

**Report to / Rapport au:**

**OTTAWA POLICE SERVICES BOARD  
LA COMMISSION DE SERVICES POLICIERS D'OTTAWA**

**25 April 2022 / 25 avril 2022**

**Submitted by / Soumis par:**

**Chief of Police, Ottawa Police Service / Chef de police, Service de police d'Ottawa**

**Contact Person / Personne ressource:**

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**SUBJECT: APPROVAL OF NEW JUSTIFICATION FOR CLERICAL SPECIAL  
CONSTABLES' APPOINTMENT: OTTAWA POLICE SERVICE**

**OBJET: APPROBATION D'UNE NOUVELLE JUSTIFICATION POUR LA  
NOMINATION DES AGENTS SPÉCIAUX DE BUREAU : SERVICE DE  
POLICE D'OTTAWA**

**REPORT RECOMMENDATIONS**

**That the Ottawa Police Services Board (Board) approve the Clerical Special Constable Justification as submitted. This will facilitate the ability of the Ottawa Police Service (OPS) - Court Liaison Section to serve court processes on individuals and swear to all OPS Court Information(s) as Common Informants in the Province of Ontario.**

**RECOMMANDATIONS DU RAPPORT**

**Que la Commission de services policiers d'Ottawa approuve la justification pour les postes d'agents spéciaux de bureau telle qu'elle a été présentée. Cela facilitera la capacité de la section Liaison avec les tribunaux du Service de police d'Ottawa de transmettre les processus judiciaires sur les individus et d'attester la validité de tous les renseignements présentés aux tribunaux par le Service de police d'Ottawa en tant qu'informateurs communs de la province de l'Ontario.**

## **BACKGROUND**

As a result of a reorganization of the Ottawa Police Service (OPS) Court Security Section and the impending launch of Criminal eIntake system, a change is necessary with regards to who is appointed to swear to Court Information(s) on behalf of the OPS.

As such, the approval of Clerical Special Constables is required, and is being sought, from the Ottawa Police Service Board (Board).

The appointment of Clerical Special Constables will enable the OPS Court Liaison Section to service court processes on individuals and swear to all OPS Court Information(s) as Common Informants in the Province of Ontario. These appointments will result in a speedier, more efficient process when it comes to the service of Court Processes upon individuals and the swearing of all OPS Court Information as Common Informants in the Province of Ontario. The status being requested will apply to a group of five Court Liaison Supervisors and one Court Liaison Manager. No additional police powers will be requested. Upon termination of employment, appointments will be terminated.

The service of Summons falls under Part XVI of the Criminal Code, and section 26 of the Provincial Offences Act. The service of Subpoenas falls under Part XXII of the Criminal Code. Section 508.1(2) of the Criminal Code and Section 23(1.2) of the Provincial Offences Act allows for a peace officer to swear to an information other than in person, before a Justice of the Peace. These are the sections in the Criminal Code and Provincial Offences Act which the Court Liaison Supervisors and the Court Liaison Manager would be given authority to act under as Clerical Special Constables.

## **DISCUSSION**

The OPS - Court Liaison section is responsible for the creation of Disclosure packages as well as the creation of both the Provincial and Criminal Court Information. The Court Liaison Supervisors and Manager are responsible for supervising the teams that create the Disclosure packages and Court Information. Both the Provincial and Criminal Court Information(s) are currently submitted to be sworn by a Justice of the Peace through a process referred to as the eHub. On June 2, 2022 this process will be converting from the eHub to a new program called Criminal eIntake (a joint project between the Ministry of the Solicitor General and all police agencies in the Province of Ontario).

Historically, and in addition to that noted above, Court Information(s) stemming from OPS charges have been sworn by a common informant in the Court Security Section. Due to a reorganization of OPS directorates, Court Liaison and Court Security no longer fall under the same branch.

**SUPPORTING DOCUMENTATION**

Document 1: Justification for Special Constable status of OPS Court Liaison Supervisors and Manager

**CONCLUSION**

The approval by the Board of the submitted justification will facilitate the appointment of Clerical Special Constables to the Court Liaison Section. The appointments will assist the OPS in making a seamless switch to the new Criminal eIntake joint program with Ministry of the Solicitor General. As well, it will provide the OPS with an opportunity to gain efficiency and streamline the process with regards to the service of Court Processes upon individuals and the swearing of all OPS Court Information(s) as Common Informants in the Province of Ontario.

**Document 1****Justifications for Special Constable status of OPS Court Liaison Supervisors**

The OPS Court Liaison Section is responsible for the creation of disclosure packages, as well as the creation of both the provincial and criminal court information(s). The Court Liaison Supervisors and Manager are responsible for supervising the teams that create the disclosure packages and court information(s).

Beginning June 2, 2022, both the provincial and criminal court information(s) will be submitted to be sworn by a justice of the peace through a process referred to as Criminal eIntake. The designation of clerical Special Constable status would afford the Court Liaison Supervisors and the Manager Court Liaison the ability to serve court processes upon individuals, and to swear to all of OPS' court information(s) as Common Informants in the Province of Ontario.

The service of summons falls under Part XVI of the Criminal Code, and section 26 of the Provincial Offences Act. The service of subpoenas falls under Part XXII of the Criminal Code.

Section 508.1(2) of the Criminal Code and Section 23(1.2) of the Provincial Offences Act allow for a peace officer to swear to an information other than in person, before a justice of the peace. These are the sections in the Criminal Code and Provincial Offences Act in which the Court Liaison Supervisors would need to be given authority to act as a Clerical Special Constable.