in trauma-informed practice within 90 days of the Board’s decision, and this training be comprised of two parts: trauma as it affects the mental health and well-being of members of the police service and trauma as it affects the lives and realities of Indigenous members of the community.
  - c. Develop the curriculum and delivery plan for trauma-informed training for all sworn and civilian members at all other ranks within 90 days of the Board’s decision.
  - d. Deliver the training within the first six months of 2023.

3. The Board retain an independent external expert to reassess the trauma-informed practice policy and its implementation once every three years using qualitative and quantitative data gathered through member surveys.
4. The Board work with the Chief of Police to establish a dedicated properly funded and staffed arm's length Human Rights/Equity, Diversity and Inclusion (EDI) Unit headed by a Human Rights/EDI specialist to help develop and build a human rights supportive/friendly workplace through training and education, complaints intake and investigation, and an alternative dispute resolution process to reduce reliance on a complaints-driven, adversarial approach.
5. The Unit and its head should report directly to the Chief of Police and be an addition to the existing staff complement of the Service.
6. The Chief should provide a comprehensive quarterly report to the Board on the Unit's activities and their results, including a detailed statistical breakdown.
7. The Board begin work with the Service immediately to draw up plans within 90 days of this report for creating and launching the Unit within the first six months of 2023.
8. The Board ensure that the Unit is located outside police headquarters so that it is seen to be independent as well as to ensure confidentiality and safety for those seeking its assistance.
9. The Board ensure the Unit has the independence and the resources to acquire the subject matter and legal expertise needed to carry out its mandate by including these in the performance objectives of the Chief of Police.
10. The Unit develop and implement a comprehensive and ongoing training, development and education program for the entire organization that includes, at a minimum:
  - a. Mental health and well being, anti-racism, and community relations, provided by external partners.
  - b. Annual training for members on unconscious bias and micro-and macro aggressions.
  - c. First Nations cultural competence.
  - d. Active bystandership training which allows members of the Service to share their concerns in a safe manner without fear of retribution.
11. The Unit develop and implement a restorative justice approach to conflict/dispute resolution and maintain a roster of third-party arbitrators who are qualified in this approach. The Thunder Bay Police Association may have standing in this process, subject to the consent of the complainant.
12. The Unit develop, maintain, and support Internal Support Networks for various groups of Service members, including, but not limited to, First Nations, Women, racialized, Back-to-Work, and LGBTQ+.
13. The Unit install and maintain an anonymous portal for receiving comments and concerns from members of the Service and the public.

14. The Board engage an external partner with knowledge and experience with First Nations issues within 90 days of this report, preferably from outside the City of Thunder Bay to ensure complete independence, to:
- a. Undertake a full review of all Board policies and service procedures to determine whether they are consistent with and support the principles of a trauma-informed practice, human rights, equity, diversity and inclusion, and restorative justice.
  - b. Provide assistance in addressing any gaps or deficiencies identified, or, alternatively, to develop appropriate new policies and procedures.

### 3. Looking Ahead

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In this interim report we have detailed immediate priorities for the Board and the Service to address through concrete and tangible actions. While these actions set the stage for meaningful change, our work will not end here. We continue to actively consult and explore approaches that are responsive to the demographic and geographic realities of Thunder Bay and Northwestern Ontario. In particular, we seek to propose a culturally appropriate and compatible model of service that accounts for and has representation from the local and remote Indigenous populations. It is not sufficient to only consult with these communities. There must be representation that is reflective of the demographic realities of the region for the Board and the Service to provide the “adequate and effective” policing services needed and expected by the communities of Thunder Bay and Northwestern Ontario.

It is generally agreed, both in the community and within the Board and the Service, that TBPS serves people drawn from the region. From our extensive discussions with community leaders, experts and those responsible for delivery of policing services in and around Thunder Bay as well as review of documentary information, we are persuaded that issues of mental health, human rights, and workplace culture are best and most effectively dealt with through a regional model of policing. A cooperative system of service delivery, with governance that reflects it, will provide the capacity, the resources, the knowledge, skills, and relationships to deliver effective, culturally appropriate service, build trusted connections, and ensure restorative justice.

Our final report will therefore focus on developing a roadmap for change. Through the actions outlined in this report and those to be proposed, we hope to see the rebuilding of trust between the Board, the Service, and the communities they serve, while ensuring justice, and providing closure to affected individuals and communities of Thunder Bay and of Northwestern Ontario.

## Appendix A: Note of Gratitude and Appreciation

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We are grateful to our Grandmother Evelyn Finlayson of Kenora, for starting us off in a good way during our consultations in Thunder Bay from July 11 to 15. Grandmother Finlayson began each day with a Call to the Creator. On the morning of our first day, she talked to us about the Indigenous Teachings we had to bear in mind in the course of our work. Throughout the week, Grandmother was present, giving us guidance and direction as well as support to those who came to speak to us and needed it. This presence was invaluable, and we hope its impact is reflected in the words and ideas of this Interim Report.

We would like to record our appreciation for Elder Peggy Adams, Elder Anthony Shawaykeesic and the other Knowledge Keepers of Thunder Bay who led off our first Town Hall on July 12 with a Ceremonial Song. Their participation in the talking circle that evening was critical for our learning.

We are also very grateful to all the First Nations Leaders of Northwestern Ontario who were generous with their time and interest. Chief Peter Collins of Fort William First Nation, Regional Deputy Grand Council Chief Melvin Hardy of Anishinabek Nation, Regional Deputy Grand Council Chief Travis Boissoneault of Anishinabek Nation, Grand Chief Derek Fox of Nishnawbe Aski Nation, Grand Deputy Chief Anna Betty Achneepineskum of Nishnawbe Aski Nation, Ogichidaa Francis Kavanaugh of Grand Council Treaty #3 and CEO David Paul Achneepineskum of Matawa First Nations found time in their busy schedules to meet with us to teach us about the history, culture and needs of their communities, and share their concerns, expectations and ideas for moving forward. We are thankful for their support.

We are grateful to Fred Kaustinen, Chief Governance Officer of Halton Region Police Board, former Executive Director of Ontario Association of Police Services Boards (OAPSB) and Principal of Governedge, for his help with issues of board governance training. Mr. Kaustinen and the late Andrew Graham, police governance expert from Queen's University, designed and delivered governance training to the TBPSB recommended by the Honourable Murray Sinclair. Mr. Kaustinen shared with us the details of the training, his experience of and reflections on the delivery of the training, and, more broadly, his thoughts on the principles, objectives, and elements of effective police board governance training.

We are very grateful to Dr. Teresa Marsh, expert in trauma-informed practice from NOSM University, for so readily agreeing to educate us about this complex field. Her detailed presentation and materials were extremely valuable in deepening our knowledge and understanding of the background, principles, practice,

and relevance of a trauma-informed approach in policing. We appreciate deeply the joint presentation by Acting Chief Cooper of Wikwemikong Tribal Police Service and Dr. Marion Maar of NOSM University on their pilot project on implementing a trauma-informed practice with the Wikwemikong Tribal Police Service.

We appreciate the valuable information and insights received from the nearly 100 individuals and organizations who met with the Panel and trusted this process.

The Thunder Bay Police Services Board struck this Panel earlier this year to propose a path forward, and for that, we thank them. And we thank Administrator Malcolm Mercer and Secretary John Hannam for their support in this process.

# Appendix B: Panel Members and Other Contributors

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## Panel Members

- Mark Baxter, President, Ontario Police Association
- Paul Cook, former Chief of Police, North Bay Police Service; former President, Ontario Association of Chiefs of Police
- Keith Forde, former Deputy Chief of Police, Toronto Police Service
- Dilnaz Garda, Canada Beyond the Blue
- Laura Kloosterman, Badge of Life Canada
- Candice Metallic, Founder and Lead Counsel, Metallic Law; former in-house legal counsel, Assembly of First Nations; former legal counsel, OCPC Investigation into Police Governance in Thunder Bay by the Honourable Murray Sinclair
- Alok Mukherjee, former Chair, Toronto Police Services Board; former President, Ontario Association of Police Services Boards and Canadian Association of Police Governance; former Acting Chief Commissioner and Vice Chair, Ontario Human Rights Commission (Chair of the Expert Panel)
- Mi’Azhikwan (Janine Seymour), former Policy Advisor to Ogichidaa Francis Kavanaugh, Treaty 3 Grand Council
- L. A. (Sandy) Smallwood, former Vice Chair and Member, Ottawa Police Services Board; former Director, Canadian Association of Police Governance

## Logistics

- KPW Communications

## Writer

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