

Report to / Rapport au:

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

31 May 2021 / 31 mai 2021

Submitted by / Soumis par:

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

Contact Person / Personne ressource:

Superintendent Rob Bernier / Surintendant Rob Bernier

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**SUBJECT: RESPONSE TO INQUIRY I-21-12: PRE-CHARGE DIVERSION –
FOLLOW UP TO I-20-07**

**OBJET: RÉPONSE À LA DEMANDE DE RENSEIGNEMENTS I-21-12:
DÉJUDICIARISATION PRÉALABLE À L'INCULPATION – SUIVI DE LA
DEMANDE DE RENSEIGNEMENTS I-20-07**

REPORT RECOMMENDATIONS

That the Ottawa Police Services Board receives this report for information.

RECOMMANDATIONS DU RAPPORT

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

INQUIRY

Please confirm whether the response to I-20-07 refers to diversions under "Judicial referral hearings," in section 523.1 of the Act. If it does not, please indicate how many hearings have been held under this section, and what policies and training exist in relation to it.

RESPONSE

Judicial Referral Hearings are regulated by the Ministry of the Attorney General (Ministry) under Bill C-75, and are related to sec 523.1 of the Criminal Code of Canada.

These hearings relate to offenders who are already before the Court on conditions, or have breached conditions, and are back before the Justice for a review. The intent is to have the judiciary review the conditions they have breached rather than laying any additional charges.

There have been four hearings in Ottawa under this section of the legislation; officers work with the embedded Crown Attorney and are consulted for opinions and feedback. All requests for Judicial Review hearings are approved and vetted by the Crown's office on a case by case basis.

Our Court File Preparations and Proceedings policies and SOPs have been updated, and training has been given pursuant to the directives from the Ministry and the Crown's office, including officer release training which was co-presented by the Crown.