

**Report to / Rapport au:**

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

**26 June 2023 / 26 juin 2023**

**Submitted by / Soumis par:**

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**SUBJECT: UPDATE TO RECOMMENDATIONS MADE BY THE PUBLIC ORDER  
EMERGENCY COMMISSION AND THE CITY'S AUDITOR GENERAL  
REPORTS**

**OBJET: MISE À JOUR DES RECOMMANDATIONS DE LA COMMISSION SUR  
L'ÉTAT D'URGENCE ET DES RAPPORTS DE LA VÉRIFICATRICE  
GÉNÉRALE DE LA VILLE**

**REPORT RECOMMENDATIONS**

**That the Ottawa Police Services Board receive this report for information.**

**RECOMMANDATIONS DU RAPPORT**

**Que la Commission de services policiers d'Ottawa prenne connaissance du  
présent rapport à titre d'information.**

**BACKGROUND**

On February 27, 2023, the Ottawa Police Services Board (Board) directed the Chief of Police to review the findings and recommendations of the public inquiry report into the 2022 Public Order Emergency by the Honourable Paul S. Rouleau—along with recommendations from the City of Ottawa's Auditor General (OAG)—and develop responses to the recommendations directed at police services in the report no later than the second quarter of 2023.

## DISCUSSION

The illegal protest that occurred in January and February of 2022 was unprecedented within the City of Ottawa, requiring significant resources and complex operational decisions. While the Ottawa Police Service (OPS) initially struggled with its operational planning, the Service eventually adapted and has since implemented a number of changes to ensure better coordination both internally and with partner agencies for future events.

After receiving recommendations from the Office of the Auditor General (OAG) with the City of Ottawa, and the Public Order Emergency Commission (POEC), the OPS has been carefully assessing each recommendation. This includes reviews by Acting Deputy Chief Paul Burnett, Executive Director of Strategy and Communications John Steinbachs, and Acting Superintendent Robert Bernier, as well as a thorough examination by an OPS' senior audit specialist and the Service's legal section.

For the purposes of our internal review, the team utilized high-level guidelines in order to identify and classify all recommendations. Using a set of clear criteria, it ensured the classification process was consistent and transparent, while also assisting in the prioritization of action items (see Appendix A).

From that evaluation, two lists of recommendations resulted. Ten of the combined total of 91 recommendations were identified as being the responsibility of the OPS and were subsequently itemized as a recommendation within List A, included in the supporting documents in this report. The OPS has already implemented several of the recommendations to support some of the identified key deliverables; moreover, the Service has also begun to evaluate potential action items to address issues identified in the two reports.

An Action Plan has been developed and is currently being finalized with sections of the OPS that were identified as having responsibility for completing work associated with certain recommendations. The Action Plan will ensure that progress towards implementation can be monitored, and, if required, corrective actions taken.

A further 10 recommendations were itemized within List B, which is included in the supporting documents of this report. This list addresses recommendations where the OPS is only one of many parties involved in completing the recommended action(s); where it requires coordination with other parties; or involves resources or funding beyond what the OPS could provide. For context, List B contains recommendations where the OPS could contribute to an overall improvement through collaboration with other agencies or governing bodies. Although the ultimate responsibility lies with other

agencies charged with creating standards and is dependent on third parties to implement, the OPS can still play a contributing role.

To support such active participation, the Service has already held preliminary discussions with both the OPP and the RCMP to lead and coordinate these efforts at a provincial and national level so working groups or committees can be formed wherein they may develop, design, and enhance processes to meet the recommendations emanating from the POEC Report.

The remaining 71 recommendations have been identified as outside the scope of the OPS and, as such, the Service has determined that it will not initiate action in relation to them. The OPS may, however, implement corrective actions and/or participate on committees that endorse change. If invited to participate, the OPS will cooperate fully with such committees or working groups to explore opportunities for collaboration and identify areas where a contribution can be made to the implementation of the recommendations.

## **CONSULTATION**

The OPS has worked hard to ensure that we have adopted a collaborative approach internally and externally with partners to respond to the recommendations from both reports. Consultation has occurred within multiple sections of the OPS, as well with City partners. As previously indicated, the OPS will also take steps to ensure that, where warranted, it is part of broader consultation and collaboration with other municipal, provincial, and national police services through groups or committees established by the CACP or the OACP.

## **FINANCIAL IMPLICATIONS**

Financial implications are currently being reviewed with members of OPS' Financial Services Section.

## **SUPPORTING DOCUMENTATION**

- Document 1: Appendix A – LIST A – OPS-specific Recommendations POEC / OAG ;
- Document 2: Appendix B -- LIST B – POEC recommendations for police services
- Document 3: OPS Action Plan (*separate document*)

## **CONCLUSION**

While the OPS has already implemented some of the recommendations from the OAG and POEC reports, it will continue making progress in responding to and implementing

further recommendations by working collaboratively with partners to initiate change.. Additionally, the OPS will continue to solidify and strengthen the operational relationships between all key stakeholders that are either currently engaged or soon to be engaged.

The OPS will additionally cooperate fully with respective legislative and governing bodies to explore opportunities for collaboration and to identify areas where the OPS can contribute to the implementation of recommendations that are third-party dependent.

The Service will continue to update the Board on all major developments as this important work progresses.

## Document 1 – APPENDIX A

### LIST A – OPS-specific POEC/OAG recommendations

The actions do not require any additional resources or funding from other organizations;

- The actions are within the scope of the OPS' responsibilities and authority;
- The actions have a direct impact on the OPS or police service(s); and
- The OPS can complete the actions with minimal reliance on other parties such as policing partners and/or agencies.

SOURCE		REC #	RECOMMENDATION DESCRIPTION	NOTES
1.	OAG OPS Report	1	<b>EARLY ENGAGEMENT WITH OEM IN SIGNIFICANT FUTURE EVENTS</b>  The Deputy Chief should work collaboratively with the GM of Emergency and Protective Services (EPS) to develop a process to ensure timely engagement of the OEM (along with all other relevant City departments) when the size and nature of a protest (or other similar event) has the potential for significant City impacts. This will ensure that the handling of future similar events are grounded in the City's Emergency Management Plan to support a City-wide coordinated response.	This recommendation is also noted in OAG's City Recommendation #1.
2.	OAG OPS Report	2	<b>SHARING OF INTELLIGENCE WITH THE CITY</b>  The Deputy Chief should work collaboratively with the GM of EPS to develop a process to have the OPS regularly share intelligence on matters that have City- wide impacts with select individuals (with security clearance) within the City's OEM. This will enable the City to receive more timely and detailed intelligence to aid responses to future events.	This recommendation is also noted in OAG's City Recommendation #3.
3.	OAG OPS Report	3	<b>COLLABORATION WITH CITY TRAFFIC MANAGEMENT</b>  The Deputy Chief should work collaboratively with the GM of EPS to develop a process to ensure that for future events of significant size	This recommendation is also noted in OAG's City Recommendation #4.

			and nature, the City will be engaged by the OPS for integrated planning. This would include actively engaging the City's Traffic Management unit to carry out its traffic incident management responsibilities and make use of its subject matter expertise in traffic management. Further, City input should be sought when developing traffic plans. Traffic related documents should be shared, along with any changes throughout the event, as traffic management has significant implications to City services.	
4.	<b>OAG OPS</b> Report	<b>4</b>	<p><b>FORMALIZE COMMUNICATION ROLES AND RESPONSIBILITIES BETWEEN OPS AND THE CITY</b></p> <p>The Director of Communications, in collaboration with the Chief Communications Officer, should document their respective roles, responsibilities, authorities and formalize guidance on how the organizations will work together during emergencies to ensure there is adequate review and approval of communications before they are published.</p>	This recommendation is also noted in OAG's City Recommendation #15.
5.	<b>POEC re:</b> Police Services	<b>14</b>	<p>Based on the lessons learned at this Inquiry, such standards, frameworks, legislation, policies, procedures, or manuals should include, but not be limited to:</p> <ul style="list-style-type: none"> <li>a. processes to identify strategic, operational, and tactical commanders together with succession planning;</li> <li>b. building redundancies in command to ensure 24/7 coverage and address continuity of command;</li> <li>c. identifying lawful alternate sites for continuing protests, where applicable;</li> <li>d. health and wellness planning for officers;</li> <li>e. ongoing assessment of community impact;</li> <li>f. pre-event planning and ongoing dialogue with protesters by trained and, where applicable, culturally competent officers; and</li> </ul>	<p>Recommendation 14 is for OPS to improve/action/ plan.</p> <p>Recommendation 14(g) overlaps with OAG's OPS Recs #1 &amp; #3.</p>

			g. coordination with non-policing first responders and relevant public authorities or agencies (for example, through the creation of executive tables).	
6.	<b>POEC</b> re: Police Services	<b>16</b>	Where feasible, police services should have a contingent of trained PLT officers or have entered into an agreement with another service to access such officers or appropriate expertise, as needed.	Recommendation 16 is for OPS to improve/action/ plan.
7.	<b>POEC</b> re: Police Services	<b>17</b>	Police services should create procedures, if they do not already exist, that clearly articulate the role of PLT officers within the context of major events. The procedures should adopt, with appropriate modifications for local conditions, frameworks such as the OPP Framework for Indigenous Incidents Protests and/or the CACP National Framework.	Recommendation 17 is for OPS to improve/action/ plan.
8.	<b>POEC</b> re: Police Services	<b>18</b>	PLT officers and major event commanders, as well as senior leadership, should receive specialized training and education on, among other things, the OPP Framework and/or the CACP National Framework, and the role to be played by PLT officers and leadership in relation to major events.	Recommendation 18 is for OPS to improve/action/ plan.
9.	<b>POEC</b> re: Police Services	<b>19</b>	In relation to Recommendation 18, police services should recognize the unique considerations that should inform a policing response to Indigenous-based protests, including the need for cultural competencies in addressing such protests. This recognition should also extend, more generally, to the development of national policing standards, frameworks, legislation, policies and procedures, and manuals.	Recommendation 19 is for OPS to improve/ action/ plan.

10.	<b>POEC</b> re: Police Services	<b>22</b>	Municipalities, police services boards, and police services should, when dealing with major events, provide the public with accurate, useful, and regularly updated information.	Recommendation 22 overlaps with OAG's OPS Recommendation #4.
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## DOCUMENT 2 – APPENDIX B

### LIST B – POEC Recommendations for police services

- The actions require involvement and action from third parties such as the federal government, the Board, municipal agencies, and/or policing partners;
- The OPS is but one of several parties involved in completing the action(s); and
- The actions require additional resources or funding beyond what OPS can provide.

SOURCE		REC #	RECOMMENDATION DESCRIPTION	NOTES
1.	POEC re:  Police Services	1	<p>The federal government - in conjunction with provincial, Indigenous, and territorial governments; police and intelligence agencies; the Canadian Association of Police Chiefs; and other stakeholders - should develop or enhance protocols on information sharing, intelligence gathering, and distribution that:</p> <ul style="list-style-type: none"> <li>a. identify how and by whom information and intelligence should be collected, analyzed, and distributed for major events, such as protests, that have multijurisdictional or national significance;</li> <li>b. enhance the ability to collaboratively evaluate information collected for reliability;</li> <li>c. adhere to the <i>Canadian Charter of Rights and Freedoms</i> and the reasonable expectations of privacy of those affected;</li> <li>d. enhance record-keeping regarding the collection, analysis, and distribution of information and intelligence;</li> <li>e. ensure compliance with legislative mandates, for example, statutory limits on surveillance of lawful protests by the Canadian Security Intelligence Service (CSIS);</li> <li>f. promote appropriate access to and interpretation of social media and open-source materials;</li> <li>g. ensure that-where appropriate - comprehensive, timely, and reliable intelligence be communicated to police and government, within their appropriate spheres of decision making; and</li> <li>h. promote objective, evidence-based risk assessments that are written to both acknowledge information deficits and avoid</li> </ul>	<p>Recommendation <b>1(d)</b> over-laps with OAG's OPS Rec #2.</p> <p>Recommendation <b>1(g)</b> over-laps with OAG's OPS Rec #2.</p> <p>Recommendation <b>1(h)</b> for OPS to improve/action/plan.</p>

			misinterpretation.	
2.	<b>POEC</b> re: Police Services	<b>2</b>	The stakeholders identified in Recommendation 1 should consider the creation of a single national intelligence coordinator for major events of a national or interprovincial or interterritorial dimension	
3.	<b>POEC</b> re: Police Services	<b>3</b>	<p>Police and other law enforcement agencies should develop, in conjunction with affected governments, protocols around requests for additional law enforcement resources, where a police service is unable to respond on its own to major events, including certain protests. Such protocols should address:</p> <ul style="list-style-type: none"> <li>a. whether a municipal police service should request additional resources in Ontario through the OPP or concurrently directly with other police services and/or the RCMP;</li> <li>b. whether and when such requests should prioritize provincial policing resources before calling on the RCMP or other federal agency resources; to whom such requests should be directed and in what circumstances; to what extent governments should participate in these requests for resources; what, if any, circumstances (such as a plan acceptable to the agency providing substantial resources or the creation of an integrated or unified command) should exist before external resources are provided and to what extent such circumstances should be memorialized in writing; in situations involving limited resources that cannot be deployed at the same time to multiple jurisdictions, what factors inform the jurisdiction given first or primary access to such resources, and to what extent can government be involved in the prioritization of limited resources</li> </ul>	

			<p>to specific events; and</p> <p>c. in Ontario, whether the OPP commissioner should be given formal authority to address the provision and allocation of policing resources where other police services require external assistance.</p>	
4.	<b>POEC re: Police Services</b>	<b>9</b>	All governments and their police services should work co-operatively to create, to the extent possible, national standards on how these issues are addressed.	
5.	<b>POEC re: Police Services</b>	<b>15</b>	The RCMP should consider leading an initiative, working with other police agencies, for police services across the country to adopt a single command and control model, with shared nomenclature to facilitate integrated operations in appropriate situations	
6.	<b>POEC re: Police Services</b>	<b>19</b>	In relation to Recommendation 18, police services should recognize the unique considerations that should inform a policing response to Indigenous-based protests, including the need for cultural competencies in addressing such protests. This recognition should also extend, more generally, to the development of national policing standards, frameworks, legislation, policies and procedures, and manuals.	Recommendation 19 for OPS to improve/action/plan.

7.	<b>POEC re: Police Services</b>	<b>23</b>	<p>The federal government, in conjunction with other governments and with police services and other stakeholders, should comprehensively examine the scope and limitations on police powers in relation to protest activities. This examination should ultimately result in the clarification of such powers, whether in legislation or through the development of policing protocols that draw upon the lessons learned at this Inquiry.</p> <p>Such protocols should, among other things, articulate the extent to which the police may lawfully restrict access to an area within or outside a city, or at or adjacent to a border crossing, by protesters and/or certain types of vehicles; and criteria for the exercise of such restrictions that remain compatible with the lawful rights under the Charter to protest and peacefully assemble.</p>	
8.	<b>POEC re: Police Services</b>	<b>24</b>	<p>Consultations and discussions should continue, through a working group, led by the federal government but including other governments, police agencies, and the Parliamentary Protective Service, to study, on a priority basis, whether changes should be made to the division of responsibilities for policing and security in the National Capital Region. The working group's discussion should be informed, in part, by the contents of this Report.</p>	
9.	<b>POEC re: Police Services</b>	<b>25</b>	<p>Where the Federal Government proposes to declare a public order emergency and introduce law enforcement measures, it should, circumstances permitting, obtain, through direct consultation or through an appropriate intermediary such as the RCMP commissioner, the views of those law enforcement agencies likely to be primarily affected by these proposed decisions.</p> <p>Such consultation should be specifically directed to what, if any, law enforcement- related measures are needed to address the emergency, and whether the consulted agencies have any concerns about the consequences of declaring a public order emergency.</p>	
10.	<b>POEC re: Police Services</b>	<b>26</b>	<p>The perspectives of affected law enforcement agencies should, circumstances permitting, be summarized in writing and made available to decision makers.</p>	