

Report to / Rapport au:

**OTTAWA POLICE SERVICE BOARD
COMMISSION DE SERVICE DE POLICE D'OTTAWA**

27 April 2026 / 27 avril 2026

**Submitted by / Soumis par:
Board Solicitor / L'avocat de la Commission**

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SUBJECT: LEGAL SERVICES STATUS REPORT – 2026 FIRST QUARTER

OBJET: RAPPORT D'ÉTAPE DES SERVICES JURIDIQUES – PREMIER TRIMESTRE DE 2026

REPORT RECOMMENDATIONS

That the Ottawa Police Service Board receive this report for information.

RECOMMANDATIONS DU RAPPORT

Que la Commission de service de police d'Ottawa prenne connaissance du présent rapport.

BACKGROUND

Legal Services is a full-service, in-house law practice that provides a broad range of services to the Ottawa Police Service Board in the areas of civil litigation, labour and employment law, procedural and general legal advice, and corporate / commercial / development and environmental law. Legal Services' objective is to achieve this through the most cost-effective and efficient combination of both in-house and external lawyers. With respect to external lawyers, Legal Services has a strategic standing offer (SSO) with multiple law firms for the provision of external legal services. The current standing offer, negotiated for the period 2024-2027, provides favourable, hourly rates set for the duration of the SSO term.

Pursuant to Section 6.1 of Board Policy #GA-8 – Legal Services, the Board Solicitor shall submit a report to the Board on a quarterly basis that includes statistical information and concise analysis of trends on:

1. positive and negative variances against the approved budget;
2. all claims or actions filed against the Board including how many have been filed, how many are outstanding, how many have been settled, the nature of them (categorized by type), and the cost of settlements;
3. the number, cost and outcome of all appeals and applications for judicial review;
4. any issues of significance the Board should be advised of.

In compliance with Section 6.1, this report provides the requested information with respect to the first quarter of 2026.

In accordance with the direction of the Board at its April 23, 2018 meeting, the report has been revised to include a year-over-year comparison of data, at each quarter, with respect to the budgetary spending and various types of claims managed.

DISCUSSION

Budget and Impacts

This section gives an overview of the budget and its impacts related to internal and external legal costs. The Board has allocated \$328,100 for the provision of legal services in 2026. These costs reflect the provision of internal and external legal services against the approved Board budget and are inclusive of taxes for external fees.

Internal Legal Costs

Costs of internal legal services provided to the Board for Q1 2026 totaled \$30,175.

External Legal Costs

Costs of external legal services provided to the Board for Q1 2026 totaled \$70,095.

Total Legal Costs

At the completion of the first quarter, a total of \$100,270 or approximately 30 percent of the legal costs budget was spent, as compared with 14 percent of the budget (\$47,331) spent at the same point in time last year.

Table 1 - Ottawa Police Service – Total Costs of Legal Services Q1 2026

| Item | Q1 | Q2 | Q3 | Q4 |
|-------------------|------------------|-----------|-----------|-----------|
| Internal Costs | \$30,175 | | | |
| External Costs | \$70,095 | | | |
| Total, Quarter | \$100,270 | | | |
| Total, YTD | \$100,270 | | | |

Civil Litigation Matters**Non-Litigated Claims**

During the first quarter of 2026, eight new claims were received by Legal Services, compared with nine new claims received in the same period the previous year. Of these new claims, all remain open as the evaluation of these matters is ongoing.

There are currently 25 non litigated claims involving the Ottawa Police Service Board being handled by Legal Services. The following chart provides a breakdown of these non-litigated claims by type, as of the end of the first quarter 2026.

Table 3 - All Open Non-Litigated Claims – Ottawa Police Service Board – Q1 2026

| Type of Claim | Number of Open Non-Litigated Claims |
|--|--|
| Assault by Third Party | 1 |
| City Vehicle Hitting Pedestrian/Cyclist-AB | 1 |
| Damage/Injuries-Arrest/Detainment | 4 |
| Damage to Third Party Property by City Vehicle | 2 |

| | |
|--|-----------|
| Errors and Omissions Liability | 1 |
| Harassment | 1 |
| Injuries from City Animals | 1 |
| Loss Involving Police Property Room | 1 |
| MVA, City and Third Party Vehicle | 1 |
| Other Third Party Bodily Injury | 1 |
| Pedestrian Contact with City Unit (Not MVA) | 1 |
| Property Damage-Forced Entry by Police | 5 |
| Slander, Defamation | 1 |
| Third Party Damage from Employee Actions | 1 |
| Third Party Vehicle-Other | 1 |
| Vehicle Towing/Impounding | 2 |
| Total Number of Open Non-Litigated Claims | 25 |

Litigated Claims

Legal Services received a total of eight new Statements of Claim on behalf of the Board in the first quarter of 2026, compared with two Statements of Claim received during the same period the previous year.

There are currently 85 open litigated claims against the Board. Due to a number of reasons including direction by the Board's insurer, the requirement for specialized legal expertise, or capacity constraints, 71 of those claims are with external legal counsel. The remaining 14 open litigated claims are assigned to in-house legal counsel.

The following table sets out the number of open litigated claims by type, as of the end of the first quarter 2026.

Table 2 - All Open Litigated Claims – Ottawa Police Service Board – Q1 2026

| Type of Claim | Number of Open Litigated Claims |
|--|--|
| Application | 1 |
| Breach of Charter Rights | 14 |
| Breach of Contract | 1 |
| Error and Omission | 1 |
| Excessive Force/Assault | 10 |
| False Arrest | 9 |
| Malicious Prosecution | 3 |
| Motor Vehicle Accident | 8 |
| Negligence/Negligent Investigation | 29 |
| Personal Injury | 8 |
| Vehicle/Property Damage | 1 |
| Total Number of Open Litigated Claims | 85 |

Claims Closed – Litigated and Non-Litigated

During the first quarter of 2026, 17 claims files were closed by Legal Services. A summary of these closed claims by claim type with their associated total expense is set out below.

Of these claims, one was closed denied at the non-litigation claims stage, and one claim was closed-abandoned at the non-litigation claims stage. No expenses were incurred by the Board with respect to these two claims.

The remaining 15 claims were closed and had an associated expense to the Board. The expenses associated with these claims is set out below by claim type and is inclusive of any and all legal fees, disbursements and/or settlement or judgment amounts paid by the Board. This figure represents the expenses incurred over the lifetime of the claims and is not limited to expenses incurred in the first quarter of 2026.

Table 4 – Ottawa Police Service Board Claims closed in Q1 2026

| Claim Type | Number of Claims | Paid Sum |
|--|-------------------------|---------------------|
| Assault by Employee | 1 | \$3,339.58 |
| Damage/Injuries-Arrest/Detainment | 5 | \$311,388.05 |
| Discrimination | 1 | \$7,250.03 |
| Losses due to Other Alleged City Involvement | 2 | \$5,077.00 |
| MVA, City and Third Party Vehicle | 2 | \$338,485.87 |
| Police Pursuits | 1 | \$31,719.64 |
| Property Damage-Forced Entry by Police | 1 | \$0 |
| Slander, Defamation | 2 | \$14,283.89 |
| Third Party Bodily Injuries from Employee Actions | 1 | \$58,009.94 |
| Trip and Fall | 1 | \$116,405.05 |
| Total Closed Police Services Claims for Quarter | 17 | \$885,959.05 |

Appeals and Applications for Judicial Review

One Application to the Ontario Superior Court of Justice was received in Q1 2026. The Applicant in this case is seeking an Order for the production of an unredacted copy of a police report. The Application is scheduled to be heard in Q3 2026.

Labour, Employment and Human Rights Matters

In addition to the above civil litigation claims, Legal Services is currently managing 80 labour and employment law matters on behalf of the Police Services Board, as compared to 96 open files at the end of the first quarter of the previous year, with eight new files opened in first quarter of 2026. For the year to date, four files for labour and

employment law matters were closed. Six labour and employment law matters were outsourced in the first quarter of 2026.

ISSUES OF SIGNIFICANCE

There were no significant issues to report in the first quarter of 2026.

CONSULTATION

As this report is administrative in nature, consultation was not required.

FINANCIAL IMPLICATIONS

Financial implications are as presented in this report.

CONCLUSION

It is anticipated that the 2026 second quarter report will be presented to the Board at its July 2026 meeting.