

**THE CORNWALL
PUBLIC INQUIRY**



**L'ENQUÊTE PUBLIQUE
SUR CORNWALL**

Public Hearing

Audience publique

Commissioner

**The Honourable Justice /
L'honorable juge
G. Normand Glaude**

Commissaire

VOLUME 29

Held at :

Hearings Room
709 Cotton Mill Street
Cornwall, Ontario
K6H 7K7

Tuesday, May 16, 2006

Tenue à:

Salle des audiences
709, rue de la Fabrique
Cornwall, Ontario
K6H 7K7

Mardi, le 16 mai 2006

Appearances/Comparutions

Mr. Peter Engelmann	Lead Commission Counsel
Ms. Raija Pulkkinen M ^e Simon Ruel	Commission Counsel
Ms. Louise Mongeon	Registrar
Mr. John E. Callaghan	Cornwall Police Service Board
Mr. Neil Kozloff Actg.Det.Supt.Colleen McQuade Ms. Suzanne Costom Ms. Diane Lahaie Ms. G. Saccoccio Brannan,Q.C.	Ontario Provincial Police
Mr. David Rose Mr. Mike Lawless	Ontario Ministry of Community and Correctional Services and Adult Community Corrections
Mr. Darrell Kloeze	Attorney General for Ontario
Mr. Peter Chisholm	The Children's Aid Society of the United Counties
Mr. Peter Wardle	Citizens for Community Renewal
Mr. Dallas Lee Ms. Lauren Schellenberger	Victims Group
Mr. Jose Hannah-Suarez	Mr. Jacques Leduc
Mr. Mark Wallace	Ontario Provincial Police Association
Ms. Suzanne Costom Ms. Diane Lahaie	Det.Chief Supt. M.F.(Frank)Ryder

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1 --- Upon commencing at 10:01 a.m. /

2 L'audience débute à 10h01

3 **THE REGISTRAR:** Order. All rise. À
4 l'ordre. Veuillez vous lever.

5 This hearing of the Cornwall Public Inquiry
6 is now in session. The Honourable Mr. Justice Normand
7 Glaude, presiding.

8 Please be seated. Veuillez vous asseoir

9 **THE COMMISSIONER:** Good morning, all.
10 Mr. Engelmann.

11 **MR. ENGELMANN:** Good morning, Mr.
12 Commissioner.

13 **THE COMMISSIONER:** How are you today?

14 **MR. ENGELMANN:** Good. Thank you.

15 **THE COMMISSIONER:** Any announcements this
16 morning?

17 **MR. ENGELMANN:** None that I know of.

18 **THE COMMISSIONER:** All right.

19 **MR. ENGELMANN:** So I hope there are none
20 from my colleagues, but none that I know of.

21 **M.F. RYDER, Resumed**

22 --- EXAMINATION IN-CHIEF BY /INTERROGATOIRE EN-CHEF PAR MR.
23 ENGELMANN (Cont'd./Suite)

24 **MR. ENGELMANN:** So this morning we're going
25 to carry on with Chief Ryder's evidence and we'll be

1 dealing with the volume, which is entitled "Volume 2,
2 History and Organizational Structure", and when we're
3 finished this volume we'll be going on to the volume
4 dealing with community policing.

5 **CHIEF RYDER:** Yes.

6 **MR. ENGELMANN:** And we were at, just to
7 situate everyone, we were in the outline at Tab 1, Chief
8 Ryder, and I think we were just about to start page 13.

9 **CHIEF RYDER:** That's correct, sir.

10 **MR. ENGELMANN:** The rank structure.

11 **CHIEF RYDER:** Yes, sir.

12 **MR. ENGELMANN:** So perhaps we can go there.
13 And when we're talking about the rank
14 structure, are we talking about uniformed officers of the
15 OPP?

16 **CHIEF RYDER:** That's correct.

17 **MR. ENGELMANN:** And is there something
18 equivalent to a rank structure for civilian employees or
19 would it just be called something else?

20 **CHIEF RYDER:** Well, in the Ontario
21 Provincial Police we have several civilian employees that
22 have many different types of classifications from our
23 provincial commander who is the provincial commander of
24 Corporate Services, the highest ranking civilian within our
25 organization.

1 You heard me talk yesterday about an
2 Executive Council, which is bureau regional commanders. We
3 have bureau commanders who are civilian and hold bureau
4 commander status.

5 **MR. ENGELMANN:** So let me just stop you for
6 a second. So you have civilians as high as the equivalent
7 to a deputy commissioner?

8 **CHIEF RYDER:** That's correct.

9 **MR. ENGELMANN:** The one that you spoke
10 about?

11 **CHIEF RYDER:** That's correct.

12 **MR. ENGELMANN:** And then you have others at
13 the various rank levels, so to speak?

14 **CHIEF RYDER:** That's correct.

15 **MR. ENGELMANN:** Okay.

16 **CHIEF RYDER:** Throughout the entire
17 organization.

18 **MR. ENGELMANN:** And you've listed some of
19 the types of civilian staff you have there at the last
20 bullet under this section?

21 **CHIEF RYDER:** That's correct, senior
22 managers, forensic scientists, administrative support, and
23 that's just to name a few, there are several, as you heard
24 yesterday, 1,800 civilians and many different
25 classifications within our civilian staff.

1 **MR. ENGELMANN:** You'd have some computer
2 specialists ---

3 **CHIEF RYDER:** That's correct.

4 **MR. ENGELMANN:** --- and tech support for
5 them?

6 **CHIEF RYDER:** Yes, sir.

7 **MR. ENGELMANN:** Okay. So amongst the
8 uniform officers you've listed two different types,
9 commissioned officers and non-commissioned officers.

10 **CHIEF RYDER:** That's correct, sir.

11 **MR. ENGELMANN:** Can you explain the
12 distinction and give us some sense as to who falls within
13 which category?

14 **CHIEF RYDER:** The commissioned officer
15 starts at the rank of inspector. When an officer is
16 promoted to the rank of inspector they receive a
17 commission.

18 **MR. ENGELMANN:** Okay. And approximately how
19 many inspectors are there in the OPP?

20 **CHIEF RYDER:** There is 122 approximately.

21 **MR. ENGELMANN:** And is there a tab that
22 would help us with this?

23 **CHIEF RYDER:** Yes, it's Tab 19.

24 **MR. ENGELMANN:** Okay. So the double line in
25 the middle of that page differentiates between the

1 commissioned and non-commissioned officers?

2 **CHIEF RYDER:** That's correct, sir.

3 **MR. ENGELMANN:** All right.

4 So if you want to just take us through this
5 briefly and give us some explanations, and just out of
6 curiosity, tell us where you fit in this as well.

7 **CHIEF RYDER:** Okay. Obviously the
8 Commissioner heads our police force and provides leadership
9 to the organization. Then we have three deputy
10 commissioners, one deputy commissioner in charge of
11 investigation of organized crime -- that's a second level -
12 - one in charge of strategic services and one in charge of
13 field and traffic services.

14 The next rank is chief superintendent rank
15 and we are a very dynamic organization, that number's
16 increased to 12. Just a couple days ago since this slide
17 was prepared one of the existing superintendent positions
18 was reclassified to be a chief superintendent. So that
19 would now be 12 chief superintendents and 32
20 superintendents.

21 **MR. ENGELMANN:** And Chief Ryder, that would
22 be your rank level?

23 **CHIEF RYDER:** Yes, I'm a chief
24 superintendent.

25 **MR. ENGELMANN:** All right.

1 **CHIEF RYDER:** And then there are 33
2 superintendents and 122 inspectors.

3 I might note, going back again to Executive
4 Council, bureau regional commanders, there are some bureau
5 commanders that are at the superintendent rank. There are
6 some bureau commanders that are at the chief superintendent
7 rank but for purposes of Executive Council the rank is not
8 really a distinction.

9 **MR. ENGELMANN:** All right.

10 So on the Executive Council you have the
11 Commissioner, Deputy Commissioners ---

12 **CHIEF RYDER:** And Bureau Regional
13 Commanders.

14 **MR. ENGELMANN:** So they would fall into
15 those top four rank levels?

16 **CHIEF RYDER:** That's correct.

17 **MR. ENGELMANN:** Now, at the inspector rank,
18 can you give us some sense as to who is at that rank?

19 **CHIEF RYDER:** There are inspectors
20 throughout the organization. Certainly there are a large
21 number of inspectors in our Criminal Investigations Branch.
22 There is approximately 25 in our Criminal Investigations
23 Branch.

24 **MR. ENGELMANN:** So just over 20 per cent of
25 your inspectors would be at CIB?

1 CHIEF RYDER: That's correct.

2 MR. ENGELMANN: And is there some
3 significance to that?

4 CHIEF RYDER: The ---

5 MR. ENGELMANN: I mean that rank at that
6 level ---

7 CHIEF RYDER: Well, they ---

8 MR. ENGELMANN: --- in that position?

9 CHIEF RYDER: Well, it's certainly the most
10 senior rank in the detective rank that are involved with
11 actually what I would call frontline investigative
12 personnel. These inspectors are the major case managers
13 that do get assigned to the most serious of cases,
14 homicides, et cetera.

15 MR. ENGELMANN: And have they been at this
16 rank for some time?

17 CHIEF RYDER: They've been at that rank
18 since the existence of the OPP.

19 MR. ENGELMANN: Okay. And is that of some
20 significance when they deal with other forces when they're
21 called in to lead investigations?

22 CHIEF RYDER: Well, certainly it's of
23 assistance that they have that rank because obviously when
24 you're doing some investigations of a major case nature you
25 require resources like helicopter service and they have the

1 rank to be able to, I guess, acquire that service with -- I
2 guess it would be a little bit more difficult if they were
3 lower ranking.

4 MR. ENGELMANN: Okay. So they would have
5 extra authority ---

6 CHIEF RYDER: That's correct.

7 MR. ENGELMANN: --- to obtain services that
8 may be needed in major investigations?

9 CHIEF RYDER: Well, they would also show --
10 because of the rank that they're at, they're able to show
11 senior leadership as well at those cases, be able to direct
12 personnel.

13 MR. ENGELMANN: And presumably that would
14 not only be of significance dealing with OPP detachments
15 but it may also be of significance dealing with other
16 forces?

17 CHIEF RYDER: I would say so.

18 MR. ENGELMANN: All right.

19 Can you take us through the non-commissioned
20 officer ranks?

21 CHIEF RYDER: Yes. There are seven sergeant
22 majors that are within the Professional Standards Branch
23 but then responsible for investigations and public
24 complaints.

25 Below that level, in descending order, we

1 have 181 staff sergeants, 975 sergeants and 4,159 full-time
2 constables.

3 **MR. ENGELMANN:** You have traffic staff
4 sergeant to the left, is there some significance to that?

5 **CHIEF RYDER:** That sergeant would be
6 primarily involved in an area of the organization that's
7 focused on traffic enforcement.

8 **MR. ENGELMANN:** Okay. And can you give us a
9 little bit of background on the reference at the right
10 about the prefix of detective and the significance of that?

11 **CHIEF RYDER:** The detective in the OPP is
12 not a rank, however, it is a designation that indicates
13 that the particular constable, sergeant, staff sergeant, if
14 there's a detective before their name, that they focus on
15 their duties as full-time investigative work.

16 **MR. ENGELMANN:** Sir, the work of this
17 inquiry goes back some time into the past and we've seen
18 already some documents that have the rank corporal ---

19 **MR. RYDER:** Yes.

20 **MR. ENGELMANN:** --- and I don't see that on
21 your uniform rank structure. Why is that?

22 **CHIEF RYDER:** The rank of corporal in 1988
23 was dissolved and all corporals were made sergeants --
24 designated as sergeants. There was a re-designation.

25 **MR. ENGELMANN:** Okay. So from full-time

1 constable, if one's promoted, one is promoted to the
2 sergeant level ---

3 CHIEF RYDER: That's correct.

4 MR. ENGELMANN: --- post 1988?

5 CHIEF RYDER: That's correct.

6 MR. ENGELMANN: Anything else on this chart,
7 sir?

8 CHIEF RYDER: No.

9 MR. ENGELMANN: Then let's turn back to Tab
10 1. You have in your outline a caption entitled "Police
11 Orders".

12 CHIEF RYDER: Yes, sir.

13 MR. ENGELMANN: And I believe we looked at
14 Police Orders for the first time when we looked at "The
15 Promise".

16 CHIEF RYDER: Yes, sir.

17 MR. ENGELMANN: And that was an introduction
18 to Police Orders?

19 CHIEF RYDER: Yes, it was.

20 MR. ENGELMANN: All right.

21 Just before we go there, you say that Police
22 Orders have existed in some form since at least 1922?

23 CHIEF RYDER: That's correct.

24 MR. ENGELMANN: All right.

25 And they've been called, as I understand it,

1 by different names?

2 CHIEF RYDER: That's right. They would have
3 been called regulations, standing orders, force directives.

4 MR. ENGELMANN: Okay. Do you ever use the
5 term "policy" as an equivalent to order?

6 CHIEF RYDER: Yes.

7 MR. ENGELMANN: I'm just curious. We've had
8 evidence from another police force here and they used a
9 number of terms interchangeably and I'm just not sure if
10 that's also OPP practice as well. In that case we had
11 terms like directives, policy, orders, and then there was
12 something called "FOB" and I can't remember what it stands
13 for now.

14 THE COMMISSIONER: FOB?

15 MR. ENGELMANN: Yes.

16 THE COMMISSIONER: Well, in the old
17 contracts term it was "free on board".

18 (LAUGHTER/RIRE)

19 MR. ENGELMANN: I don't think that's how
20 Deputy Aikman described it, but in any event it was a ---

21 THE COMMISSIONER: The Cornwall Police had
22 that, didn't they?

23 MR. ENGELMANN: Maybe field order bulletins.

24 THE COMMISSIONER: All right.

25 MR. ENGELMANN: But in any event, they were

1 different terms used for orders.

2 So is it fair to say that over time terms
3 like directives, regulations, standing orders have been
4 used for orders?

5 **CHIEF RYDER:** I guess I would answer that in
6 my experience for 31 years in the Ontario Provincial Police
7 I know Police Orders as ---

8 **MR. ENGELMANN:** Police orders?

9 **CHIEF RYDER:** Police Orders, and certainly
10 what they looked like in the format they were -- I saw them
11 when I first joined the police force -- and now what
12 they're like in electronic form. So that's what I would
13 always refer to as Police Orders.

14 **MR. ENGELMANN:** Okay. And that's been for
15 some 31 years?

16 **CHIEF RYDER:** That's correct.

17 **MR. ENGELMANN:** All right.

18 And you talk about Police Orders until
19 December 2000 and you say they were divided into three
20 volumes.

21 **CHIEF RYDER:** That's correct.

22 **MR. ENGELMANN:** Do you know how far back
23 before December 2000? Do you have some sense?

24 **CHIEF RYDER:** Well, I do know once again
25 that we had three volumes of Police Orders in my time. My

1 first detachment at Bradford where I served from 1975 to
2 1985 we would have had three volumes of Police Orders.

3 **MR. ENGELMANN:** Okay. And when you talk
4 about volumes, can you try and visualize that for us?

5 **CHIEF RYDER:** Certainly. I mean, if you
6 could -- just similar to this kind of a binder, a three-
7 ring binder, but probably about a four-inch spine.

8 **MR. ENGELMANN:** Yes.

9 **CHIEF RYDER:** That would be hole-punched
10 pages and Volume 1 and Volume 2 contained parts 1 to 10 of
11 Police Orders, and then Volume 3 contained manuals, like
12 Forest Disaster Manual.

13 **MR. ENGELMANN:** Okay. So there was a three
14 volume set. They were thick volumes.

15 **CHIEF RYDER:** Yes.

16 **MR. ENGELMANN:** And what would happen if
17 there were changes or amendments to a Police Order?

18 **CHIEF RYDER:** A revision package would
19 arrive at the detachment -- and I know I was assigned to do
20 this particularly in the time that I had some
21 administrative duties at the detachment -- where you would
22 receive the revision package that had pretty explicit
23 instructions that you were to take out pages let's say 6 to
24 7 in Part 1 and replace them to new pages and then destroy
25 -- make sure that you shred the old ones.

1 **MR. ENGELMANN:** Okay. And ---

2 **CHIEF RYDER:** And you would go through that
3 and then you would make a record that you updated the
4 Police Orders.

5 **MR. ENGELMANN:** And would this have been the
6 practice until December of 2000?

7 **CHIEF RYDER:** Yes.

8 **MR. ENGELMANN:** All right.

9 So we had a hardcopy, three volumes Police
10 Orders?

11 **CHIEF RYDER:** That's correct.

12 **MR. ENGELMANN:** And would there be one copy
13 of these Police Orders in each detachment or would there be
14 multiple copies?

15 **CHIEF RYDER:** There would be multiple
16 copies. I don't know what the schedule was, but once again
17 from my memory the detachment commander would have his own
18 copy, there would be at least one copy in the corporal's
19 office -- because at that time we had corporal supervisors
20 -- and there would be hardcopy Police Orders in the general
21 part of the detachment in the Force library.

22 **MR. ENGELMANN:** Okay. So there would be one
23 volume in a detachment library that would be available to
24 full-time constables?

25 **CHIEF RYDER:** That's correct.

1 **MR. ENGELMANN:** They wouldn't each have a
2 copy of it?

3 **CHIEF RYDER:** No, they would not.

4 **MR. ENGELMANN:** Yes. We're talking about
5 significant volume of documents?

6 **CHIEF RYDER:** Yes.

7 **MR. ENGELMANN:** Now how was it that these
8 amendments or inserts and deletions would be made known to
9 people in the detachment? You talked about the fact, sir,
10 that at least at one time in your career you were
11 responsible for inserting and removing?

12 **CHIEF RYDER:** Yes, sir.

13 **MR. ENGELMANN:** So presumably that's one
14 individual that would have that job. How would the other
15 individuals be made aware of changes to Police Orders from
16 time to time?

17 **CHIEF RYDER:** From my recollection,
18 accompanying the revision package would be a memo that
19 would highlight what some of the changes would be. Once
20 again, from my recollection I believe a copy of that went
21 on the 8-day board. There was -- as new communiqués came
22 into the detachment they were put on a clipboard and what I
23 call 8-day board, there would be eight clipboards and that
24 information would be rotated through the 8-day board.

25 **MR. ENGELMANN:** All right. So just again,

1 to try and visualize an 8-day board, you have eight
2 clipboards?

3 CHIEF RYDER: That's correct.

4 MR. ENGELMANN: And, when we're done one
5 day, that day comes off and ---

6 CHIEF RYDER: That's correct.

7 MR. ENGELMANN: --- the eighth day ahead
8 goes on?

9 CHIEF RYDER: That's right.

10 MR. ENGELMANN: What would be on these
11 clipboards, other than amendments to Police Orders?

12 CHIEF RYDER: There could be any kind of
13 memo, announcements, upcoming events, those kind of
14 announcements. There could be some provincial alerts.

15 MR. ENGELMANN: Okay. Where would this 8-
16 day board be kept?

17 CHIEF RYDER: In the main body of the
18 detachment underneath -- at least, I'm describing from
19 Bradford, underneath a large bulletin board.

20 MR. ENGELMANN: How would the then-corporal
21 or sergeant responsible for the constables ensure that they
22 would look at the board at some point?

23 CHIEF RYDER: I don't know if there was any
24 effort by the corporals to make sure that the constables
25 looked at it. But I do know that they did, because there

1 was a lot of significant information there.

2 MR. ENGELMANN: All right. But essentially
3 there was a policy or order that required ---

4 CHIEF RYDER: That's correct.

5 MR. ENGELMANN: --- individuals to look at
6 the 8-day board?

7 CHIEF RYDER: I would assume so.

8 MR. ENGELMANN: Okay.

9 Now you say that they were vehicles to
10 communicate permanent policy, procedures, direction and
11 guidelines.

12 CHIEF RYDER: That's correct.

13 MR. ENGELMANN: That was from the
14 Commissioner to all employees. That seems pretty broad in
15 nature.

16 CHIEF RYDER: Yes, it is.

17 MR. ENGELMANN: Okay.

18 Were there -- you talk about the fact that
19 in or about 2000, there were significant changes made to
20 how the Police Orders were kept.

21 CHIEF RYDER: That's correct.

22 MR. ENGELMANN: Can you explain that process
23 to us and what happened?

24 CHIEF RYDER: There was a decision of the
25 organization to restructure our Police Orders and to -- as

1 I stated earlier, we used to have part 1 to 10; part 1
2 being administration, part 10 being operations. To
3 restructure our Police Orders to fall in line with the
4 Adequacy Regulations; which had six chapters, dealing with
5 crime prevention, law enforcement, victims' assistance,
6 public order maintenance, emergency response services and
7 administration and infrastructure. So we decided we'd take
8 our existing policy and restructure it around those
9 chapters as opposed to the part 10s that we had before.

10 **MR. ENGELMANN:** All right. And this was
11 done just prior to the end of the phase-in or transition
12 period on the Adequacy Regulations?

13 **CHIEF RYDER:** That's correct.

14 **MR. ENGELMANN:** Which had to be done by
15 January of 2001, if memory serves me.

16 **CHIEF RYDER:** That's correct.

17 **MR. ENGELMANN:** All right. So we have this
18 change. It's done in December of 2000. And, in fact,
19 there's a communication from the Deputy Commissioner about
20 revisions to Police Orders. Correct? Is that what we see
21 at Tab 21?

22 **CHIEF RYDER:** Yes. That is an announcement
23 that we are reverting to automated Police Orders and this
24 was a communiqué to all force locations advising personnel
25 at those locations to destroy all the hard-copy Police

1 Orders. The reason for that would be that, since there
2 would be no further revision packages sent out, these would
3 soon be out of date. We obviously wanted to have policies
4 that we could count on as being current.

5 **MR. ENGELMANN:** Right.

6 So in the third paragraph, the individuals
7 that received this letter are instructed to destroy the
8 hard-copy sets they have.

9 **CHIEF RYDER:** That's correct.

10 **MR. ENGELMANN:** Now, is that in and of
11 itself, a form of Order?

12 **CHIEF RYDER:** Yes, it is.

13 **MR. ENGELMANN:** You get a letter like this
14 to destroy that and presumably that's done?

15 **CHIEF RYDER:** That's direction. Yes, it is.

16 **MR. ENGELMANN:** Some Orders are more
17 directive or more imperative than others. Is that fair?

18 **CHIEF RYDER:** That's correct.

19 **THE COMMISSIONER:** So how would they be
20 underlined; those that are real important and others?

21 **CHIEF RYDER:** In the Police Orders, there's
22 a terminology like "may" and "shall"; those type of
23 terminologies, so I think that that would be an indicator.

24 **THE COMMISSIONER:** M'hm.

25 **MR. ENGELMANN:** Okay, so some would have

1 mandatory language. They would say "shall" or "will". For
2 example, the Promise that we went to, talks about "I will"
3 on several occasions ---

4 **CHIEF RYDER:** Yes, sir.

5 **MR. ENGELMANN:** --- which is more mandatory
6 language than "I may"?

7 **CHIEF RYDER:** That's correct.

8 **MR. ENGELMANN:** You talk about, on page 15,
9 you say that, and I assume this is as at December, 2000
10 that some

11 "...long-standing OPP practices were
12 articulated for the first time in
13 policy. In others, practices were
14 extended or changed in order to comply
15 with Adequacy Regulations"...

16 **CHIEF RYDER:** That's correct.

17 **MR. ENGELMANN:** So we talk about ten
18 chapters going to five.

19 **CHIEF RYDER:** Six.

20 **MR. ENGELMANN:** I'm sorry. Six. Yes.
21 I'm just curious, any examples of
22 longstanding OPP practices that may have been articulated
23 for the first time, at that time?

24 **CHIEF RYDER:** No, I don't; not readily
25 available.

1 **MR. ENGELMANN:** That's fine.

2 Now you say in the next bullet, that:

3 "While Police Orders address a broad
4 range of issues, they're not intended
5 as a substitute for sound judgement and
6 discretion."

7 **CHIEF RYDER:** That's correct.

8 **MR. ENGELMANN:** And that comes from the
9 Promise or it comes from that tab that you refer to?

10 **CHIEF RYDER:** Yes, if I could refer to Tab
11 2. The words here have been carefully chosen and this is
12 the Commissioner's message at the introduction to Police
13 Orders -- Commissioner Boniface. Also, this is a form of
14 an announcement right within our orders of the
15 restructuring of the Police Orders into adequacy standard
16 format and if I may, because I think the words are
17 important.

18 "In developing each of the policies and
19 procedures contained in Police Orders,
20 the safety of every employee as well as
21 the public has been carefully
22 considered. Since our commitment to
23 continuous service improvement means
24 that the policies and procedures found
25 within Police Orders are ever-evolving,

1 I would encourage you to refer to them
2 often.

3 Although Police Orders comprehensively
4 addresses a broad range of issues, it
5 is not intended as a substitute for
6 sound judgement and discretion.

7 Bearing in mind that our decisions must
8 stand the test of scrutiny, employees
9 are expected to interpret Police Orders
10 reasonably and in a manner consistent
11 with the trust afforded them by this
12 organization and the public."

13 And that's the message from the
14 Commissioner.

15 **MR. ENGELMANN:** Now sir, in reading that,
16 I'm just want to make sure I understand that Police Orders
17 are still depending on their wording, more directive or
18 imperative than other Police Orders; like some aspects?

19 **CHIEF RYDER:** Yes, sir.

20 **MR. ENGELMANN:** So you would expect that
21 orders dealing with implementing perhaps legislation, such
22 as a duty to report under the *Child and Family Services*
23 *Act*, something like that, might be more direct -- more
24 mandatory than perhaps some other orders?

25 **CHIEF RYDER:** Most definitely.

1 **MR. ENGELMANN:** So anything dealing with,
2 maybe a legislative or regulatory requirement?

3 **CHIEF RYDER:** That's correct.

4 **MR. ENGELMANN:** Whereas some things that are
5 more of a guideline, might not be as important that those
6 be followed?

7 **CHIEF RYDER:** Well, I don't know whether I'd
8 say it wasn't -- wouldn't be important that you don't
9 follow them. I just was reflecting the other day about the
10 amount of times that I've, in my career, have gone into
11 Police Orders.

12 **MR. ENGELMANN:** Yes.

13 **CHIEF RYDER:** I followed Police Orders not
14 because I was concerned that I was going to be disciplined
15 if I didn't. It was actually a pretty good comfort level -
16 --

17 **MR. ENGELMANN:** Right.

18 **CHIEF RYDER:** --- that I knew that if I was
19 operating within the confines of Police Orders, that I
20 would have the support of my organization if I did my job
21 under those terms. So I think every officer would strive
22 to try to comply with what's in Police Orders and should
23 they vary from what's in Police Orders, I think they'd have
24 to have a pretty good explanation.

25 **MR. ENGELMANN:** Right. There would have to

1 be -- there would be some onus on the officer to
2 demonstrate why it was necessary not to follow the order?

3 CHIEF RYDER: That's correct.

4 MR. ENGELMANN: All right.

5 In fact, if officers don't follow lawful
6 orders, they can be disciplined.

7 CHIEF RYDER: That's correct.

8 MR. ENGELMANN: So in that situation, you'd
9 want to have a pretty good reason or excuse why you didn't
10 follow an order?

11 CHIEF RYDER: That's correct.

12 MR. ENGELMANN: Now, I want to understand
13 something about the computer system on the orders. My
14 understanding is that even before December of 2000, some of
15 the orders were available electronically.

16 CHIEF RYDER: That's correct.

17 MR. ENGELMANN: Can you explain how that was
18 different than what was available after 2000?

19 CHIEF RYDER: Well it was in the old format,
20 for example. It was just an electronic copy on DOS format
21 icon on the computer, where our officers could access
22 electronic Police Orders.

23 MR. ENGELMANN: Okay. So obviously they
24 were the pre-Adequacy Regulation orders ---

25 CHIEF RYDER: That's correct.

1 **MR. ENGELMANN:** --- and just as far as
2 accessibility; you said it was on DOS?

3 **CHIEF RYDER:** It was on DOS and it would be
4 on the desktop of the computers that our officers would
5 have access to.

6 **MR. ENGELMANN:** All right. Obviously you
7 had the hard copies available?

8 **CHIEF RYDER:** Hard copies were still
9 available up to 2000.

10 **MR. ENGELMANN:** All right.

11 **THE COMMISSIONER:** Excuse me. Someone who
12 resists computers would have a rough time?

13 **CHIEF RYDER:** That's correct. They would
14 have some real difficulties.

15 **MR. ENGELMANN:** Did those people who might
16 resist computers have some comfort after December of 2000?
17 In other words, did this get a little more user-friendly?

18 **CHIEF RYDER:** It did get more user-friendly.
19 Obviously, I think it's experience as well, when you have
20 to go into the system and acquire the information,
21 particularly if you didn't have hard copies to go to. It
22 was an imperative that you learned how to get into that
23 system.

24 **MR. ENGELMANN:** I'll just be a moment.

25 **THE COMMISSIONER:** M'hm.

1 (SHORT PAUSE/PAUSE COURTE)

2 MR. ENGELMANN: All right. Now, on page 15
3 of your outline, where you describe what was available
4 before, you talk about the fact that research is possible
5 with respect to Police Orders from 1990 onwards.

6 CHIEF RYDER: That is correct.

7 MR. ENGELMANN: All right.

8 You also talk about what was available
9 before 1990 or what is available today, by way of
10 retrieval.

11 CHIEF RYDER: That's right.

12 MR. ENGELMANN: Sir, is it fair to say that
13 it wasn't you personally who tried to retrieve things from
14 before 1990?

15 CHIEF RYDER: That's correct.

16 MR. ENGELMANN: That would have been other
17 members of the OPP team here.

18 CHIEF RYDER: That's correct.

19 MR. ENGELMANN: All right.

20 CHIEF RYDER: I'm certainly aware though, of
21 their efforts.

22 MR. ENGELMANN: All right. So the comment
23 about,

24 "There is no useful index, no search
25 capacity and no ability to print or

1 reproduce the materials," [pre-1990]

2 that's on the basis of someone else's work?

3 **CHIEF RYDER:** That's correct.

4 **MR. ENGELMANN:** And there's something about
5 microfilm readers not being compatible with microfilm
6 that's available?

7 **CHIEF RYDER:** That's correct, sir.

8 **MR. ENGELMANN:** There's a comment that,
9 essentially,

10 "... only OPP policy since 1990, (as
11 contained in Police Orders) is
12 accessible at this time."

13 **CHIEF RYDER:** Is readily accessible.

14 **THE COMMISSIONER:** Isn't that a little
15 unusual?

16 **CHIEF RYDER:** It is. The information seems
17 to be there but we don't seem to have the readers to be
18 able to -- I say, readily accessible, to be able to go in
19 and access that information. The amount of time and
20 resources to be able to do that would be fairly
21 substantial, at least that's the information that I have
22 been told.

23 **MR. ENGELMANN:** We'll get into a little bit
24 about what we do have from pre-1990. We'll also talk about
25 some retention issues later.

1 **THE COMMISSIONER:** All right.

2 **MR. ENGELMANN:** But, at present, sir ---

3 **THE COMMISSIONER:** Well, just a minute,
4 before we go on ---

5 **MR. ENGELMANN:** Yes.

6 **THE COMMISSIONER:** So what you're telling me
7 is, if, for purposes of this inquiry, it -- and I don't
8 know it, I don't know -- it became relevant that we would
9 want to see what was going on in the 1980s for policies and
10 direction you're saying that that would be a monumental
11 task.

12 **CHIEF RYDER:** That's the information that
13 I've been provided with regard to the efforts and, I guess,
14 the capacity to be able to do it. And I'm not saying human
15 resources capacity; even the technology capacity.

16 **THE COMMISSIONER:** I find that surprising.
17 Okay.

18 **MR. ENGELMANN:** Well, we'll just go now to
19 some documents that we do have from a bit earlier.

20 **THE COMMISSIONER:** Sure. M'hm.

21 **MR. ENGELMANN:** It says that you weren't
22 personally involved in trying to find this material over
23 the last few months at all?

24 **CHIEF RYDER:** No, I was not.

25 **MR. ENGELMANN:** Okay. So let's talk about

1 some material I think that you were able to find.

2 **CHIEF RYDER:** That's right.

3 **MR. ENGELMANN:** I think you were directly
4 involved ---

5 **CHIEF RYDER:** Yes, I was.

6 **MR. ENGELMANN:** --- in finding some
7 material?

8 **CHIEF RYDER:** That's correct, sir.

9 **MR. ENGELMANN:** And is that what we see now
10 at page 17 of your outline, the reference to libraries?

11 **CHIEF RYDER:** Yes. I believe that's on a
12 tab, Tab 21 -- 22, sorry.

13 **MR. ENGELMANN:** I knew it was here
14 somewhere. Thank you.

15 All right.

16 So this is a continuation of the outline
17 that we had at Tab 1? Is that fair?

18 **CHIEF RYDER:** That's correct. The reason
19 it's sort of an addition is that this information was
20 fairly recent.

21 **MR. ENGELMANN:** All right.

22 And I understand this recent information we
23 can thank you for, in large part.

24 **CHIEF RYDER:** Well, certainly I had a hand
25 in it.

1 **MR. ENGELMANN:** I'm sorry?

2 **CHIEF RYDER:** I had a hand in it.

3 **MR. ENGELMANN:** You had a hand in it.

4 Can you explain how this information came to
5 be and why it was recent?

6 **CHIEF RYDER:** Well, I guess, maybe having
7 the same concerns that the Commissioner had about what
8 information might be available with regard to Policies and
9 Procedures. I thought about the fact that we had
10 information in detachment libraries and so I had to be in
11 Orillia to pick up something for this enquiry and I made a
12 call to the Force Librarian, Kathy Dowd, and indicated --
13 asked questions about the detachment library Because as I
14 did OPP in relations to Police Orders, I would have been
15 involved sometimes to update the detachment library. So I
16 asked whether or not we had any of those manuals from the
17 old detachment libraries and we spoke on the phone, and
18 when I arrived there she had some information there for me.

19 **MR. ENGELMANN:** All right.

20 So you were trying to find something dealing
21 with old Police Orders and/or policies?

22 **CHIEF RYDER:** That's correct.

23 **MR. ENGELMANN:** And what you were able to
24 find, sir, as I understand it, are some in-service training
25 manuals?

1 CHIEF RYDER: That's right, sir.

2 MR. ENGELMANN: And at least one or two of
3 them have some references to the fact that there was a
4 Police Order or policy in existence.

5 CHIEF RYDER: That's correct, because
6 there's reference right in the manual.

7 MR. ENGELMANN: Right. Okay. Well, we'll
8 go there.

9 So in the outline that we have here we have
10 the reference that detachment libraries were to have
11 certain documents.

12 CHIEF RYDER: That's correct.

13 MR. ENGELMANN: All right.

14 Just so we're clear, detachment libraries
15 back in the seventies or eighties would have existed at all
16 of those detachment locations that we saw on some of the
17 maps?

18 CHIEF RYDER: That's an assumption I'm going
19 to make. Certainly there was a library when I first
20 arrived for duty at Bradford Detachment.

21 MR. ENGELMANN: All right. And that was in
22 the mid seventies?

23 CHIEF RYDER: That's correct.

24 MR. ENGELMANN: So whether there were
25 detachment libraries in each detachment, there were

1 certainly detachment libraries in each district.

2 CHIEF RYDER: Well, I would also assume that
3 would be in all detachments as well because when we receive
4 the update to detachment libraries I would assume that it
5 would be at all detachments.

6 MR. ENGELMANN: Yes; and that detachment
7 meant detachment.

8 CHIEF RYDER: That's right.

9 MR. ENGELMANN: Okay. All right.

10 And you list for us -- I think it's at Tab
11 26.

12 CHIEF RYDER: 26(c))?

13 MR. ENGELMANN: 26(c)), yes, thank you. A
14 copy of a schedule of Force library publications as at
15 1989.

16 CHIEF RYDER: That's correct.

17 MR. ENGELMANN: Now, what this document
18 tells us is it has a reference to revision records for in-
19 service training manuals.

20 CHIEF RYDER: That's correct, sir.

21 MR. ENGELMANN: And in the introduction it
22 says to us that this is a schedule of publications which
23 should be held in Force library locations.

24 CHIEF RYDER: Yes, sir.

25 MR. ENGELMANN: And is it your understanding

1 that Force library locations would be detachment libraries
2 and headquarter libraries?

3 **CHIEF RYDER:** And district headquarters.

4 **MR. ENGELMANN:** Yes, all headquarter
5 libraries and detachment libraries?

6 **CHIEF RYDER:** Yes, sir.

7 **MR. ENGELMANN:** All right.

8 And there's even a reference to this list of
9 items being set out in a Police Order.

10 **CHIEF RYDER:** Yes, sir.

11 **MR. ENGELMANN:** All right, so there was some
12 formal requirement that the publications that are set out,
13 then, on the next page ---

14 **CHIEF RYDER:** Now, there's a reference to
15 Police Orders Part I, section 291.1, that, "the items
16 contained in these libraries have been approved by the
17 Training Education Committee". So there's a reference that
18 there was a process to get these manuals approved by way of
19 our Police Orders.

20 **MR. ENGELMANN:** And I note in that same
21 paragraph, sir, there's a reference to, "revisions to this
22 list will be issued as required".

23 **CHIEF RYDER:** That's correct.

24 **MR. ENGELMANN:** And that's a reference to a
25 Police Order as well.

1 CHIEF RYDER: That's correct.

2 MR. ENGELMANN: So apparently when there
3 were revisions to what had to be held in a department or a
4 detachment library, there would be a list?

5 CHIEF RYDER: That's correct.

6 MR. ENGELMANN: Okay. So we have a list of,
7 or schedule of publications over the next few pages?

8 CHIEF RYDER: Yes, sir. Yes, sir.

9 MR. ENGELMANN: And I note, on page 6,
10 there's a reference to Police Orders.

11 CHIEF RYDER: Yes, sir.

12 MR. ENGELMANN: It says:

13 Binders and contents require
14 application to Policy and Planning
15 Branch."

16 Do you know what that means?

17 CHIEF RYDER: I can only assume the fact
18 that if you required a set; you didn't have one, you'd have
19 to apply to Policy and Planning to acquire a set.

20 MR. ENGELMANN: But, in any event, it's
21 listed that Police Orders shall be at each detachment
22 library if they're on this list.

23 CHIEF RYDER: That's correct.

24 MR. ENGELMANN: And, in fact, one of the
25 publications that has to be at the location is a schedule

1 of Force library publications.

2 CHIEF RYDER: That's correct.

3 MR. ENGELMANN: And then, if we turn to page
4 11, we have a list of in-service training manuals on that
5 page and on page 12.

6 CHIEF RYDER: Yes, sir.

7 MR. ENGELMANN: And these would have been --
8 this particular document is current as of February of 1989.

9 CHIEF RYDER: That's correct.

10 MR. ENGELMANN: So if we want to look for
11 child abuse, for example, on page 11 ---

12 CHIEF RYDER: Yes.

13 MR. ENGELMANN: -- we're told that that is
14 in-service training manual 44?

15 CHIEF RYDER: That's correct.

16 MR. ENGELMANN: And that it was most
17 currently revised in June of '82.

18 CHIEF RYDER: That's correct.

19 MR. ENGELMANN: All right.

20 And we'll come to an in-service manual
21 dealing with sex offences later on, but on page 12 there's
22 a reference to offences against a person. And it says at
23 No. 10, and I think that's the same number as the sex
24 offences one we'll come to ---

25 CHIEF RYDER: That's correct.

1 **MR. ENGELMANN:** So the name of this in-
2 service training manual would have changed at some point.

3 **CHIEF RYDER:** That's correct.

4 **MR. ENGELMANN:** Prior to 1989.

5 **CHIEF RYDER:** Yes, sir.

6 **MR. ENGELMANN:** Okay.
7 We're not able to determine when it was last
8 revised?

9 **CHIEF RYDER:** No, sir.

10 **MR. ENGELMANN:** And then there is some
11 reference to the numbers of these manuals. I'm not sure if
12 this is the number that is kept at a particular library or
13 at the head library. Are you able to help us with that?

14 I'm looking at the next couple of pages
15 where it says:

16 "Manual numbers and titles in current
17 use are listed below".

18 **CHIEF RYDER:** No, sir, I am not able to help
19 with that information.

20 **MR. ENGELMANN:** Okay, but we have those same
21 in-service training manuals listed there?

22 **CHIEF RYDER:** That's correct, sir.

23 **MR. ENGELMANN:** Now, again, if we had in-
24 service training manuals in a detachment library when would
25 -- was there a policy or an order, to your knowledge, and

1 it's going back on your own personal experience as to when
2 officers would actually look at them.

3 **CHIEF RYDER:** Well, I do know as a
4 probationary constable being directed by my coach officer
5 to read some of these in-service training manuals, I do
6 know that at times when there was promotional processes
7 certainly that seemed to be a time when the detachment
8 library -- there was more books signed out than other
9 times.

10 **MR. ENGELMANN:** Is that important? Are
11 there tests when you have promotions?

12 **CHIEF RYDER:** Yes, there would be some
13 tests. Back in my time, you had no idea what kind of
14 questions that you were going to be asked on. You know you
15 were going to be asked on questions, for example, on
16 investigations.

17 So you had to have a very, very broad
18 knowledge of how to do all sorts of investigations and what
19 the law requirements are. So you would really try to, I
20 guess, acquire as much knowledge as you could so that you
21 could have a chance at being successful.

22 **MR. ENGELMANN:** So that would be a time when
23 more officers sign these books out.

24 **CHIEF RYDER:** That's correct.

25 **MR. ENGELMANN:** Now, back in the seventies,

1 eighties and presumably parts of the nineties, if police
2 officers wanted to access the Police Orders, they would go
3 to the detachment library.

4 **CHIEF RYDER:** That's correct. And, of
5 course, there'd probably be almost daily use, depending on
6 the kind of investigations or administration. As the
7 officer is doing their work they would refer to Police
8 Orders several times. It could be on how you acquire
9 equipment, what reports that you had to put in and if you
10 had to send -- let's say, our discussion yesterday about
11 that teletype.

12 **MR. ENGELMANN:** Yes.

13 **CHIEF RYDER:** If you had to send in a
14 preliminary fatal investigation, a traffic accident
15 investigation, you would go to Police Orders and there'd be
16 the mandatory fields that you had to address when you did
17 these kind of notifications. So you'd take Police Orders
18 out and use that as a guide before you sent your message,
19 to make sure that you had a complete submission.

20 **MR. ENGELMANN:** All right.

21 And was there someone responsible for these
22 in-service manuals at a detachment?

23 **CHIEF RYDER:** I think it was just whoever
24 normally was working day shift with weekends off; sort of
25 had more administrative-type duties. It would be an

1 assignment. It wasn't a permanent assignment. It would be
2 rotated.

3 **MR. ENGELMANN:** And, again, if there were
4 changes to the in-service manuals, we note that there were
5 revisions from time to time when we look at that list at
6 26(c). How would those be brought to the attention of
7 officers?

8 **CHIEF RYDER:** Similar to the eight-day board
9 process, that memo that we just looked at would probably be
10 posted.

11 **MR. ENGELMANN:** All right.

12 **CHIEF RYDER:** And then after it was finished
13 to the eight-day board, it would be filed at the detachment
14 under the 26(c), under the 148-11 filing system at the
15 detachment.

16 **MR. ENGELMANN:** Okay. So an eight-day board
17 ---

18 **CHIEF RYDER:** --- and then into the file.

19 **MR. ENGELMANN:** How does that differ from
20 today?

21 **CHIEF RYDER:** We have a web page that our
22 officers on our internet site that can access all sorts of
23 information.

24 **MR. ENGELMANN:** Okay. Maybe we'll leave
25 that for just a bit later.

1 CHIEF RYDER: Okay.

2 MR. ENGELMANN: You can explain to us.

3 CHIEF RYDER: Okay.

4 MR. ENGELMANN: It's somewhat easier to do.

5 CHIEF RYDER: Yes, it is.

6 MR. ENGELMANN: And the officer can do it
7 right from his or her computer.

8 CHIEF RYDER: Definitely.

9 THE COMMISSIONER: Not every office has a
10 computer.

11 CHIEF RYDER: Not a personal computer
12 assigned, but all officers have access to computers and
13 would be on a computer each and every day.

14 THE COMMISSIONER: M'hm.

15 So let's go back to your outline then, sir,
16 and look at a couple of the in-service manuals. You were
17 able to find that pre-dates 1990?

18 CHIEF RYDER: Yes, sir.

19 MR. ENGELMANN: You list one at the top of
20 page 18 of the outline.

21 CHIEF RYDER: At the "Sex Crime" No. 10?

22 MR. ENGELMANN: Right.

23 And that is found at Tab 23.

24 CHIEF RYDER: That's correct.

25 (SHORT PAUSE/COURTE PAUSE)

1 **MR. ENGELMANN:** Now, this first page,
2 actually, the second page in, says "in-service training,
3 library edition, sex crimes 1976-77".

4 **CHIEF RYDER:** That's correct, sir.

5 **MR. ENGELMANN:** All right.

6 So this would be available in the detachment
7 library as one of those in-training service manuals?

8 **CHIEF RYDER:** Yes.

9 **MR. ENGELMANN:** And are they in these big
10 binders like police orders or are they in some other form?

11 **CHIEF RYDER:** No. These are duotang binders
12 and they would be in a -- at least going back to Bradford
13 days, we had a little library with a slot that had a No. 10
14 and it would be in that slot.

15 **MR. ENGELMANN:** So let's just run through
16 this quickly. It appears just from looking at the first
17 page of text there's a concern about the increase in sex --
18 or crimes of a sexual nature?

19 **CHIEF RYDER:** That's correct, sir.

20 **MR. ENGELMANN:** And we have, following on
21 page 2 onwards, a number of definitions ---

22 **CHIEF RYDER:** Yes, sir.

23 **MR. ENGELMANN:** --- that officers were given
24 dealing with various terms?

25 **CHIEF RYDER:** Yes, sir.

1 **MR. ENGELMANN:** Then, there's some reference
2 to characteristics of sexual offenders?

3 **CHIEF RYDER:** Yes, sir.

4 **MR. ENGELMANN:** I think it's important we
5 recall the time that this was written.

6 **CHIEF RYDER:** Yes. Yes, it's a little out
7 of date today.

8 **MR. ENGELMANN:** All right.

9 And then there is a description of the
10 various Criminal Code offences that deal with sex crimes or
11 that are sex crimes?

12 **CHIEF RYDER:** Yes, that were in place ---

13 **MR. ENGELMANN:** Starting at about page 8?

14 **CHIEF RYDER:** Yes. That were in place at
15 that time, page 9.

16 **MR. ENGELMANN:** Now, these sections have
17 changed over time.

18 **CHIEF RYDER:** Yes, they have.

19 **MR. ENGELMANN:** So for example, if we're
20 looking at historical child sexual abuse having some record
21 of old sections and old law might be useful. Is that fair?

22 **CHIEF RYDER:** That's fair.

23 **MR. ENGELMANN:** So we have a definition of
24 various sections and then, as well sometimes, a brief
25 description of a case that deals with the Criminal Code

1 provision?

2 **CHIEF RYDER:** That's correct, sir.

3 **MR. ENGELMANN:** And how -- if officers
4 wanted to know about changes to the law over time or
5 legislative amendments or recent case law, how would that
6 information get to you?

7 **CHIEF RYDER:** Well, once again, it's making
8 an assumption but obviously the in-service training we
9 would -- using sex crimes as an example -- I would expect
10 if there was a change in the law that put this information
11 out of date that there would be a revision package come out
12 to the attachment and, once again, that process of saying,
13 "Here is the revised library copy. Destroy these pages.
14 Here is the new pages" and it would be on the eight-day
15 board.

16 There is also -- it could be a memo that
17 comes out from the district crime unit back to the district
18 days that could indicate the fact that there was some
19 change in the law that required different types of police
20 procedures.

21 **MR. ENGELMANN:** And would the communication
22 of case law and/or legislative changes be different now
23 than when you started as a police officer?

24 **CHIEF RYDER:** They are much more readily
25 accessible.

1 **MR. ENGELMANN:** Okay. And would you have
2 seen changes throughout your 31 years in how that
3 information was communicated to you?

4 **CHIEF RYDER:** Yes.

5 **MR. ENGELMANN:** All right.

6 And was it ever communicated through
7 journals or other mechanisms?

8 **CHIEF RYDER:** Journals?

9 **MR. ENGELMANN:** Like a newspaper or internal
10 newspapers to the police, things of that nature.

11 **CHIEF RYDER:** We had the "Police Beat" for a
12 period of time that was prepared by our library that --
13 once again, under the auspices of new case law and how that
14 affected how our police officers should conduct their
15 business.

16 **MR. ENGELMANN:** Okay. And we'll hear about
17 some of the training that might have been offered to police
18 officers and other witnesses.

19 **CHIEF RYDER:** Yes, sir.

20 **MR. ENGELMANN:** So we have a description
21 here in Tab 23, "Sex Crimes", No. 10, of a number of
22 offences and some descriptor under each one?

23 **CHIEF RYDER:** Yes, sir.

24 **MR. ENGELMANN:** And as we noted, sometimes a
25 reference to relevant case law?

1 CHIEF RYDER: Yes.

2 MR. ENGELMANN: Then there is also some
3 recommendations or guidelines as to how one might want to
4 investigate ---

5 CHIEF RYDER: That's correct, sir.

6 MR. ENGELMANN: --- certain sex offences and
7 that starts at page 24.

8 CHIEF RYDER: Yes, sir.

9 MR. ENGELMANN: And I note in that section
10 there's also a reference to interviewing a child victim.

11 CHIEF RYDER: That is correct.

12 MR. ENGELMANN: So this presumably not only
13 deals with sex crimes generally but there is some concern
14 about sex crimes against children and how you might want to
15 interview children?

16 CHIEF RYDER: Most definitely.

17 MR. ENGELMANN: And I note, sir, there's
18 even a reference, but I think this is to a juvenile alleged
19 offender as opposed to victim on page 27?

20 CHIEF RYDER: That's correct. Its some
21 rules while you are interviewing a juvenile suspect.

22 MR. ENGELMANN: Sorry, it's suspect, yes.

23 (SHORT PAUSE/COURTE PAUSE)

24 MR. ENGELMANN: And then there is
25 instructions on dealing with medical evidence?

1 CHIEF RYDER: It's a collection of evidence.

2 MR. ENGELMANN: Right.

3 And then, again, you have a glossary of
4 terms in the appendices?

5 CHIEF RYDER: Yes, sir.

6 MR. ENGELMANN: I must say, some interesting
7 reading.

8 And then, also, references to nine judges'
9 rules?

10 CHIEF RYDER: Yes, sir.

11 MR. ENGELMANN: Do you have some
12 recollection as to what that's about?

13 CHIEF RYDER: Well, it's on admissibility of
14 evidence.

15 MR. ENGELMANN: All right.

16 Is there -- I didn't notice any reference to
17 historical sexual assaults here, but I assume this was to
18 deal with sex crimes or sex offences generally?

19 CHIEF RYDER: That's correct.

20 MR. ENGELMANN: And we're not sure when this
21 was revised?

22 CHIEF RYDER: No, we're not.

23 MR. ENGELMANN: This is the only copy of a
24 sex crimes in-service training manual that was available
25 from the OPP Central Library?

1 CHIEF RYDER: That's correct.

2 MR. ENGELMANN: We do know, according to
3 that earlier tab we looked at, that as at February of '89,
4 No. 10 is now called "Offences Against a Person".

5 CHIEF RYDER: That's correct.

6 MR. ENGELMANN: So presumably, there had
7 been an overhaul of some sort of this training manual?

8 CHIEF RYDER: That would be my assumption.

9 MR. ENGELMANN: But we're not sure how many
10 times that happened or when that happened between '75-76
11 and 1989?

12 CHIEF RYDER: No, I'm not aware of that, no.

13 MR. ENGELMANN: And in fact, the
14 "Offences Against the Person No. 10" from 1989, we don't
15 have either? We don't have a copy of that?

16 CHIEF RYDER: Of the "Offences Against the
17 Person"?

18 MR. ENGELMANN: Yes.

19 CHIEF RYDER: No, we don't.

20 MR. ENGELMANN: The one that replaces this,
21 the successor?

22 CHIEF RYDER: No, we don't.

23 MR. ENGELMANN: All right.

24 Then, you were able to find, with the help
25 of a librarian, no doubt; is that fair?

1 CHIEF RYDER: At the same time.

2 MR. ENGELMANN: Yes -- a manual entitled
3 "No. 44, Child Abuse"?

4 CHIEF RYDER: That's correct.

5 MR. ENGELMANN: And I note just from about
6 the second or third page in there's a stamp and it says
7 that this was amended to October of 1989.

8 CHIEF RYDER: That's correct.

9 MR. ENGELMANN: And we know from that
10 previous document we looked at, 26(c), that in February of
11 '89 this particular in-service training manual had not been
12 amended since June of '82.

13 CHIEF RYDER: That's correct.

14 MR. ENGELMANN: But something happened
15 presumably in or about 1989 which led to these revisions?

16 CHIEF RYDER: That's correct, sir.

17 MR. ENGELMANN: In fact, I note in this
18 document there is a reference to C-15 and changes to the
19 Criminal Code.

20 CHIEF RYDER: That's correct.

21 MR. ENGELMANN: Starting in 1988?

22 CHIEF RYDER: Yes, sir, there is.

23 MR. ENGELMANN: Now, we don't have the 1982
24 or any other versions of the child abuse in-service
25 training manual?

1 CHIEF RYDER: No, I don't.

2 MR. ENGELMANN: This is it?

3 CHIEF RYDER: This is it.

4 MR. ENGELMANN: All right.

5 So again, this would be in a duotang and
6 this would be available or should be available in a
7 detachment library?

8 CHIEF RYDER: That is correct.

9 MR. ENGELMANN: And constables should look
10 at this, presumably, when they're -- I forget the term you
11 used, at the beginning, probationary?

12 CHIEF RYDER: Probationary. It should be as
13 part of their continuous learning.

14 MR. ENGELMANN: Right, and then, of course,
15 if they are seeking a promotion that might be a time when
16 they would look at it?

17 CHIEF RYDER: That would be a time, I'm
18 sure, that they would look at a lot of publications in the
19 library.

20 MR. ENGELMANN: And again, like with the
21 earlier one we looked at for sex crimes, there are
22 descriptions of applicable legislation?

23 CHIEF RYDER: Yes, there is.

24 MR. ENGELMANN: And with descriptors
25 starting at about page 8?

1 CHIEF RYDER: Yes, sir.

2 MR. ENGELMANN: And for example, I'm looking
3 at page 14, the second full paragraph:

4 "Corroboration of a child's unsworn
5 testimony is no longer required".

6 CHIEF RYDER: That's correct, sir.

7 MR. ENGELMANN: And this is in a revised
8 version of the child abuse training manual?

9 CHIEF RYDER: Yes, and this goes back to our
10 earlier discussion about a way of notifying our officers of
11 new legislation and this is probably a perfect example
12 where a revised training manual came to the detachment to
13 reflect new legislation.

14 MR. ENGELMANN: I note, just having skimmed
15 through this, there are a number of occasions where it says
16 "no longer required" or something about a change.

17 CHIEF RYDER: That is correct.

18 MR. ENGELMANN: All right.

19 Now, the document also makes a reference to
20 responsibilities of police officers at page 27.

21 CHIEF RYDER: Yes, sir.

22 MR. ENGELMANN: And that carries on through
23 page 29?

24 CHIEF RYDER: That is correct.

25 MR. ENGELMANN: And it references the fact -

1 - it references a couple of subsections of the police
2 orders?

3 **CHIEF RYDER:** Yes, it does. It refers to
4 sections 1375.1 and 1375.2 of Police Orders in Part 10.

5 **MR. ENGELMANN:** Okay. And my understanding
6 is that, at least from what we see on page 28, that those
7 particular police orders refer directly to requirements
8 under the *Child and Family Services Act*?

9 **CHIEF RYDER:** That is correct.

10 **MR. ENGELMANN:** For example, the duty to
11 report that officers had?

12 **CHIEF RYDER:** Yes.

13 **MR. ENGELMANN:** Along with other
14 professions?

15 **CHIEF RYDER:** That is correct, sir.

16 **MR. ENGELMANN:** So we know that there's some
17 reference to responsibilities of police officers under the
18 *Child and Family Services Act* that were incorporated into
19 police orders as at the time of this publication?

20 **CHIEF RYDER:** That's correct.

21 **MR. ENGELMANN:** Which is at or about 1989?

22 **CHIEF RYDER:** Yes, sir.

23 **MR. ENGELMANN:** And in fact, that seems to
24 be elaborated on a little bit on page 29 with respect to
25 police officers involvement with the CAS and, again, the

1 reference to the *Child and Family Services Act*?

2 **CHIEF RYDER:** That's correct, under No. 2.

3 **MR. ENGELMANN:** Yes.

4 And there is also a descriptor on page 31
5 and 32 about the offender and some views that are expressed
6 about the typical offender, reasons for abuse, et cetera?

7 **CHIEF RYDER:** Yes, it was laid out in this
8 particular part of the manual.

9 **MR. ENGELMANN:** And as well, we see a
10 reference again to preparing for an interview and some
11 aspects about what's important when interviewing an alleged
12 victim of child abuse?

13 **CHIEF RYDER:** That is correct.

14 **MR. ENGELMANN:** Now, this is, again, in-
15 service training and the direction that's given here and
16 the training that's given, these are suggestions or
17 recommendations as to how, say, a police officer should
18 conclude an interview, how they should conduct an
19 interview, where they should conduct an interview, et
20 cetera?

21 **CHIEF RYDER:** Yes, sir.

22 **MR. ENGELMANN:** These aren't formal orders
23 but they are recommendations or suggestions that ---

24 **CHIEF RYDER:** They certainly are.

25 **MR. ENGELMANN:** --- should guide perhaps

1 officers in how they fulfill these functions?

2 CHIEF RYDER: Certainly, when there is new
3 legislation ---

4 MR. ENGELMANN: Yes.

5 CHIEF RYDER: --- these guidelines are very
6 important.

7 MR. ENGELMANN: Yes, and I would think when
8 they refer -- when an in-service training guideline
9 actually refers to a Police Order ---

10 CHIEF RYDER: That's correct.

11 MR. ENGELMANN: --- with respect to a
12 legislative requirement that's of some significance.

13 CHIEF RYDER: Yes, it is.

14 MR. ENGELMANN: Perhaps of greater
15 significance is ---

16 CHIEF RYDER: Of greater significance.

17 MR. ENGELMANN: All right.

18 And I understand as well, sir, that there
19 was a training manual dealing specifically with
20 interviewing witnesses ---

21 CHIEF RYDER: Yes.

22 MR. ENGELMANN: --- that you were able to
23 find.

24 CHIEF RYDER: Yes, No. 48, and that manual -
25 --

1 MR. ENGELMANN: Is that the manual we see at
2 Tab 25 of the book?

3 CHIEF RYDER: Yes, it is.

4 MR. ENGELMANN: Again, this manual here, if
5 we look at the second page, dated 1982-83?

6 CHIEF RYDER: Yes, sir.

7 MR. ENGELMANN: And if memory serves me,
8 this is No. 48?

9 CHIEF RYDER: Yes, it is.

10 MR. ENGELMANN: Yes, the date of the most
11 current revision was June of '83. So this -- as of
12 February '89 this is still presumably current according to
13 the schedule listings in 26(c)?

14 CHIEF RYDER: That's correct.

15 MR. ENGELMANN: And again, this is an in-
16 service training manual that should have been available in
17 detachment libraries?

18 CHIEF RYDER: Yes, sir.

19 MR. ENGELMANN: I'll just be a moment.
20 There is just a caption near the beginning
21 about the "qualities of a good investigator".

22 CHIEF RYDER: Yes, sir.

23 MR. ENGELMANN: And "interviewing processes
24 and techniques, developing rapport, documenting, interview
25 model", et cetera, the "timing, place".

1 CHIEF RYDER: Yes.

2 MR. ENGELMANN: I'm just wondering -- I
3 mean, we're talking about in-service training that is
4 setting something out in 1982-83. I don't know if you have
5 had an opportunity to look at this and I am just wondering
6 if some of those same qualities and suggestions that are
7 set out there are still applicable today.

8 CHIEF RYDER: Yes, some would be applicable
9 today.

10 MR. ENGELMANN: And again, there is a
11 reference to "caution when you are dealing with juveniles"?

12 CHIEF RYDER: That's correct.

13 MR. ENGELMANN: And there is a specific
14 section starting at page 19 dealing with interviewing crime
15 victims.

16 CHIEF RYDER: Yes, sir.

17 MR. ENGELMANN: And issues about dealing
18 with victims of rape in particular.

19 CHIEF RYDER: That is correct.

20 MR. ENGELMANN: And there are checklists for
21 conducting victim witness interviews starting on page 23.

22 CHIEF RYDER: Yes, sir.

23 MR. ENGELMANN: About some of the things
24 that one might be looking for in interviewing a victim of
25 crime.

1 **CHIEF RYDER:** Yes, it's a checklist to
2 ensure that all the different areas are covered.

3 **MR. ENGELMANN:** And that seems to be fairly
4 generic in nature.

5 **CHIEF RYDER:** It is generic.

6 **MR. ENGELMANN:** I must say, I particularly
7 enjoyed Appendix 1 about "body signals can help you read a
8 person's mind" but I will leave that for people to read.
9 They seem to be quite positive no matter what it is that
10 you are doing.

11 **CHIEF RYDER:** That's correct.

12 **MR. ENGELMANN:** All right.

13 Okay. So those were the in-service training
14 manuals that you were able to find that were in any way
15 relevant to what we are dealing with here, investigations
16 of sexual offences, child sexual abuse, et cetera.

17 **CHIEF RYDER:** I hope that the librarian was
18 able to ---

19 **MR. ENGELMANN:** That the librarian was able
20 to find it through your direction.

21 **CHIEF RYDER:** At my request.

22 **MR. ENGELMANN:** At your request, yes.

23 **CHIEF RYDER:** Thank you.

24 **MR. ENGELMANN:** Let's give credit where
25 credit is due.

1 CHIEF RYDER: Yes.

2 MR. ENGELMANN: All right.

3 And sir, as I understand it, aside from the
4 listing or schedule of Force library publications that were
5 in existence as at 1989 at 26(b) there is a schedule of
6 Ontario Provincial Police Library publications available as
7 at 1993?

8 CHIEF RYDER: That is correct.

9 MR. ENGELMANN: And then, again, we have at
10 26(a) a more recent listing or schedule of publications and
11 video inventory, and this is -- again, the reference here
12 is to OPP Regional Headquarters and Detachment Resource
13 Centers.

14 CHIEF RYDER: That is correct and you can
15 see now as emerging technology that now some of the
16 publications are actually links to Internet sites.

17 MR. ENGELMANN: Yes. So for example, if we
18 look through the publication, 26(a), under "Publications
19 and Statutes" there are links to get various federal and/or
20 provincial statutes?

21 CHIEF RYDER: That is correct.

22 MR. ENGELMANN: And we actually see links
23 for several other things as well.

24 CHIEF RYDER: That's right.

25 MR. ENGELMANN: Including your police

1 orders?

2 CHIEF RYDER: Yes, sir.

3 MR. ENGELMANN: And then you have a video
4 inventory of videos. These are videos that are available
5 at each detachment's library?

6 CHIEF RYDER: That is correct.

7 MR. ENGELMANN: And now these detachment
8 libraries are known as detachment resource centers?

9 CHIEF RYDER: That is right.

10 MR. ENGELMANN: Just before we leave this
11 area, can you tell us a little bit about the Eric Silk
12 Library, where that is and how it's accessible to members
13 of the Ontario Provincial Police?

14 CHIEF RYDER: Yes. It's located at our
15 General Headquarters in Orillia on our main floor on what
16 we call the public street. It's accessible to the public.
17 It's accessible to our members.

18 Prior to the ability for the library to be
19 fully online where now officers can access publications
20 from their work locations through the Internet, they
21 provided services where -- either by email or by a
22 telephone call. The librarian would search the particular
23 inventory that she has in the library for books relating
24 to, or for publications/videos with regard to a specific
25 topic and if there were some relevant materials then the

1 librarian would facilitate getting these materials to the
2 officers by way of courier, by way of regular mail but now,
3 as I say, we do have a catalogue that allows the officers
4 to be able to access and order their own materials.

5 **MR. ENGELMANN:** And I understand, sir, that
6 this new system -- it's accessibility to the library
7 through your Intranet?

8 **CHIEF RYDER:** That is correct.

9 **MR. ENGELMANN:** Has been available now for
10 approximately three years?

11 **CHIEF RYDER:** That is correct.

12 **MR. ENGELMANN:** All right.

13 And you say that the:

14 "Access to the Erik Silk Library
15 research online via the Intranet is now
16 expedient and provides users with a
17 wide breadth of material and
18 sophisticated research can be done and
19 desired books can be ordered."

20 **CHIEF RYDER:** That is correct.

21 **MR. ENGELMANN:** And I understand at Tab 27
22 what you've done is you have tried to give us an indication
23 in paper form about how an officer from a computer can
24 access some of these materials?

25 **CHIEF RYDER:** Yes, sir.

1 **MR. ENGELMANN:** Do you want to just take us
2 through that briefly? I understand that the site itself is
3 only accessible to OPP members?

4 **CHIEF RYDER:** That is correct.

5 **MR. ENGELMANN:** And so we don't have an
6 actual demonstration but what you have done is you've
7 provided us with some hard copies at Tab 27 to explain how
8 an officer can do a search; for example, of perhaps a
9 relevant topic to our discussion here.

10 **CHIEF RYDER:** I'd be pleased to do that.

11 So looking at the screen now this is what an
12 officer would see when they would call up our Intranet page
13 and the first -- as obviously, you'll see that there is
14 some items that are in the news. So this is also an
15 opportunity for our officers to be kept up to date on
16 current events. So it gives them a reason to go to that
17 page.

18 **MR. ENGELMANN:** So this is the home page?

19 **CHIEF RYDER:** This is the home page of
20 connections. I earlier talked about the superintendent
21 being promoted to chief. That would have been under that
22 executive appointment that you see here. That's how recent
23 that that happened.

24 So if I was to click on "Police Orders" top
25 right-hand side of the page, the next screen you would get

1 is a screen called "Police Orders".

2 MR. ENGELMANN: That's what we have now
3 coming up on our screen?

4 CHIEF RYDER: That is correct. And you can
5 see that there is a link "OPP Orders May 2006 Revision".

6 Just like we did hardcopy revisions, this is
7 the electronic revision. So this would alert our officers
8 that there has been a revision of police orders and when
9 they were to click on that particular link they would be
10 advised of what the substance of those revisions were and
11 they would have access to police orders, all the volumes of
12 police orders so that they could do whatever search they
13 wanted to do and access the different parts of police
14 orders.

15 MR. ENGELMANN: So I'm on the computer as
16 constable, I'm looking at this page now, and if I want
17 police orders dealing with victim assistance I know to go
18 to Chapter 3?

19 CHIEF RYDER: That's correct.

20 MR. ENGELMANN: All right.

21 CHIEF RYDER: And if we could go back to the
22 page 1 of this tab?

23 MR. ENGELMANN: "Police" -- sorry.

24 CHIEF RYDER: Which is the home page again.
25 Just to outline another resource available,

1 staying on the right-hand side of the page, you can see
2 "Case Law Updates" and if you were to click on that link --
3 -

4 **MR. ENGELMANN:** It's about a third of the
5 way down the page, sir?

6 **CHIEF RYDER:** That is correct.

7 **MR. ENGELMANN:** All right.

8 **CHIEF RYDER:** Then, the "Case Law Updates",
9 I guess, home page would come up.

10 **MR. ENGELMANN:** It should be the third
11 document then. Yes, there we go.

12 **CHIEF RYDER:** And you can see there's
13 resources here; the Canadian Legal Information Institute,
14 case law -- a direct link to that site -- the Police Beat,
15 which summarizes court decisions and new legislation and
16 that is prepared by our librarian. There is some advanced
17 patrol training newsletters and the Police Law Digest. You
18 can note, if you scroll down on this particular page --
19 continue -- there is some recent court decisions that have
20 been highlighted on this particular page.

21 **MR. ENGELMANN:** So what if -- are we getting
22 the actual decision there?

23 **CHIEF RYDER:** Yes.

24 **MR. ENGELMANN:** Are we getting a commentary
25 on it?

1 **CHIEF RYDER:** Yes. You will get the
2 decision. You would be able to click on that case law and
3 get more details.

4 **MR. ENGELMANN:** And then this publication we
5 talked about earlier, Police Beat ---

6 **CHIEF RYDER:** Yes.

7 **MR. ENGELMANN:** --- might have a descriptor
8 about the decision?

9 **CHIEF RYDER:** It might give you a short
10 summary of the decision and how that impacts on day-to-day
11 policing.

12 **MR. ENGELMANN:** All right.

13 **CHIEF RYDER:** So once again, if we were to
14 go back to the home page, and then if we could scroll down
15 and now look at the left side under "Support and Services"
16 you'll see there is a directories -- "Research and
17 Resources". If we were to click on "Research and
18 Resources" we would get the Research and Resources home
19 page. This is a wealth of information with regard to all
20 sorts of information available to officers.

21 So if we could click on our library we would
22 get the "Introduction to the Erik Silk Library" as depicted
23 on the screen.

24 **MR. ENGELMANN:** M'hm.

25 **CHIEF RYDER:** And if you look to the left

1 under "Erik Silk Library" on the third bullet down it talks
2 about library catalogues.

3 So if you were to click on library catalogue
4 you would get the next screen.

5 **MR. ENGELMANN:** There it is, yes.

6 **CHIEF RYDER:** So you'll have a -- this is a
7 search screen, and for purposes of this demonstration I
8 typed in the words "child abuse" and then I would have
9 typed the -- hit submit query and then I would have
10 received some results.

11 **MR. ENGELMANN:** So we have 95 searches found
12 or 95 records?

13 **CHIEF RYDER:** That's correct. And you can
14 see, as the 95 records comes up there's a title, there's an
15 author if applicable, date of the publication and then the
16 format. It may be a book. It might be a video. It could
17 be a journal. And there's a -- and I'll get to soon --
18 there's a link to "view items". So if you want to get more
19 specific information about that particular publication you
20 can click on view item and you will get something that will
21 pop up that will describe more about the article.

22 **MR. ENGELMANN:** So just after those 95 are
23 listed, if we want to just flip ahead.

24 **CHIEF RYDER:** Yes. So that -- it's just
25 that I've shown all 95 in this particular one. So you can

1 go to where I clicked on number 63, page 12. So if an
2 officer was to click on number 63 they would get the title
3 of the book, the author. There would be a source of the
4 information, and they'd give you an abstract.

5 In this particular article it's discussed
6 the nature and symptoms of the four categories of child
7 abuse, physical abuse, neglect, sexual abuse and emotional
8 maltreatment. And there's a notation to "add to cart", and
9 so if an officer wanted that publication they could click
10 and that would start ordering that publication for that
11 officer.

12 I provided ---

13 **MR. ENGELMANN:** You provided an example for
14 number 64 and number 77 as well ---

15 **CHIEF RYDER:** That's correct.

16 **MR. ENGELMANN:** --- on the next couple of
17 pages.

18 **CHIEF RYDER:** Yes, I did.

19 **MR. ENGELMANN:** And then you did another
20 search, did you not?

21 **CHIEF RYDER:** Yes. I did another search,
22 and that's on page 15, and on sexual abuse. And when I
23 submitted that query -- and I didn't reproduce them all,
24 but I had 112 records.

25 **MR. ENGELMANN:** You have the first 20

1 listed?

2 CHIEF RYDER: I have the first 20 listed.

3 MR. ENGELMANN: All right.

4 And again, we have the title, the author,
5 the date, the format ---

6 CHIEF RYDER: That's correct.

7 MR. ENGELMANN: --- and the ability to view
8 the item?

9 CHIEF RYDER: And the ability to view and
10 order.

11 MR. ENGELMANN: And sir, you have a couple
12 of other references here to the Erik Silk Library.

13 CHIEF RYDER: Yes, I do.

14 MR. ENGELMANN: --- and Research and
15 Resources. Can you just explain those as well?

16 CHIEF RYDER: Yes. This is -- under
17 Reference Services you'll get the link for -- if you scroll
18 down -- sorry, this would be on page 17. Scroll down.
19 You'll see the reference to the detachment resources
20 centers and a link to the Schedule of Publications and
21 Video Inventory, and that is the ---

22 MR. ENGELMANN: This is the 26(a) that we
23 looked at?

24 CHIEF RYDER: The 26(a) that is in our
25 materials.

1 **MR. ENGELMANN:** Okay.

2 **CHIEF RYDER:** And then if we were to go page
3 18, once again we're going back to the Research and
4 Resources page, and if we could scroll down you can see
5 that there is a Community Policing Resource Centre
6 database, and if you scroll up just a bit there's "Adequacy
7 Standards" under "Library", and if you were to click on
8 that and go to page 19 there would be the information
9 around the Adequacy Standards. You could click right to
10 the regulations. And if you scroll down you will see
11 significant information, that you could continue to get
12 information on adequacy and effectiveness of police
13 regulation, all chief's memorandum, an overview of the
14 regulations, guide to questions and answers, et cetera, as
15 a resource.

16 Then, if you were to go to page 20 there is
17 another screen that you can get to from the research page.
18 If you scroll down these are operational field briefings
19 and you can list them by year or topic.

20 So you can see here that this is -- by doing
21 a list by topic you will get a list of all the operational
22 field briefings that have been in place.

23 **MR. ENGELMANN:** Can you just tell us briefly
24 what that is, an operational field briefing?

25 **CHIEF RYDER:** It's information that's sent

1 out to the detachment to assist. It's sort of like an in-
2 service, mini in-service training.

3 So with regard, there's a lot more
4 information on that Intranet site but I wanted to give you
5 a flavour of how quickly officers can navigate this
6 Intranet site and get a wealth of information, and I
7 tailored it somewhat here with regard to information about
8 sexual abuse, child abuse.

9 **MR. ENGELMANN:** Okay. Thanks very much.

10 **THE COMMISSIONER:** Let's take a break.

11 We're on break 15 minutes. Thank you.

12 **THE REGISTRAR:** Order. All rise. À l'ordre.
13 Veuillez vous lever.

14 The hearing will reconvene at 11:35 a.m.

15 --- Upon recessing at 11:22 a.m./

16 L'audience est suspendue à 11h22

17 --- Upon resuming at 11:41 a.m./

18 L'audience est reprise 11h41

19 **THE REGISTRAR:** Order. All rise. À
20 l'ordre. Veuillez vous lever.

21 This hearing of the Cornwall Public Inquiry
22 is now in session.

23 Please be seated. Veuillez vous asseoir.

24 **M.F. (FRANK) RYDER, Resumed/Sous le meme serment:**

25 --- **EXAMINATION IN-CHIEF BY/INTERROGATOIRE EN-CHEF PAR MR.**

1 **ENGELMANN (Cont'd./Suite)**

2 **THE COMMISSIONER:** So where are you taking
3 us now, Mr. Engelmann?

4 **MR. ENGELMANN:** I'm happy to say we're going
5 to take on another one of these books. This book is a
6 little -- well, actually it's probably as thick. It's
7 Volume 3. It should say "Book of Documents - Ontario
8 Provincial Police Community Policing". It will not take
9 nearly as long to go through. We have dealt with this
10 topic to some extent with Chief Parkinson from the Cornwall
11 Police Service.

12 **THE COMMISSIONER:** M'hm.

13 **MR. ENGELMANN:** But we want the OPP
14 perspective on it and what they've done with respect to
15 community policing, and Chief Ryder is going to talk to us
16 about that.

17 So again, as with other volumes, we have an
18 outline of the evidence.

19 **CHIEF RYDER:** Yes, sir.

20 **MR. ENGELMANN:** That's at Tab 1.

21 **CHIEF RYDER:** Yes, sir.

22 **MR. ENGELMANN:** And that's prepared by
23 counsel but you had some input into that?

24 **CHIEF RYDER:** Yes, I did.

25 **MR. ENGELMANN:** And it sets out in summary

1 fashion some background from the OPP's perspective on
2 community policing?

3 **CHIEF RYDER:** Yes, sir.

4 **MR. ENGELMANN:** So before I get into the
5 specifics of the outline, I'd like you to just talk to us
6 generally about community policing, and I know that the OPP
7 has a philosophy on it, and I think it's at Tab 14. So if
8 you do want to refer to that. I just want to get a sense
9 from you about community policing from an OPP perspective.

10 **CHIEF RYDER:** Well, I'll start off by making
11 some general comments, if I may. I mean, obviously the OPP
12 has adopted a philosophy of community policing, which I
13 will get to in a little while. But certainly community
14 policing is important in the delivery of policing services
15 because it's about police and the community working
16 together to support each others efforts to make our
17 community safe and to improve the overall feeling of safety
18 while being -- and to reduce victimization.

19 Community policing strengthens
20 relationships, develops awareness and understanding and
21 reduces the fear of police, and enhances and supports
22 positive police and community communication, builds and
23 sustains strong positive relationships with the community,
24 supports intelligence gathering from a practical point of
25 view, information sharing and reporting.

1 It certainly supports outreach and
2 diversity, and it is the fundamental philosophy or
3 principle under which all our policing services is
4 delivered.

5 If I can take you to Tab 14?

6 **MR. ENGELMANN:** Sure.

7 **CHIEF RYDER:** This OPP policing philosophy
8 is listed in our Police Orders that we referred to several
9 times. And the statement is that:

10 "Community policing is a fundamental
11 principal under which all our policing
12 services will be delivered."

13 And then there are six bullets that indicate how we intend
14 to do that.

15 **MR. ENGELMANN:** And where would we find this
16 OPP policing philosophy? Where does it come from? Where
17 is it set out?

18 **CHIEF RYDER:** It's set out in OPP Police
19 Orders in the "Introduction of Police Orders".

20 **MR. ENGELMANN:** Okay. And if you want to
21 take us through or elaborate on any of those, sir -- I
22 think you've touched upon several just in what you've just
23 told us. Certainly, in the second bullet:

24 "Providing policing services that are
25 consistent with identified concerns,

1 expectations and needs requires some
2 communication with members of the
3 community and community stakeholders."

4 **CHIEF RYDER:** That's correct.

5 And one of the other ones I might want to
6 speak to is:

7 "Create an open and a responsive
8 working environment which encourages
9 commitment and creativity by all
10 members in the design and application
11 of community policing services."

12 And the fifth:

13 "Increase our effectiveness through the
14 application of innovative reactive and
15 proactive policing services."

16 **MR. ENGELMANN:** Now, this particular inquiry
17 is dealing with allegations of historical abuse against
18 young people in the Cornwall area.

19 **CHIEF RYDER:** M'hm.

20 **MR. ENGELMANN:** And we've heard from experts
21 dealing with this type of abuse, in particular sexual abuse
22 of children, and they told us there are -- that these types
23 of crimes are under-reported or in some cases just not
24 reported at all.

25 **CHIEF RYDER:** Yes, sir.

1 **MR. ENGELMANN:** And they've talked about
2 some of the difficulties that people have coming forward
3 talking about being abused or being sexually abused. And
4 some of those concerns and some of those difficulties have
5 dealt with a relationship with the police.

6 **CHIEF RYDER:** That's correct.

7 **MR. ENGELMANN:** And for example, we've heard
8 concerns from context witnesses about alleged victims may
9 feel intimidated or a fear of police officers. They may
10 fear -- they may sense that they're not going to be
11 believed. There may be some apathy or indifference or
12 insensitivity. Those concerns have been raised as possible
13 reasons for under-reporting or not reporting.

14 I'm wondering how, if at all, community
15 policing might address some of those concerns.

16 **CHIEF RYDER:** I would be pleased to answer
17 that question. I certainly want to qualify my remarks that
18 I'm no way an expert in, I guess, the dynamics of why
19 victims come forward or do not come forward, but certainly
20 from the perspective of community policing, from my earlier
21 comments obviously it's about maintaining and building
22 effective relationships within the community within all
23 segments of the community.

24 I did have an opportunity to review some of
25 Dr. Wolfe's testimony about the complexity and all the

1 different factors that are brought to bear that make it
2 difficult for victims to come forward. Certainly, if in
3 particular circumstances it is fear of the police or
4 mistrust of the police or just a lack of awareness of the
5 process and how that process might unfold, there is a
6 possibility that a strong community relationship with the
7 police may facilitate an opportunity for these people to
8 come forward to report their victimization.

9 However, having said that, and once again
10 reading Dr. Wolfe's testimony and the many other factors, I
11 just don't know how much community policing would affect
12 that because, in the evidence of Dr. Wolfe, it's very, very
13 difficult for victims to confide in family members,
14 friends, and whether or not a very strong effective
15 community policing environment might increase the reporting
16 by victims, I just don't think it would have a significant
17 impact.

18 On the other hand, strong community
19 relations, strong involvement in the community and the many
20 opportunities that we can engage the community in
21 discussions around sexual abuse and victimization. There's
22 a possibility that there will be increased awareness of
23 other community members, like neighbours and teachers that
24 may look for, or get a sense that there may be some problem
25 happening with a child or if somebody has disclosed to them

1 about a historic sexual assault, there's a possibility that
2 we might get third party complaints.

3 MR. ENGELMANN: All right.

4 So if it addresses the actual concern -- if
5 one of the concerns is fear of police or distrust,
6 disbelief, it may help with that issue.

7 CHIEF RYDER: That's correct.

8 MR. ENGELMANN: It may also help, as you
9 say, third parties come forward.

10 CHIEF RYDER: That's correct.

11 MR. ENGELMANN: And you talked about,
12 "supports intelligence gathering".

13 CHIEF RYDER: Yes.

14 MR. ENGELMANN: Is that consistent with that
15 comment?

16 CHIEF RYDER: Yes.

17 MR. ENGELMANN: Okay. What about, I mean,
18 some of the community policing obviously is interactions
19 with youth and schools.

20 CHIEF RYDER: That's correct.

21 MR. ENGELMANN: One of the other issues
22 we've heard about is that sometimes victims of child sexual
23 abuse don't know at that time that they're actually being
24 victimized. It's something that they discover later. How,
25 if at all, does community policing possibly address that?

1 **CHIEF RYDER:** Well, I think once again, it
2 would be in education and awareness, interactions with the
3 community, at the schools, with regard to advising
4 children, for example, just like we do now on Internet
5 safety, that letting them know when things are
6 inappropriate, that that might bring forward victims to
7 disclose either directly to the police or through a third
8 party.

9 **MR. ENGELMANN:** Do you see community
10 policing having a role say, with agencies like minor hockey
11 or other youth-serving agencies ---

12 **CHIEF RYDER:** Yes, sir.

13 **MR. ENGELMANN:** --- promoting education and
14 awareness?

15 **CHIEF RYDER:** Yes, I would.

16 **MR. ENGELMANN:** Sir, then just looking at
17 your outline, you've run through for us some of the
18 "Declarations of Principle". They're set out on the first
19 page of your outline.

20 **CHIEF RYDER:** This is the provincial
21 legislation under the *Police Services Act*.

22 **MR. ENGELMANN:** I'm sorry. Yes.

23 And the requirement of the community
24 policing model has been set out since when?

25 **CHIEF RYDER:** Since 1990. The opening

1 section of the *Police Services Act* sets out a declaration
2 of a principle which highlights the emphasis on community
3 policing.

4 **MR. ENGELMANN:** Sir, I note, for example,
5 the third one. I think you've talked a little bit about
6 this from the perspective of the OPP principles, about that
7 need for cooperation.

8 **CHIEF RYDER:** Most definitely.

9 **MR. ENGELMANN:** Okay.

10 Do you have anything to add on the fourth
11 point?

12 **CHIEF RYDER:** Well, certainly the importance
13 of respect to victims of crime and understanding their
14 needs. That goes back to our Promise ---

15 **MR. ENGELMANN:** M'hm.

16 **CHIEF RYDER:** --- of being able to treat
17 everyone with respect and understanding what they're going
18 through and trying to provide them with necessary support.

19 **MR. ENGELMANN:** Okay.

20 It appears five and six also are set out
21 here in your Promise about diversity ---

22 **CHIEF RYDER:** That's correct.

23 **MR. ENGELMANN:** --- and issues of that
24 nature.

25 **CHIEF RYDER:** Yes, sir.

1 **MR. ENGELMANN:** Now, aside from being in the
2 *Police Services Act* the concept of and development of
3 community policing is also a requirement in the Adequacy
4 Regulations. Is that correct?

5 **CHIEF RYDER:** Yes it is, sir.

6 **MR. ENGELMANN:** And you set that out on the
7 second page of your outline?

8 **CHIEF RYDER:** Yes, I do.

9 **MR. ENGELMANN:** Okay. And in fact, sir, at
10 Tab 3, those regulations are reproduced?

11 **CHIEF RYDER:** Yes, they are.

12 **MR. ENGELMANN:** And you've cited several
13 sections of the regulations ---

14 **CHIEF RYDER:** Yes, I did.

15 **MR. ENGELMANN:** --- that touch upon
16 community policing?

17 **CHIEF RYDER:** Yes, sir. And there are, if I
18 could take you to Tab 4, there are also references in the
19 Policing Standards Manual, in relation to community
20 policing.

21 **MR. ENGELMANN:** All right.

22 So these work together with those Adequacy
23 Regulations?

24 **CHIEF RYDER:** That's correct.

25 **MR. ENGELMANN:** I don't know if we've talked

1 about this earlier, but you explained what the Policing
2 Standards Manual is at paragraph 3.

3 **CHIEF RYDER:** That's correct. That manual
4 is published by our Policing Services division and the
5 Ministry of the Solicitor General, at the time, in order to
6 assist police services with their understanding and
7 implementation of the *Police Service Act* and its
8 regulations and in particular the regulation on adequacy
9 standards.

10 **MR. ENGELMANN:** So what we see at Tab 4 is -
11 - when it says a sample board policy -- this would be an
12 example of a policy on community policing?

13 **CHIEF RYDER:** On problem oriented policing?

14 **MR. ENGELMANN:** Right, for a local police
15 services board?

16 **CHIEF RYDER:** Yes, sir.

17 **MR. ENGELMANN:** And sir, just to go back to
18 your outline for a minute, I note one of the references or
19 a couple of the references, you talk about under your --
20 under the Adequacy Regulations, are the requirement to
21 prepare business plans.

22 **CHIEF RYDER:** Yes, sir.

23 **MR. ENGELMANN:** And as part of that
24 requirement, there's a requirement to deal with community-
25 based crime prevention initiatives?

1 **CHIEF RYDER:** That is correct, and on Tab 5,
2 also reproduced Police Standards Manual (2000), "Framework
3 for Business Planning". And if I were to take you to the
4 second bullet and I guess the first sub-bullet:

5 "quantitative and qualitative
6 performance objectives and indicators
7 relating to:
8 the police service's provision of
9 community-based crime prevention
10 initiatives, community patrol and
11 criminal investigation services"

12 **MR. ENGELMANN:** And as well, sir -- and
13 that's all a reference to section 30 of the Adequacy
14 Standard -- I note as well at Tab 5, there's a reference to
15 section 32, and how is that significant from a community-
16 based policing model?

17 **CHIEF RYDER:** The:

18 "...32(1) requires the board to enter
19 into a protocol with municipal council
20 that sets out dates by which the
21 business plan should be provided to
22 municipal council, the responsibility
23 for making it public, and if municipal
24 council chooses, jointly determining
25 and participating in the consultation

1 processes for the development of the
2 business plan."

3 Furthermore, it:

4 "...requires a board to consult with
5 its municipal council, school boards,
6 community organizations and groups,
7 businesses and members of the public
8 during the development of the business
9 plan."

10 **MR. ENGELMANN:** So we see not just
11 consultations but a number of protocols ---

12 **CHIEF RYDER:** That's correct.

13 **MR. ENGELMANN:** --- involving police
14 services boards and various other agencies?

15 **CHIEF RYDER:** Yes, sir.

16 **MR. ENGELMANN:** How, again, does this work
17 when the OPP is either the contract or non-contract police
18 force for the community?

19 **CHIEF RYDER:** In the areas where the OPP is
20 hired by contract, we do report to a police services board.

21 **MR. ENGELMANN:** In those circumstances,
22 then, that's how 32 would come about. You'd be in
23 consultations with that local police services board?

24 **CHIEF RYDER:** Yes. There's consultations
25 through our entire business planning process to one degree

1 or another.

2 **MR. ENGELMANN:** Okay.

3 Now you talk about, in your outline at page
4 3, some of the early community policing initiatives that
5 were commenced by the OPP.

6 **CHIEF RYDER:** Yes.

7 **MR. ENGELMANN:** And you say this starts as
8 early as the mid-seventies?

9 **CHIEF RYDER:** That's correct. In 1974,
10 there was a report that's listed here on Tab 6 and it
11 relates to some information of a report that would have
12 been prepared by the Organization and Management
13 Development Project.

14 **MR. ENGELMANN:** Do you have any idea what
15 that is or what part of the OPP would have been working on
16 that?

17 **CHIEF RYDER:** No, I don't. This appears to
18 me to be a project set together to look at the role of the
19 Force and define certain objectives for the Force.

20 **MR. ENGELMANN:** Sir, I note that you've
21 highlighted or you've reduced Tab 6 into several paragraphs
22 on page 3 of your outline.

23 **CHIEF RYDER:** That's correct.

24 **MR. ENGELMANN:** I'd like you to speak in
25 particular to the paragraph dealing with the target role

1 and the combination of the concept of a law officer, et
2 cetera.

3 **CHIEF RYDER:** Certainly.

4 That information in that document indicated
5 that:

6 "The target role is seen as a
7 combination of the concept of a law
8 officer, who uses the latest technology
9 for effective crime control with the
10 image of a peace officer who uses
11 effective prevention and increased
12 personal contact to develop community
13 support in maintaining law and order.
14 The goal is to be a sensitive and
15 humane people-oriented protective
16 service organized to deal with law
17 enforcement on a preventative rather
18 than a crisis basis."

19 **MR. ENGELMANN:** I note as well, you say, or
20 this report says:

21 "The capacity of policemen to function
22 effectively is severely jeopardized
23 without strong public support of the
24 police function."

25 **CHIEF RYDER:** And that's still true today.

1 **MR. ENGELMANN:** And you see community
2 policing as an essential component of having that or
3 obtaining that strong public support?

4 **CHIEF RYDER:** Yes, sir.

5 **MR. ENGELMANN:** Now, on the next page of
6 your outline you take us through, as I understand it, some
7 of the places where community policing initiatives were
8 being worked on in the OPP, in the seventies, eighties and
9 nineties.

10 **CHIEF RYDER:** Yes, predominantly where the
11 community policing fit in our organization and a little bit
12 about their mandate.

13 **MR. ENGELMANN:** All right.

14 So you start with, obviously this, this role
15 from the mid-seventies and where was that work being done
16 at that time?

17 **CHIEF RYDER:** It was in the Community
18 Services Branch within Staff Services.

19 **MR. ENGELMANN:** So if we're looking at Tab 7
20 and this is a document we looked at before in another book
21 ---

22 **CHIEF RYDER:** It would be on the "Services"
23 side of this organizational chart. Right underneath
24 "Services", there's "Staff Services Division" led by an
25 Assistant Commissioner and the very bottom box is

1 "Community Services Branch".

2 MR. ENGELMANN: And then in 1983, at Tab 8,
3 we have "Community Service Branch" now in the "Field
4 Support Division"?

5 CHIEF RYDER: That's correct.

6 MR. ENGELMANN: And then you tell us in your
7 outline that something changes in 1985 ---

8 CHIEF RYDER: Yes.

9 MR. ENGELMANN: --- with respect to this
10 unit.

11 CHIEF RYDER: Yes. The Community Services
12 Branch was replaced by Community Services Section. It
13 became a section within another branch called "Field
14 Coordination Branch" and that branch was responsible for
15 designing and developing and implementing programs to be
16 used by field divisions. So one of the sections in their
17 branch was Community Services Section.

18 MR. ENGELMANN: Okay.

19 As I understand it, you started to have
20 community services coordinators at or about this time?

21 CHIEF RYDER: That is correct.

22 MR. ENGELMANN: We have community services
23 coordinators described at the top of page 5 of your
24 outline. Is that correct?

25 CHIEF RYDER: Yes, sir.

1 **MR. ENGELMANN:** And can you give us some
2 sense as to what their functions were within the OPP?

3 **CHIEF RYDER:** Yes. They had to:

4 "...establish and maintain liaison with
5 and provide assistance to schools,
6 safety and other pertinent agencies,
7 and the news media in the district.
8 They will assist and coordinate the
9 efforts of members performing this
10 function at the detachment level."

11 Recognizing again that now we're in a district and
12 detachment setting, at this particular time of our history.

13 **MR. ENGELMANN:** Right. That was the mid to
14 late eighties?

15 **CHIEF RYDER:** That's right.

16 **MR. ENGELMANN:** Now, you then talk about the
17 fact that Community Services Section has been replaced by
18 Community Policing Services Unit and some of the other
19 changes that take place in or around 1990.

20 **CHIEF RYDER:** That's correct.

21 **MR. ENGELMANN:** And is this reflected then,
22 again, in an org chart?

23 **CHIEF RYDER:** Yes, on Tab 13.

24 **MR. ENGELMANN:** Where do we see Community
25 Services being dealt with at this point in time?

1 **CHIEF RYDER:** Once again, it remains within
2 Field Coordination Branch.

3 If you were to look at this chart, there
4 would be a divisional commander of Field Support and the
5 box right underneath that organizational structure is Field
6 Coordination Branch.

7 **MR. ENGELMANN:** All right.

8 So community servicing is being done there?

9 **CHIEF RYDER:** Yes.

10 **MR. ENGELMANN:** Community policing.

11 **CHIEF RYDER:** A coordination role.

12 **MR. ENGELMANN:** All right.

13 Now, sir, you talk about the fact that
14 community policing is set out in your Police Orders in
15 1992?

16 **CHIEF RYDER:** That's correct.

17 **MR. ENGELMANN:** The principles that are set
18 out at the bottom of page 5 and onto page 6, is that what
19 we looked at briefly earlier?

20 **CHIEF RYDER:** Yes, that's what we referred
21 to ---

22 **MR. ENGELMANN:** Tab 14.

23 **CHIEF RYDER:** --- earlier.

24 **MR. ENGELMANN:** And as well, as I understand
25 it, sir, aside from having a policing philosophy, you also

1 have policing strategies dealing with community policing?

2 **CHIEF RYDER:** Yes, and policing strategies
3 were developed and set out in Police Orders and they were
4 developed in 1992 and, of course, just to provide a
5 distinction, this was forward thinking and this would have
6 been just as we were heading into our organization review
7 and renewal.

8 **MR. ENGELMANN:** All right. And that's that
9 process that took place in the mid-nineties?

10 **CHIEF RYDER:** That's correct.

11 **MR. ENGELMANN:** All right.

12 And the policing strategies, then, are set
13 out at Tab 15?

14 **CHIEF RYDER:** That's correct.

15 **MR. ENGELMANN:** And I note that one of them
16 was the:

17 "Plan to inform and educate all
18 employees in the concepts and
19 philosophies of community policing".

20 **CHIEF RYDER:** Yes, sir.

21 **MR. ENGELMANN:** So that's your commissioned,
22 non-commissioned and civilian employees?

23 **CHIEF RYDER:** Yes, sir.

24 **MR. ENGELMANN:** Is there anything else on
25 policing strategies that you wanted to emphasize, sir?

1 **CHIEF RYDER:** Well, there was -- obviously,
2 one part of the strategy at that particular time we had
3 detachment planning committees, which was looking at
4 problems -- I guess, incidents in your area, maybe bad
5 accident locations; high crime areas and you can see here
6 that one of the strategies was through that detachment
7 planning committee to:

8 "Develop local strategies that
9 fully support community policing".

10 So this is sort of part of the transition.

11 **MR. ENGELMANN:** And then you refer to
12 something known as the "Community Policing Development
13 Centre".

14 **CHIEF RYDER:** Yes, sir.

15 **MR. ENGELMANN:** And that comes into
16 existence in or about 1997?

17 **CHIEF RYDER:** It was in 1995 identified as a
18 part of a new organizational structure, at the bottom of
19 page 6, and this elevated -- this put some increased focus
20 on the entire issue of community policing. Just as the
21 other organizational structure changes that occurred and
22 was approved on December 19th, 1995, so was the concept of
23 the Community Policing Development Center which was led by
24 a superintendent who would have been a member of an
25 executive council, what I have referred to before, and he

1 would have had the mandate to then create that center and
2 then move towards the implementation of an operationalized
3 community policing within the OPP.

4 So the development of the Community Policing
5 Development Center would have started in 1995 and would
6 have progressed over a couple of year period.

7 **MR. ENGELMANN:** And we see that at Tab 16 on
8 your org chart.

9 **CHIEF RYDER:** That's correct.

10 **MR. ENGELMANN:** And it's purpose, then, is
11 to what?

12 **CHIEF RYDER:** Was to -- it was really to
13 move the organizations towards implementing our community
14 policing philosophy and operationalizing our strategies.

15 **MR. ENGELMANN:** Okay. And I understand one
16 of the things they did in or about 1997 was produce a
17 community policing manual.

18 **CHIEF RYDER:** That is correct.

19 **MR. ENGELMANN:** And this was a manual that
20 was prepared by whom?

21 **CHIEF RYDER:** Prepared by members of the
22 CPDC, Community Policing Development Centre and with
23 consultation with community members.

24 **MR. ENGELMANN:** All right.

25 And this is the large tab we see at 17?

1 CHIEF RYDER: That is correct.

2 MR. ENGELMANN: And I will not ask you to go
3 through that in any real detail. What I'd like to do is
4 just ask you a few questions from the beginning of the
5 manual. We have an introduction.

6 CHIEF RYDER: Yes.

7 MR. ENGELMANN: That seems to be repeated.
8 Let's go to the second introduction which is
9 the third page in. This is, in effect, an explanation of
10 the manual?

11 CHIEF RYDER: Yes, it is.

12 MR. ENGELMANN: And are parts of this manual
13 geared to the police and what the police should be doing in
14 Part 2, community stakeholders?

15 CHIEF RYDER: That is correct.

16 MR. ENGELMANN: And how is that set out,
17 sir?

18 CHIEF RYDER: Part 6 is more specific to the
19 police; Parts 3 to 5 are designed more for the community
20 and there are some, obviously, that are applicable to both.

21 MR. ENGELMANN: And if we look at page 1.3
22 we have an overview of the manual and then it sets out the
23 various parts of the manual?

24 CHIEF RYDER: That is correct.

25 MR. ENGELMANN: And I understand the manual

1 defines community policing at page 2.2?

2 CHIEF RYDER: Yes, it's a fairly simple
3 definition:

4 "Delivery of police services resulting
5 from a community and police partnership
6 that identifies and resolves issues to
7 maintain the social order and the
8 social order is accomplished by
9 addressing community issues and
10 concerns which contribute to a safe
11 environment".

12 MR. ENGELMANN: And there's a reference to
13 community partnerships?

14 CHIEF RYDER: That's correct.

15 MR. ENGELMANN: And how they should work,
16 starting at 2.3?

17 CHIEF RYDER: That's correct.

18 MR. ENGELMANN: Now, you say that -- and I'm
19 looking at page 7 of your outline -- that this manual is
20 the principle source of community policing information for
21 the OPP.

22 So that's still the case today?

23 CHIEF RYDER: Yes, it is, although there are
24 other resources available, but this is the principle
25 document.

1 **MR. ENGELMANN:** And sir, I note that you've
2 given us as well a further organizational chart dealing
3 with the role of the Community Policing Support Unit and
4 this was created, as you say in your outline, from what?

5 **CHIEF RYDER:** From annual reports, I
6 believe.

7 **MR. ENGELMANN:** Okay. I'm looking at Tab 18
8 and this is your 2000 org chart and you've got a reference
9 to community policing just off to the left.

10 **CHIEF RYDER:** That's correct.

11 **MR. ENGELMANN:** So can you tell us what's
12 happening, then, with community policing, and you have
13 talked to us about a resource center as well.

14 **CHIEF RYDER:** The Community Policing
15 Resource Center was dissolved near the end of 2000 and a
16 Community Policing Unit, support unit, was created and was
17 situated within the Operational Planning and Research
18 Bureau, as it was known then.

19 **MR. ENGELMANN:** Now, you tell us in your
20 outline at page 8 that there are references to community
21 policing and community policing models throughout the
22 introduction to your current police orders.

23 **CHIEF RYDER:** That's correct.

24 **MR. ENGELMANN:** And you also reference the
25 OPP's commitment to community policing. Is that what we

1 find at the end of the "Introduction to Police Orders"?

2 CHIEF RYDER: Yes.

3 MR. ENGELMANN: Sir, if you want to just
4 take us to that at Tab 19?

5 CHIEF RYDER: Yes. After the "Mission,
6 Vision and the Promise" there is a commitment to community
7 policing:

8 "Community policing brings the
9 community and police together to
10 identify and explore and resolve
11 problems. Our commitment to community
12 policing guides every aspect of service
13 delivery in the OPP and we will involve
14 the people of the community in
15 identification of crime, traffic and
16 social order problems and solutions;
17 provide policing services that are
18 consistent with the identified
19 concerns, expectations and needs of the
20 community and participate with other
21 concerned agencies and community groups
22 to effectively address police and
23 community concerns."

24 MR. ENGELMANN: All right.

25 Well, speaking of the community, maybe we

1 can just turn to the last page of your outline on this
2 subject, then, where you talk about community policing in
3 the east region and, in particular, Stormont-Dundas and
4 Glengarry. And you say that community services officers
5 are found in most detachments of the OPP.

6 **CHIEF RYDER:** That is correct.

7 **MR. ENGELMANN:** And are there community
8 service officers here in this region?

9 **CHIEF RYDER:** Yes. There are three
10 community service officers in Stormont-Dundas and
11 Glengarry, one per county.

12 **MR. ENGELMANN:** All right.

13 Now, you talked to us earlier about the fact
14 that there are approximately 108 or so uniform members
15 here.

16 **CHIEF RYDER:** Yes.

17 **MR. ENGELMANN:** So three of those uniform
18 members would be community service officers?

19 **CHIEF RYDER:** Yes, sir.

20 **MR. ENGELMANN:** Do you know whether that's
21 full time or part time? Are you able to help us there?

22 **CHIEF RYDER:** I know that that's their title
23 and they have a job description that reflects that work.

24 **MR. ENGELMANN:** Okay. And is that what we
25 see at Tab 20 of the book?

1 CHIEF RYDER: Yes, sir.

2 MR. ENGELMANN: And that gives a
3 description, then, of what constables who work as community
4 service officers do?

5 CHIEF RYDER: Yes, sir.

6 MR. ENGELMANN: And that's a generic
7 description for -- not just for this part of the province
8 but throughout the province?

9 CHIEF RYDER: Yes, it is.

10 MR. ENGELMANN: Do you know how long there
11 have been community service officers here? I have got
12 three of them.

13 CHIEF RYDER: Sorry, I do not.

14 MR. ENGELMANN: Okay.

15 And how do they work together with the
16 Community Policing Support Unit, sir? These are officers
17 here in local detachments?

18 CHIEF RYDER: Yes.

19 MR. ENGELMANN: I'm just wondering, they
20 presumably report through a detachment commander, but how
21 do they work together with that community you had talked
22 about at Headquarters?

23 CHIEF RYDER: The unit at Headquarters
24 provides some coordination role through all the community
25 services officers who work in the region. If I could refer

1 you to Tab 21 you'll see on the organizational chart for
2 East Region Headquarters under "Contract and Municipal
3 Policing" under the direction of Inspector MacPherson there
4 is a community policing manager and executive officer and
5 there is Community Policing Community Services
6 Coordinators.

7 **MR. ENGELMANN:** All right.

8 So community services officers and there are
9 three of them here in Stormont-Dundas-Glengarry. What if
10 any reporting relationship would they have with these
11 community service coordinators in the East Region and the
12 Community Policing Manager?

13 **CHIEF RYDER:** They would have a matrix
14 reporting relationship. They would be reporting to their
15 Detachment Commander on administrative matters and other
16 duties as assigned but, with regard to their function, they
17 would be reporting through to the region on issues of
18 community policing.

19 **MR. ENGELMANN:** And would it be fair to say
20 that those community services officers would be specialists
21 when it comes to community policing?

22 **CHIEF RYDER:** Yes.

23 **MR. ENGELMANN:** I mean, all officers should
24 have some knowledge of community policing but obviously
25 they would have more extensive knowledge and experience?

1 **CHIEF RYDER:** That's the focus of their
2 work.

3 **MR. ENGELMANN:** And how might someone in
4 that role serve as a resource to other officers in the
5 detachment? You've got, say, three of them in a detachment
6 of 108, how do they serve as a resource to those others;
7 how do they help them in community policing?

8 **CHIEF RYDER:** They would assist -- with
9 community policing -- attend schools, give presentations,
10 provide information to officers who may decide to give
11 presentations of their own that may attend community
12 events.

13 **MR. ENGELMANN:** Presumably, they would have
14 contact and other information for various community
15 stakeholders?

16 **CHIEF RYDER:** That's correct.

17 **MR. ENGELMANN:** Those are all the questions
18 I had on this book. So maybe we could move on ---

19 **THE COMMISSIONER:** M'hm.

20 **MR. ENGELMANN:** --- to another one? I'll
21 just be one moment.

22 **(SHORT PAUSE/COURTE PAUSE)**

23 **MR. ENGELMANN:** Chief Ryder, do you have
24 Volume 4? It's called "Intake Policy and Record
25 Management".

1 CHIEF RYDER: Yes, I do.

2 MR. ENGELMANN: And again, as in previous
3 books of documents, there is an outline of evidence at Tab
4 1?

5 CHIEF RYDER: Yes, sir.

6 MR. ENGELMANN: And this was prepared in
7 conjunction with counsel. You have had some look at this
8 to ensure that it satisfies you as to the background on
9 intake policy and record management?

10 CHIEF RYDER: Yes, sir.

11 MR. ENGELMANN: So you start by talking
12 about the fact that intake policy and reporting has changed
13 significantly.

14 CHIEF RYDER: That's correct.

15 MR. ENGELMANN: Since the 1940s. Do you
16 want to just give us a sense as to why that has changed and
17 how it's changed.

18 CHIEF RYDER: Well, the obvious reason is
19 the technological advances. There has been legislative
20 developments in relation to how we restructured our OPP
21 Police Orders and standardized that process and so --
22 obviously, I think the main reason would be the technology.

23 MR. ENGELMANN: All right.

24 And the changing to the intake policy and
25 reporting process, this is across the board, right? It

1 doesn't matter what the criminal offence is or the traffic
2 violation; these changes are across the board?

3 **CHIEF RYDER:** For sure.

4 You talk on the first page of your outline
5 about some of the ways in which complaints can come to the
6 attention of an OPP officer. And I note again that you
7 talk about complaints of abuse, but would this also be
8 applicable to other types of crimes?

9 **CHIEF RYDER:** All types of crimes.

10 **MR. ENGELMANN:** All right.

11 So if you just run through a few of those
12 different types of ways that an OPP officer could receive a
13 complaint.

14 **CHIEF RYDER:** Certainly. The most obvious,
15 of course, would be the complainant or a third party places
16 a telephone call to the local detachment; there could be a
17 call come in through 911, specifically to a sexual assault
18 investigation and child sexual abuse; the Children's Aid
19 Society could report an offence or complaint to the OPP.

20 **MR. ENGELMANN:** When you talk about the
21 third parties, who do you mean?

22 **CHIEF RYDER:** Somebody who is reporting an
23 offence but was not the victim of the offence.

24 **MR. ENGELMANN:** And some examples of who
25 those are typically?

1 **CHIEF RYDER:** A parent. It could be a
2 parent. It could be a teacher.

3 **MR. ENGELMANN:** All right.

4 **CHIEF RYDER:** Other ways would be while
5 investigating a complaint the officer might already be
6 assigned to investigating a complaint and the officer may
7 be advised of other potential victims. While investigating
8 another complaint totally unrelated, the OPP officer may
9 become aware of a new offence. Hospital officials may
10 report offences. Local sexual assault centers may file a
11 complaint; probation and parole; school officials.

12 **MR. ENGELMANN:** So there are a number of
13 different ways that complaints come to the attention of OPP
14 officers.

15 **CHIEF RYDER:** Yes, sir.

16 **MR. ENGELMANN:** Now, how those complaints
17 are then recorded, as you said, has changed quite
18 dramatically. And I just want you to start with an earlier
19 period in time, say the '40s, '50s and '60s, as you've
20 outlined here, and how these recordings were actually done.

21 **CHIEF RYDER:** Every complaint, regardless of
22 source, a record was required to be kept. But in the '40s,
23 '50s and '60s we start off with what we called an
24 "occurrence book" and that would be accompanied by a
25 supplementary report for those most serious and in-depth

1 investigations. During those years policing was done
2 differently than it is today. In some of our locations we
3 only had one police officer, no support staff. That's what
4 we call single-person detachment. Constables would be in
5 detachment commanders.

6 So a lot of the day-to-day issues were
7 recorded in an occurrence book and these occurrence books
8 could be capable of recording 400 or so occurrences and
9 could hold 15 years of reportable incidents.

10 **MR. ENGELMANN:** All right.

11 I'll just stop you for a second.

12 So not every phone call, not every visit
13 gives you a report or an occurrence in a book?

14 **CHIEF RYDER:** That's correct.

15 **MR. ENGELMANN:** The officer has obviously
16 used some discretion as to what was a reportable occurrence
17 and what wasn't.

18 **CHIEF RYDER:** That's correct.

19 **MR. ENGELMANN:** And was there some
20 definition of occurrence back then? How was that
21 discretion exercised?

22 **CHIEF RYDER:** I don't have that specific
23 information. There may have been a notation in the Police
24 Orders of the day.

25 **MR. ENGELMANN:** Okay. But not every phone

1 call, not every visit ---

2 CHIEF RYDER: No.

3 MR. ENGELMANN: --- turned into a notation
4 in an occurrence book?

5 CHIEF RYDER: That's correct. But certainly
6 the most serious of occurrences were.

7 MR. ENGELMANN: Now, you've talked about an
8 occurrence book and you've got a reference to the 1970s. I
9 understand you actually have an old occurrence book here --
10 -

11 CHIEF RYDER: Yes, I do.

12 MR. ENGELMANN: --- that you could --
13 perhaps if the clerk could just bring it forward so that --
14 it would be of some interest.

15 Mr. Commissioner, the OPP, through its
16 counsel, has obtained one of the older forms of an
17 occurrence book so you can get a sense as to how this was
18 done in the past. And this comes from OPP archives, sir,
19 or the library?

20 CHIEF RYDER: It's from our OPP museum.

21 MR. ENGELMANN: All right.

22 And so we get a sense as to how this was
23 done in the past and how it's changed over time ---

24 CHIEF RYDER: Because it's from the OPP
25 museum, I have strict instructions from our curator of how

1 I'm to handle it.

2 **MR. ENGELMANN:** I've had to put white gloves
3 on for archives before.

4 I understand you have an occurrence book
5 from 1970?

6 **CHIEF RYDER:** This is an occurrence book
7 from 1970, and why this is a particular museum piece is
8 that it's the occurrence book for the OPP detachment when
9 we had an OPP detachment in Osaka, Japan, for the World
10 Fair and Exposition.

11 **MR. ENGELMANN:** I think, sir, if you could
12 perhaps just open it up and have a brief look at it. And
13 if there are counsel and/or members of the public who would
14 wish to look at it over the lunch break, if you could make
15 it available for a few minutes.

16 **THE COMMISSIONER:** Sir, what detachment was
17 it for?

18 **CHIEF RYDER:** For Osaka, Japan, at the
19 Ontario pavilion.

20 **MR. ENGELMANN:** And how did that work? Who
21 went over it from the OPP?

22 **CHIEF RYDER:** I would assume that our
23 Ontario government would have had a pavilion and they would
24 have sent a small detachment of ---

25 **THE COMMISSIONER:** So that's the occurrence

1 report book from when they were over there?

2 CHIEF RYDER: In Japan.

3 THE COMMISSIONER: Okay.

4 CHIEF RYDER: That's why the significance.

5 MR. ENGELMAN: So if you can just sort of
6 like just turn the book if you can without damaging it, if
7 you could.

8 CHIEF RYDER: I might add that this is the
9 occurrence book and this is what I would have seen when I
10 first reported for duty in 1975. It's basically in the
11 format that it is here.

12 I did view a, I think it was a 1947
13 occurrence report in the museum from Elk Lake Detachment,
14 and at that particular time, just to show the difference,
15 they didn't have the preprinted lines nor the printing. It
16 would be just like a blank ledger and lines had to be
17 drawn. Something a little bit different there is that
18 there was a line that was drawn down where all the officers
19 who were working had to initial when they started their
20 work, I guess, if they looked at the occurrence book.

21 MR. ENGELMANN: So you can give us a sense,
22 sir, -- and I understand it goes left to right for each
23 occurrence ---

24 CHIEF RYDER: Yes.

25 MR. ENGELMANN: --- what would actually

1 happen in a detachment by showing us ---

2 **CHIEF RYDER:** So if I was on the road and I
3 encountered an occurrence, and I'll make it something
4 simple like an abandoned auto that I tagged that was on the
5 side of the road, I would come in here and I would take the
6 next available number and the time and the date of the
7 occurrence and I would highlight what was the substance of
8 the call, "abandoned vehicle, highway 400" or whatever.
9 And then there may be -- that's the occurrence itself.

10 And then there's the report number, time and
11 date of entry. So if there was a formal report number we
12 would put the report number in that particular area and
13 then what the action taken and results. If I towed that
14 vehicle away it would say where it was towed to et cetera,
15 et cetera, and then sign off the occurrence. Then the
16 corporal of the day, in my timeframe, would come in and he
17 would review this as well when it was time, from a
18 supervision point of view, and he would either have some of
19 these occurrences remain open or he would close them off
20 like these are closed off in this printed book.

21 **MR. ENGELMANN:** All right. So the
22 occurrences that are set out, that's an individual officer
23 coming in at the end of his shift or at some point on his
24 shift, and writing down the various occurrences?

25 **CHIEF RYDER:** That's correct.

1 **MR. ENGELMANN:** If the occurrence leads to
2 an investigation, would there then be a file kept as well?

3 **CHIEF RYDER:** There would be potentially --
4 there would certainly be a file kept and if it was an
5 allegation or a violation of a Criminal Code offence, there
6 would be an obligation to take a stamp and stamp this
7 particular part of the book for Dominion Bureau of
8 Statistics so that you had one known, one actual, one male
9 charged, what ever the case may be, it's for Dominion
10 Bureau of Statistics and now, of course, Stats Canada.

11 **MR. ENGELMANN:** And that's now known as the
12 UCR.

13 **CHIEF RYDER:** UCR Report.

14 **MR. ENGELMANN:** Uniform Crime ---

15 **CHIEF RYDER:** Reporting.

16 **MR. ENGELMANN:** Reporting.

17 So if the occurrence involved an alleged
18 criminal offence ---

19 **CHIEF RYDER:** Yes.

20 **MR. ENGELMANN:** --- there would have been a
21 requirement for the officer to, and I can't remember what
22 you said, to actually stamp ---

23 **CHIEF RYDER:** To DBS it. Even if it turned
24 out -- after there was an allegation of a criminal offence,
25 even if it turned out that it was unfounded ---

1 MR. ENGELMANN: Yes.

2 CHIEF RYDER: --- it would still be as a
3 reported crime marked "unfounded" on the DBS stamp.

4 MR. ENGELMANN: So you'd have the tombstone
5 or basic data in the occurrence report book?

6 CHIEF RYDER: Yes, sir.

7 MR. ENGELMANN: And then you'd have an
8 investigation file opened -- in a normal case if we're
9 talking about an alleged criminal offence, that that would
10 actually contain investigation notes and other material?

11 CHIEF RYDER: That's correct.

12 MR. ENGELMANN: And then after the
13 investigation is completed or if the file is completed, who
14 is signing off in the occurrence book? Is it that
15 individual officer, or the officer's supervisor?

16 CHIEF RYDER: It's the officer's supervisor
17 that closes off the occurrence report. And then, going
18 back to the DBS or the Uniform Crime Reporting, it would be
19 the corporal or the supervisor of the day that would do the
20 statistical returns at the end of the month; would take the
21 occurrence book out; would transfer all the data with
22 regard to the UCR statistics or DBS statistics, and put
23 them into another form that would be sent off to Statistics
24 Canada.

25 MR. ENGELMANN: Okay. So the book you've

1 just shown us here is from 1970, but when you started with
2 the OPP in the mid-'70s, books just like that were still in
3 use?

4 **CHIEF RYDER:** Same book.

5 **MR. ENGELMANN:** How long did they continue
6 to be in use, approximately?

7 **CHIEF RYDER:** Up until late '80s, I believe.
8 In the '80s reporting was done on a pad of preprinted
9 occurrence reports. That's listed at Tab 2.

10 **MR. ENGELMANN:** Okay, well, we'll jump
11 ahead. But in any event -- we'll get there, but in any
12 event, what you're saying is that for several years after
13 you became a member of the OPP, occurrence books of this
14 nature were still being used?

15 **CHIEF RYDER:** That's correct.

16 **MR. ENGELMANN:** All right.

17 And you say in your outline, and I'm looking
18 at page 3, there were some difficulties with this system
19 around the shift change?

20 **CHIEF RYDER:** That's correct. If you had a
21 large shift change and it was a particularly busy night,
22 you know you had to go in to -- there was people coming off
23 shift that had their duties and requirements to be able to
24 complete their entries in the occurrence book; and then, of
25 course, officers coming on to shift that would want to read

1 the occurrence book to see what they should be aware of,
2 and sometimes they may have just come in after four days
3 off, and really it was an important thing to do was to read
4 the occurrence book to see what was happening in the
5 detachment.

6 **MR. ENGELMANN:** So there's a bottleneck
7 around the use of the book?

8 **CHIEF RYDER:** That's correct.

9 **MR. ENGELMANN:** Officers coming on and going
10 off shift?

11 **CHIEF RYDER:** Yes.

12 There was also another limitation for real-
13 time sharing of information with neighbouring detachments.
14 For example, in my first detachment, we looked after West
15 Grey and Barrie Township, and Highway 27 was a boundary and
16 on the other side of the road would be another township
17 that would be looked after by Alliston Detachment. Well,
18 presumably, you could do a B&E investigation within
19 Bradford's location and then there could have been an
20 arrest for another B&E in Alliston Detachment area. Of
21 course, we don't have access to their occurrence books.
22 That would eventually get picked up, but it would be picked
23 up when the area -- sorry, not the area, crime site -- the
24 district crime units would come around and visit
25 detachments and look at information in the book. So it was

1 more of a cumbersome way of linking what was happening
2 between one detachment and another because we didn't have
3 that technology.

4 **MR. ENGELMANN:** I note the time, sir.

5 Just one more follow-up question if I can.
6 So this problem with perhaps not knowing what the
7 neighbouring detachment was doing on the other side of the
8 road with the B&E across the street, that would have
9 carried on, I presume, into the '80s with the use of the
10 occurrence book?

11 **CHIEF RYDER:** Yes.

12 **MR. ENGELMANN:** Okay, perhaps we could take
13 a lunch break.

14 **THE COMMISSIONER:** Thank you. We'll come
15 back at 2:00 p.m.

16 **THE REGISTRAR:** Order all rise. À l'ordre.
17 Veuillez vous lever.

18 The hearing will reconvene at 2:00 p.m.

19 --- Upon recessing at 12:33 p.m./

20 L'audience est suspendue à 12h33

21 --- Upon reconvening at 2:04 p.m./

22 L'audience est reprise 14h04

23 **THE REGISTRAR:** This hearing of the Cornwall
24 Public Inquiry is now in session. Please be seated.

25 Veuillez vous asseoir.

1 **THE COMMISSIONER:** Good afternoon, all.

2 **MR. ENGELMANN:** Good afternoon, Mr.

3 Commissioner. Good afternoon, Chief Ryder.

4 **CHIEF RYDER:** Good afternoon.

5 **MR. ENGELMANN:** Sir, this morning when we
6 stopped for the lunch break we were looking at Exhibit 36,
7 Volume 4. If you have that handy, that's the Intake Policy
8 and Record Management.

9 **CHIEF RYDER:** Yes, I do.

10 **MR. ENGELMANN:** I'll just be a moment.

11 We were looking at Tab 1, your outline of
12 evidence on this binder or this Xeroxed book of documents,
13 and I believe where we were, sir, was we were dealing with
14 the situation in the 1970s and '80s dealing with how
15 occurrences were recorded.

16 **CHIEF RYDER:** That's correct, sir.

17 **MR. ENGELMANN:** You showed us an occurrence
18 book from 1970 and indicated to us that occurrence books
19 similar to that were in use right through most of the 1980s
20 ---

21 **CHIEF RYDER:** That's correct.

22 **MR. ENGELMANN:** --- and that there were
23 certain difficulties that were encountered with respect to
24 their use.

25 **CHIEF RYDER:** That's correct. The

1 bottleneck and excuse me -- and the information sharing.

2 MR. ENGELMANN: All right.

3 Now, I just note the fifth bullet down,
4 under the 1970s and I'm on page 3 ---

5 CHIEF RYDER: Yes, sir.

6 MR. ENGELMANN: --- talks about a retention
7 period for occurrence books for 20 years.

8 CHIEF RYDER: That is correct.

9 MR. ENGELMANN: And prior to that, you had
10 said under the forties, fifties and sixties the retention
11 period seemed to be haphazard at best.

12 CHIEF RYDER: That is correct.

13 MR. ENGELMANN: So was there a conscious
14 effort or a requirement during the seventies that these
15 books had to be kept for at least 20 years ---

16 CHIEF RYDER: There would ---

17 MR. ENGELMANN: --- to your knowledge?

18 CHIEF RYDER: --- have been policy. There
19 would have been policy outlining the fact that there was a
20 requirement to keep those occurrence books for 20 years.

21 MR. ENGELMANN: All right.

22 Again, the actual files, if I can call them
23 -- that might be associated with those occurrences, they
24 would have their own retention policies and periods.

25 CHIEF RYDER: That is correct.

1 **MR. ENGELMANN:** All right.

2 So we talked about the 1970s. In the 1980s,
3 you talk about some further evolution in reporting. Can
4 you explain to us what's happening then and how it changes
5 what you do?

6 **CHIEF RYDER:** Well, we evolved our reporting
7 through the use of a pad of pre-printed occurrence reports
8 and a copy of such a report is on Tab 2.

9 **MR. ENGELMANN:** All right.

10 **CHIEF RYDER:** The advantage -- excuse me --
11 of having ---

12 **MR. ENGELMANN:** So you have that pre-printed
13 form at Tab 2?

14 **CHIEF RYDER:** That is correct.

15 **MR. ENGELMANN:** And I'm sorry, the
16 advantage?

17 **CHIEF RYDER:** The advantage of this kind of
18 form is that the officers could have this with them. They
19 could have copies of this form and so while they're out
20 doing their investigations or handling a call for service
21 they could populate the data and then when they came in to
22 the office, they could just then get an occurrence number
23 and they'll be able to reduce that bottleneck.

24 **MR. ENGELMANN:** And how then were these
25 forms put into an occurrence book in any way or were they?

1 **CHIEF RYDER:** When we started to use them
2 more as a standard way of doing business, at the very back
3 of Tab 2, we had a file control register that really took
4 the place of occurrence books.

5 **MR. ENGELMANN:** Okay.

6 **CHIEF RYDER:** You can see on that particular
7 form, similar information that in the normal or the
8 original occurrence book, there'd be an open and close;
9 there'd be an occurrence number, the date when the file was
10 taken, what the subject of the occurrence would be and who
11 was assigned. And it would be that number that would be
12 affixed to the pre-printed form and, as in our earlier use
13 of occurrence book we would have got that number from the
14 occurrence book.

15 **MR. ENGELMANN:** Right.

16 Now, you reference the fact that you still
17 had a portion or a space on these forms for the DVS
18 statistics?

19 **CHIEF RYDER:** Yes.

20 **MR. ENGELMANN:** Where would that be, sir?

21 **CHIEF RYDER:** On Tab 2 on the form ---

22 **MR. ENGELMANN:** Yes, first page?

23 **CHIEF RYDER:** --- you can see -- on the
24 first page, you would see offences and then the first box -
25 - so you would put the offence if it was, whatever the code

1 was for that particular offence that you were investigating
2 and if it's a known to police, it would be one (1) and if
3 you had only one offence, it would be -- the actual number
4 would be one (1). If there was a charge, you'd indicate
5 one (1) by charge; if it was an adult male, it would be one
6 male or two males, whatever the result of the investigation
7 was. And then there's an area similar with regard to young
8 offenders.

9 **MR. ENGELMANN:** So the area on this form,
10 starting at the left at offences, working across; is that
11 the information that goes to Stats Canada?

12 **CHIEF RYDER:** Once again, since this was not
13 an automated system, it was the information that would go
14 to Stats Canada, but it would have to be retrieved from
15 this form onto another form.

16 **MR. ENGELMANN:** And the lined pages that
17 follow this form -- and I note in some cases there -- I
18 think the third page in -- you have a continuation of
19 lines. What's the significance of that?

20 **CHIEF RYDER:** Well, some by the very nature
21 or complexity of a particular occurrence will require more
22 of a narrative. In other cases, there may be a situation
23 where there was a lot of follow up, so maybe the officer
24 was assigned the case on May 1st, did some follow-up
25 interviews on May 4th, made an arrest on May 10th and on and

1 on and on. So they would be going back to this occurrence
2 report and building upon it.

3 **MR. ENGELMANN:** All right.

4 Now, I note, sir, you talk about, on page 4,
5 that this pre-printed form and the file control register
6 had some advantages.

7 **CHIEF RYDER:** Yes, it did. Once again, it
8 reduced the bottleneck of officers that had to wait in line
9 to make entries into an occurrence book because it would be
10 a very quick notation to get a number.

11 **MR. ENGELMANN:** All right.

12 At the third bullet, you talk to us about a
13 retention period and which reports are you talking about
14 there?

15 **CHIEF RYDER:** These are the LE 139 that's
16 listed on Tab 2, called the occurrence report.

17 **MR. ENGELMANN:** All right.

18 So the retention period for that occurrence
19 report was changed to two years?

20 **CHIEF RYDER:** Two years plus current.

21 **MR. ENGELMANN:** Okay.

22 What about the actual occurrence book? Was
23 it still being used or not?

24 **CHIEF RYDER:** Yes.

25 **MR. ENGELMANN:** And what about its retention

1 period?

2 **CHIEF RYDER:** Once the occurrence book
3 system stopped with the new file occurrence book, pre-
4 printed forms, then presumably the 20 years plus current
5 would still retain for occurrence books.

6 Of course, we would not be using them.

7 **MR. ENGELMANN:** All right.

8 So this changes sometime in the eighties?

9 **CHIEF RYDER:** That's correct.

10 **MR. ENGELMANN:** All right.

11 You talk then about major crimes at the
12 fifth bullet.

13 **CHIEF RYDER:** Yes, sir.

14 **MR. ENGELMANN:** And you make a number of
15 comments about the discretion of the detachment commander.

16 **CHIEF RYDER:** Yes, sir.

17 **MR. ENGELMANN:** All right.

18 Can you tell us what we're talking about
19 here? Are we talking about -- and you're talking about the
20 fact that they're empowered with the authority to retain
21 case files, define them as deferred files. So are we
22 talking about these occurrence report forms that we've
23 looked at at Tab 2 or are we actually talking about the
24 investigative files or both?

25 **CHIEF RYDER:** We're talking about Tab 2.

1 MR. ENGELMANN: All right.

2 CHIEF RYDER: Occurrence reports.

3 MR. ENGELMANN: So those occurrence reports,
4 if they're occurrences of interest or historical value,
5 there's discretion in the detachment commander to keep them
6 for longer?

7 CHIEF RYDER: That's correct.

8 MR. ENGELMANN: And in fact, was that the
9 expectation?

10 CHIEF RYDER: There is a process. There is
11 a policy about our deferred files. At the January of each
12 calendar year, the detachment commander would initiate a
13 process where the files that would be coming up for
14 destruction, a one year calendar file that passed the
15 retention period, there'll be a review of those files.

16 Certainly, any of those files that might
17 have had a CPIC attachment, Canadian Police Information
18 Centre, where somebody -- there was a warrant out for
19 somebody's arrest, there was a missing person on CPIC, any
20 of those would be naturally deferred. An unsolved
21 occurrence worthy of retention would be kept. So there
22 could have been a major break and enter investigation with
23 thousands of dollars worth of property stolen that was
24 still unsolved that the detachment commander might say that
25 it's worthy to keep this open versus a broken mailbox or a

1 stolen bicycle without identifiers that's two years plus
2 current. The likelihood of any future solving of that
3 crime was highly unlikely so the only ones that would be
4 deferred would be worthy of retention.

5 **MR. ENGELMANN:** Let me just stop you there.
6 Given an example of a property crime, what about if we're
7 talking about crimes against the person that are of a
8 violent nature or sexual nature?

9 **CHIEF RYDER:** Well, once again it would be
10 at the discretion of the detachment commander. If the case
11 had been -- if the case was still outstanding and there was
12 a decision made that there was some, I guess, expectation
13 that there may be further information come that could solve
14 that crime, it would be deferred.

15 **MR. ENGELMANN:** Okay.
16 You talked about a major break and enter
17 might be worthy of retention ---

18 **CHIEF RYDER:** That's correct.

19 **MR. ENGELMANN:** --- and I was just wondering
20 if the same would be true of a violent crime or a crime
21 against a person?

22 **CHIEF RYDER:** My reference to the major
23 crime, the break and enter would be that there would be
24 some likelihood of keeping that beyond the retention period
25 ---

1 **MR. ENGELMANN:** Yes.

2 **CHIEF RYDER:** --- that they might be able to
3 solve that case down the road. The same would apply in
4 crimes against a person. There would be no difference.

5 **MR. ENGELMANN:** Fair enough. Okay.

6 And some other examples of when you would
7 expect a detachment commander to defer a file?

8 **CHIEF RYDER:** If the file was of historic
9 nature. I can give examples. One of the big deferred
10 files at my first detachment was about two years before I
11 arrived at the detachment. There was a horrific car
12 accident on Highway 400. I don't remember exactly how
13 many, but almost 10 people or in that neighbourhood were
14 killed. It was a bus and a lumber truck. That file was
15 still at Bradford detachment in deferred files when I left
16 there in 1984.

17 **MR. ENGELMANN:** Okay. So when we talk about
18 historical value, something that might have included
19 multiple victims or ---

20 **CHIEF RYDER:** Could be.

21 **MR. ENGELMANN:** --- multiple offenders.

22 **CHIEF RYDER:** That could be a file that a
23 detachment commander could have determined that should be
24 deferred.

25 **MR. ENGELMANN:** There's a list of sort of

1 guidelines, if I can call it that, for when a detachment
2 commander should defer?

3 CHIEF RYDER: The three that I've indicated
4 ---

5 MR. ENGELMANN: Yes.

6 CHIEF RYDER: --- with the occurrence that's
7 a subject of a CPIC entry ---

8 MR. ENGELMANN: Right.

9 CHIEF RYDER: --- the unsolved occurrence
10 which at the discretion of the detachment commander is
11 worthy of retention ---

12 MR. ENGELMANN: Right.

13 CHIEF RYDER: --- and at the discretion of
14 the detachment commander, an occurrence having historic
15 value.

16 MR. ENGELMANN: All right.

17 Again, what we're talking about there is the
18 actual occurrence report?

19 CHIEF RYDER: That's correct.

20 MR. ENGELMANN: The investigative file
21 itself would go along with that?

22 CHIEF RYDER: Yes, it would if there was an
23 occurrence, let's say -- I mean some of these files
24 wouldn't be very extensive for example.

25 MR. ENGELMANN: Yes.

1 **CHIEF RYDER:** I mean if it was -- going back
2 to my earlier example about a broken mailbox -- the whole
3 investigative file might be the occurrence report itself.
4 But if there was, let's say, an investigation that caused a
5 few interviews to be conducted and you had it started
6 together, that kind of investigative file, if we weren't
7 saving the original occurrence then -- and we were
8 destroying that file, then there would be no value to be
9 keeping the investigative file, if that's what you call it.

10 **MR. ENGELMANN:** So typically if the decision
11 was to destroy the occurrence report, it may well have been
12 to destroy the deferred file as well.

13 **CHIEF RYDER:** That's correct.

14 **MR. ENGELMANN:** And vice versa, if the
15 decision was made that the file was of historical value or
16 worthy of retention for other reasons, both the actual
17 file, if I can call it that, the investigation file and the
18 occurrence report would be kept.

19 **CHIEF RYDER:** It's my understanding and,
20 certainly, further to the policy which supports that view,
21 is that the regional manager of Criminal Operations and our
22 Ident Services; a part of our policy is that their
23 supervisor must be advised of each occurrence report
24 destroyed or deferred where they have an interest. Because
25 they may have a related occurrence report or might be

1 holding some exhibits.

2 MR. ENGELMANN: And those would be examples
3 of where something would be retained?

4 CHIEF RYDER: Well, they'd be examples of --
5 -

6 MR. ENGELMANN: Examined for possible
7 retention.

8 CHIEF RYDER: Yes, right. But if, I think,
9 part of that notification -- the way I understand it to be,
10 is that if we're not having a file at the original
11 detachment and it's going to be destroyed, that we're
12 notifying the regional office because if they're holding
13 onto an exhibit for let's say, Identification Services and
14 there's no file and the file is destroyed, there's no sense
15 them holding onto the exhibit.

16 MR. ENGELMANN: Now, would there possibly be
17 some discussion or maybe this is what you've just
18 explained, but some interaction between detachments if they
19 -- if we had potential multiple jurisdictions?

20 CHIEF RYDER: If there was multiple
21 jurisdictions there would be discussion and obviously, as
22 referred to in my last comments, there would be
23 notification to the region.

24 MR. ENGELMANN: What if the other
25 jurisdiction was another force as opposed to another

1 detachment of the OPP?

2 **CHIEF RYDER:** Well, certainly if it's in our
3 files I would say it's the property of the OPP. We
4 wouldn't be holding files for another police department.

5 **MR. ENGELMANN:** Right. So unless you were
6 communicating and knew you were both working on the same
7 file ---

8 **CHIEF RYDER:** If it was a ...

9 **MR. ENGELMANN:** Right. So unless you were
10 communicating and knew you were both working on the same
11 file?

12 **CHIEF RYDER:** If it was a formalized joint
13 forces operation.

14 **MR. ENGELMANN:** Yes.

15 **CHIEF RYDER:** Then there would be a
16 leadership, an ownership of that file, whether that be OPP
17 or another municipal police service, and it would be the --
18 whoever is in charge of that particular joint forces
19 operation would have custody and control of that file, and
20 I would assume that everything in that file would be at one
21 location. There might be duplicates at other locations,
22 but if somebody is running a joint forces operation and
23 overseeing a major investigation that involves two or three
24 different police services, for example, then I would
25 suspect that the major case manager -- because there would

1 probably be a major case manager that would be in charge of
2 that file -- that would have all the material.

3 **MR. ENGELMANN:** But let's just go back in
4 time to the eighties now, you had some protection if there
5 was another detachment of the OPP. If you had a joint
6 investigation with a municipal police force ---

7 **CHIEF RYDER:** Yes.

8 **MR. ENGELMANN:** --- and you were aware of
9 it, that would perhaps be a reason to keep deferred files
10 as well?

11 **CHIEF RYDER:** It could be. I mean, once
12 again, the detachment commander would have all the
13 information to make that decision.

14 **MR. ENGELMANN:** All right.

15 Now, you say that in the late eighties and
16 early nineties a computer system known as the "Ontario
17 Municipal and Provincial Police Automated Computer
18 Recording System" was introduced?

19 **CHIEF RYDER:** That's correct, and commonly
20 referred to as OMPPAC.

21 **MR. ENGELMANN:** Yes. And we've had some
22 discussion about this previously, but this was a computer
23 system that allowed you and other forces to do what?

24 **CHIEF RYDER:** Well, it allowed us to
25 automate our occurrence reporting and also give us an

1 ability to share information.

2 MR. ENGELMANN: Right. And it took some
3 time for this to take place?

4 CHIEF RYDER: Yes, this was a long and very
5 complicated implementation.

6 MR. ENGELMANN: And it rolled out over
7 approximately nine years throughout the province of
8 Ontario?

9 CHIEF RYDER: That's correct.

10 MR. ENGELMANN: And do you have some sense,
11 sir, as to when that would have happened here in the
12 eastern region?

13 CHIEF RYDER: Well, I don't exactly.
14 Although I know from the materials later on that each
15 detachment had an OMPPAC domain prior to ---

16 MR. ENGELMANN: At the bottom of page 5, is
17 that what you're referring to?

18 CHIEF RYDER: Yes, prior to 1994. So from
19 that reference I would say that each region were probably
20 fully operational by at least 1993.

21 MR. ENGELMANN: All right.

22 So you talk about OMPPAC being phased in and
23 you've used the term "indexing".

24 CHIEF RYDER: Yes.

25 MR. ENGELMANN: What does that mean?

1 **CHIEF RYDER:** Well, prior to being fully
2 operational on OMPPAC there was a -- we started to log some
3 tombstone data into the system so that it would start us
4 into populating the OMPPAC system and assist with trying to
5 link occurrences.

6 **MR. ENGELMANN:** And were you still using
7 these preprinted forms at this time?

8 **CHIEF RYDER:** Yes, sir.

9 **MR. ENGELMANN:** And when did that switch
10 over happen?

11 **CHIEF RYDER:** It would happen at various
12 times across the province as the systems were being
13 implemented. So if a detachment was fully operational on
14 OMPPAC then they could discontinue the occurrence report.

15 **MR. ENGELMANN:** Okay. I note you say -- and
16 it's the fourth bullet down -- that it allowed things to be
17 stored at OPP Headquarters?

18 **CHIEF RYDER:** That's correct.

19 **MR. ENGELMANN:** And can you give us some
20 sense as to how this helped you at that time?

21 **CHIEF RYDER:** Well, it was the central
22 database and, once again, having all of our records in one
23 location and being in a position to search those records at
24 a single database as opposed to all these different
25 databases across the province.

1 **MR. ENGELMANN:** So that problem you talked
2 to us about earlier, about break and enters on both sides
3 of detachment line?

4 **CHIEF RYDER:** That's correct.

5 **MR. ENGELMANN:** That would not be the same
6 problem?

7 **CHIEF RYDER:** No, there would be an ability
8 to search the system to see if you could find similar
9 occurrences.

10 **MR. ENGELMANN:** All right.

11 So I assume that during the late eighties
12 and through the nineties police officers who were members
13 of the OPP were trained on how to use the system?

14 **CHIEF RYDER:** That's correct. Correct, they
15 would have had to be trained because it was a new emerging
16 technology.

17 **MR. ENGELMANN:** And who would record the
18 information on the system?

19 **CHIEF RYDER:** The officers themselves.

20 **MR. ENGELMANN:** Okay. And where would this
21 be done?

22 **CHIEF RYDER:** At detachment. We had -- this
23 really started the movement towards increased computers at
24 detachments that were OMPPAC terminals.

25 **MR. ENGELMANN:** All right.

1 So let's get a sense of what's actually
2 going into this system or OMPPAC. Is it simply something
3 similar to those occurrence -- we just looked at that
4 preprinted form at Tab 2 where you've got a certain amount
5 of basic information.

6 **CHIEF RYDER:** That's correct.

7 **MR. ENGELMANN:** Plus some room to give short
8 notes on actions taken and results. Is that what's going
9 into OMPPAC?

10 **CHIEF RYDER:** There would have been design
11 screens to collect that type of information. I don't know
12 whether everything was collected the same as the occurrence
13 report but similar information. There would have also been
14 -- the UCR reporting would have been in OMPPAC because that
15 was important. We still had that obligation.

16 **MR. ENGELMANN:** So that's information that's
17 on this form, but it would be easier to send off to, well,
18 Statistics Canada at this point, right?

19 **CHIEF RYDER:** Well, exactly, because now as
20 opposed to somebody either going back to a occurrence book
21 in the previous reporting regime and collecting all the
22 information out of the occurrence book and transporting
23 that onto another form and the same thing and taken all
24 these preprinted forms and collecting the information off
25 of those, this could be done automatically.

1 **MR. ENGELMANN:** So what about the
2 investigative files, witness statements, Crown briefs,
3 things like that, are they going into the system as well?

4 **CHIEF RYDER:** There would be some, I guess,
5 rudimentary investigative support files in there. Like for
6 example, it might be a synopsis of the investigation; there
7 may be some witness statements. It would be up to what the
8 officer imported into the system.

9 There became -- well, and I know we're going
10 to get to it -- there became some challenges as the OMPPAC
11 system was being fully utilized with regard to capacity and
12 ---

13 **MR. ENGELMANN:** What were those challenges,
14 sir?

15 **CHIEF RYDER:** Well, certainly the data
16 storage was extremely expensive for the cooperative and the
17 cooperative did meet and did have to come up with some
18 rules to allow this system to function properly, and so
19 certain data had to be removed from the system just to give
20 it increased capacity.

21 **MR. ENGELMANN:** When you say the
22 "cooperative" you mean the OPP and those other forces in
23 the province that were involved?

24 **CHIEF RYDER:** That's correct.

25 **MR. ENGELMANN:** All right.

1 And not all the forces were?

2 **CHIEF RYDER:** No. I believe on Tab 4 is the
3 list of the police agencies that were part of OPTIC, and
4 although it's not an OMPPAC list there is a lot of the
5 similar police services that were also part of the OMPPAC
6 cooperative.

7 **MR. ENGELMANN:** So the list would be quite
8 similar?

9 **CHIEF RYDER:** It would be quite similar.
10 There might be some changes.

11 **MR. ENGELMANN:** Okay.

12 **CHIEF RYDER:** But there would be
13 approximately -- my understanding -- my memory would be
14 about 40 police agencies.

15 **MR. ENGELMANN:** Okay. And OPTIC, and I
16 think we'll come to that, that's post ---

17 **CHIEF RYDER:** That's the next evolution of
18 records management system for the OPP.

19 **MR. ENGELMANN:** All right.

20 So anything else that you want to tell us
21 about OMPPAC? You're talking about some of the challenges.

22 **CHIEF RYDER:** Yes. Certainly in the moving
23 of data from the system, it would depend on the
24 classification of the incident, and then there was some
25 rules. As I say, for example, sexual assaults and other

1 sexual offences, the retention was -- the information was
2 on the system for seven years after the file was closed.

3 **MR. ENGELMANN:** Okay.

4 **CHIEF RYDER:** And to provide some context of
5 what "the file was closed" would be, from my view that
6 would be an investigation where either there was no
7 likelihood of any kind of prosecution and it was closed at
8 one particular time. The case could have started in --
9 just to give you an example -- in 1995 and they may have
10 completed a two-year investigation and then they decided to
11 close it. It would be seven years after that file was
12 closed. Or if there was a successful prosecution and went
13 through the appeal process it would be seven years after
14 the time elapsed to launch an appeal.

15 **MR. ENGELMANN:** Could there still be a
16 deferred file situation after that retention period?

17 **CHIEF RYDER:** Not for the rules of the
18 cooperative. That was their retention.

19 **MR. ENGELMANN:** Because that was the rules
20 of the cooperative; if you wanted to keep investigative
21 files or other files that was the OPP's discretion?

22 **CHIEF RYDER:** The OPP certainly could -- I
23 mean, you can print your files off of OMPPAC. So you had
24 the capability of printing what was on the system and you
25 could retain those files.

1 **MR. ENGELMANN:** Well, even when you were
2 using OMPPAC you would have had paper as well?

3 **CHIEF RYDER:** Sorry?

4 **MR. ENGELMANN:** Even when you were using
5 OMPPAC you would have had paper as well?

6 **CHIEF RYDER:** We would have had paper
7 investigative files.

8 **MR. ENGELMANN:** Yes. Do you continue to
9 have them today?

10 **CHIEF RYDER:** That's correct.

11 **MR. ENGELMANN:** All right.

12 Now, you mention another challenge. It's
13 listed under "challenges" in any event. There is no police
14 or dispatch type for sexual assault?

15 **CHIEF RYDER:** That's correct. On the system
16 all assaults were just classified as assaults. So you had
17 to further drill down and select one to eight subcategories
18 like sexual assault, aggravated sexual assault. So if you
19 were doing some searches you just couldn't search for
20 sexual -- you had to go to assault and then do some queries
21 separately for further information on sexual assault.

22 **MR. ENGELMANN:** All right.

23 And some of those deficiencies or challenges
24 have been corrected by the new system that's in place
25 today?

1 CHIEF RYDER: That is correct.

2 MR. ENGELMANN: So you talked about -- at
3 the bottom of page 5 and onto page 6 -- about OMPPAC here
4 in the eastern region.

5 CHIEF RYDER: That's correct.

6 MR. ENGELMANN: Now ---

7 CHIEF RYDER: Another ---

8 MR. ENGELMANN: Sorry. Go ahead.

9 CHIEF RYDER: In relation to -- the point
10 I'd like to make in this particular area is the fact that
11 many of the detachments -- and once again, this is in the
12 context of reorganization of the OPP and a major
13 reorganization, all of the attachments have their own
14 domain. But then what occurred after the reorganizations
15 is that some of those detachments no longer existed because
16 they may have -- I'm talking even provincially -- were
17 amalgamated so they no longer existed as a satellite office
18 and therefore there was a challenge in being able to
19 retrieve some information from those areas that no longer
20 sort of existed on the system.

21 MR. ENGELMANN: And that's right, and I
22 think you told us about the local example here where ---

23 CHIEF RYDER: Yes.

24 MR. ENGELMANN: --- I think we had four or
25 five ---

1 CHIEF RYDER: That's correct.

2 MR. ENGELMANN: --- detachments. And then
3 after the reorg there was the one in Long Sault.

4 CHIEF RYDER: That's correct.

5 MR. ENGELMANN: With the satellites?

6 CHIEF RYDER: That's right.

7 MR. ENGELMANN: And you have listed at page
8 6 the information sharing that was possible through OMPPAC?

9 CHIEF RYDER: Yes, that was a positive
10 effect of OMPPAC.

11 MR. ENGELMANN: And it talks about sharing
12 with other members of the cooperative. What about with
13 other agencies, say, local Children's Aid Societies?

14 CHIEF RYDER: That would -- unless they were
15 a member of the cooperative there would only be sharing
16 within the members of the cooperative.

17 MR. ENGELMANN: Okay. And you talk about
18 some possibilities for restricting data ---

19 CHIEF RYDER: That's correct.

20 MR. ENGELMANN: --- that the OPP would put
21 on?

22 CHIEF RYDER: That would be all members of
23 the cooperative had an opportunity to restrict the data
24 that would not be shared.

25 MR. ENGELMANN: Right. And in the OPP's

1 case those decisions were made by whom?

2 **CHIEF RYDER:** The detachment commander.

3 **MR. ENGELMANN:** And what were some of the
4 reasons why the OPP would not share data?

5 **CHIEF RYDER:** If there was an investigation
6 or information that had a potential to become an internal
7 complaint on a member of our service or another police
8 service, any major investigation, and once again,
9 discretion attached to the commander is any incident that
10 the detachment commander deems appropriate.

11 **MR. ENGELMANN:** All right.

12 So there seems to be a fair bit of
13 discretion there on the part of the detachment commander?

14 **CHIEF RYDER:** That's correct.

15 **MR. ENGELMANN:** And then, as well, you list
16 a number of matters that were not shared on OMPPAC ---

17 **CHIEF RYDER:** That's correct.

18 **MR. ENGELMANN:** --- at the bottom of the
19 page.

20 **CHIEF RYDER:** Administration information
21 specific to the OPP, dispatch details, Crown brief
22 synopsis's and the will-says and activity logs components
23 of the system. That's sort of the administration of the
24 system. That was deemed to be of proprietary interest of
25 the organization.

1 **MR. ENGELMANN:** And that Crown brief
2 synopsis; that would have been obviously prepared by OPP
3 members?

4 **CHIEF RYDER:** That's correct.

5 **MR. ENGELMANN:** And you list on page 7 of
6 the outline information that was shared?

7 **CHIEF RYDER:** That's correct. Unless it was
8 restricted this is the type of information that would be
9 entered into the system as we are doing an occurrence
10 report.

11 **MR. ENGELMANN:** Then, on page 8 you talk
12 about a new Windows-based reporting system and that you
13 started to use this new system for recording of
14 occurrences.

15 **CHIEF RYDER:** Yes, that was a Niche records
16 management system, Niche RMS.

17 **MR. ENGELMANN:** And you may have talked
18 about this already but can you tell us how this changed,
19 some of the work you were doing and how it presumably
20 improved access to information sharing?

21 **CHIEF RYDER:** Well, certainly, tremendous
22 capacity on this system provided us with an opportunity to
23 store more information and manage more information; share
24 information with greater effectiveness and efficiency.
25 There was tremendous advantages because this was a forward-

1 processing system and it was Microsoft based so we could
2 cut and paste; load information over as opposed to retype.
3 There was some data standards that were enforced in this
4 system which meant that each of the police departments who
5 were a member of this -- of OPTIC which is the Ontario
6 Police Technology Information Cooperative. We use the same
7 data standards or we're looking at the same information so
8 that was a real assistance.

9 There was dropdown menus, auto-filling of
10 data and mini-fields. RMS allowed the users to perform a
11 benchmark case notification and that was particularly
12 important for our organization because of our benchmark
13 policies. Using our old methodologies prior to the Niche
14 RMS it could take up to an hour to perform the same process
15 where this could happen in less than a minute. The RMS,
16 obviously because it's a more robust system, captured more
17 information where we were able to query for details such as
18 eye colour, scars, marks and tattoos.

19 We had a wild card search which meant that
20 you didn't need to search an entire word. You could search
21 part of a word and it would look for linkages across the
22 system. I believe it searched for partial license plates.

23 Enhanced property management and a very
24 detailed audit log and, of course, all sorts of quality
25 assurance mechanisms in place because there are several

1 areas where the detachment commander or the supervisor can
2 go in there and see what the entries are and whether or not
3 all the appropriate records are not only accurate but
4 they're complete.

5 **MR. ENGELMANN:** All right.

6 So just before we get into who does what and
7 responsibilities, you've got -- I just want to make sure I
8 capture this -- there's more space on the system?

9 **CHIEF RYDER:** More space.

10 **MR. ENGELMANN:** There's no issues about
11 costs; members of the cooperative?

12 **CHIEF RYDER:** That's correct.

13 **MR. ENGELMANN:** So you can put more
14 information on. And is more information being put on?

15 **CHIEF RYDER:** That's correct. And it's,
16 from my understanding, an unlimited capacity.

17 **MR. ENGELMANN:** All right.

18 Now, having said that, when you talk about
19 photographs and fingerprints and other things going on and
20 partial search capacity and things like that, do you still
21 have investigative files that you're not putting on or you
22 are not putting parts on the system?

23 **CHIEF RYDER:** We are putting as much detail
24 as we can in the system, is the way I understand it, but
25 that we're still going to have -- like if we take a written

1 statement from somebody we are going to have a written
2 statement that's going to be a hard copy file.

3 MR. ENGELMANN: Right.

4 CHIEF RYDER: That we have to obtain for an
5 investigative file.

6 MR. ENGELMANN: So there is more information
7 than perhaps that occurrence report, sort of basic
8 information, that you were using with your printed forms
9 and then your OMPPAC. There's clearly more being put on,
10 if not your whole file?

11 CHIEF RYDER: That's correct.

12 MR. ENGELMANN: And again, access to this
13 system is by members of the cooperative?

14 CHIEF RYDER: That is correct.

15 MR. ENGELMANN: So again, this system is --
16 what about sharing with other agencies? How does that work
17 if people want to go outside the cooperative, do you know?

18 CHIEF RYDER: No, I don't. Sorry.

19 MR. ENGELMANN: All right.

20 All right. So then, you have highlighted
21 some responsibilities of employees?

22 CHIEF RYDER: Yes, I did.

23 MR. ENGELMANN: When employees are being
24 referred to there, those would be any employee of the OPP?

25 CHIEF RYDER: That could be any employee

1 that receives a call or that encounters an occurrence.

2 MR. ENGELMANN: All right.

3 So that could be someone doing dispatch
4 work?

5 CHIEF RYDER: That's correct.

6 MR. ENGELMANN: And then, you refer to
7 investigating or reporting members?

8 CHIEF RYDER: That's correct.

9 MR. ENGELMANN: And what do you mean by a
10 reporting member?

11 CHIEF RYDER: The member who receives the
12 occurrence.

13 MR. ENGELMANN: All right.

14 CHIEF RYDER: Okay? That obviously, once
15 they receive an occurrence, an addition -- I guess it goes
16 back to your question about other parts of the
17 investigative file, the file, is that they would take
18 detailed notes in their daily journal or notebook in
19 relation to that occurrence amongst the other ---

20 MR. ENGELMANN: We have some mandatory
21 language here as well, I know, so this is a requirement?

22 CHIEF RYDER: It is a requirement.

23 MR. ENGELMANN: Of each reporting member or
24 investigating member?

25 CHIEF RYDER: Yes.

1 **MR. ENGELMANN:** These are things that they
2 shall enter into the Niche system?

3 **CHIEF RYDER:** Yes, sir.

4 **MR. ENGELMANN:** And you talked about Quality
5 Assurance before?

6 **CHIEF RYDER:** Yes, sir.

7 **MR. ENGELMANN:** And their requirements of
8 supervisors or their delegates as well?

9 **CHIEF RYDER:** That's correct, the supervisor
10 or delegated member has a responsibility to check for
11 accuracy, completeness and minimum data requirements;
12 ensure that all mandatory notifications have been made;
13 ensure no further action or report is required. The UCR
14 incident data is something that they check for completeness
15 and for accuracy. They ensure all information is added to
16 the database and linked accurately and, if necessary, if
17 they see that there should be a follow up they would create
18 and send a task to a member, and what happens the next time
19 the officer comes in and signs into the system there would
20 be a task by the supervisor saying, "You neglected to do
21 this" or "You should do that".

22 **MR. ENGELMANN:** Okay. So you refer to two
23 supervisors here; a supervisor delegate member and then it
24 says a supervisor delegate member down below. And you also
25 have an area crime supervisor. Are you talking about

1 different people here?

2 CHIEF RYDER: Yes, we are.

3 MR. ENGELMANN: All right.

4 Can you just tell us who it is that's being
5 contemplated here?

6 CHIEF RYDER: The supervisor or delegated
7 member in the second and third bullet on page 10 is usually
8 a detachment supervisor, sergeant supervisor, whereas the -
9 - sorry -- the bullet three (3) is:

10 "In addition to duties outlined in the
11 supervision section an area crime
12 sergeant is an area crime sergeant that
13 may be assigned at that particular
14 location but has a dual reporting
15 relationship; one, to the Detachment
16 Commander and secondly, to the Regional
17 Command Staff and is a specialist in
18 the area of criminal investigation."

19 MR. ENGELMANN: All right.

20 So we have some responsibilities of the
21 reporting or investigating member and then some by the
22 supervisor delegated member and then some by the area crime
23 supervisor?

24 CHIEF RYDER: Yes, and then -- I guess I
25 want to highlight the fact that probably the most important

1 duty for the area crime supervisor is in addition to
2 ensuring that there is a quality that the Niche RMS
3 reports, has a specific interest in benchmark
4 investigations.

5 **MR. ENGELMANN:** All right.

6 And we're going to go there in just a second
7 -- there's also some responsibilities for the detachment
8 commander or his or her delegate?

9 **CHIEF RYDER:** That's correct.

10 **MR. ENGELMANN:** And they're set out at the
11 bottom of the page?

12 **CHIEF RYDER:** They're set out at the bottom
13 and it really involves the entire integrity of the system.

14 **MR. ENGELMANN:** So the accountability for
15 that reporting and proper reporting then is really up to
16 that detachment commander?

17 **CHIEF RYDER:** That's correct, overall
18 accountability.

19 **MR. ENGELMANN:** So you talked about
20 occurrence details or we talked about occurrence details or
21 reports earlier. You have some minimum requirements with
22 respect to entries, and this is now on the Niche system?

23 **CHIEF RYDER:** Yes, it is.

24 **MR. ENGELMANN:** And you talked about
25 benchmark occurrences before. So can you tell us what

1 those are?

2 CHIEF RYDER: Yes. I'll have to put that in
3 a bit of a context. I stated, I think, earlier in my
4 testimony about my time at Bradford being a generalist
5 police officer and that is how you could probably describe
6 all the police officers assigned to our detachments that
7 would respond for calls for service. And they would be the
8 first ones on the scene and would be considered a
9 generalist officer, in the sense that in most cases they
10 will get the case; they will stay with it from the time
11 that they took the report; they'll do the follow-up
12 investigation; they'll lay a charge and take it through the
13 court process.

14 The OPP has a policy that there are certain
15 benchmark crimes that requires notification and as in the
16 first bullet under "Benchmark Occurrences" there should be
17 a benchmark violation code selected. For example, a
18 benchmark sexual assault will have both the sexual assault
19 violation code selected but there will also be a benchmark
20 violation code selected which will be an automatic
21 notification to the Area Crime Sergeant.

22 Just to have some common understanding of
23 what that means, that does not mean that the -- that's
24 certainly a notification to the Major Crime Unit but it is
25 not the intent of that notification to direct that all

1 major crime be investigated by criminal investigation
2 personnel and absolves all others of any future
3 involvement. Rather, it's intended to ensure that the
4 criminal investigation, investigation supervisory and
5 command personnel are notified with this occurrence and
6 sees -- and the responsibility that they have is to make an
7 informed decision regarding the appropriate investigative
8 response. A straightforward major crime occurrence may be
9 investigated by a highly competent detachment member and
10 may only require monitoring or some specialized support but
11 that generalist officer could stay with that investigation.

12 **MR. ENGELMANN:** All right.

13 So let me just go back, perhaps, to the
14 beginning of what you were saying.

15 When did the OPP start using benchmarks?

16 **CHIEF RYDER:** We would have had a
17 notification system in place in our Police Orders for many,
18 many years prior to 1992 but we wouldn't have called them
19 benchmarks. We would have said when these type of
20 occurrences happen you shall notify whoever that we
21 identified specifically in the Police Order.

22 A formalized benchmark system came into
23 place into the Police Orders in 1992.

24 **MR. ENGELMANN:** All right.

25 So we dealt with this with other witnesses

1 and I know we'll deal with it with other witnesses from the
2 OPP. But under "Major Case Management" and under the
3 "Major Case Management Manual" there is such a thing as a
4 threshold case.

5 **CHIEF RYDER:** That's correct.

6 **MR. ENGELMANN:** Or non-threshold case and I
7 recall, for example, that some instances of sexual assault
8 didn't necessarily meet the requirement of thresholds for
9 major case management.

10 **CHIEF RYDER:** Those two systems and the
11 concept of a benchmark crime, the threshold crime, had no
12 connection.

13 **MR. ENGELMANN:** Okay. So other than people
14 seem to use the term "major case" ---

15 **CHIEF RYDER:** Yes.

16 **MR. ENGELMANN:** So it's my understanding
17 that your benchmark notification would include all
18 instances of sexual assault?

19 **CHIEF RYDER:** All sexual occurrences
20 including child pornography.

21 **MR. ENGELMANN:** Right, okay.

22 So if anything, that benchmark notification
23 is a -- I don't want to use the term "lower threshold" but
24 it's a -- it occurs ---

25 **CHIEF RYDER:** It's a different threshold.

1 It encompasses more offences.

2 **MR. ENGELMANN:** Fair enough, thank you.

3 So we can't just say one is equal to the
4 other?

5 **CHIEF RYDER:** No, we cannot.

6 **MR. ENGELMANN:** And they are for different
7 purposes?

8 **CHIEF RYDER:** It's like apples and oranges.

9 **MR. ENGELMANN:** All right.

10 And your notification is so that a
11 specialist can look at this, someone who's got a lot of
12 expertise in criminal investigation?

13 **CHIEF RYDER:** The reason is that to ensure
14 that we have a quality investigative response --

15 **MR. ENGELMANN:** Right.

16 **CHIEF RYDER:** That it will come to the
17 attention of the regional crime operations, particularly to
18 an area crime sergeant who will make an assessment knowing
19 who the person is; what their experience is; what their
20 training and qualifications are; whether or not that
21 individual can continue on with the investigation and just
22 the odd time monitor and see how that investigation is
23 going, or the area crime sergeant can decide, "Well, no, we
24 need to provide some added investigative assistance, a
25 specialist if you wish".

1 MR. ENGELMANN: All right.

2 CHIEF RYDER: To assist that officer during
3 the course of that investigation.

4 MR. ENGELMANN: And we're going to hear from
5 an area crime ---

6 CHIEF RYDER: Yes, from Detective Staff
7 Sergeant Paul Yelle.

8 MR. ENGELMANN: I always get confused here
9 between area crime sergeant and area crime supervisor.

10 CHIEF RYDER: He's a supervisor.

11 MR. ENGELMANN: Fair enough. And would that
12 be a higher rank than an area crime sergeant?

13 CHIEF RYDER: That is correct.

14 MR. ENGELMANN: So in any event, any
15 benchmark occurrence, there has to be notification of an
16 area crime sergeant?

17 CHIEF RYDER: That's correct.

18 MR. ENGELMANN: And when we talk about area
19 crime sergeants do you have a sense as to how many of those
20 individuals there would be in a region?

21 CHIEF RYDER: It varies from region to
22 region so it would only be a guess.

23 MR. ENGELMANN: Would there be area crime
24 sergeants in most detachments?

25 CHIEF RYDER: Yes.

1 I apologize. Did you say that we had a
2 listing of the benchmarks here?

3 **CHIEF RYDER:** I have a list.

4 **MR. ENGELMANN:** Okay. We don't have a list
5 of benchmark offences in these materials?

6 **CHIEF RYDER:** No, sir.

7 **MR. ENGELMANN:** All right.

8 And that concept of a benchmark offence,
9 that was 1993 that you said that there was something
10 similar in place beforehand. It wasn't called a benchmark?

11 **CHIEF RYDER:** No, there was always a
12 notification. And if I use an example for a homicide
13 investigation where as a couple of homicides where foul
14 play was suspected, there would have been a policy to say
15 that when that occurs you had to notify Criminal
16 Investigation Branch.

17 **MR. ENGELMANN:** All right.

18 So for some major crimes it wasn't just an
19 area of crime. The Sergeant, you'd have to notify the CIB
20 at Headquarters.

21 **CHIEF RYDER:** That's correct.

22 But it would go through channels.

23 **MR. ENGELMANN:** Right. So is there an extra
24 level of benchmark offences, then?

25 **CHIEF RYDER:** Yes, there are.

1 **MR. ENGELMANN:** All right.

2 So there are some that are benchmarked to
3 the area crime sergeant?

4 **CHIEF RYDER:** That's correct.

5 **MR. ENGELMANN:** And then there are some that
6 are double benchmarked, if I can use the term?

7 **CHIEF RYDER:** That's correct.

8 **MR. ENGELMANN:** And is there -- do you have
9 some examples of those?

10 **CHIEF RYDER:** Yes, I can.

11 The policy that we have in place is that the
12 CIB will be notified by our GHQ duty officer, General
13 Headquarters duty officer, so that's where if there was a -
14 - these kind of offences occurred, that notification would
15 incur that route.

16 Homicides, conspiracy or counseling to
17 commit murder, attempt murder where the victim's injuries
18 are life-threatening, sudden death where foul play is
19 suspected, missing persons where foul play is suspected,
20 major explosions where a bombing is suspected, those types
21 of occurrences. And there's a few.

22 **MR. ENGELMANN:** Okay. Would any of them
23 involve sexual offences?

24 **CHIEF RYDER:** There was a benchmark about
25 sexual offences in training schools, training institutions.

1 **MR. ENGELMANN:** Okay. None other that
2 you're aware of?

3 **CHIEF RYDER:** Not dealing with sexual
4 offences other than the training schools.

5 **MR. ENGELMANN:** All right.

6 **THE COMMISSIONER:** What period of time are
7 we talking about?

8 **CHIEF RYDER:** This was 1992.

9 **MR. ENGELMANN:** And then you also talk about
10 youth under your benchmark occurrences and domestic.

11 **CHIEF RYDER:** Yes.

12 **MR. ENGELMANN:** Can you give us a sense of
13 what you're saying there, sir?

14 **CHIEF RYDER:** Well, on the domestic, there
15 was another requirement that you had to make a UCR domestic
16 violation code, selected in the UCR window, and that
17 violation should be added to all other occurrences. It was
18 a policy in place to make sure that when we were going to a
19 domestic violence circumstance that it was coded as a
20 domestic violence circumstance because we had other
21 supports in the regions or domestic violence investigators,
22 that provide a quality assurance to make sure that those
23 investigations are carefully monitored and investigated.

24 **MR. ENGELMANN:** So just so I understand
25 this, you had a benchmark code for sexual assault, whether

1 that's sexual assault or child sexual assault ---

2 CHIEF RYDER: Yes.

3 MR. ENGELMANN: --- but you have a benchmark
4 code for that?

5 CHIEF RYDER: Yes.

6 MR. ENGELMANN: You also have a benchmark
7 code for domestic violence?

8 CHIEF RYDER: That's correct.

9 MR. ENGELMANN: And you have a -- do you
10 have a domestic -- sorry, do you have a benchmark code for
11 crimes where there are youth victims?

12 CHIEF RYDER: Yes. Now, the other benefit
13 from upgrading to a Niche RMS system as we were able to
14 then incorporate the new UCR data standards which now
15 started to collect not only information related to those
16 who committed offences, but who were the victims of crimes.
17 So this provides an opportunity to get fairly specific
18 information on not only who was committing the crimes but
19 who were the victims.

20 MR. ENGELMANN: So this is the first time
21 we're getting better information, really, about who the
22 victims are.

23 CHIEF RYDER: That's correct.

24 MR. ENGELMANN: And domestic violence issues,
25 were they always a benchmark occurrence, sir?

1 **CHIEF RYDER:** They were not always.
2 Obviously, unfortunately, in this province and across
3 Canada we've had some very tragic results due to perhaps
4 unfortunate investigations of domestic violence, so this is
5 a quality assurance mechanism to make sure that when we do
6 encounter domestic violence circumstances that there's
7 proper oversight and that we have properly trained domestic
8 violence investigators.

9 **MR. ENGELMANN:** So I'm sorry, is this now
10 domestic violence if there's a domestic violence code? Is
11 that now a benchmark occurrence? Or does it depend on the
12 type?

13 **CHIEF RYDER:** If there's a notification to
14 the region. So I would say yes.

15 **MR. ENGELMANN:** All right.
16 To the area crime sergeant or to someone
17 else?

18 **CHIEF RYDER:** The area crime sergeant.

19 **MR. ENGELMANN:** All right.
20 And what about offences where youths are
21 victims, does it depend on the type of offence,
22 or is it just the fact that the victim is a child
23 or youth?

24 **CHIEF RYDER:** It's not a benchmark case.
25 This section here is really reflecting the fact that we

1 have an increase capacity to ---

2 MR. ENGELMANN: All right.

3 That you can codify who victims are?

4 CHIEF RYDER: That's correct.

5 MR. ENGELMANN: All right. Fair enough.

6 And again, under "Management Process" you've
7 set out some of the accountabilities of both employees that
8 are using the system and are responsible for their data
9 entries?

10 CHIEF RYDER: That's correct.

11 MR. ENGELMANN: And also additional
12 responsibilities of the detachment commander to insure that
13 these reports are accurate?

14 CHIEF RYDER: That's correct.

15 MR. ENGELMANN: Sir, I'm going to skip over
16 that last portion dealing with retention periods because I
17 think that will be covered by another witness.

18 CHIEF RYDER: Okay. Thank you.

19 MR. ENGELMANN: So let's very briefly look
20 at the complaints section. And I say briefly, despite the
21 thickness of this volume, and it's Volume 5. Much of what
22 is in this particular book, as I understand it, is the
23 legislative history in the province dealing with how
24 complaints against police officers have been handled.

25 CHIEF RYDER: Yes, this is a very

1 comprehensive review of the legislation and how it's
2 changed from the inception of the *Police Act*, 1946 until
3 today.

4 **MR. ENGELMANN:** All right.

5 And as I understand it, sir, we have an
6 outline prepared by counsel that you have some knowledge of
7 and some input into, but it's mainly towards the back end?

8 **CHIEF RYDER:** That's correct.

9 **MR. ENGELMANN:** All right.

10 So I don't plan to spend any time on the
11 legislative history other than perhaps to ask you a couple
12 of basic questions. We're dealing with here, not just
13 complaints against OPP officers, but complaints against any
14 police officers working in the province?

15 **CHIEF RYDER:** That is correct.

16 **MR. ENGELMANN:** Sorry, I guess they're OPP
17 and/or municipal Force.

18 **CHIEF RYDER:** Municipal.

19 **MR. ENGELMANN:** Yes. And issues dealing
20 with how these complaints are to be handled have been set
21 out since the original *Police Act* in 1946?

22 **CHIEF RYDER:** That is correct, sir.

23 **MR. ENGELMANN:** And as I understand it, some
24 of these processes have been what I'll call
25 internal, where there's someone within a police

1 force that is determined to make a final decision
2 at the end of the day about these complaints?

3 CHIEF RYDER: Yes, sir.

4 MR. ENGELMANN: And that at various times
5 there has also been some external review.

6 CHIEF RYDER: That is correct.

7 MR. ENGELMANN: And, in fact, there was some
8 external review during the early and mid-nineties.

9 CHIEF RYDER: That's correct.

10 MR. ENGELMANN: Now the system that exists
11 today, and one that you're familiar with is described
12 perhaps most easily in Tab 10.

13 CHIEF RYDER: Yes, sir.

14 MR. ENGELMANN: Is that correct?

15 CHIEF RYDER: That's correct, sir.

16 MR. ENGELMANN: Do you want to just take us
17 through that diagram briefly.

18 CHIEF RYDER: Yes. The diagram looks fairly
19 complicated but it's actually a very well-done process map.
20 So if we go to the bottom of the screen where we receive
21 the complaint -- and that complaint can be a complaint from
22 the public or it can be an internal complaint where one of
23 our members writes a memo alleging some conduct complaint.

24 So then that goes to the Commissioner who
25 discharges her duties through our Professional Standards

1 Bureau.

2 MR. ENGELMANN: Just let me stop you there.
3 These complaints, they can be against either commissioned
4 or non-commissioned officers?

5 CHIEF RYDER: That is correct.

6 MR. ENGELMANN: What about if it's a
7 complaint against a civilian employee, would that go in a
8 different ---

9 CHIEF RYDER: There would be an internal
10 complaint but it wouldn't come under the auspices of the
11 *Police Services Act*.

12 MR. ENGELMANN: Thank you.

13 So you were -- sorry, I interrupted.

14 CHIEF RYDER: So once there's a
15 classification -- if it goes toward classification. If
16 there's some information back to the complainant and this
17 is how we're classifying this particular complaint and the
18 complainant is not happy with that classification then the
19 complainant can request a review of that classification to
20 the Ontario Civilian Commission on Police Services.

21 So that's the first time that we classify a
22 complaint a certain way; we've notified the complainant
23 that this is the way that we've classified this complaint.
24 If they're not happy with that they can appeal to OCCPS.

25 MR. ENGELMANN: Okay. And you seem to be

1 talking about three different types of complaints here?

2 CHIEF RYDER: That's correct. So they might
3 be classified, for example, as frivolous, vexatious or bad-
4 faith complaints and ---

5 MR. ENGELMANN: Sorry, I think we mis-
6 communicated. You have three different complaints at the
7 bottom. You have a local policy complaint?

8 CHIEF RYDER: Oh, sorry, yes. Local policy,
9 conduct and/or a complaint about the provincial service.

10 MR. ENGELMANN: Can you just tell us what
11 the difference is between those three?

12 CHIEF RYDER: Well the conduct obviously is
13 a direct relation to one of our members; it's actually
14 conduct.

15 MR. ENGELMANN: Yes.

16 CHIEF RYDER: A local policy would be
17 directed to the detachment commander because it would be
18 local service that -- if we received a complaint that there
19 wasn't proper patrols and not enough police officers
20 patrolling a certain area, that would go as a local policy
21 complaint. And then, similarly, provincial policy if it
22 was a complaint dealing specifically at the Ontario
23 Provincial Police as a whole.

24 MR. ENGELMANN: All right.

25 So those policy complaints seem to have

1 short-form tracks?

2 **CHIEF RYDER:** That's right.

3 **MR. ENGELMANN:** The complaints we deal with
4 in the main then are the conduct complaints?

5 **CHIEF RYDER:** That's correct.

6 **MR. ENGELMANN:** And I think you were
7 starting to explain how they could be dealt with?

8 **CHIEF RYDER:** That's correct.

9 So the conduct complaint, there's some that
10 could be classified as frivolous vexatious, or bad faith,
11 and I guess to give an example of that would be a chronic
12 complainer that is maybe -- we're receiving 10, 15 letters
13 every two weeks, whatever the case may be.

14 **MR. ENGELMANN:** Who is deciding at that
15 stage? Do you know?

16 **CHIEF RYDER:** Through our Professional
17 Standards Bureau and the OPP.

18 **MR. ENGELMANN:** All right.

19 **CHIEF RYDER:** At that time, there is a
20 notification to the complainant and, once again, the
21 complainant has an opportunity to contact the Ontario
22 Civilian Commission on Police Services who will either send
23 a letter back saying that they agree with our decision or
24 they could direct us to conduct an investigation, despite
25 the fact that we had originally classified it in that

1 regard.

2 The other situation would be a complaint
3 more than six months. There is a provision under the
4 Police Act that, unless the complaint comes in within a six
5 month period after the alleged conduct, that that once
6 again falls outside of the jurisdiction of our
7 investigation. So we would notify the complainant of that
8 decision. Once again, there would be an appeal process
9 allowed.

10 The next box to the ---

11 **THE COMMISSIONER:** Sorry, just a second now.

12 So this six month limitation, that means
13 that no matter how egregious the act was, then there's no
14 recourse?

15 **CHIEF RYDER:** No. I guess I'll make two
16 points in that regard.

17 The first one at six months from the time it
18 comes to our attention.

19 **THE COMMISSIONER:** Six months from the time
20 it comes to your attention?

21 **CHIEF RYDER:** Yes. So if something happened
22 three years ago and we found out about it today ---

23 **THE COMMISSIONER:** You'd still have the six
24 months?

25 **CHIEF RYDER:** Yes. And if we received a

1 complaint -- there are also provisions in the Act that if
2 we receive a complaint and we're getting close to the six
3 month timeframe, that the Commissioner can sort of override
4 that.

5 **THE COMMISSIONER:** And that's basically a
6 labour relations kind of agreement between you and the
7 police officers?

8 **CHIEF RYDER:** Actually, that's part of the
9 Act. There are certain provisions in the Act that allows
10 that to happen.

11 **THE COMMISSIONER:** Okay. All right.

12 **MR. ENGELMANN:** Are those particular
13 provisions set out in this binder or are they back in ---

14 **CHIEF RYDER:** The section 59.4, the *Police*
15 *Services Act* ---

16 **MR. ENGELMANN:** Yes.

17 **CHIEF RYDER:** --- is the one the complaint
18 more than six months.

19 **THE COMMISSIONER:** I'm sorry, what part of
20 the Act?

21 **CHIEF RYDER:** It's the section 59(4), *Police*
22 *Services Act* ---

23 **THE COMMISSIONER:** M'hm.

24 **MR. ENGELMANN:** All right.

25 **CHIEF RYDER:** --- as depicted on the chart.

1 **MR. ENGELMANN:** Yes. And then you have
2 another reason why they might dismiss at that stage?

3 **CHIEF RYDER:** That's correct.

4 That's if the complaint is not received
5 directly from the complainant. If it's a third-party
6 complaint then there could be a decision not to investigate
7 that particular complaint if it came from a third party.

8 **MR. ENGELMANN:** All right.

9 **CHIEF RYDER:** The regulations state that the
10 complaint must be made in writing by the person affected by
11 the conduct.

12 **MR. ENGELMANN:** What about if that's a
13 parent on behalf of a child?

14 **CHIEF RYDER:** Then that would be the parent
15 would be acting on behalf of the child and that would
16 certainly be okay.

17 **MR. ENGELMANN:** So if the complaint passes
18 the threshold, gets through the Police Services Branch, it
19 is referred to Investigation?

20 **CHIEF RYDER:** That's correct. And so if
21 there is an investigation it would be conducted by members
22 from policing from our Professional Standards Bureau or,
23 depending on the severity of the case, could be
24 investigated by, let's say, an area crime sergeant, for
25 example.

1 The results of the investigation, there is
2 several things that could occur. The results of the
3 investigation could determine that the complaint was
4 unsubstantiated, at which time there would be no further
5 action towards the officer involved.

6 The next step -- I guess I should have -- I
7 should go right back to the -- I missed a very important
8 step. Go back to the fact that when we first get the
9 complaint, the conduct complaint, there is an effort at the
10 outset to try to achieve an informal resolution. A lot of
11 times people are upset with an officer; let's say as an
12 example, that they may have perceived that the officer was
13 rude on the side of the highway. That's the type of case
14 where a supervisor might be able to -- once they are
15 notified, might be able to take information from the
16 complainant, have the discussion and maybe arrange an
17 informal meeting and maybe with an apology from the officer
18 that that kind of complaint can be resolved informally.

19 So if the case, once again, goes back to the
20 investigation stage, if it's unsubstantiated there is no
21 further action. There still is an opportunity that if it's
22 a substantiated complaint, that another effort could be
23 made to deal with the complaint in an informal resolution
24 with the agreement of the person who laid the complaint.
25 There could be a consent to penalty, a penalty offered to

1 the officer who was found guilty of this particular
2 violation of the conduct offence and a penalty could be
3 assessed consensually or if informal resolution not
4 achieved there can be a charge under the *Police Service Act*
5 and proceed to a public hearing.

6 **MR. ENGELMANN:** And that hearing -- did you
7 say a public hearing, sir?

8 **CHIEF RYDER:** The *Police Services Act*
9 hearings are public.

10 **MR. ENGELMANN:** Right. And that hearing is
11 in front of, as I understand it, a Force adjudicator?

12 **CHIEF RYDER:** Yes, an adjudicator.
13 Sometimes it's our Force adjudicator. Sometimes we
14 contract out.

15 **MR. ENGELMANN:** And do -- is there a policy
16 or procedure dealing with when it would be internal or
17 external?

18 **CHIEF RYDER:** Well, there's obviously some
19 cases that are more sensitive than others. It's from a
20 position that -- from OPP it's best to have somebody
21 outside the police service come in and adjudicate.

22 **MR. ENGELMANN:** And sir, I understand there
23 is a layman's guide to this process at Tab 9? Is that
24 correct?

25 **CHIEF RYDER:** That's correct.

1 **MR. ENGELMANN:** And as well, Mr.
2 Commissioner, you had asked about some of the statutory
3 authority?

4 **THE COMMISSIONER:** M'hm.

5 **MR. ENGELMANN:** The *Police Services Act* has
6 been set out for us in the OPP Community Policing Volume,
7 Volume 3, at Tab 2. So for example, if you were interested
8 in the time limit provision, 59.4 is set out at page 54 of
9 105 where there is a discretionary time limit. It seems it
10 says the chief of police may decide not to deal with any
11 complaint made by a member of the public if the complaint
12 is made more than six months after the facts on which it is
13 based occurred.

14 And I think you have talked about an
15 internal rule and mechanism where even if it's later than
16 six months after it occurred; as long as it's dealt with.

17 **CHIEF RYDER:** If it comes within the
18 intention of the OPP within -- like we have some time to
19 deal with it. If the conduct happened six months ago and
20 we found out about it in six months and one day and we just
21 found out about it now, there's provisions, at least from
22 my understanding, that because it just came to our
23 attention that we could take some action.

24 **MR. ENGELMANN:** What if it happened 10 or 20
25 years ago?

1 **CHIEF RYDER:** I think that that would
2 probably not be applicable.

3 **MR. ENGELMANN:** Now, after the hearing there
4 is an appeal; is that correct, or a review?

5 **CHIEF RYDER:** That's correct.

6 **MR. ENGELMANN:** And if you know the answer
7 to this, but is that a paper review or is that an actual
8 hearing review?

9 **CHIEF RYDER:** I don't know exactly. I
10 believe it's a review of -- on paper. I don't recall
11 having OCCPS have the hearing but they might have that
12 ability to do that.

13 **MR. ENGELMANN:** Actually, I'm just trying to
14 find the answer. I think you've referred to section 70.
15 So again, at Tab -- sorry, Volume 3, Tab 2, page 75 of 105.
16 I don't know if you have that on the screen, sir, near the
17 bottom?

18 **(SHORT PAUSE/COURTE PAUSE)**

19 **CHIEF RYDER:** Can you scroll down just a bit
20 more?

21 **MR. ENGELMANN:** Yes, it seems the Commission
22 may accept the submission.

23 **CHIEF RYDER:** Oh, may, yes.

24 **MR. ENGELMANN:** Sir, then, very briefly, the
25 large tab at Tab 11 was a different error, correct, it's

1 the opposite of the Police Complaints Commissioner?

2 **CHIEF RYDER:** That is correct.

3 **MR. ENGELMANN:** Having said that, I believe
4 a part of this outline that you're familiar with and that's
5 very recent, is that the bottom of page 7?

6 **CHIEF RYDER:** Yes, sir.

7 **MR. ENGELMANN:** And what can you tell us
8 about the current status of this issue?

9 **CHIEF RYDER:** Well, the Honourable Patrick
10 J. LeSage, the former Chief Justice of the Ontario Superior
11 Court of Justice, was retained by the Ministry of the
12 Attorney General to review the current system dealing with
13 public complaints regarding police conduct and to advise on
14 the development of a model resolving public complaints
15 against the police, and that report was delivered to the
16 Attorney General on April 22nd, 2005 and on April 19th, 2006
17 the Attorney General issued a press release advising that
18 the provincial government has introduced the independent
19 *Police Review Act* for 2006 which if passed it would
20 entrench an independent police complaint system centered
21 around a civilian organization led by an independent police
22 review director.

23 **MR. ENGELMANN:** All right.

24 So we may be returning to sort of an
25 independent review that we saw in the nineties?

1 **CHIEF RYDER:** That's the information that we
2 have before us.

3 **MR. ENGELMANN:** All right, okay.

4 Sir, then very quickly, Tabs 12 and 13, at
5 Tab 12 we have an excerpt from the OPP Police Orders?

6 **CHIEF RYDER:** That's correct.

7 **MR. ENGELMANN:** And it, it deals with the
8 complaint process at 610/5. Is that correct?

9 **CHIEF RYDER:** That's correct.

10 **MR. ENGELMANN:** And it just talks about the
11 processes that follow and some of the notifications, et
12 cetera?

13 **CHIEF RYDER:** That's correct.

14 **MR. ENGELMANN:** And as well talks about the
15 investigation at page 9 of 26?

16 **CHIEF RYDER:** Yes, sir.

17 **MR. ENGELMANN:** All right.

18 And as well, a process if there are public
19 complaints starting on page 10?

20 **CHIEF RYDER:** That's correct.

21 **MR. ENGELMANN:** And then, sir, at Tab 13 you
22 have an excerpt from a process manual?

23 **CHIEF RYDER:** Yes. This is an internal
24 manual created by the Professional Standards Bureau, I
25 believe for their use.

1 **MR. ENGELMANN:** All right.

2 Now, I understand that there used to be
3 something called "codes of offences" and now we have
4 something called the "code of conduct"?

5 **CHIEF RYDER:** That's correct.

6 **MR. ENGELMANN:** And then if there are
7 breaches of the code of conduct that can lead to complaints
8 and/or discipline?

9 **CHIEF RYDER:** Yes, sir.

10 **MR. ENGELMANN:** And some of the reasons for
11 that -- some of what may be defined as misconduct is set
12 out -- can you give me a sense as to how far back? Is it
13 close to the end?

14 **CHIEF RYDER:** Last four pages.

15 **MR. ENGELMANN:** Last four pages. So a
16 number of issues here are set out as misconduct. I note it
17 says "any chief of police or other police officer". So
18 again, we're dealing with all police officers?

19 **CHIEF RYDER:** That is correct.

20 **MR. ENGELMANN:** There is no distinction
21 between level of rank or experience?

22 **CHIEF RYDER:** Absolutely not.

23 **MR. ENGELMANN:** So for example, using
24 profane, abusive, insulting language to any other member of
25 a police force is misconduct?

1 CHIEF RYDER: It is.

2 MR. ENGELMANN: Assaults any other member of
3 a police force could be misconduct?

4 CHIEF RYDER: Yes, sir.

5 MR. ENGELMANN: And you have got a number of
6 other things about contravening provisions of the Act or
7 the Regulations.

8 CHIEF RYDER: Yes, sir.

9 MR. ENGELMANN: Insubordination by word, act
10 or demeanour or without lawful excuse, disobeys, omits or
11 neglects to carryout any lawful order ---

12 CHIEF RYDER: Yes, sir.

13 MR. ENGELMANN: That could be misconduct?

14 CHIEF RYDER: It is misconduct.

15 MR. ENGELMANN: And then there is a variety
16 of types of misconduct under "Neglect of Duty"?

17 CHIEF RYDER: Yes, sir.

18 MR. ENGELMANN: And "Other Practices"?

19 CHIEF RYDER: Yes, sir, quite an extensive
20 lesson.

21 MR. ENGELMANN: Yes.

22 If I could just have a moment?

23 THE COMMISSIONER: M'hm.

24 (SHORT PAUSE/COURTE PAUSE)

25 MR. ENGELMANN: Chief Ryder, thank you very

1 much. Those are my questions. There may well be questions
2 for you from others and ---

3 **THE COMMISSIONER:** It's break as well. So
4 should we canvass how much time we'll be in cross-
5 examination or do you want to take a break now?

6 **MR. ENGELMANN:** You may want to do that
7 before we take a break.

8 **THE COMMISSIONER:** All right.

9 **MR. ENGELMANN:** Just so we have a sense with
10 respect to the next witness, if that's all right?

11 **THE COMMISSIONER:** M'hm.

12 **MR. ENGELMANN:** I just had an opportunity to
13 speak to a couple of counsel. Maybe I can just ask counsel
14 in order about approximate time, starting, of course, with
15 Mr. Wardle, if I may?

16 **MR. WARDLE:** I expect to be about 20
17 minutes, Mr. Commissioner.

18 **THE COMMISSIONER:** All right. Thank you.

19 **MR. ENGELMANN:** Mr. Lee?

20 **MR. LEE:** I have a few questions, Mr.
21 Commissioner, but no more than 10 minutes.

22 **THE COMMISSIONER:** I'm going to hold you to
23 that, Mr. Lee.

24 **(LAUGHTER/RIRES)**

25 **MR. LEE:** I'm thinking five minutes but I'd

1 overshoot it, I thought.

2 **THE COMMISSIONER:** Terrific, that's great.

3 **MR. ENGELMANN:** Okay. Mr. Bennett is not
4 here; Mr. Cipriano is not here.

5 Mr. Chisholm.

6 **MR. CHISHOLM:** No questions, Mr.
7 Commissioner.

8 **THE COMMISSIONER:** Terrific.

9 **MR. ENGELMANN:** Mr. Rose.

10 **MR. ROSE:** I don't expect to have any
11 questions.

12 **THE COMMISSIONER:** Okay.

13 **MR. ENGELMANN:** Mr. Kloeze.

14 **MR. KLOEZE:** I may only have one question.

15 **MR. ENGELMANN:** Mr. Hannah-Suarez?

16 **MR. HANNAH-SUAREZ:** I don't expect any
17 questions.

18 **THE COMMISSIONER:** No, all right.

19 But he will not have any questions, all
20 right. It's not being picked up by the mike.

21 **MR. ENGELMANN:** I'm sorry.

22 **THE COMMISSIONER:** No, that's okay.

23 **MR. HANNAH-SUAREZ:** I wouldn't expect more
24 than five minutes.

25 **MR. ENGELMANN:** Okay.

1 **THE COMMISSIONER:** All right.

2 **MR. ENGELMANN:** Mr. Wallace?

3 **MR. WALLACE:** I expect to be very short, Mr.
4 Commissioner.

5 **THE COMMISSIONER:** It's okay. So under an
6 hour.

7 **MR. ENGELMANN:** And the OPP may have some
8 questions as well.

9 **THE COMMISSIONER:** All right.
10 So within an hour.

11 **MR. ENGELMANN:** All right.

12 **THE COMMISSIONER:** Okay. Let's take a
13 break.

14 **THE REGISTRAR:** Order; all rise. Veuillez
15 vous lever. The hearing will reconvene at 3:30.

16 --- Upon recessing at 3:18 p.m./

17 L'audience est suspendue à 15h18

18 --- Upon resuming at 3:35 p.m.

19 L'audience est reprise à 15h35

20 **THE REGISTRAR:** Order all rise. À l'ordre.
21 Veuillez vous lever.

22 his hearing of the Cornwall Public Inquiry is now in
23 session.

24 Please be seated. Veuillez vous asseoir.

25 **M.F. RYDER, Resumed**

1 --- CROSS-EXAMINATION BY/CONTRE INTERROGATOIRE PAR MR.

2 WARDLE:

3 THE COMMISSIONER: Good afternoon, sir. It
4 seems like I haven't seen you in a long time.

5 MR. WARDLE: I know that. And while I was
6 away, Mr. Commissioner, my friends here were enlightening
7 me about the concept of lawyer's time.

8 THE COMMISSIONER: Okay.

9 MR. WARDLE: So I understand I actually have
10 two hours this afternoon.

11 THE COMMISSIONER: In your dreams.

12 (LAUGHTER/RIRE)

13 THE COMMISSIONER: I'm sorry, did I say
14 something?

15 MR. WARDLE: Chief Superintendent, I just
16 have a couple of questions about the organizational chart
17 of the Force during the 1990s, and I wonder if we could
18 turn up in Volume 2, it would be Tab 6. Now, if I've got
19 this right, this is the chart prior to the major
20 reorganization that took place at the end of 1995; correct?

21 CHIEF RYDER: That is correct.

22 MR. WARDLE: All right.

23 And I just wanted to understand the Criminal
24 Investigation Bureau. At this point the staff were in
25 Orillia; is that correct?

1 **CHIEF RYDER:** No, the director of the
2 Criminal Investigations Branch, and it was a branch in 1993
3 ---

4 **MR. WARDLE:** Yes.

5 **CHIEF RYDER:** --- was in Orillia. However,
6 we had deployed offices in London, Kingston, North Bay,
7 Thunder Bay, Kenora. So the main core would be in Orillia,
8 but over the years we decided to have deployed offices so
9 that when we deploy our CIB that they can get to some of
10 these major cases quicker.

11 **MR. WARDLE:** So let me start at the local
12 level and maybe we can move up from there. At this time,
13 for this area of the United Counties we're looking at
14 District 11, which is from Long Sault; correct?

15 **CHIEF RYDER:** That's correct.

16 **MR. WARDLE:** So that is the district
17 headquarters?

18 **CHIEF RYDER:** That's the district
19 headquarters for number 11 district at that particular
20 time.

21 **MR. WARDLE:** And then you took us to a chart
22 which indicated how many detachments there were in District
23 11; correct?

24 **CHIEF RYDER:** That's correct.

25 **MR. WARDLE:** And I take it there's not

1 actually a criminal investigations staff compliment in Long
2 Sault or in any of the detachments?

3 **CHIEF RYDER:** At that particular time in
4 Number 11 District there would be a district crime unit but
5 there would be no CIB detective inspectors.

6 **MR. WARDLE:** All right.

7 And we may be coming to this later with
8 other witnesses, but when is it that the local officers
9 call in the CIB, if I can put it that way?

10 **MR. WARDLE:** Well, once again, prior to 1992
11 there would be OPP Police Orders that would have
12 information in there that would say that when there was a
13 homicide or foul play would be expected there would have to
14 be a notification to the CIB and that notification would
15 come to the general headquarters and it would be up to the
16 general headquarters CIB assigning officer to assign the
17 appropriate detective inspector to attend that call.

18 Now, although we did have CIB -- we had four
19 I think at particular times CIB deployed officers in
20 Kingston -- that did not mean necessarily that one of those
21 detective inspectors would get that call here to Long
22 Sault. They may very well be and we tried to do that
23 because it was obviously a good thing to keep them close to
24 home, but it could be that detective inspector from London
25 may be -- because that particular detective inspector could

1 have been on call for that particular weekend.

2 **MR. WARDLE:** So in that time period, if
3 there is a homicide, for example, let's say, outside the
4 jurisdiction of the Cornwall Police in your jurisdiction in
5 the general Cornwall area, then there would be an automatic
6 notification to CI headquarters in Orillia?

7 **CHIEF RYDER:** CIB Headquarters, Orillia.

8 **MR. WARDLE:** All right.

9 And then someone would make a decision
10 whether the local detachment can handle that on their own
11 or whether they need assistance?

12 **CHIEF RYDER:** I can say with pretty well
13 certainty that if it was a homicide they would attend.

14 **MR. WARDLE:** Okay. And what about an
15 allegation of child abuse, was there an automatic reporting
16 at that time up to Orillia?

17 **CHIEF RYDER:** No, there was not. There
18 would be -- in 1992 when we had our benchmark there would
19 have been a notification to Number 11 District Crime Unit.

20 **MR. WARDLE:** And so the district crime unit
21 would have some discretion to exercise as to who would be
22 involved?

23 **CHIEF RYDER:** That is correct.

24 **MR. WARDLE:** And then just going a little
25 forward in time and turning to Tab 8, if I could get you to

1 turn that up. So this is now after the reorganization?

2 CHIEF RYDER: That is correct.

3 MR. WARDLE: And as I understand it, we now
4 have six regions across the province; correct?

5 CHIEF RYDER: Yes, we do.

6 MR. WARDLE: And the United Counties are now
7 part of the east region?

8 CHIEF RYDER: That is correct.

9 MR. WARDLE: And the Regional Headquarters
10 has moved to Smith Falls. Do I have that right?

11 CHIEF RYDER: You have that right.

12 MR. WARDLE: See, I was paying attention
13 yesterday.

14 CHIEF RYDER: Yes, you were.

15 MR. WARDLE: And the CI Bureau is still
16 headquartered in Orillia; is that correct?

17 CHIEF RYDER: That is correct.

18 MR. WARDLE: And it still has staff members
19 who are at various regional offices across the province?

20 CHIEF RYDER: That is correct. And I guess
21 what probably led to some confusion is that in the
22 reorganization our CIB branch became a major cases section
23 for a short period of time and then referred back itself to
24 CIB. And the investigation bureau that I now am in command
25 was actually called a criminal investigation bureau and it

1 went back to being an investigation bureau because for a
2 host of reasons they decided to rename the major cases
3 section back to the original CIB. But it would be the same
4 structure in the sense that we had a core number of
5 detective inspectors from the CIB, major cases homicide
6 investigators -- if I could make it simple -- that would be
7 still deployed in the same areas that I've mentioned.

8 **MR. WARDLE:** All right.

9 And it would be the same in terms of
10 reporting up the ladder, if I could put it that way, after
11 1995. If there is an investigation of child abuse, for
12 example, you consider that to be a benchmark case?

13 **CHIEF RYDER:** That is a benchmark case and
14 that would be a notification to the region.

15 **MR. WARDLE:** So it doesn't necessarily go
16 all the way up to the CIB headquarters in Orillia?

17 **CHIEF RYDER:** That's correct. It could
18 though because there are other benchmark notifications,
19 because if it's a multi-jurisdictional, multi-victim, then
20 it could be determined when the region was notified that
21 they needed some major case management and needed the
22 direction and the detective inspector could make that
23 request.

24 **MR. WARDLE:** Thank you.

25 Now, let me just ask a few questions about

1 Police Orders. First of all, in the outline at Volume 2,
2 at page 13 they're described as:

3 "A vehicle used to communicate
4 permanent policy, procedures, direction
5 and guidelines from the Commissioner to
6 all employees."

7 **CHIEF RYDER:** That's correct, sir.

8 **MR. WARDLE:** And I think you said in your
9 evidence, if we just go to the next page of the -- sorry,
10 two pages over. I want to be clear about this. First of
11 all, employees including commissioned and non-commissioned
12 officers are expected to follow the orders; correct?

13 **CHIEF RYDER:** That's correct. And I did
14 take some time to read the introduction to Police Orders --
15 -

16 **MR. WARDLE:** Yes.

17 **CHIEF RYDER:** --- and there is in my outline
18 as well that Police Orders address a broad range of issues
19 and they're not intended to be a substitute for sound
20 judgement and discretion.

21 The rationale behind that -- that was a
22 policy of the Bureau Commander for three years -- is that
23 it's very, very difficult to anticipate all the different
24 situations that may come to the attention of an officer
25 when they're dealing with an occurrence or call for

1 service. And so there has to be some latitude when they're
2 dealing with their -- to investigate the call, that they
3 can use their common sense when it is appropriate to use
4 that common sense and judgement to make a decision to do
5 this or that.

6 Having said that, as I stated earlier, to me
7 in my career in the OPP I always took comfort to make sure
8 that I was trying to always follow the Police Orders
9 because I knew that that gave me a comfort that if I was
10 doing my job and I was doing my work within the parameters
11 of Police Orders that I know I would be supported by
12 organization that I was doing the right thing. But there
13 could be opportunities, and that's why there is that
14 latitude, where something that we could not envision that a
15 policy cannot cover that we need to have an ability to have
16 the officer use some discretion.

17 **MR. WARDLE:** I think I understand that, but
18 if the order is clear then you would expect the officer to
19 follow it; correct?

20 **CHIEF RYDER:** We would expect the officer to
21 follow those areas where it says "shall", "will", but once
22 again it would be -- if there was a marked departure from
23 that particular activity, that "will" or "shall", the
24 officer would have to account for why.

25 **MR. WARDLE:** All right.

1 And is it correct that a failure to comply
2 with one of these orders can be a basis for discipline?

3 **CHIEF RYDER:** It could be. It could very
4 well be a neglect of duty.

5 **MR. WARDLE:** And let me just make sure I
6 understand because I know Mr. Engelmann spent some time
7 with you today on this, but do I have this right that since
8 2000 the Police Orders have been maintained in electronic
9 format; correct?

10 **CHIEF RYDER:** That's correct.

11 **MR. WARDLE:** And so we can get the orders,
12 according to this summary, from 1990 forwards?

13 **CHIEF RYDER:** That's correct.

14 **MR. WARDLE:** But we can't get them through a
15 database format prior to 1990?

16 **CHIEF RYDER:** They're not readily
17 accessible. They are -- we know that they're in a system
18 and there's some difficulties identifying them and
19 retrieving them, the way that I've been briefed.

20 **MR. WARDLE:** And do I understand that if we
21 wanted to get Police Orders, for example, for 1985 we'd
22 have to go to the Erik Silk Library. Do I have that right?

23 **CHIEF RYDER:** Well, there may be -- the
24 microfilms might be at the Erik Silk Library, but once
25 again, it's my understanding that there may be some

1 technical difficulties to be able to like, let's say,
2 achieve a full set of 1985 Police Orders.

3 **MR. WARDLE:** Has anyone actually done that,
4 in connection with this inquiry, gone back and attempted to
5 locate orders for the 1980s, for example, that might be
6 relevant to the terms of reference at this inquiry?

7 **CHIEF RYDER:** It's my understanding that
8 there has been several efforts and discussions about how we
9 could retrieve that information.

10 **MR. WARDLE:** And where are those discussions
11 at, at the moment?

12 **CHIEF RYDER:** I don't know exactly where
13 they are at the moment because I've been briefed on the
14 difficulties but I don't know where exactly we are on those
15 discussions today.

16 **MR. WARDLE:** All right.

17 So just to summarize before I go on to the
18 next subject, if we want to know what Police Orders
19 applied, for example, to those officers who were involved
20 in the Project Truth investigation in the 1990s, that
21 information is available? Correct?

22 **CHIEF RYDER:** In the 1990s, yes.

23 **MR. WARDLE:** But if we wanted to look at the
24 Police Orders that applied for officers who were
25 investigating crimes in the 1980s that's a more difficult

1 task at this point in time?

2 CHIEF RYDER: Yes, it is.

3 MR. WARDLE: Now, let me just turn to the
4 topic of manuals because I'm not sure I completely
5 understood where we were at on this. In the material at --
6 and I know you weren't taken to this directly, but at
7 Volume 6 there is a summary called "Investigative
8 Techniques and Standards".

9 THE COMMISSIONER: I'm sorry, what tab?

10 MR. WARDLE: It's Volume 6.

11 THE COMMISSIONER: Yes.

12 MR. WARDLE: And it would be Tab 2.

13 THE COMMISSIONER: All right.

14 Ontario Major Police Standing?

15 MR. WARDLE: No.

16 THE COMMISSIONER: Volume 6.

17 MR. WARDLE: Sorry, Tab 1.

18 THE COMMISSIONER: Okay. Yes.

19 MR. WARDLE: Can I take you to page 10 --
20 sorry, page 13?

21 CHIEF RYDER: Yes, sir.

22 MR. WARDLE: First of all, this is dealing
23 with Police Orders, and I started with page 10 because
24 that's where this section starts.

25 CHIEF RYDER: Yes, sir.

1 **MR. WARDLE:** And you'll see towards the
2 bottom of page 13, there's a paragraph that deals with the
3 general, criminal investigation policy set out at Chapter
4 2.7 of Police Orders.

5 **CHIEF RYDER:** Yes, sir.

6 **MR. WARDLE:** And that, as I understand it,
7 is Tab 18 of this material?

8 **MR. ENGELMANN:** If I could just have a
9 moment. I know this witness didn't prepare this. I'm not
10 sure if he's going to be able to answer.

11 **THE COMMISSIONER:** Okay.

12 **MR. ENGELMANN:** There will be another
13 witness who will talk on this. I just want to mention that
14 I don't know if the witness is comfortable with it, that's
15 all.

16 **MR. WARDLE:** You can tell me when you're not
17 comfortable, if you don't mind.

18 Now, I take it that what's up on your screen
19 now you would be familiar with this as part of your current
20 Police Orders; correct?

21 **CHIEF RYDER:** That's correct.

22 **MR. WARDLE:** Now, what I was interested in,
23 and when you started talking about manuals, is this deals
24 with child abuse and neglect. And you'll recall in your
25 evidence today with Mr. Engelmann you went over a

1 predecessor manual.

2 **CHIEF RYDER:** That's correct. That was a
3 Historic Document No.44.

4 **MR. WARDLE:** Right. Now, just picking up
5 first from the summary at page 13, it says:

6 "This chapter has been part of Police
7 Orders only since September 2005. Its
8 predecessor was much narrower in scope
9 and dealt only with children in need of
10 protection under the *Child and Family*
11 *Services Act*".

12 Do you see that?

13 **CHIEF RYDER:** Yes.

14 **MR. WARDLE:** Okay. So do I understand that
15 the current portion of Police Orders dealing with child
16 abuse and neglect is really new?

17 **CHIEF RYDER:** I don't think I'll be able to
18 answer that.

19 **MR. WARDLE:** All right.

20 Then you may or may not be able to answer my
21 questions about the manuals. If we go back to Volume 2,
22 Tab 1 ---

23 **CHIEF RYDER:** Yes, sir.

24 **MR. WARDLE:** I'm sorry, this has been
25 supplemented by Tab 22, so I'm going to have to ask you to

1 turn to Tab 22.

2 CHIEF RYDER: Yes, sir.

3 MR. WARDLE: On the first page of Tab 22,
4 there's a reference to manuals towards the bottom of the
5 page.

6 CHIEF RYDER: Yes. "The following manuals
7 are of a particular relevance to the subject matter."

8 MR. WARDLE: If you could just go back on
9 that page to about the middle of the page.

10 CHIEF RYDER: Yes, sir.

11 MR. WARDLE: Okay.

12 "The detachment library was required to
13 maintain a series of manuals prepared
14 by the OPP for the OPP on a wide range
15 of topics."

16 CHIEF RYDER: Yes, sir.

17 MR. WARDLE: Now, I have it clear, don't I,
18 that these are not Police Orders?

19 CHIEF RYDER: That's correct.

20 MR. WARDLE: Okay. And, what's the status
21 of the manuals?

22 CHIEF RYDER: At that particular time?

23 MR. WARDLE: At that particular time.

24 CHIEF RYDER: That was resource material to
25 assist officers at detachment with regard to -- and if

1 we're going to talk about child abuse -- with regard to the
2 investigation of child abuse. If we talk about the manual
3 dealing with sexual offences, the investigation of sexual
4 offences. There are, as stated when I was examined by Mr.
5 Engelmann, there are some policy references in at least the
6 child abuse No.44 that was found within the manual. And so
7 they contained -- at least that one contained some
8 components of OPP policy that was in place at the time.

9 **MR. WARDLE:** All right.

10 But, I guess what I'm getting at first of
11 all, is if I'm an officer, let's say I'm a non-commissioned
12 officer and I'm working at the, you know, the Long Sault
13 Detachment or the Long Sault District Headquarters, and an
14 allegation comes in regarding child abuse. Okay?

15 **CHIEF RYDER:** Yes, sir.

16 **MR. WARDLE:** We know there's nothing in your
17 Police Orders, there's not a section at this time ---

18 **CHIEF RYDER:** No.

19 **MR. WARDLE:** --- dealing specifically with
20 child abuse; correct?

21 **CHIEF RYDER:** I would disagree with that
22 comment. I would -- although I can't probably back it up,
23 because I would expect that there would be Police Orders
24 that would have different elements throughout Police Orders
25 that would talk about investigations of sexual assaults,

1 potentially child abuse; because I know that, in fact, I
2 could back it up to one regard in the sense that the manual
3 itself on child abuse No.44 talked about the child that
4 needed protection; abused or runaway children.

5 **MR. WARDLE:** No, no, but my point, I think,
6 is fairly simple. We just looked at the new Police Orders
7 and they have a specific section that deals with child
8 abuse and neglect. Okay?

9 **CHIEF RYDER:** Yes.

10 **MR. WARDLE:** So we know that there's no
11 specific section historically that dealt with that. It may
12 have been referred to in other ways throughout the Police
13 Orders.

14 **CHIEF RYDER:** I guess I answer that the
15 sexual assault policy that you've directed me to, the
16 recent one, is probably a consolidated where all the
17 policies in relation to sexual child abuse is consolidated
18 into one area.

19 Just like, if I take you back to the
20 restructuring of our Police Orders, where we had policies
21 in Volumes 1 to 10, and we restructured them and put them
22 in the chapters for adequacy; that there could very well
23 have been policies on interviewing, policies on
24 investigations, policies on sexual investigations
25 throughout Police Orders of the day but they may not have

1 been captured under a consolidated title that said, "Child
2 abuse policy".

3 **MR. WARDLE:** All right.

4 But we should be able to get those back to
5 1990; correct?

6 **CHIEF RYDER:** That's correct.

7 **MR. WARDLE:** All right.

8 So if they're not available today, I'm
9 assuming that the Force can make them available to us if we
10 need them?

11 **CHIEF RYDER:** Back to 1990, yes.

12 **MR. WARDLE:** All right.

13 And prior to 1990, you're basically saying
14 to me, "We can't do it", or at least, I don't know whether
15 we can do it"?

16 **CHIEF RYDER:** I guess I'd say in briefings
17 to myself is that -- to me -- is that it's a very, very
18 difficult process and that's where we're at right now.

19 **MR. WARDLE:** All right.

20 Well, let's come back to Tab 24 which is the
21 Child Abuse Manual.

22 **THE COMMISSIONER:** Hold on now. Which book
23 is that?

24 **MR. WARDLE:** It's in the same book, Volume 2
25 at Tab 24.

1 **THE COMMISSIONER:** Okay. Yes.

2 **MR. WARDLE:** Now, what I wrote down this
3 morning, Chief Superintendent, is that this covers the time
4 period from 1982 to 1989. I hope I got that right.

5 **CHIEF RYDER:** The manual is dated October
6 1989, and I believe in another document there was some
7 suggestion that there had been no revisions since 1982.

8 **MR. WARDLE:** I think that's correct.

9 So we know this manual was in place and was,
10 as I understand it, required to be part of the library
11 material at all of your detachments during this time
12 period; correct?

13 **CHIEF RYDER:** That's correct.

14 **MR. WARDLE:** Okay. So my first question is,
15 from 1982 to 1989, if I'm an officer working at a
16 detachment and I have an allegation that comes in,
17 something's reported, an incident or an occurrence of child
18 abuse, do I have an obligation to review this manual?

19 **CHIEF RYDER:** No, I would believe that
20 that's a resource material that you can access. There's no
21 -- I don't believe there's any policy that says -- I know
22 there would not be policy that would say that if you
23 received information of a sexual assault investigation or a
24 child abuse investigation that you are to go to a
25 detachment library and pull out a manual.

1 **MR. WARDLE:** All right.

2 What other document am I going to look at to
3 help me in my investigation?

4 **CHIEF RYDER:** You're going to rely on your
5 training that you've received; your experience that you've
6 encountered through your, let's say, term in the detachment
7 in handling all sorts of investigations, because there is
8 certainly some specific intricacies in investigating child
9 abuse investigation. But, there are basic components of
10 investigation that would still be the same, collection of
11 evidence.

12 **MR. WARDLE:** Well, that's all very
13 interesting, Chief Superintendent, but I asked a very
14 specific question and that is what document am I going to
15 look at?

16 **CHIEF RYDER:** Well, I guess I would say that
17 there is no requirement to get a document. I've been
18 involved in investigations for a long time; been dispatched
19 in the middle of the night to do homicide investigations
20 and I don't grab a book and start to do my investigations
21 out of a book. I rely on my experience, my knowledge of
22 the law and so I just don't walk around with a book to read
23 as I'm doing an investigation.

24 **MR. WARDLE:** All right.

25 And, you can't tell me today what part of

1 the Police Orders for this time period, 1982 to 1989, would
2 deal with this subject, child abuse, because we don't have
3 them; correct?

4 **CHIEF RYDER:** We don't have them right now.

5 **MR. WARDLE:** All right.

6 And, what happened -- where is this manual
7 after 1989?

8 **CHIEF RYDER:** I can't answer that.

9 **MR. WARDLE:** Okay. Are you able to tell us
10 as to whether this manual was kept up to date until the
11 manual process was discontinued relatively recently?

12 **CHIEF RYDER:** Let me back up. When I say,
13 "I don't know where it is", I mean, obviously, I located
14 this in our General Headquarters library. What I don't
15 know is when and if this was ever taken out of circulation,
16 when there may have been a memo that came out asking that
17 this manual be destroyed. So I don't have those specific
18 dates.

19 **MR. WARDLE:** And I really have similar
20 questions with respect to the manual relating to
21 interviewing. It appears to cover the same time period.
22 And, again, I take it that this is just a manual that's
23 available as a resource in the local detachment library if
24 an officer wants to review it?

25 **CHIEF RYDER:** That's correct.

1 **MR. WARDLE:** And there probably is something
2 in the Police Orders for that time period that deals with
3 interviewing, but you can't tell me today specifically what
4 it is?

5 **CHIEF RYDER:** That's correct.

6 **MR. WARDLE:** Let me see if you can help me
7 with this; if I'm examining the conduct of members of your
8 Force in the 1990's investigating allegations of historic
9 abuse of young people, and I want to determine what
10 standards they had to follow, where am I going to go to get
11 that information?

12 **CHIEF RYDER:** At that particular time?

13 **MR. WARDLE:** Yes.

14 **CHIEF RYDER:** Then there would probably be
15 some information in their training files, information in
16 Police Orders. It could be that they didn't follow legal
17 requirements. So there would be -- if you were going to do
18 an investigation, you do a thorough investigation to see
19 what did the officer do during the course of that
20 investigation and whether or not it was a negligent
21 investigation.

22 **MR. WARDLE:** All right.

23 I'm just about finished, Chief
24 Superintendent. I just have a couple of additional
25 questions.

1 First of all, I understand that you're not
2 the person who has expertise dealing with retention policy
3 and that there's another witness going to be coming to deal
4 with that in more detail. Is that correct?

5 **CHIEF RYDER:** That's correct.

6 **MR. WARDLE:** All right.

7 So I will pass on that one.

8 A couple of questions about the complaints
9 process. First of all, is the complaints process
10 publicized in some fashion to the general public?

11 **CHIEF RYDER:** Yes, it is.

12 **MR. WARDLE:** And how is that done?

13 **CHIEF RYDER:** I believe it's on the Ontario
14 government web site. I believe also that the Ontario
15 Civilian Commission on Police Services also has a web site.

16 **MR. WARDLE:** And a follow-up question on
17 this area, for a complaint to make it through the process -
18 - and you remember the big flowchart that you took us
19 through.

20 **CHIEF RYDER:** That's correct.

21 **MR. WARDLE:** Is it only the person who was
22 the subject of the misconduct, or the alleged misconduct,
23 who can complain, or can someone who witnessed the
24 misconduct complain.

25 **CHIEF RYDER:** It cannot be a third party

1 complainant unless as brought out in evidence by Mr.
2 Engelmann, if it was -- there is a specific notation in the
3 legislation that if it's a child, the parent could complain
4 on behalf of the child.

5 **MR. WARDLE:** And one last question, just
6 dealing with community policing. It occurred to me during
7 your evidence this afternoon that we haven't really heard
8 anything about how the OPP is managing up to the goals it
9 has set itself in connection with community policing. Do
10 you have some kind of internal audit or evaluation process
11 to sort of help you figure out how you're doing in going in
12 that direction?

13 **CHIEF RYDER:** Yes, we have several audit
14 mechanisms. We are audited by the provincial auditor. We
15 conduct our own internal audits. We have a Quality
16 Assurance Unit and from time to time they look at all
17 aspects of our policing.

18 **MR. WARDLE:** Thank you.

19 Those are all my questions.

20 **THE COMMISSIONER:** The question that rises
21 out of Mr. Wardle's -- let's assume there's a police
22 officer that sees a police officer do something. He's not
23 really the -- he can lay a complaint but he's third party,
24 isn't he?

25 **CHIEF RYDER:** He's a third party but he

1 could lay an internal complaint himself because he's an eye
2 witness to the event.

3 **THE COMMISSIONER:** What about a third party
4 who's an eye witness? He doesn't have the same rights as
5 you did?

6 **CHIEF RYDER:** Not according to the Act.

7 **THE COMMISSIONER:** Okay. Thank you.

8 Mr. Lee.

9 **MR. LEE:** My questions have already been
10 answered in cross examination so I have nothing further.

11 **THE COMMISSIONER:** Terrific. Thank you.

12 Mr. Chisholm has passed.

13 Mr. Rose. No, who's here for ---

14 **MR. ROSE:** I am and no questions.

15 **THE COMMISSIONER:** Thank you.

16 For the Ministry of the Attorney General?

17 **MR. KLOEZE:** I have no questions.

18 **THE COMMISSIONER:** Thank you.

19 For M. Leduc?

20 **MR. SUAREZ:** No questions.

21 **THE COMMISSIONER:** The Diocese? No.

22 Cornwall Police? Mr. Callaghan.

23 **MR. CALLAGHAN:** Good morning. Oh. Good
24 afternoon.

25 **CHIEF RYDER:** Good afternoon.

1 --- CROSS-EXAMINATION BY/CONTRE-INTERROGATOIRE PAR MR.

2 CALLAGHAN:

3 MR. CALLAGHAN: My name is John Callaghan
4 for the Cornwall Police.

5 I just want to ask a few questions by way of
6 comparisons.

7 My information is the OPP's budget is
8 somewhere north of \$750 million. Is that ---

9 CHIEF RYDER: I guess that would be
10 ballpark.

11 MR. CALLAGHAN: Is there a breakdown as to
12 what a budget at, say, Long Sault would be?

13 CHIEF RYDER: I don't have that information
14 available.

15 MR. CALLAGHAN: Would it be available?

16 CHIEF RYDER: I'm sure it would be.

17 MR. CALLAGHAN: And I don't notice any crime
18 stats in your material. Do you have crime stats for the
19 Long Sault branch?

20 CHIEF RYDER: Once again, there may be if I
21 can just refer to a tab, the business planning tab. If I
22 could look.

23 Under Tab 13. Yes, there are some. On page
24 -- on Tab 13, page 6 of the Eastern Region crime -- sorry,
25 this relates to the region. So there essentially is some

1 statistics for the region.

2 MR. CHISHOLM: But that doesn't ---

3 CHIEF RYDER: It doesn't break down to the
4 Long Sault detachment.

5 MR. CALLAGHAN: Right. But are they
6 otherwise available somewhere?

7 CHIEF RYDER: I would expect so.

8 MR. CALLAGHAN: Would Census Canada -- do
9 you -- does OPP report to Stats Canada?

10 CHIEF RYDER: Yes, we do, through the
11 uniform crime reporting.

12 MR. CALLAGHAN: By way of district or by way
13 of province?

14 CHIEF RYDER: It would be down to the
15 detachment level.

16 MR. CALLAGHAN: So that can be made
17 available to us?

18 CHIEF RYDER: I'm sure it could.

19 MR. CALLAGHAN: All right. Because Stats
20 Canada won't release them to anybody but the person
21 submitting the specifics.

22 CHIEF RYDER: I'm not aware of that.

23 MR. CALLAGHAN: Now, in respect of the audit
24 process that you referred to, which is what my friend, Mr.
25 Wardle, asked about, the audit process I gather, for

1 municipal forces is different than the OPP. Correct?

2 CHIEF RYDER: Yes, it is.

3 MR. CALLAGHAN: All right.

4 We're audited by the Ministry of Public
5 Safety, the police servicing division and you're not.
6 Correct?

7 CHIEF RYDER: That's correct.

8 MR. CALLAGHAN: Are you familiar with the
9 public complaints process in the period of 1990 to 1997,
10 other than actually ---

11 CHIEF RYDER: Well, I'm aware of -- the
12 civilian complaints?

13 MR. CALLAGHAN: Right.

14 CHIEF RYDER: I'm aware of it.

15 MR. CALLAGHAN: Did you work with it? I
16 want to ask a detailed question but I'm not sure whether
17 you would have worked with it.

18 CHIEF RYDER: No, I probably would not be
19 able to -- I didn't have any intimate knowledge with it.

20 MR. CALLAGHAN: We've heard testimony
21 earlier that the awareness with respect to sexual assaults
22 and child sexual assaults increased certainly in the late
23 '80s and early '90s and we also heard the evidence with
24 respect to the Bernardo Inquiry. Is it fair to say that,
25 sort of, policing standards underwent a change during that

1 period?

2 **CHIEF RYDER:** Most definitely.

3 **MR. CALLAGHAN:** So I take it, if I could,
4 the evidence you just gave to Mr. Wardle, I take it that in
5 the 1980s and early '90s you'd agree that police officers
6 probably didn't have all the policies and protocols, et
7 cetera, but they had general investigative techniques which
8 could be said to be largely the same investigative
9 techniques as they are today?

10 **CHIEF RYDER:** I would say that prior -- I
11 mean, make no mistake about it, we have really benefited
12 from the increased technology, from the increased systems
13 in place. But prior to -- and the adequacy standards. But
14 prior to there were still some very complex investigations
15 that were conducted very, very thoroughly with good
16 results.

17 **MR. CALLAGHAN:** Right. And I take it that
18 the changes, the adequacy standards, et cetera, were
19 intended -- and maybe you could agree or disagree with
20 this, to standardize things provincially?

21 **CHIEF RYDER:** I think I would classify them
22 as adequacy standards and sort of a minimum level of police
23 service delivery. So that's how I'd categorize it.

24 **MR. CALLAGHAN:** But standardize that
25 minimize?

1 CHIEF RYDER: Standardize the minimum.

2 MR. CALLAGHAN: And I take it -- just a last
3 question. The OPP's relationship with SOLJAN and now the
4 Ministry of Public Safety, what is the reporting
5 relationship?

6 CHIEF RYDER: Our current Ministry of
7 Community Safety and Corrections?

8 MR. CALLAGHAN: Right.

9 CHIEF RYDER: The Commissioner reports to
10 our Deputy Minister. That's our direct report.

11 MR. CALLAGHAN: And before -- when did it
12 change? I thought at one point you said you got broken out
13 from the Attorney General's office.

14 CHIEF RYDER: That was quite a while ago.

15 MR. CALLAGHAN: Quite a while ago.

16 And is there any mandatory requirement on
17 the OPP to share their technology and their knowledge with
18 other municipal police forces?

19 CHIEF RYDER: Mandatory versus legislative?

20 MR. CALLAGHAN: Well, legislative say.

21 CHIEF RYDER: I'm not aware of any.

22 MR. CALLAGHAN: All right.

23 Thank you.

24 THE COMMISSIONER: Thank you.

25 Mr. Carroll.

1 **MR. WALLACE:** Mr. Wallace this afternoon,
2 Commissioner.

3 **THE COMMISSIONER:** Good afternoon.

4 **--- CROSS-EXAMINATION BY/CONTRE-INTERROGATOIRE PAR MR.**
5 **WALLACE:**

6 **MR. WALLACE:** Good afternoon, Deputy Chief
7 Superintendent.

8 **CHIEF RYDER:** Good afternoon.

9 **MR. WALLACE:** My name is Mark Wallace. I'm
10 here on behalf of the Ontario Provincial Police
11 Association.

12 **CHIEF RYDER:** Yes, sir.

13 **MR. WALLACE:** I would like to revisit very
14 quickly, and this is the only area that I want to ask you
15 any questions on, the introductions to the police orders
16 which is found at Volume 2, Tab 2.

17 **CHIEF RYDER:** Yes, sir.

18 **MR. WALLACE:** You mentioned this in your
19 examination with Mr. Engelmann as well as Mr. Wardle just a
20 few moments ago, and I'd like to draw your attention to the
21 last paragraph of the message where it states that:

22 "Although police officers
23 comprehensively addresses a broad
24 range of issues..."

25 **THE COMMISSIONER:** Sorry, it was Police

1 Orders?

2 MR. WALLACE: Yes.

3 THE COMMISSIONER: You said officers.

4 MR. WALLACE: I'm sorry.

5 THE COMMISSIONER: That's okay.

6 MR. WALLACE:

7 "It is not intended as a substitute for
8 sound judgement and discretion, bearing
9 in mind that our decisions must stand
10 the test of scrutiny employees are
11 expected to interpret Police Orders
12 reasonably and in a manner consistent
13 with the trust afforded them by this
14 organization and the public."

15 The sentiments expressed there are not new.
16 They didn't come in existence for your organization with
17 the publication of the Police Orders. Is that not correct?

18 CHIEF RYDER: Not with this new publication.
19 This was in our earlier provisions of Police Order even
20 before with Commissioner O'Grady. There is a tab -- if I
21 could find it.

22 (SHORT PAUSE/COURTE PAUSE)

23 MR. WALLACE: I wasn't really referring to -
24 - I don't want to be spending time on this. I wasn't
25 referring to the fact that it was incorporated in a

1 document but this was, was it not, a sentiment that was
2 pervasive within the organization, that is that the success
3 of police work to a large extent depends on sound
4 reasoning, solid judgement, good discretion, these sorts of
5 qualities that police officers are expected to have?

6 **CHIEF RYDER:** Yes, sir.

7 **MR. WALLACE:** Okay.

8 **CHIEF RYDER:** And the only reason I was
9 trying to look back to the previous tab was the fact that
10 it shows how consistent that was because similar language
11 was used in the introduction of Police Orders in
12 Commissioner O'Grady's time. So that has progressed.

13 **MR. WALLACE:** Okay. But at the end of the
14 day these are skills that are essential to good police
15 work?

16 **CHIEF RYDER:** Absolutely.

17 **MR. WALLACE:** And in fact, the sound
18 judgement and discretion, these are skills that are
19 developed through not only experience but training as well?

20 **CHIEF RYDER:** That's correct.

21 **MR. WALLACE:** Thank you.

22 Those are my questions.

23 **THE COMMISSIONER:** Thank you.

24 Any follow-up from the OPP?

25 --- CROSS-EXAMINATION BY/CONTRE-INTERROGATOIRE PAR MS.

1 **LAHAIE:**

2 **MS. LAHAIE:** Only one issue, Mr.
3 Commissioner.

4 My name is Dianne Lahaie for the Ontario
5 Provincial Police.

6 **THE COMMISSIONER:** Yes.

7 **MS. LAHAIE:** Detective Chief Superintendent
8 Ryder, I have only one issue I wish to explore slightly in
9 response to Mr. Wardle's questions regarding the manuals in
10 Volume 2, an example of which would be found at Tab 24.

11 You spoke of the issue of the limited
12 availability of these manuals, sir, today and the issue of
13 a destruction order; the limited availability of those
14 manuals for production at an inquiry such as this one at
15 this time. Could you ---

16 **CHIEF RYDER:** These particular in-service
17 training manuals?

18 **MS. LAHAIE:** Yes.

19 **CHIEF RYDER:** Yes.

20 **MS. LAHAIE:** Could you expand on that issue
21 of the destruction order, sir?

22 **CHIEF RYDER:** Well, when the - the
23 destruction order related specifically to hardcopy police
24 orders, but when I talked about a destruction order I was
25 trying to expand on the fact that it could very well be

1 that some of these were taken out of service at a certain
2 period of time because just like Police Orders, if there
3 was no longer maintaining these manuals they would very
4 quickly be out of date and then our officers would not be
5 able to rely on them. In fact, they would be detrimental
6 to have around at a detachment library if they were out of
7 date.

8 **MS. LAHAIE:** And when you held that position
9 at the detachment when you were actually charged with
10 replacing the leaflets or the inserts, what were the orders
11 on the instructions that you received with respect to the
12 pages that you were replacing?

13 **CHIEF RYDER:** If we replaced pages that were
14 out of date we were told to destroy those pages.

15 **MS. LAHAIE:** And the bulk of the research
16 today, sir, is it done at the detachment libraries or in
17 another fashion as you described earlier today?

18 **CHIEF RYDER:** I think that obviously there
19 is all sorts of areas. I mean, I did the demonstration on
20 OPP connections page. That's an avenue of where one can
21 acquire resources on a multitude of topics. And of course
22 there is a detachment resource centre that is available
23 still to this day that has hardcopy publications and
24 videos.

25 **MS. LAHAIE:** Thank you, sir.

1 Thank you, Mr. Commissioner.

2 **THE COMMISSIONER:** Thank you.

3 That will do it for today?

4 **MR. ENGELMANN:** Yes, I have nothing arising.

5 Yes, that was it for today. Our next
6 witness is Roger Kelly. I think rather than try and start
7 him now we'll start him at ---

8 **THE COMMISSIONER:** At 10:00 o'clock.

9 **MR. ENGELMANN:** I guess it's not at 10:00
10 o'clock. We have ---

11 **THE COMMISSIONER:** Oh, right.

12 **MR. ENGELMANN:** Mr. Sherriff-Scott wishes to
13 address us shortly ---

14 **THE COMMISSIONER:** That's right.

15 **MR. ENGELMANN:** --- for a few minutes. And
16 I don't know if others will have anything to say about
17 that.

18 **THE COMMISSIONER:** M'hm.

19 **MR. ENGELMANN:** But then we'll start with
20 Roger Kelly right after that.

21 **THE COMMISSIONER:** Thank you very much for
22 your testimony. I appreciate it. Thank you.

23 **MR. ENGELMANN:** Thank you, Chief Ryder.

24 **CHIEF RYDER:** Thank you.

25 **THE REGISTRAR:** Order. All rise. Æ

1 l'ordre. Veuillez vous lever.

2 The hearing is now adjourned. L'audience
3 est ajournée.

4 --- Upon adjourning at 4:19 p.m./

5 L'audience est ajournée à 16h19.

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C E R T I F I C A T I O N

I, Sean Prouse a certified court reporter in the Province of Ontario, hereby certify the foregoing pages to be an accurate transcription of my notes/records to the best of my skill and ability, and I so swear.

Je, Sean Prouse, un sténographe officiel dans la province de l'Ontario, certifie que les pages ci-hautes sont une transcription conforme de mes notes/enregistrements au meilleur de mes capacités, et je le jure.



Sean Prouse, CVR-CM