

**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 31

Held at :

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

Thursday, May 18, 2006

Tenue à:

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

Jeudi, le 18 mai 2006

ERRATA

Volume 30
May 17, 2006

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Misidentified speaker

MR. SHERRIFF-SCOTT: At this point, I have no questions, Mr. Commissioner.

Should have been:

MR. DUCASSE: At this point, I have no questions, Mr. Commissioner.

Appearances/Comparutions

| | |
|--|---|
| Mr. Peter Engelmann | Lead Commission Counsel |
| Mr. Pierre R. Dumais 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 |
| Ms. Judie Im | 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 |
| M ^e André Ducasse | Diocese of Alexandria-Cornwall and Bishop Eugene LaRocque |
| Mr. Jose Hannah-Suarez | Mr. Jacques Leduc |
| Mr. Mark Wallace | Ontario Provincial Police Association |
| Ms. Suzanne Costom Ms. Diane Lahaie | Staff Sergeant Roger Kelly Inspector Edward Medved |

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| P-39 | Document entitled: Part 7 - Occurrence Reporting Procedures | 10 |

1 --- Upon commencing at 10:08 a.m./

2 L'audience débute à 10h08

3 **THE REGISTRAR:** Order; all rise. À l'ordre;
4 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.

10 **MR. ENGELMANN:** Good morning, Mr.
11 Commissioner. Good morning, Staff Sergeant Kelly.

12 **S/SGT. KELLY:** Good morning.

13 **MR. ENGELMANN:** Just before counsel starts
14 cross-examination, and I believe three or four counsel
15 indicated they would be doing it this morning just to bring
16 you up to date as to where we are going after that, the
17 next witness will be Ed Medved to talk about training
18 issues, and our colleague Pierre Dumais will be leading
19 that evidence.

20 So I anticipate this will take about an
21 hour, if memory serves me yesterday on the cross and then
22 we'll be starting, as I said, with Staff Sergeant Ed
23 Medved.

24 I just wanted to remind counsel that on
25 Tuesday of next week, Monday being a holiday, on Tuesday of

1 next week, the hearing will be starting at two o'clock. I
2 suspect we will still be in OPP policy evidence and,
3 therefore, probably with Heather Kewley as our last witness
4 or possibly Paul Yelle, but in any event that would mean
5 that the motion that's scheduled to be argued immediately
6 after the OPP corporate presentation could be sometime on
7 Wednesday or possibly as late as Thursday, but hopefully it
8 will be argued on Wednesday.

9 **THE COMMISSIONER:** All right.

10 **MR. ENGELMANN:** Thank you.

11 **THE COMMISSIONER:** Good morning, sir.

12 **MR. WARDLE:** Good morning, sir.

13 **THE COMMISSIONER:** All right, so Mr. Wardle.

14 **MR. WARDLE:** Mr. Commissioner, before I
15 begin, I just wanted to indicate on behalf of some of my
16 colleagues and I that today is the day when we catch that
17 train back to the big smoke and we were hoping that with
18 your agreement we could end today at 4:15, if that's
19 agreeable.

20 **THE COMMISSIONER:** I suspect that that will
21 not be a problem.

22 **MR. WARDLE:** Thank you, sir.

23 **THE COMMISSIONER:** Just remind me.

24 **MR. WARDLE:** I will remind you if you don't
25 see people rushing for the exits.

1 ROGER KELLY, Resumed/Sous le même serment:

2 --- CROSS-EXAMINATION BY/CONTRE-INTERROGATOIRE PAR MR.
3 WARDLE:

4 MR. WARDLE: Staff Sergeant Kelly, I'm Peter
5 Wardle, as I think you know and I act for Citizens for
6 Community Renewal and I am also Neil Kozloff's travel
7 coordinator.

8 I want to start, if I can, by just asking
9 you some questions about the benchmarks.

10 S/SGT. KELLY: Yes.

11 MR. WARDLE: That's a topic that we can turn
12 back to and if we can turn up in Volume 6, first, Tab 11.

13 THE REGISTRAR: Which volume is it?

14 MR. WARDLE: Six (6).

15 THE REGISTRAR: My documents aren't working.

16 THE COMMISSIONER: Sorry, Madam Clerk?

17 THE REGISTRAR: My documents aren't working.

18 THE COMMISSIONER: Your documents aren't
19 working? All right.

20 THE REGISTRAR: Two minutes.

21 THE COMMISSIONER: Okay.

22 We'll just be a moment, we're rebooting.

23 (SHORT PAUSE/COURTE PAUSE)

24 THE COMMISSIONER: So we're rebooting the
25 computer and those things take a couple of minutes and

1 we'll just ---

2 **MR. WARDLE:** It's not a problem.

3 **THE COMMISSIONER:** Any case law you want to
4 discuss? Any new brilliant decisions coming out?

5 **MR. WARDLE:** I had some submissions to make
6 on Mr. Callaghan's motion, but I might leave those for
7 another time.

8 **THE COMMISSIONER:** The Supreme Court of
9 Canada deemed fit to uphold me on a decision on retroactive
10 DNA applications for inmates. They did that a couple of
11 weeks ago. I'm sure it's of interest to everyone!

12 **MR. WARDLE:** We'll see if we could work that
13 in. Maybe someone could work that into their cross-
14 examination today.

15 **THE REGISTRAR:** I have no screen.

16 **THE COMMISSIONER:** Now, you have no screen!

17 **MR. ENGELMANN:** We have two choices, I
18 think. We could either take a short break or Mr. Wardle
19 has indicated he could work off paper and I see help is on
20 the way.

21 **THE COMMISSIONER:** We will just standby for
22 a moment.

23 **MR. ENGELMANN:** Okay, thank you.

24 **(SHORT PAUSE/COURTE PAUSE)**

25 **THE COMMISSIONER:** All right. What we will

1 do is we'll proceed, Mr. Wardle, if you could do with the
2 paper and at the break, we'll get a technician in to see
3 how we can resolve the matter.

4 MR. WARDLE: Thank you, sir.

5 THE COMMISSIONER: Thank you.

6 MR. WARDLE: I'm hoping that you have Volume
7 6 in front of you sir?

8 S/SGT. KELLY: Yes. You're looking at
9 "Criminal Investigation Management Procedures" 2.7 of the
10 Police Orders?

11 MR. WARDLE: That's right.

12 S/SGT. KELLY: Tab 11?

13 MR. WARDLE: That's Tab 11.

14 S/SGT. KELLY: Yes.

15 MR. WARDLE: And the Police Orders actually
16 refer to occurrences that are considered as major crime,
17 but as I understand it, you refer to them in the service as
18 benchmarks; is that right?

19 S/SGT. KELLY: Yes, you can use both
20 terminology.

21 MR. WARDLE: And not to go back over
22 yesterday, but the significance of benchmarks are that it
23 triggers some reporting up the line and some supervisory
24 responsibilities. Correct?

25 S/SGT. KELLY: Yes, that is correct.

1 **MR. WARDLE:** I want to go back to the
2 previous version of this, which, as I understand it, is at
3 Tab 12?

4 **S/SGT. KELLY:** Yes.

5 **MR. WARDLE:** And that's the version from the
6 pre-1990 Police Orders. Do I have that right or -- sorry
7 pre-2000 Police Orders.

8 **S/SGT. KELLY:** Pre-January 2001.

9 **MR. WARDLE:** And do we know how long this
10 provision was in effect prior to that date?

11 **S/SGT. KELLY:** I believe it was the early
12 '90s, possibly '92 or 1993. I don't have the exact date
13 here in front of me.

14 **MR. WARDLE:** How do you know that, sir? Is
15 that just from your own personal experience?

16 **S/SGT. KELLY:** No, having gone through in
17 preparing for the testimony today and in partnership with
18 the experience that I have in working the area in the
19 policy section back in the early '90s. I was able to
20 actually review the original submissions that related to
21 the development of this particular policy.

22 **MR. WARDLE:** So you're reasonably confident
23 that the time period that this covers is somewhere in the
24 '92-'93 period forward?

25 **S/SGT. KELLY:** Yes.

1 **MR. WARDLE:** All right. And do I take it
2 that prior to that time period there was no such benchmark
3 procedure or was there another procedure?

4 **S/SGT. KELLY:** There was another procedure.

5 **MR. WARDLE:** Can you just tell us what that
6 was? Was it similar to the one we're looking at now?

7 **S/SGT. KELLY:** Yes, it was. It was similar.
8 It was a notification procedure of a list of benchmarks,
9 very similar list to this one that required notification to
10 the district commander. The district commander was
11 required to notify the respective division commander,
12 depending on the type of occurrence that it involved.

13 **MR. WARDLE:** Do you know whether that
14 procedure prompted some supervision responsibility in terms
15 of assessing the appropriateness of the staff who were
16 doing the initial investigation?

17 **S/SGT. KELLY:** That's something I wouldn't
18 be able to comment on. The policy itself was a
19 notification policy. It didn't set out specific details of
20 response activities of those who were notified.

21 **MR. WARDLE:** Okay. And that again would be
22 part of the pre-1992-'93 Police Orders. Do I have that
23 right?

24 **S/SGT. KELLY:** Yes. That is correct.

25 **MR. WARDLE:** Which we don't have at this

1 point in time?

2 S/SGT. KELLY: I have a copy of that
3 material with me, of that list.

4 MR. WARDLE: Well, that might be useful to
5 have that marked as an exhibit and put into the record if
6 that's agreeable, just so we have some consistency across
7 time periods.

8 S/SGT. KELLY: Just indulge me for a second
9 here. I just have to find it among all these notes that I
10 have.

11 Yes, here it is.

12 The policy was located in our Part 7
13 occurrence reporting procedures general notification under
14 section 38.1 and it states,

15 "As reports are retained at detachment,
16 it is necessary to keep management
17 and/or other special interests advised
18 of an occurrence. A member in charge
19 of a detachment must notify the
20 district commander by CPIC and by
21 telephone when urgent when any
22 occurrences involve any unnatural death
23 of a person, an abduction, armed
24 robbery, serious arson, extortion,
25 gambling, missing person when foul play

1 or misadventure is suspected, sexual
2 assault, serious wounding, weapons, at
3 the discretion of the detachment
4 commander an unusual major occurrence,
5 any occurrence which has the potential
6 to generate an adverse report in the
7 news media or an assault against a
8 member where hospital treatment is
9 required.

10 It's then followed up with a
11 requirement that the district commander
12 receiving notification in accordance
13 with this policy shall forthwith notify
14 the respective division commander. A
15 copy of such notification shall also be
16 provided to the OPP News Bureau."

17 **MR. WARDLE:** All right. Perhaps if I could
18 just come over.

19 **(SHORT PAUSE/COURTE PAUSE)**

20 **MR. WARDLE:** Just so that the record is
21 clear on this document, we're looking at a one-page
22 document entitled, "Part 7 - Occurrence Reporting
23 Procedures". It's not dated although one of the clauses,
24 39.1 has in brackets, (May '87) ---

25 **S/SGT. KELLY:** Yes. That's correct.

1 **MR. WARDLE:** --- which would give us some
2 idea of the date of the document.

3 Can we have that document then marked, Mr.
4 Commissioner, as the next exhibit.

5 **THE COMMISSIONER:** Certainly can. That
6 would be Exhibit 39, I believe.

7 --- **EXHIBIT NO./PIÈCE No. P-39:**

8 Document entitled: Part 7 - Occurrence
9 Reporting Procedures

10 **MR. WARDLE:** All right. And perhaps over
11 the break, copies can be made for anyone who wants a copy.

12 **THE COMMISSIONER:** Exactly.

13 **MR. WARDLE:** So let me just go back and I
14 want to just to ---

15 **(SHORT PAUSE/COURTE PAUSE)**

16 **MR. WARDLE:** Let me just trace the evolution
17 if I can then, in the Police Orders. First of all, it
18 looks like in the '80s, we have you know, a form of the
19 document that you've just handed up now.

20 **S/SGT. KELLY:** That's correct.

21 **MR. WARDLE:** And that really requires for
22 notification to management of certain types of occurrences.
23 Correct?

24 **S/SGT. KELLY:** Yes, that's correct.

25 **MR. WARDLE:** But it doesn't say anything

1 about what happens after notification is made?

2 S/SGT. KELLY: Correct.

3 MR. WARDLE: Okay.

4 Then we have the document at Volume 6, Tab
5 12, which you've dated as in the 1992-1993 period.

6 S/SGT. KELLY: Yes.

7 MR. WARDLE: And that again is from the
8 Police Orders Part X.

9 S/SGT. KELLY: Yes.

10 MR. WARDLE: It has a list of what we would
11 call benchmark occurrences but it also goes on in section
12 1702.3 to outline what those investigation supervisory
13 personnel who receive the notification are to do.

14 S/SGT. KELLY: Yes, that is correct.

15 MR. WARDLE: And what it essentially says is
16 that they have an obligation to determine the most
17 appropriate investigative response and then it lists a
18 number of factors that should be taken into account.

19 S/SGT. KELLY: Yes.

20 MR. WARDLE: Okay.

21 Then the current policy which is found in
22 the current Police Orders at Volume 6, Tab 11 fleshes that
23 out even more. Correct?

24 S/SGT. KELLY: Yes, that is correct.

25 MR. WARDLE: Okay.

1 So one of my questions, just listening to
2 your evidence yesterday, is we see that in the document at
3 Volume 6, Tab 12 that all sexual occurrences are within the
4 list of major crimes or benchmarks.

5 **S/SGT. KELLY:** Yes.

6 **MR. WARDLE:** So when an occurrence -- when a
7 local detachment is notified of a sexual occurrence, let's
8 say an allegation of a sexual crime, what actual form does
9 the reporting -- would the reporting have taken up the line
10 at that time period? Are you able to help us with that?

11 What I mean by that is, how would the
12 notification be made and from whom to whom?

13 **S/SGT. KELLY:** Again, there may be a couple
14 of ways that this occurs. Depending on the information
15 that is received, the Dispatch Office or back then our
16 Comms Centre from that information may automatically make
17 notification to the area crime sergeant that the report has
18 come in, as they're dispatching the officer.

19 If that hasn't occurred, the officer is
20 required to notify their supervisor, either through the
21 radio or verbally to make sure that they're aware that
22 they've received this occurrence. The supervisor then is
23 required to notify the area crime sergeant and that could
24 be through the radio system asking the communications
25 centre to contact the area crime sergeant. It could be by

1 telephone or it could be through the computer system by
2 email or through a CPIC message. It depends on where the
3 individual is and how they can easily access them.

4 **MR. WARDLE:** So would there be something in
5 writing either in the form of an email or a log or some
6 note in a file, typically kept indicating that the
7 notification had been made?

8 **S/SGT. KELLY:** That information should be
9 reported in the occurrence report itself. How the -- the
10 occurrence report would be very clear that the notification
11 was made. I can't be certain that it would specifically
12 indicate how that notification was made. It may or may
13 not. It depends on how the officer entered the
14 information.

15 **MR. WARDLE:** I'm going to try and be a
16 little more practical now. Let's say this occurrence comes
17 in, in the east region, in the Cornwall area let's say
18 somewhere outside of Cornwall that's within the OPP's
19 jurisdiction. So you were saying someone at the local
20 detachment would have the obligation of notifying the area
21 crime ---

22 **S/SGT. KELLY:** Sergeant.

23 **MR. WARDLE:** --- sergeant?

24 **S/SGT. KELLY:** Yes.

25 **MR. WARDLE:** And that person at that time

1 would have been located in Smith Falls? Do I have that
2 right?

3 S/SGT. KELLY: I'm sorry. I wouldn't be
4 familiar with ---

5 MR. WARDLE: Whatever the area headquarters
6 is.

7 S/SGT. KELLY: --- the reporting
8 relationships and structures within the region at that
9 time.

10 MR. WARDLE: All right.

11 Now once the area crime sergeant gets that
12 notification, I take it from the document that we've got in
13 front of us now, that his obligation is to determine the
14 most appropriate investigative response.

15 S/SGT. KELLY: Yes.

16 MR. WARDLE: How does he do that? I was
17 sort of left wondering yesterday a little bit. How does he
18 do that? He's in one place; the detachment is somewhere
19 else. What does he do to make that determination?

20 S/SGT. KELLY: Again, it depends on the
21 distance between these individuals. It may be that the
22 area crime sergeant is in a geographic situation that an
23 immediate response to the scene to gather that kind of
24 information and exchange dialogue with the investigating
25 officer could be done immediately. If that's not possible,

1 whichever means that they can have direct communication
2 would take place.

3 The area crime sergeant has an obligation to
4 collect during that discussion all the necessary
5 information they need to assess the next steps of this
6 investigation.

7 **MR. WARDLE:** So the area crime sergeant is
8 sort of an important player in the investigation of
9 benchmark crimes. Would that be fair?

10 **S/SGT. KELLY:** Yes. Yes.

11 **MR. WARDLE:** Then, reporting up the line
12 from the area crime sergeant, as I understand it, there's a
13 more limited set of occurrences for which reporting goes
14 all the way up to Headquarters to the Criminal
15 Investigation Bureau. Do I have that correct?

16 **S/SGT. KELLY:** Yes, that's correct.

17 **MR. WARDLE:** Okay.

18 Now, I wanted to ask a few questions about
19 Police Orders and make sure I understand your evidence from
20 yesterday.

21 As I understand it, you said that prior to
22 2000, Police Orders covered a number of core activities of
23 the Force. Correct?

24 **S/SGT. KELLY:** Yes, and again, I would just
25 remind you that what we -- the version that was released in

1 January of 2001 was identical in content to the December
2 2000. They were just structured differently.

3 MR. WARDLE: Okay. You described a number
4 of these core areas, like personnel, finance,
5 administration ---

6 S/SGT. KELLY: Yes.

7 MR. WARDLE: --- and obviously there's been
8 an evolution of Police Orders over time. Correct?

9 S/SGT. KELLY: Yes.

10 MR. WARDLE: Now, one thing you said
11 yesterday, I think, was that Police Orders didn't
12 originally deal with the conduct of police investigations.
13 In other words, that's something that's come in over time.

14 S/SGT. KELLY: When we look at versions of
15 Police Orders in the early '50s and '60s and early '70s,
16 they're much smaller, a lot less material is covered and
17 the general focus is on administrative activities rather
18 than investigative details or investigative procedures.

19 MR. WARDLE: Are you able to tell us when
20 investigative procedures became part of Police Orders?

21 S/SGT. KELLY: From my experience, I have
22 seen an evolution in the last 10 to 20 years of more
23 information, more in the last 10 to 15 years of more detail
24 being added to the operational investigative type of
25 material. And just to kind of give you an idea of how I

1 came to that kind of appreciation is, in managing the
2 development of policy and delivering our Police Orders
3 product in the '90s, I had mentioned that we had an
4 electronic version that had memory limitations. Most of
5 our investigative material was contained in what we called
6 Part X.

7 We had so much information that we were
8 putting into that particular part that the program was not
9 capable of taking anymore. We were actually having to
10 restructure components within Part X to move material into
11 an area that we could keep that program running.

12 So that's just an example of how we saw that
13 growth occurring very quickly in the '90s.

14 **MR. WARDLE:** Okay. Now, let me ask you some
15 questions now about the section of the orders that deals
16 with child abuse and neglect and that's at Tab 18.

17 First of all, as I understand it, this
18 document came into effect or this version came into effect
19 in 2005. Correct?

20 **S/SGT. KELLY:** Yes. That's correct.

21 **MR. WARDLE:** The predecessor section from
22 the Police Orders is found in a different volume. It's in
23 Volume 8 at Tab 6.

24 **S/SGT. KELLY:** Yes.

25 **MR. WARDLE:** Do we know the date of this

1 document?

2 S/SGT. KELLY: The content of that material
3 has been in Police Orders for a number of years, dating
4 back to -- I think we spoke yesterday that this material
5 actually was in Police Orders in the '80s and has carried
6 through. It's also referenced almost in an identical way
7 in our Field Guide.

8 MR. WARDLE: Okay.

9 S/SGT. KELLY: And again, this was also
10 replicated in the training material that Chief Ryder had
11 spoken about the other day.

12 MR. WARDLE: So I want to ask first of all
13 some questions about the current chapter of child abuse and
14 neglect and because there is very little of it that appears
15 to have been in the previous version, just really one
16 paragraph.

17 S/SGT. KELLY: Yes, that's correct.

18 MR. WARDLE: And what I'd like to know is
19 whether, for example, the introductory section on the first
20 page, right down to the section 2.16.1, can I take it that
21 all of this is new and that none of this was in the
22 previous Police Orders?

23 S/SGT. KELLY: That's correct.

24 MR. WARDLE: And similarly with respect to
25 2.16.2.

1 **S/SGT. KELLY:** That may be a little more
2 difficult for me to give you a simple answer. There may be
3 components that existed within other policies.

4 **MR. WARDLE:** Well, it certainly talks about
5 the obligation to report, correct?

6 **S/SGT. KELLY:** Yes, that's correct.

7 **MR. WARDLE:** And that was contained in the
8 predecessor paragraph that we looked at in Volume 8.

9 **S/SGT. KELLY:** Yes.

10 **MR. WARDLE:** Okay. But this is obviously
11 much more extensive than the -- than the single paragraph
12 that's in Volume 8, Tab 6?

13 **S/SGT. KELLY:** Yes, there certainly is some
14 new material here.

15 **MR. WARDLE:** Okay. And similarly, if you go
16 on to 2.16.3, this deals with child in need of protection.
17 Again, it's a much more extensive elaboration of the topic
18 than in the previous single paragraph, correct?

19 **S/SGT. KELLY:** That's correct.

20 **MR. WARDLE:** Okay. Then I wanted to take
21 you to 2.16.4, initial response, and would you agree with
22 me that that is a completely new section in the Police
23 Orders?

24 **S/SGT. KELLY:** I believe so.

25 **MR. WARDLE:** Okay. So prior to 2005, this

1 was not a part of the Police Orders at all?

2 S/SGT. KELLY: Not to my knowledge, no.

3 MR. WARDLE: Okay. Was it contained in any
4 other document that you're aware of?

5 S/SGT. KELLY: That's something I wouldn't
6 be able to answer today.

7 MR. WARDLE: And then going on, I'm going
8 skip 2.16.5 but just going on to 2.16.6, which deals with
9 interviewing, you'll see the first paragraph says,

10 "All interviews of a child victim or
11 child witness shall, where practicable,
12 be conducted by a member who has been
13 trained in child interviewing
14 techniques and in concert with the
15 CAS."

16 Do you know whether something like that was
17 contained in the previous version of Police Orders?

18 S/SGT. KELLY: No, that was not.

19 MR. WARDLE: Okay. And was it contained in
20 any other document that you're aware of?

21 S/SGT. KELLY: There again, I wouldn't be
22 able to comment on that. It may have been included in
23 training manuals or other documentation that's gone out to
24 the field.

25 MR. WARDLE: And then going on to 2.16.8,

1 which is over on page 6 of the document and starts at the
2 very bottom of the page, you'll see quite a significant
3 section dealing with supervision.

4 S/SGT. KELLY: Yes.

5 MR. WARDLE: And I take it again that that's
6 all new in 2005?

7 S/SGT. KELLY: Yes, and this particular
8 component, as we've seen in some of the other policies, is
9 to supplement the benchmark policy of 2.7 and to clarify
10 the activities of those who are engaged in the process.

11 MR. WARDLE: Now, I wonder if you could help
12 me with something else. I was attempting to do this with
13 the Chief Superintendent the other day and we didn't get
14 very far, but you were, I think, here for his testimony?

15 S/SGT. KELLY: Yes, I was.

16 MR. WARDLE: And you'll recall I asked him
17 some questions about a manual dealing with child abuse and
18 that's found, I believe, in Volume 6 at Tab 24.

19 (SHORT PAUSE/COURTE PAUSE)

20 MR. WARDLE: No, it doesn't look like it's
21 in that volume. Sorry, Volume 2 at Tab 24.

22 S/SGT. KELLY: So this is Volume 2?

23 MR. WARDLE: Volume 2.

24 S/SGT. KELLY: Yes.

25 MR. WARDLE: And I think we established

1 through the Chief Superintendent that this document would
2 have been kept at detachment libraries in the 1982 to 1989
3 period.

4 S/SGT. KELLY: Yes, that's our
5 understanding.

6 MR. WARDLE: Okay. And my question for him
7 and I'm going to repeat it for you is, do you know whether
8 there was any document like this after 1989 up to the date
9 of the document that we've just been looking at in the
10 current Police Orders?

11 S/SGT. KELLY: No, I'm sorry, I wouldn't be
12 able to answer that kind of a question.

13 MR. WARDLE: Now, you mentioned yesterday
14 "Field Guides".

15 S/SGT. KELLY: Yes.

16 MR. WARDLE: And obviously we're to talking
17 about a Field Guide for the birds, right?

18 S/SGT. KELLY: No.

19 MR. WARDLE: Okay. Volume 6, Tab 20A is a
20 checklist which, as I understand it, was contained in a
21 Field Guide.

22 S/SGT. KELLY: Yes, this is correct.

23 MR. WARDLE: Okay. And do you know when the
24 Field Guide was in effect?

25 S/SGT. KELLY: My understanding is -- and I

1 can confirm certainly from June '97 there was a Field Guide
2 in existence throughout the province.

3 MR. WARDLE: And does the Field Guide deal
4 with investigations or what does it deal with?

5 S/SGT. KELLY: Well, most of the material
6 that is in the Field Guide has come from these training
7 documents that were included in the detachment libraries.

8 MR. WARDLE: Okay. But if I'm an officer
9 out in my squad car and I've got a Field Guide, you know,
10 what does it say on the cover? Does it say Field Guide to
11 some topics? What are the topics that are covered in the
12 Field Guide?

13 S/SGT. KELLY: There are quite a number of
14 topics; it will deal with obviously the checklist that
15 we've seen here today, but there are others that cover
16 dealing with impaired driving; responding to an emergency
17 or emergency occurrence like a disaster; different types of
18 legislation that may be required to deal with but not on a
19 very common or regular basis.

20 MR. WARDLE: All right. And is this just --
21 the Field Guide, is this something just for frontline
22 officers or would, for example, criminal investigators have
23 a copy of the Field Guide and use it?

24 S/SGT. KELLY: This was primarily designed
25 for the frontline officer to have with him while responding

1 to occurrences. There may have been investigators who were
2 using it.

3 **MR. WARDLE:** And do we know when the Field
4 Guide came into effect?

5 **S/SGT. KELLY:** My understanding, and again I
6 can't confirm this, but I believe it was June '97. If
7 there was something prior to that, it's possible but my
8 understanding was it was June '97.

9 **MR. WARDLE:** And what happened to the Field
10 Guide? Was it replaced by something?

11 **S/SGT. KELLY:** No, it still exists and I
12 have a new version being finalized for release as soon as
13 possible.

14 **MR. WARDLE:** All right. Did you bring with
15 you a copy of the Field Guide as of 1997?

16 **S/SGT. KELLY:** No, I'm sorry. I don't have
17 a copy of that with me.

18 **MR. WARDLE:** Okay. I take it that's
19 something that is available though if we wanted to look at
20 it?

21 **S/SGT. KELLY:** Yes, there may be some areas
22 of the Field Guide that may not be appropriate for release
23 to the public. So we may have some concerns about some of
24 the items that are contained in the guide.

25 **MR. WARDLE:** All right. Now, when I look at

1 the "Abused Child Interview Checklist" that was part of the
2 Field Guide at Tab 20A, first of all it's dated June '97.
3 Do I take it that there's not a predecessor to this
4 checklist, that it came into effect with the Field Guide?

5 S/SGT. KELLY: That's my understanding.

6 MR. WARDLE: Okay.

7 S/SGT. KELLY: And my understanding is that
8 the predecessor would have been content that was contained
9 in the training documents in the detachment libraries.

10 MR. WARDLE: Okay. So the link here is
11 probably back to the document I took Chief Superintendent
12 Ryder through?

13 S/SGT. KELLY: I believe so.

14 MR. WARDLE: Okay. That's helpful. And
15 then you'll see in the preamble on the first -- well,
16 there's only one page. The top paragraph, the words that
17 are italicized, you'll see that it says in brackets, "Also
18 see..." and there's a couple of references and then it ends
19 with,

20 "...and the training précis entitled
21 Interviewing Abused Children located on
22 the Intranet".

23 S/SGT. KELLY: Yes.

24 MR. WARDLE: What's that a reference to?

25 S/SGT. KELLY: I believe that is in relation

1 to a training document that was produced and made available
2 by the Provincial Police Academy through their Intranet.

3 MR. WARDLE: I'm just trying to get a sense,
4 Staff Sergeant, for the frontline officers in this period
5 in the nineties, the kind of documents they would look at,
6 if they were dealing with an allegation of child abuse.
7 And I take it for anyone who has the Field Guide after '97,
8 they've got this checklist, right?

9 S/SGT. KELLY: Yes, that's correct.

10 MR. WARDLE: And the checklist would also
11 tell them to look at these reference documents including
12 the précis that we've just talked about?

13 S/SGT. KELLY: Yes, that's correct.

14 MR. WARDLE: And there might also still be a
15 copy in the detachment library of the document I went
16 through with Chief Superintendent, correct?

17 S/SGT. KELLY: Yes, that's something again
18 that I wouldn't be able to comment on.

19 MR. WARDLE: All right. And then aside from
20 that, the only other document for an officer to look at,
21 aside from training material, which we're going to come to
22 with other witnesses, would be the one reference in the
23 Police Orders in the pre-2005 version, correct?

24 S/SGT. KELLY: Yes. There may have been
25 other material that had been sent out during those time

1 periods by other program areas to the organization.

2 MR. WARDLE: Okay. But you're not the
3 person who can talk about that?

4 S/SGT. KELLY: No, I'm sorry, I can't.

5 MR. WARDLE: Okay, all right. Let me turn
6 to a different area. First of all, just to clarify
7 something you said yesterday, the OPP is audited by the
8 Provincial Auditor as I understand it.

9 S/SGT. KELLY: Yes, that's correct.

10 MR. WARDLE: All right. And does the
11 Provincial Auditor conduct an audit that deals with
12 adequacy, for example, of compliance with the standards?

13 S/SGT. KELLY: Again, that's not something
14 that I know. I don't think I'm in a position to be able to
15 speak on their behalf as to what they were actually
16 auditing. I wasn't involved in the last audit by the
17 Provincial Auditor.

18 MR. WARDLE: Okay. The reason I'm just
19 trying to find this out is I'm trying to get a handle on,
20 for example, a topic like community policing. We've heard
21 a lot about it. How do the citizens of the province get
22 any idea of how well the OPP is managing community
23 policing?

24 S/SGT. KELLY: Okay. There are a number of
25 different activities that we engage in the organization to,

1 one, determine levels of satisfaction with our local
2 communities, so our policing-for-result surveys to get a
3 sense of whether they are satisfied with the service that
4 we are providing to them and these are done at the local
5 level.

6 Internally, we have a Quality Assurance
7 Program. The Quality Assurance Program is essentially
8 three main components. There's a requirement for
9 management inspection process activities at each OPP
10 location in the province. That management inspection
11 process involves ongoing review of selected areas of
12 business activity and infrastructure issues in the
13 detachment or in a regional office or a deployed office,
14 and there is a requirement for documenting the assignments
15 of individuals in the areas they're responsible for and
16 report back inaction items on any deficiencies that are
17 found.

18 In addition, the Quality Assurance Unit has
19 developed a self-audit workbook for all of the detachments
20 and regional units. There are also some self-audit
21 workbooks for some of the bureaus. This was something that
22 I was directly involved in developing as a result of my
23 work in policy and with the adequacy standards. I spent
24 about three years developing these particular manuals and
25 many of the questions that we've included in the self-audit

1 relate to adequacy-related requirements as well as other
2 policy requirements. Those workbooks are required to be
3 completed on an annual basis and reported back to the
4 Quality Assurance Unit where they're analyzed, and reports
5 are made back to our provincial command level as well as
6 back to the regional command of that particular location.

7 There are sometimes action items that are
8 cited and there's a requirement for follow-up on those
9 action items.

10 The third component to our Quality Assurance
11 program involves inspections and verification visits, which
12 are basically site audits by dedicated staff in the Quality
13 Assurance Unit with specific templates of areas of high
14 risk that they measure compliance of policy as well as
15 standards.

16 **MR. WARDLE:** So, for example, if we wanted
17 to know how a particular region was being measured, for
18 example, in terms of the investigative techniques of its
19 staff and how well it was doing in a particular area, for
20 example, is that something that would be covered by a spot
21 audit or something of that kind?

22 **S/SGT. KELLY:** There are components of the
23 audit that would address areas that relate to investigative
24 activities. So we would look at whether or not reporting
25 requirements are being met; whether property is properly

1 tagged and being managed in the vaults; a number of
2 different areas like that are reported on and examined.

3 **MR. WARDLE:** That's helpful. Thank you.

4 Now, I hate to get into the topic of
5 retention of records, but I'm afraid I must. Are you,
6 first of all, Staff Sergeant, I was told by people in this
7 room who will remain nameless that you might be someone who
8 knew something about this area. Is that true or not?

9 **S/SGT. KELLY:** It's true that I know
10 something about this area. It's just that I'm not an
11 expert, and there are certain areas that I'm really not
12 qualified to comment or to speak on, on behalf of others
13 who would know more about it.

14 **MR. WARDLE:** All right. Well, why don't we
15 do this; let me ask a few simple questions and if I start
16 to get beyond your area of expertise, please let me know;
17 okay?

18 **S/SGT. KELLY:** Certainly.

19 **MR. WARDLE:** And I want to start where we
20 started with Chief Superintendent Ryder and that is sort of
21 tracing this over time. Do I understand that going back
22 historically when you had a system of occurrence reports --
23 this is before computerization -- that there was a standard
24 20-year retention period?

25 **S/SGT. KELLY:** That's my understanding.

1 **MR. WARDLE:** And am I right that in the
2 1980s, that changed at some point?

3 **S/SGT. KELLY:** Again, that's my
4 understanding.

5 **MR. WARDLE:** You didn't have any direct
6 involvement in this area?

7 **S/SGT. KELLY:** No, I did not.

8 **MR. WARDLE:** And am I right that in the
9 1980s, the retention period changed from 20 years to two
10 years?

11 **S/SGT. KELLY:** I believe that was the
12 discussion yesterday. Again, without it in front of me,
13 I'm relying on yesterday's and I'm just recalling our
14 discussions yesterday so ---

15 **MR. WARDLE:** I'm not here to ask you
16 questions about what yesterday's witness said.

17 Do you have any firsthand direct experience
18 with the retention policy after the 1980s?

19 **S/SGT. KELLY:** No, the only involvement that
20 I've had with the records policy is the corporate level
21 policy that we have in Police Orders that sets out the
22 requirements for people to comply with the records made in
23 its manual and some of the standard processes for ensuring
24 that the proper filing takes place.

25 **MR. WARDLE:** All right. Well, I think we'll

1 have to put these questions to someone else.

2 Thank you very much. Those are all my
3 questions for you.

4 **S/SGT. KELLY:** Okay.

5 **THE COMMISSIONER:** Thank you.

6 Mr. Lee?

7 **MR. LEE:** I have no questions, Mr.
8 Commissioner.

9 **THE COMMISSIONER:** Thank you. Mr. Bennett
10 is not here. No one for Father MacDonald.

11 Mr. Chisholm, you indicated you had no
12 questions.

13 **MR. CHISHOLM:** Correct, sir, no questions.

14 **THE COMMISSIONER:** Thank you.

15 Probation and Corrections?

16 **MR. ROSE:** No questions, sir.

17 **THE COMMISSIONER:** Thank you. Attorney
18 General? Ms. Im?

19 **MS. IM:** No questions.

20 **THE COMMISSIONER:** Thank you. For Monsieur
21 Leduc; Mr. Hannah-Suarez?

22 **MR. HANNAH-SUAREZ:** That would be no
23 questions. Thank you.

24 **THE COMMISSIONER:** Thank you. For the
25 Diocese, Mr. Ducasse?

1 **MR. DUCASSE:** No questions, Mr.
2 Commissioner.

3 **THE COMMISSIONER:** Thank you. Cornwall
4 Police; Mr. Callaghan?

5 **MR. CALLAGHAN:** Yes, I have a few.

6 **--- CROSS-EXAMINATION BY/CONTRE-INTERROGATOIRE PAR MR.**
7 **CALLAGHAN:**

8 **MR. CALLAGHAN:** Good morning, sir, my name
9 is John Callaghan, and as you are probably aware, I act for
10 the Cornwall Police.

11 **S/SGT. KELLY:** Good morning, sir.

12 **MR. CALLAGHAN:** I wanted to ask a few
13 questions regarding policies. And I gather from the
14 earlier evidence you work in the Policy Division of the
15 OPP?

16 **S/SGT. KELLY:** That's correct.

17 **MR. CALLAGHAN:** And how many people would be
18 in the Policy Division of the OPP?

19 **S/SGT. KELLY:** There are 14 individuals who
20 report directly to me within the Research and Policy
21 section; two of those individuals work in the Library; five
22 individuals are considered to be researchers or planners;
23 and the others are involved in policy development.

24 **MR. CALLAGHAN:** Would you have an idea how
25 big your budget would be for that?

1 **S/SGT. KELLY:** Off hand, no I'm -- things
2 have -- because there's been a restructure recently, I
3 don't know how much has been specifically allocated to my
4 area. That has just changed in the last few weeks.

5 **MR. CALLAGHAN:** What would it have been
6 before?

7 **S/SGT. KELLY:** Again, I don't have those
8 numbers here.

9 **MR. CALLAGHAN:** Bigger than a breadbox?
10 I'm just trying to get some comparisons, the
11 OPP to other police forces, for example. I mean,
12 obviously, that type of assistance isn't available to most
13 municipal police forces; correct?

14 **S/SGT. KELLY:** Pardon me?

15 **MR. CALLAGHAN:** That type of assistance to a
16 policy development branch wouldn't be available, say for
17 the Cornwalls of the world?

18 **S/SGT. KELLY:** Well, certainly, the -- I can
19 appreciate that some of the smaller police services don't
20 have the same number of resources dedicated to policy
21 development as the OPP might.

22 **MR. CALLAGHAN:** Are your policy developments
23 shared with municipal police forces?

24 **S/SGT. KELLY:** Yes, in fact, I am a member
25 as well as a member of our Quality Assurance Unit with a

1 committee -- I believe, the name is Adequacy Implementation
2 working group or committee that involves a number of
3 municipal police services and the OPP.

4 These are all individuals who are either
5 involved in policy work or quality assurance or adequacy
6 implementation, and we generally meet on a quarterly basis
7 in the Halton region area.

8 **MR. CALLAGHAN:** So since when has that been
9 the case?

10 **S/SGT. KELLY:** Since the introduction of the
11 Adequacy Standards.

12 **MR. CALLAGHAN:** So since 2000?

13 **S/SGT. KELLY:** Yes. Well, 2001.

14 **MR. CALLAGHAN:** And I take it there is also
15 a policy branch within the Ministry?

16 **S/SGT. KELLY:** Yes.

17 **MR. CALLAGHAN:** And how many people would be
18 in that?

19 **S/SGT. KELLY:** I'm sorry I don't know the
20 numbers.

21 **MR. CALLAGHAN:** Do you recall ---

22 **S/SGT. KELLY:** I can tell you that the
23 activity within the policy branch there, having worked
24 there, is more political level corporate policy, and they
25 deal with a broad range of issues across various spectres

1 or spectrums of the Ministry, including corrections, fire,
2 emergency response as well as policing.

3 **MR. CALLAGHAN:** But how many -- would the
4 policy division of the Ministry be bigger than the policy
5 division of the OPP?

6 **S/SGT. KELLY:** That's quite possible. There
7 are a number of different areas in the Ministry that are
8 involved in policy.

9 **MR. CALLAGHAN:** All right. I take it the
10 Solicitor General and now the Ministry of Community Safety
11 has a statutory mandate to provide programs for the
12 development of policies?

13 **S/SGT. KELLY:** I'm sorry, can you repeat
14 that question again?

15 **MR. CALLAGHAN:** The Solicitor General or the
16 current Ministry has a statutory mandate to provide
17 programs for the development of policies? Are you aware of
18 that?

19 **S/SGT. KELLY:** I'm not sure how to answer
20 that question. I understand the responsibilities set out
21 in the *Police Services Act* of the Solicitor General to
22 provide direction and directives to police services and the
23 requirement to provide support to police services, but I'm
24 not sure exactly how to answer your particular question.

25 **MR. CALLAGHAN:** But I guess I'm referring to

1 just that. I'm not sure I'm going to be able to put my
2 finger on it but the Section 3(2), I believe, of the *Police*
3 *Services Act* sets out the statutory requirements of the
4 Solicitor General ---

5 **S/SGT. KELLY:** I believe so.

6 **MR. CALLAGHAN:** --- or the current Minister;
7 and I thought that, if I recall correctly, programs for the
8 development of policies is one of the mandates.

9 **S/SGT. KELLY:** It may be and, again, it
10 would be difficult for me to provide my interpretation of
11 the responsibilities of the Solicitor General.

12 **MR. CALLAGHAN:** Well, I'm just going in fact
13 from your experience at the Solicitor General. At the time
14 you were there, I take it the Ministry saw, during your
15 stay, a responsibility to take a lead on some of the policy
16 developments.

17 **S/SGT. KELLY:** Well, in the Policing
18 Services Division, the policing standard section is
19 responsible for developing the guidelines in support of the
20 Policing Standards Manual.

21 **MR. CALLAGHAN:** You had indicated that -- I
22 believe you said that policies had sort of commenced -- I
23 think your phrase was "10 or 20 years ago" was when we
24 started getting to policies in policing.

25 **S/SGT. KELLY:** That's from my perspective,

1 my experience.

2 MR. CALLAGHAN: And I take it much of that
3 would sort of emanate from direction to the Ministry?

4 S/SGT. KELLY: We began to see that in the
5 early '90s when the Ministry released the first version of
6 their Policing Standards Manual.

7 MR. CALLAGHAN: Right and that I think you
8 said was in 1992?

9 S/SGT. KELLY: I believe it was 1992.

10 MR. CALLAGHAN: And, of course, that's only
11 14 years ago; correct?

12 S/SGT. KELLY: Yes.

13 MR. CALLAGHAN: With respect to issues of
14 sexual assault, Exhibit 37 was the first implementation
15 with respect to some policy from the Ministry that we have
16 before us; correct?

17 S/SGT. KELLY: That's my understanding.

18 MR. CALLAGHAN: And that was September '96?

19 S/SGT. KELLY: Yes.

20 MR. CALLAGHAN: So that was ten years ago?

21 S/SGT. KELLY: Yes.

22 MR. CALLAGHAN: And that was understood by
23 the policing world as a directive, as opposed to a
24 mandatory requirement or guideline.

25 S/SGT. KELLY: My understanding is a

1 guideline; it was a guideline.

2 MR. CALLAGHAN: Right. And that's how the
3 policing world understood it; correct?

4 S/SGT. KELLY: Yes.

5 MR. CALLAGHAN: Right. And if you take a
6 look at Exhibit 37 and if you go to page 2 of 37, there's a
7 note and the note says,

8 "This standard only applies to adult
9 sexual assault and does not address
10 sexual assault perpetrated against
11 children."

12 Do you see that?

13 S/SGT. KELLY: Yes, I do.

14 MR. CALLAGHAN: And the child abuse standard
15 that we saw was from the year 2000; correct?

16 S/SGT. KELLY: Yes, January 2001 it became
17 in effect.

18 MR. CALLAGHAN: So the policy directive and
19 the policy standard provided by the Ministry is only six
20 years old as opposed to 10 or 20 when it comes to child
21 abuse. Correct?

22 S/SGT. KELLY: That's correct. Yes.

23 MR. CALLAGHAN: Now, you referred to a
24 summit, and you referred to it in the context of Who Does
25 What.

1 S/SGT. KELLY: Yes.

2 MR. CALLAGHAN: The summit you had indicated
3 involved communication or shall I say meetings amongst
4 various police organizations.

5 S/SGT. KELLY: Yes.

6 MR. CALLAGHAN: And I take it that that led
7 to the whole positioning on policing and who does what;
8 correct?

9 S/SGT. KELLY: That's my understanding, yes.

10 MR. CALLAGHAN: I take it that the sexual
11 assault guideline from 1996 was that done in concurrence
12 with some summit of police forces or is that just from the
13 Ministry?

14 S/SGT. KELLY: That, again, I'm not privy to
15 the development activities of the Ministry in putting that
16 '96 document together. I believe it was done in isolation
17 from any type of guidance from the summit and again, I'm
18 going back to yesterday's testimony when we originally
19 received the '96 document, adequacy was just emerging and,
20 of course, that brought up questions to us about what would
21 be the future of that content, given that adequacy raised
22 questions about something possibly new coming.

23 MR. CALLAGHAN: So we have a sort of
24 evolutionary or a seat change even with respect to policing
25 in the mid-'90s. Correct?

1 S/SGT. KELLY: Yes.

2 MR. CALLAGHAN: Now, I want to put Who Does
3 What in its proper context. Who Does What was a
4 government-run program to assess whether municipalities or
5 the provincial Government should provide specific services.
6 Correct?

7 S/SGT. KELLY: Essentially, I believe that's
8 correct. It had to do with the relationship between the
9 provincial government and the municipalities and transfer
10 of responsibility.

11 MR. CALLAGHAN: It followed the election of
12 the Harris government and the common sense revolution.
13 Correct?

14 S/SGT. KELLY: I believe so.

15 MR. CALLAGHAN: In the context of Who Does
16 What, there were certain government initiatives that were,
17 shall we say, taken over by the province, and there were
18 certain others that were said to be downloaded to the
19 municipalities. Correct?

20 S/SGT. KELLY: I'm not sure if I can answer
21 that question.

22 MR. CALLAGHAN: You don't have an
23 understanding of that?

24 S/SGT. KELLY: Well, it certainly is a very
25 open question. I don't know if I can specifically provide

1 something that can justify what you're looking for.

2 **MR. CALLAGHAN:** Well, I mean, let me give
3 you an example. We heard evidence earlier from people
4 related to Children's Aid, for example, Mr. Liston and I
5 believe some of the local people here in Cornwall that as a
6 result of changes at that time relative to "WHO DOES WHAT",
7 Children's Aids were uplifted to the province, resulting in
8 considerable more funding.

9 Were you aware that Children's Aid for
10 example, was uplifted to the "WHO DOES WHAT" program?

11 **S/SGT. KELLY:** No, I'm not aware of that.
12 My focus was on all of the policing interests.

13 **MR. CALLAGHAN:** All right. So in terms of
14 that then, in terms of policing, I take it policing still
15 had a municipal component?

16 **S/SGT. KELLY:** Yes.

17 **MR. CALLAGHAN:** All right. I take it that
18 as part of the WHO DOES WHAT initiative, the province
19 introduced the Adequacies and Effectiveness Policies.
20 Correct?

21 **S/SGT. KELLY:** Yes.

22 **MR. CALLAGHAN:** All right.

23 Did I understand you to say correctly, that
24 a large portion of the Adequacies and Effectiveness
25 Policies were taken from the OPP best practices?

1 S/SGT. KELLY: Some were, yes.

2 MR. CALLAGHAN: A significant amount?

3 S/SGT. KELLY: What I can say to you is that
4 when we reviewed every policy or every guideline, I
5 reviewed in detail OPP policy and in many instances I put
6 forward our policy as a best practice. There were times
7 when the Ministry accepted that material and it did find
8 its way into the final product and there were other times
9 when the Ministry felt that that exceeded their provincial
10 interest.

11 MR. CALLAGHAN: All right. So you either --
12 so let's understand what you said. They either accepted
13 the OPP standard or they took a standard that was somewhat
14 less than the OPP standard.

15 S/SGT. KELLY: In some cases, yes.

16 MR. CALLAGHAN: But I guess the point I'm
17 trying to articulate here, is that I take it, leaving aside
18 you know what gets written down on a policy and you've
19 explained that there was plenty of work to be done to
20 reconcile your policies, but from an operational point of
21 view, I take it that compliance was not a big issue for the
22 OPP once the Adequacy and Effectiveness standards were
23 implemented.

24 S/SGT. KELLY: Well, actually there was
25 quite a bit of activity to prepare. We created a special

1 Adequacy Support Implementation team with about six or
2 seven people dedicated to the implementation activities.
3 There were -- all of our training, the 10 training courses
4 with Core Competency and Training Standards needed to be
5 certified. And we needed to assess how many individuals in
6 the organization needed to have that training. So we had
7 to assess whether or not they had the equivalencies to
8 those or whether they needed to be sent to the training to
9 continue their activities.

10 **MR. CALLAGHAN:** Well, I've actually asked
11 that question as a matter of comparison, as to where the
12 OPP would have been on the continuum to meeting the
13 Adequacy Standards and where other police forces might ---

14 **S/SGT. KELLY:** I don't think I can compare
15 to other police services.

16 **MR. CALLAGHAN:** But just so we're clear, the
17 Adequacy Standards was more than policies and procedures.
18 There were requirements, specific requirements for police
19 forces to have things such as tactical units, hostage
20 rescue teams, a whole host of actually hard apparatus to
21 have available to them.

22 **S/SGT. KELLY:** With some exceptions and
23 certainly there were options available in how they acquired
24 many of those services. There were some services that the
25 police service must provide on its own but there were many

1 where they were given flexibility to obtain that through a
2 cooperative agreement or through the OPP.

3 **MR. CALLAGHAN:** I take it as a result of the
4 Adequacy Standards in part, in the late '90s and the early
5 2000s, there were a number of municipalities that opted to
6 contract through the OPP?

7 **S/SGT. KELLY:** Yes. That's correct.

8 **MR. CALLAGHAN:** So I take it that it's
9 accepted then that there were municipalities that would
10 have had a fair bit of work to do to meet the Adequacy
11 Standards, in many respects?

12 **S/SGT. KELLY:** I would expect that every
13 police service would undertake a thorough self-assessment
14 and implementation plan.

15 **MR. CALLAGHAN:** I guess the point I'm trying
16 to get at is, the mid to late '90s, early 2000s was a busy
17 time in policing in Ontario?

18 **S/SGT. KELLY:** Yes.

19 **MR. CALLAGHAN:** All right.

20 Are you aware of any funding that the
21 province gave to municipal police forces directly to
22 ameliorate the costs and the effort to abide by some of
23 these Adequacy Standards at that time?

24 **S/SGT. KELLY:** That's something I wouldn't
25 be able to answer.

1 **MR. CALLAGHAN:** So you're not aware of any?

2 **S/SGT. KELLY:** I'm not aware of any. There
3 may have been. I don't know but it's certainly a question
4 I'm not capable of answering.

5 **MR. CALLAGHAN:** Only one issue on your
6 protocols or your policies.

7 I would like to turn to Tab 18 for just one
8 second, just to make a clear point.

9 **THE REGISTRAR:** Tab 18.

10 **MR. CALLAGHAN:** I'm sorry. Tab 18 of Volume
11 6. My apologies.

12 Mr. Wardle sort of touched on this a little
13 bit but I just want to be clear. Because in this 2.16.10,
14 it talks about a detachment commander in the middle,
15 involved in municipal policing should in partnership and it
16 says, the local crown, CAS, et cetera have protocols.

17 I take it that that -- I mean, a lot of what
18 was going on around these policies were actually being
19 implemented. This is just the reflection in written words
20 of what was happening.

21 **S/SGT. KELLY:** Yes. That's correct.

22 **MR. CALLAGHAN:** I just want to point out
23 that of course, that there was a protocol with the OPP, the
24 Cornwall Police and we've seen it earlier, Children's Aids,
25 back to 1992.

1 **S/SGT. KELLY:** And again, I would expect
2 that there were a number of protocols in place in the
3 province at the detachments. It's not something I can
4 specifically respond to.

5 **MR. CALLAGHAN:** I'm making the point because
6 I wouldn't want it to be said that your interaction with
7 local communities, particularly us, hadn't already been
8 ongoing prior to 2005.

9 You mention audits of municipal police
10 forces. You've never audited a municipal police force
11 under the Adequacy Standards?

12 **S/SGT. KELLY:** No.

13 **MR. CALLAGHAN:** So are you aware or can you
14 tell me -- we've heard evidence that the audits deal with
15 not only Adequacy Standards, which as you say are the
16 minimum, but also try to give some guidance regarding best
17 practices. Are you aware of that?

18 **S/SGT. KELLY:** Now, are you referring to the
19 Ministry's ---

20 **MR. CALLAGHAN:** I'm referring to the
21 Ministry's ---

22 **S/SGT. KELLY:** The policing advisors who
23 conduct the actual audits?

24 **MR. CALLAGHAN:** Right. They don't -- they
25 look at adequacy but they also try to provide some

1 assistance to municipal police forces regarding best
2 practices?

3 S/SGT. KELLY: That's my understanding.

4 MR. CALLAGHAN: Right.

5 Those would be my questions. Thank you.

6 THE COMMISSIONER: Thank you.

7 OPPA. Mr. Wallace.

8 MR. WALLACE: Yes. I have some questions.

9 --- CROSS-EXAMINATION BY/CONTRE-INTERROGATOIRE PAR MR.

10 WALLACE:

11 MR. WALLACE: Staff Sergeant, my name is
12 Mark Wallace and I am representing the Ontario Provincial
13 Police Association.

14 S/SGT. KELLY: Good morning, sir.

15 MR. WALLACE: Good morning.

16 My main area of interest with you this
17 morning is with respect to the Police Orders. As I've
18 understood the evidence to date, that the orders have
19 existed within the OPP since 1922. Is that correct?

20 S/SGT. KELLY: That's correct.

21 MR. WALLACE: They were revamped in response
22 to the legislation for the 1st of January 2001.

23 S/SGT. KELLY: Yes, that's correct.

24 MR. WALLACE: Essentially the process that
25 took place, as I understood your evidence, was there was a

1 conversion from a 10 part structure that was contained in
2 the field in three binders ---

3 S/SGT. KELLY: Technically, 75 parts, but
4 the main body of Police Orders existed in 10 parts.

5 MR. WALLACE: Okay. And that was converted
6 into a six part structure.

7 S/SGT. KELLY: Six chapters, yes.

8 MR. WALLACE: Okay. As I understood the
9 evidence as well, that the pre-1990 Police Orders are
10 temporarily unavailable.

11 S/SGT. KELLY: I'm not able to produce
12 copies -- full copies of anything before 1990 today.

13 MR. WALLACE: Okay.

14 Mr. Wardle in his questions with you, he
15 took you to the Police Order with respect to child abuse
16 and neglect, Police Order 2.16, which 2.16 is found at
17 Volume 8, Tab 6. That was in the -- its previous form?

18 THE COMMISSIONER: Sorry. Let's start over
19 again.

20 You look a little ---

21 S/SGT. KELLY: I'm just trying to find the
22 right binder.

23 THE COMMISSIONER: Okay.

24 Volume 8 ---

25 MR. WALLACE: Tab 6.

1 S/SGT. KELLY: I'll have to use these I
2 think.

3 THE COMMISSIONER: Go ahead.
4 So Volume 8, Tab 6.

5 S/SGT. KELLY: Yes.

6 MR. WALLACE: And you indicated to him that
7 this was the Police Order that was in existence since some
8 time in the '80s.

9 S/SGT. KELLY: Yes, that's correct.

10 MR. WALLACE: And Tab 7, 2.16, is its
11 current form. Correct?

12 S/SGT. KELLY: Yes.

13 MR. WALLACE: And it has been in that form
14 since, as I understood it, September of 2005.

15 S/SGT. KELLY: Yes, correct.

16 MR. WALLACE: Okay. So there is a
17 significant difference -- one just has to look at it --
18 between its former form and its current form.

19 S/SGT. KELLY: Yes.

20 MR. WALLACE: Now, as you can well
21 appreciate, at some point in time the actions of
22 investigators will come under scrutiny and one of the
23 things, I'm sure that will be examined is their compliance
24 or non-compliance with existing policies.

25 S/SGT. KELLY: Yes.

1 **MR. WALLACE:** So I think it's extremely
2 important that we have the correct standard before this
3 inquiry. Do you agree?

4 **S/SGT. KELLY:** Yes.

5 **MR. WALLACE:** So what I would like to ask
6 you is with respect to the documents that are listed in
7 Exhibit 38.

8 **S/SGT. KELLY:** Yes.

9 **MR. WALLACE:** Now, as I understand Exhibit
10 38, that lists the Police Orders that would be relevant in
11 either whole or in part to sexual assault and child abuse
12 investigations.

13 **S/SGT. KELLY:** Yes. More for sexual assault
14 but there are a few that are relevant to child abuse.

15 **MR. WALLACE:** And these are in their current
16 state. Correct?

17 **S/SGT. KELLY:** Yes. These are references to
18 Police Orders that is current today.

19 **MR. WALLACE:** Okay. Now, as we have seen,
20 if we looked at, for example, child abuse and neglect and
21 used this document as the guide, we would be looking at the
22 current form of Police Order, section 2.16.

23 **S/SGT. KELLY:** Yes. We would be looking at
24 the document that we've been viewing in Tab 7.

25 **MR. WALLACE:** That's correct. Now, and in

1 fact during the life of the Project Truth, the actual order
2 that would have been in effect is the one that occurs at
3 Tab 6.

4 S/SGT. KELLY: I'm sorry. You'll have to
5 give me a date that you're referring to.

6 MR. WALLACE: Well, let's just say in the
7 '90s.

8 S/SGT. KELLY: Yes.

9 MR. WALLACE: Okay.

10 Now, with respect to the other sections, I'd
11 like to -- the other Police Orders that are here, are you
12 in a position to comment as to whether in fact, the orders
13 that appear in Exhibit 38 in their current form are
14 identical to their form in the '80s and '90s or are they
15 like section 2.16, where there is a significant difference
16 between the content in the '80s and '90s and today?

17 S/SGT. KELLY: That's a very complicated
18 question to answer.

19 MR. WALLACE: Okay.

20 S/SGT. KELLY: They are -- these policies
21 are in the new structure and they combine some of our
22 previous policy, as well as policy that has been developed
23 in recent years. And I have referenced, when we went
24 through the list yesterday, some of the dates of
25 introduction of some of the components of these particular

1 provisions that relate to sexual assault and when these
2 particular policies came to be, when they were originally
3 introduced in the Police Orders.

4 **MR. WALLACE:** Okay. Is it possible -- I'm
5 aware of the remarks with respect to Police Orders prior to
6 1990.

7 **S/SGT. KELLY:** Yes.

8 **MR. WALLACE:** That there were difficulties
9 there. With respect to the Police Orders during -- in
10 existence in the 1990s, are they available for review?

11 **S/SGT. KELLY:** I have the archives for
12 Police Orders from 1990 to today.

13 **MR. WALLACE:** Okay. So I gather then yes,
14 they are. Is that right?

15 **S/SGT. KELLY:** I want to be clear on your
16 question. Are you asking review by who? They're certainly
17 available for me to review.

18 **MR. WALLACE:** Okay. Well, it would make
19 matters considerably simpler if we were able to compare the
20 before and the after, the after being those documents that
21 are contained in Exhibit 38, and that's really what I'm
22 asking.

23 **S/SGT. KELLY:** So just if I can clarify,
24 you're interested in a comparison of each one of these
25 items from today through history back to 1990 or before

1 that?

2 **MR. WALLACE:** What I'm really interested in
3 is making sure that the proper standards are being applied
4 to police officers' conduct back in the '90s, that they are
5 not being measured on policies that in existence today that
6 were not in existence then.

7 **S/SGT. KELLY:** Okay.

8 **MR. WALLACE:** That's really the core issue
9 for me here.

10 **S/SGT. KELLY:** Yes, and what I can tell you
11 is when there's an investigation from Professional
12 Standards Bureau regarding a complaint of a member, when
13 they request -- when the request comes to us for policy,
14 they give us a specific date of the incident. We provide
15 them with the policy of that particular moment in time.

16 **MR. WALLACE:** Okay.

17 **S/SGT. KELLY:** We have not received any
18 requests from Professional Standards Bureau for incidents
19 that occurred before 1990. So we have never run into the
20 situation of having to provide policy at that period of
21 time, if that's what you're interested in.

22 **MR. WALLACE:** Well, I wasn't framing the
23 question of professional standards investigation. I'm
24 particularly concerned that the inquiry is acting under the
25 proper belief as to what standards were in place as in the

1 Police Orders in the '80s and '90s and not measure what the
2 police officers did in the '80s and '90s by the standards
3 in place now. That's really, as I'm trying to make point,
4 is what I'm looking for.

5 S/SGT. KELLY: And I think all I can tell
6 you is that if I am required to produce policy on a very
7 specific date and time because of a specific incident, I
8 have no problem in doing that from 1990 on to today.

9 MR. WALLACE: Okay. I'm not sure this is a
10 fair question. If it's not, tell me so but are you able to
11 tell us, for example, with respect to section 2.40.5,
12 Statements and Interviews, contained in Exhibit 38, ---

13 S/SGT. KELLY: Yes.

14 MR. WALLACE: --- are you able to tell the
15 Commissioner that in its current form, it is identical in a
16 substantive way to what existed in the '80s and '90s?

17 S/SGT. KELLY: Yes. In a general way, yes,
18 it is substantially the same. There have been some minor
19 changes to it but this is a very general policy.

20 (SHORT PAUSE/COURTE PAUSE)

21 S/SGT. KELLY: If I can continue, this is a
22 very general policy. It lays out in a very high level the
23 types of forms to be used. So it identifies that if you're
24 conducting an interview, you use the interview form.
25 There's a number assigned to that form. If you're

1 conducting or trying to obtain a statement from a suspect,
2 there's a particular form to use. The policy is high
3 enough in level that when the content of the form changes,
4 we don't have to change the policy. So it is a very high
5 level policy that just sets overall governance of
6 interviews of witnesses in the taking of statements.

7 **THE COMMISSIONER:** Mr. Wallace ---

8 **MR. WALLACE:** Yes.

9

10 **THE COMMISSIONER:** --- I should tell you
11 this that you can rest assured that Mr. Engelmann will be
12 writing to the OPP and requesting that they find financing
13 to get all of those antiquated things processed so that we
14 can, in effect, look at the policies that were in existence
15 that are still available for those dates.

16 **MR. WALLACE:** Eighties (80s) and '90s.

17 **THE COMMISSIONER:** Absolutely.

18 **MR. WALLACE:** Okay.

19 **THE COMMISSIONER:** Yes.

20

21 **MR. WALLACE:** I'll waive that then and
22 that's really what my concern was.

23 **THE COMMISSIONER:** Yes.

24 **MR. WALLACE:** Thank you very much, Mr.
25 Commissioner.

1 **THE COMMISSIONER:** Thank you.

2 **MR. WALLACE:** The other question, Staff
3 Sergeant, just has to do with the second page of Exhibit 38
4 and the title of the second page "Procedural
5 Manuals/Publications (part of Police Orders)".

6 **S/SGT. KELLY:** Yes, these are.

7 **MR. WALLACE:** Okay. When did they become
8 part of the Police Orders and a second part of this
9 question is how did they become part?

10 **S/SGT. KELLY:** Okay. Prior to January 2001,
11 we're looking at the old structure of Police Orders based
12 on parts. Volume 3 consisted of Parts 11 to 75. Those
13 parts were a collection of manuals of different types that
14 expanded on policy that was set out in Parts 1 to 10.

15 When we reconstructed Police Orders in
16 January 2001, the topic of Procedural Manuals/Publications
17 was created to incorporate those manuals from Volume 3. At
18 the same time, we integrated the Field Guide as part of
19 Police Orders under that heading. Some of the other
20 manuals here were incorporated into that particular area of
21 Police Orders on specific dates when they were approved.

22 **MR. WALLACE:** So as far as the Field Guides
23 are concerned, they became part of the Police Orders 2001
24 and forward?

25 **S/SGT. KELLY:** Yes, that's correct.

1 **MR. WALLACE:** And prior to that, we know
2 they were in existence but they were simply in existence
3 and were not part of the Police Orders?

4 **S/SGT. KELLY:** Not part of Police Orders,
5 no.

6 **MR. WALLACE:** Okay. And the manuals would
7 have become part of the Police Orders prior to 2001 and
8 formed part of the investigative component of the Police
9 Orders?

10 **S/SGT. KELLY:** Well, I wouldn't categorize
11 it as investigative. Some of the manuals were not
12 investigative in nature.

13 **MR. WALLACE:** Okay.

14 **S/SGT. KELLY:** We have a Performance
15 Management Manual. There were Standing Committee Manuals,
16 a number of different things.

17 **MR. WALLACE:** Okay. I was restricting my
18 question for the ones that I was looking at here that all
19 appear to be in assistance of investigations.

20 And how did they become -- I don't mean the
21 process but would the document, the manual, would it say
22 "This is not part of the Police Orders?" How did that
23 happen?

24 **S/SGT. KELLY:** We got through the same
25 approval process to enter anything into Police Orders that

1 we do with policy. So we will take it through -- we will
2 review the document, determine its relevance, consult with
3 the internal stakeholders in the organization, confirm that
4 it's consistent with the business practices of the OPP.
5 And if not, if we're adopting new business practices that
6 the resources, training, infrastructure is in place for
7 implementation, and then forward the approval request
8 through the chain of command as I mentioned yesterday with
9 my signature, the Bureau Commander's signature, the
10 client's signature and ultimately the Provincial Commander
11 of Strategic Services, at which time we would produce the
12 document and Police Orders.

13 **MR. WALLACE:** And the manuals are different
14 than the in-service training manuals that we've seen?

15 **S/SGT. KELLY:** Yes.

16 **MR. WALLACE:** Okay. Thank you. Those are
17 my questions.

18 **THE COMMISSIONER:** Any questions from the
19 OPP?

20 **MS. LAHAIE:** Thank you, Mr. Commissioner.
21 Maybe we should take the break?

22 **THE COMMISSIONER:** Yes, we should be taking
23 a break and come back in 15.

24 **THE REGISTRAR:** Order; all rise. À l'ordre;
25 veuillez vous lever.

1 The hearing will reconvene at 11:45.

2 --- Upon recessing at 11:34 a.m. /

3 L'audience est suspendue à 11h34

4 --- Upon resuming at 11:50 a.m. /

5 L'audience est reprise à 11h50

6 **THE REGISTRAR:** Order; all rise. À l'ordre;
7 veuillez vous lever.

8 This hearing of the Cornwall Public Inquiry
9 is now in session. Please be seated. Veuillez vous
10 asseoir.

11 **STAFF SERGEANT ROGER KELLY, Resumed/Sous le même serment:**

12 --- **CROSS-EXAMINATION BY/CONTRE-INTERROGATOIRE PAR MS.**

13 **LAHAIE:**

14 **THE COMMISSIONER:** It's nearly over, sir.

15 **S/SGT. KELLY:** Thank you.

16 **THE COMMISSIONER:** Please, go ahead.

17 **MS. LAHAIE:** Thank you, Mr. Commissioner.

18 Staff Sergeant Kelly, Mr. Wardle took you
19 through the policy which existed prior to the latest policy
20 at 2.16 and pointed you to the Volume 8, Tab 6 policy, the
21 rather brief policy which existed for the child abuse and
22 neglect.

23 **THE COMMISSIONER:** Volume 8, Tab 6.

24 **S/SGT. KELLY:** Yes.

25 **MS. LAHAIE:** And then he took you to the

1 policy which now exists on that topic at 2.16 which came
2 into effect in 2005.

3 S/SGT. KELLY: Yes.

4 MS. LAHAIE: And then he asked you whether
5 there were any other policy documents on this issue that
6 you were aware of in the intervening period and we didn't
7 speak about the Field Guides at that point.

8 So now that we have discussed the Field
9 Guides and that these Field Guides and the accompanying
10 checklists form part of Police Orders, would you agree that
11 there was policy documentation on this issue?

12 S/SGT. KELLY: Yes.

13 MS. LAHAIE: Okay. And the Field Guides and
14 the checklist which are contained at Tab 18 and -- I
15 apologize, I'm in Volume 6, Tab 18, A, B, C, D, E and F,
16 those checklists were all created and were part of the
17 manuals in 1997. Is that correct?

18 S/SGT. KELLY: So you're at Tab 18?

19 THE COMMISSIONER: On my screen, it's not
20 on.

21 MS. LAHAIE: Volume 6.

22 THE COMMISSIONER: Volume 6, Tabs 19A, B and
23 C?

24 MS. LAHAIE: Tab -- I'm sorry, Tab 20, yes,
25 that's correct.

1 THE COMMISSIONER: Yes, Tab 20.

2 S/SGT. KELLY: Tab 20.

3 MS. LAHAIE: And so if I understand
4 correctly, the officers had with them in a binder these
5 checklists to attend at the scene of alleged offences?

6 S/SGT. KELLY: Yes, that's correct.

7 MS. LAHAIE: And in January 2001, these
8 checklists which were in the Field Guides now form part of
9 Police Orders?

10 S/SGT. KELLY: Yes, and they continue to be
11 available to them in their -- in the actual Field Guide.
12 In addition, because we have automated Police Orders the
13 way we have the entire set of Police Orders which includes
14 the Field Guide, is available to those members that have
15 in-car workstations.

16 MS. LAHAIE: Thank you. And if I take you
17 specifically to the checklist at 20F, the *Child and Family*
18 *Services Act* checklist, ---

19 S/SGT. KELLY: Yes.

20 MS. LAHAIE: If we take the bullet
21 immediately under the definition section where we defined a
22 child as "anyone actually or apparently under 16 yrs", the
23 next bullet indicates

24 "suffering, or at substantial risk of
25 suffering from physical, sexual or

1 emotional harm (emotional harm -
2 demonstrated by anxiety, depression,
3 withdrawal or self-destructive
4 behaviour".

5 If I can refer you to the language at 2.1 --
6 if I may just have one moment please -- at 2.16.3 ---

7 **THE COMMISSIONER:** Which?

8 **MS. LAHAIE:** I'm sorry. This would be at
9 the policy itself, at Tab 18, Mr. Commissioner.

10 **THE COMMISSIONER:** Tab 18. Okay.

11 **MS. LAHAIE:** I'm attempting to compare the
12 language on the checklists, which predate the new policy to
13 the actual policy itself.

14 And so if we go to Tab 18, 2.16.3.

15 **S/SGT. KELLY:** Yes.

16 **MS. LAHAIE:** Item 6.

17 **S/SGT. KELLY:** Yes.

18 **MS. LAHAIE:** The language used in that
19 paragraph, would you agree, is almost identical to the
20 language, which is used in the checklist?

21 **S/SGT. KELLY:** Yes, it's essentially the
22 same.

23 **MS. LAHAIE:** And if we could also return to
24 Tab 20F ---

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

1 **MS. LAHAIE:** --- the second bullet,
2 "requiring medical treatment which is
3 not being provided"
4 -- and if we could return to Tab 18, again 2.16.3, item 5,
5 would you agree that that is the same concern being
6 reflected in the policy?

7 **S/SGT. KELLY:** Yes, the same issue is being
8 addressed with additional clarify in the new policy.

9 **MS. LAHAIE:** If we could return to the
10 checklist at 20F once again, again under the definition of
11 "Child in Need of Protection", the fourth bullet,
12 "mental, physical, emotional or
13 developmental condition that requires
14 treatment which is not being provided,"
15 -- and if we could return once again to Tab 18, 2.16.3,
16 item 7, would you agree that that is the same language and
17 concern being reflected in policy?

18 **S/SGT. KELLY:** Yes.

19 **MS. LAHAIE:** And so it's safe to conclude
20 that although this policy that we are looking at now at
21 2.16 was only a part of Police Orders as a consolidated
22 policy in 2005, these concerns were addressed in policy by
23 way of the Field Guide?

24 **S/SGT. KELLY:** In January 2001.

25 **MS. LAHAIE:** Thank you, sir.

1 And just to review again, Mr. Callaghan
2 indicated that there was no direction from the Ministry on
3 anything related to children as far as sexual assaults or
4 sexual abuse is concerned in the 1996 Policing Standards
5 Manual. That only came into effect with the Policing
6 Standards Manual of 2000?

7 **S/SGT. KELLY:** Yes, that's correct.

8 **MS. LAHAIE:** And so the policy of the OPP
9 with respect to this issue predates any direction from the
10 Ministry?

11 **S/SGT. KELLY:** I believe it does.
12 Certainly, the time period is very close there.

13 **MS. LAHAIE:** I would next turn to the issue
14 of the searching capabilities in Police Orders, and this is
15 in reference to Mr. Commissioner's question with respect to
16 an officer arriving on scene and not having at his or her
17 disposal policy on issues of sexual assault or child sexual
18 abuse necessarily at given points in time. And then you
19 described the process, sir, whereby the officer would have
20 checklists available.

21 **S/SGT. KELLY:** Yes.

22 **MS. LAHAIE:** And then upon returning to the
23 detachment, you described the process whereby typing the
24 words "sexual assault" would provide a full list of
25 reference material, Police Orders, guides, checklists, all

1 under one consolidated title.

2 S/SGT. KELLY: Yes. Essentially, it creates
3 a virtual policy of a window is put under the screen that
4 includes every piece, every policy that that particular
5 string of characters, so "sexual assault", if it occurs in
6 there, is displayed on that screen and by clicking the
7 mouse, they enter into that policy, and the policy is
8 highlighted for them.

9 So, in essence, it's like having a virtual
10 policy on sexual assault once they key it in. With that
11 concept, we have really an unlimited number of virtual
12 policies as a result of that search engine.

13 MS. LAHAIE: And we've had the benefit
14 through the technology person, through the Commission, to
15 be able to email those policies and display them in colour
16 on our screens. Could you tell us whether there is any
17 relevance to the red or blue words that we see on the
18 screens?

19 S/SGT. KELLY: Yes. The words that are
20 underlined in red are links to definitions that have been
21 approved for use in Police Orders. The blue links will
22 either take you to another area of policy or to an external
23 Website where there's resource information available. And
24 as I mentioned, all the vehicles that are equipped with an
25 in-car workstation would have the complete set of Police

1 Orders that includes the Procedural Manuals, the Field
2 Guide, a number of different forms.

3 And if they have access out to the Internet
4 through that workstation, they could access some of the
5 additional resources. And that's something that when we
6 were designing it, we had the in-car workstation in mind in
7 the hopes that someday, we would be able to provide all
8 this information to the frontline officer in every vehicle.

9 **MS. LAHAIE:** Changing to another topic, the
10 policy set out at 2.7, which is at Volume 6, Tab 11,
11 entitled "Criminal Investigation Management/Procedures".

12 **S/SGT. KELLY:** Yes.

13 **MS. LAHAIE:** That policy, sir, can you
14 confirm whether that applies to both current and historical
15 cases?

16 **S/SGT. KELLY:** Yes, it does.

17 **MS. LAHAIE:** And it applies to both adults
18 and children?

19 **S/SGT. KELLY:** Yes.

20 **MS. LAHAIE:** Let me just have one moment
21 please.

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

23 **MS. LAHAIE:** And if we could go to the
24 second page of that tab, this is in response to Mr. Ruel
25 indicating yesterday that there is no mention in that

1 chapter about the terminology "KSAs" or what we've come to
2 know as Knowledge, Skills and Abilities.

3 S/SGT. KELLY: Yes.

4 MS. LAHAIE: Can I confirm that that
5 language comes from Adequacy?

6 S/SGT. KELLY: Essentially, yes. I mean the
7 terminology for KSA has been around in the business
8 environment for a number of years. It's been a part of the
9 OPP's policies and procedures regarding performance
10 management for a number of years and now we do see it
11 articulated within the Adequacy Standards and Guidelines.

12 MS. LAHAIE: And Chapter 2.7 predates
13 Adequacy Standards. Is that correct?

14 S/SGT. KELLY: Pardon me?

15 MS. LAHAIE: The chapter, it predates the
16 coming into effect of the Adequacy Standards Regulation?

17 S/SGT. KELLY: Well, this particular policy
18 is derived from policy that existed prior to Adequacy. I
19 think we have that on essentially in Tab 12.

20 MS. LAHAIE: Tab 12 being the old version
21 before it was pulled together under the chapters.

22 S/SGT. KELLY: Yes.

23 MS. LAHAIE: Okay. If we could go back to
24 page 2 at Tab 11 and if we could go to the fourth bullet on
25 that page, and this is -- if we could just to put it in

1 context -- to the paragraph above it,

2 "Criminal investigation supervisory
3 personnel who are notified of a major
4 crime are responsible, in consultation
5 with respective supervisory and command
6 personnel, for determining the most
7 appropriate investigative response.
8 The following factors should be taken
9 into consideration:"

10 If we go to the second bullet,

11 "the investigative and supervisory
12 capabilities of the personnel involved
13 in response to the occurrence;"

14 S/SGT. KELLY: Yes.

15 MS. LAHAIE: Would that be the equivalent of
16 KSAs?

17 S/SGT. KELLY: Yes.

18 MS. LAHAIE: Thank you.

19 Thank you, Mr. Commissioner.

20 THE COMMISSIONER: Thank you.

21 Any further questions, Monsieur Ruel?

22 MR. RUEL: Mr. Commissioner, a few questions
23 to wrap this up.

24 --- RE-EXAMINATION BY/RÉ-INTERROGATOIRE PAR MR. RUEL:

25 MR. RUEL: Good morning.

1 S/SGT. KELLY: Good morning, sir.

2 MR. RUEL: I would ask you to take Exhibit
3 -- Volume 6, Tab 12.

4 S/SGT. KELLY: Yes.

5 MR. RUEL: So this is the Criminal
6 Investigation Management Policy that was adopted or in
7 place before 2001 and there was a question or there seemed
8 to be some uncertainty as to when this one was adopted.
9 And at the second page, at the bottom of the page, we see
10 November '93.

11 S/SGT. KELLY: Yes.

12 MR. RUEL: So would that be the date when
13 this one was adopted?

14 S/SGT. KELLY: I believe so.

15 MR. RUEL: Thank you.

16 Mr. Commissioner, we've received for the
17 first time this morning Exhibit 39, which is, I understand,
18 a pre-1990 document.

19 THE COMMISSIONER: Occurrence Reporting
20 Procedures?

21 MR. RUEL: Yes. So that seems to be from
22 what I understand from the witness the policy that predates
23 the general investigation policy. So we had potentially
24 some questions on that but since I understand that the OPP
25 will be providing additional policy material to us, we will

1 keep those questions for later and we reserve our right to
2 call this witness or another one to deal with additional
3 policy issues.

4 **THE COMMISSIONER:** Okay.

5 **MR. RUEL:** I would ask you to turn up Tab
6 18.

7 **THE COMMISSIONER:** Which Volume?

8 **MR. RUEL:** Sorry, of Volume 6 and page 5.

9 So this is the Child Abuse and Neglect current policy, and
10 at 2.16.6, I understand you said that this section was not
11 in place prior or did not exist prior to the adoption of
12 this policy. Right?

13 **S/SGT. KELLY:** No, I don't believe it was in
14 Police Orders.

15 **MR. RUEL:** But there was some training
16 material available covering those issues.

17 **S/SGT. KELLY:** Yes.

18 **MR. RUEL:** So if you can take Exhibit 36,
19 Volume 2, Tab 24.

20 **S/SGT. KELLY:** I'm sorry which tab?

21 **MR. RUEL:** Twenty-four (24).

22 **S/SGT. KELLY:** Twenty-four (24), yes.

23 **MR. RUEL:** At page 33. Would it be fair to
24 say that this manual, which is the In-Training Manual,
25 contains some training material with respect to the

1 interviewing of child victims?

2 S/SGT. KELLY: Yes.

3 MR. RUEL: And another area, Mr. Callaghan,
4 I understand, asked you if -- or suggested that there were,
5 the policies in policing were only developed in the last 10
6 to 20 years. Would it be accurate to say that there were
7 policies in the policing areas prior to the last 10 to 20
8 years?

9 S/SGT. KELLY: Yes, I think the discussion
10 was about the investigator types of policies that exist in
11 procedural documents by police services. And my
12 recollection and my understanding in that over the last 20
13 years, we have seen an increase in focus on documenting in
14 corporate level or organizational level policy more
15 information and procedures and responsibilities regarding
16 to criminal investigations.

17 MR. RUEL: Thank you.

18 Now, a last question -- or I may have
19 another one -- but it's a policy question. When we are
20 dealing with historical cases of sexual assault on
21 children, where does that belong as a matter of policy
22 because we've covered policies dealing with child abuse and
23 we've covered policies dealing with sexual assault? So a
24 case of historical childhood sexual assault seems to belong
25 ---

1 S/SGT. KELLY: In both.

2 MR. RUEL: --- in both areas.

3 S/SGT. KELLY: Yes.

4 MR. RUEL: So where does that fit as a
5 matter of policy?

6 S/SGT. KELLY: Well, an investigator would
7 have to manage both issues. If you have an occurrence
8 that, whether it's historical or not, involves a child and
9 is sexual in nature, it may be related to child abuse as
10 well as sexual assault and the investigation will have to
11 cover both aspects of that particular crime and, as I said,
12 there will be linkages.

13 MR. RUEL: So does it mean -- may I ask you
14 -- well, I want to ask you a question about your new
15 policy. I understand it will be coming, but will the
16 intention of the OPP to cover also historical cases in the
17 sexual assault upcoming policy?

18 S/SGT. KELLY: Yes, our policy will cover
19 that.

20 MR. RUEL: Thank you.

21 As a last point, it's a question raised by
22 your counsel, Diane Lahaie; it's on the search capabilities
23 of electronic search capabilities ---

24 S/SGT. KELLY: Yes.

25 MR. RUEL: --- with respect to Police

1 Orders. So we had on the screen some blue and red
2 highlighting. Can I ask you when was that in place at the
3 OPP?

4 S/SGT. KELLY: You're referring to the ---

5 THE COMMISSIONER: --- the links.

6 MR. RUEL: The links, yes.

7 THE COMMISSIONER: The hyper-links.

8 S/SGT. KELLY: They existed -- we introduced
9 them January 2001 when we released the new version and
10 we're continually updating links to new resources, links
11 within the document and every release that we put out, to
12 try and improve the functionality for the frontline
13 officer.

14 MR. RUEL: And you talked yesterday about
15 the fact that the search capability was in place in 1990,
16 right?

17 S/SGT. KELLY: Yes.

18 MR. RUEL: Was it -- may I ask you, did it
19 have the same efficiency as search capabilities that the
20 OPP has under its systems now?

21 S/SGT. KELLY: They were similar but
22 different. Both are very quick and both are based on a
23 string of characters and both would respond back by
24 highlighting policies that relate to that particular string
25 of characters.

1 MR. RUEL: Okay. I have no further
2 questions.

3 THE COMMISSIONER: Thank you.

4 All right. So it's 12:10. Should we break
5 for lunch and come back at 2:00?

6 MR. DUMAIS: I'm in your hands,
7 Commissioner. I think we can excuse the witness.

8 THE COMMISSIONER: Certainly. Thank you
9 very much, sir.

10 S/SGT. KELLY: Thank you.

11 THE COMMISSIONER: I hope that we don't
12 tangle you up too much with those microfiches and ---

13 S/SGT. KELLY: I really sincerely hope that
14 my testimony here will be of benefit to the Inquiry.

15 THE COMMISSIONER: It has been. It has
16 been. Thank you very much.

17 MR. DUMAIS: I'm in your hands,
18 Commissioner.

19 THE COMMISSIONER: Oh, it's a dangerous
20 place to be, Mr. Dumais.

21 Why don't we take lunch and we'll come back
22 at 2:00.

23 MR. DUMAIS: Fair enough.

24 THE COMMISSIONER: Thank you.

25 THE REGISTRAR: Order; all rise. À l'ordre;

1 veuillez vous lever. The hearing will reconvene at 2:00
2 p.m.

3 --- Upon recessing at 12:11 p.m./

4 L'audience est suspendue à 12h11

5 --- Upon resuming at 2:10 p.m./

6 L'audience est reprise à 2h10

7 **THE REGISTRAR:** Order; all rise. À l'ordre;
8 veuillez vous lever.

9 This hearing of the Cornwall Public Inquiry
10 is now in session. Please be seated. Veuillez vous
11 asseoir.

12 **THE COMMISSIONER:** Thank you.

13 Mr. Dumais.

14 **MR. DUMAIS:** Good afternoon, Commissioner.

15 I would like to call Inspector Edward
16 Medved.

17 **THE COMMISSIONER:** Good afternoon, sir.

18 **INSPECTOR MEDVED:** Good afternoon,
19 Commissioner.

20 **THE REGISTRAR:** Can you please place your
21 right hand on the bible? Your name, please?

22 **INSPECTOR MEDVED:** Edward Medved.

23 **THE REGISTRAR:** Can you spell your last
24 name?

25 **INSPECTOR MEDVED:** M-E-D-V-E-D.

1 EDWARD MEDVED, Sworn/Assermenté:

2 --- EXAMINATION IN-CHIEF BY/INTERROGATOIRE EN-CHEF PAR MR.
3 DUMAIS:

4 MR. DUMAIS: Good afternoon, Inspector.

5 INSPECTOR MEDVED: Good afternoon.

6 MR. DUMAIS: Commissioner, Inspector Medved
7 will be using essentially two documents out of the same
8 exhibit, so we're still dealing with Exhibit 36, Volumes 1
9 for a brief period of time only and Volume 9.

10 THE COMMISSIONER: Thank you.

11 MR. DUMAIS: Inspector, I'd like -- those
12 two volumes should be in front of you -- I'd like first, if
13 you can take Volume 1 and just have a look at it.

14 INSPECTOR MEDVED: Certainly.

15 MR. DUMAIS: At Tab 5, could you please
16 identify for us, that document?

17 INSPECTOR MEDVED: It's a personal
18 biography.

19 MR. DUMAIS: That's a current biography that
20 you prepared with the assistance of counsel?

21 INSPECTOR MEDVED: That's correct.

22 MR. DUMAIS: The following tab, Tab 6
23 contains your CV and that's current as well?

24 INSPECTOR MEDVED: That's correct.

25 MR. DUMAIS: The other volume that you

1 should have in front of you is Volume 9 and if you can just
2 turn to the index and have a look at the table of contents.
3 This is a table of contents that outlines, firstly your
4 evidence and then all the documents that we'll make
5 reference to this afternoon.

6 **INSPECTOR MEDVED:** That's correct.

7 **MR. DUMAIS:** At Tab 1, is an 11 page
8 document which is a summary of your evidence which is
9 titled "Cornwall Public Inquiry - Training". Is that
10 correct?

11 **INSPECTOR MEDVED:** That's correct, sir.

12 **MR. DUMAIS:** Thank you.

13 If you can just turn your attention then to
14 the first Volume, Tab 5 and 6. I understand that you've
15 been a member, an employee of the Ontario Provincial Police
16 for the last 21 years and that you're currently the
17 Director of the Ontario Provincial Police Academy, but that
18 you have been employed by them for a number of years; with
19 the first year as a police constable back in 1985 and if
20 you can just start from then and give us an indication of
21 what you've done and which rank that you have held with the
22 Ontario Provincial Police.

23 **INSPECTOR MEDVED:** Certainly. I've had the
24 pleasure of serving as a member of the Ontario Provincial
25 Police now for 20 years. I am in my 21st, Mr. Commissioner.

1 I was initially hired and posted at Long
2 Sault detachment, not far from the City of Cornwall, where
3 I performed a variety of duties in a general duties
4 capacity as a uniformed member.

5 Subsequently transferred to Midland
6 detachment, which is now known as Georgian Bay detachment,
7 southern Georgian Bay detachment, for a period between June
8 1986 through to June 1995. I was a uniformed member again
9 engaged in general duties, general patrol duties as such.

10 In 1995, I became an acting sergeant at the
11 same detachment and assumed frontline supervisory duties of
12 a variety of platoons, responsible for small platoons of
13 constables.

14 Subsequent to that, beginning in November of
15 1997, still in the capacity of an acting sergeant, I had
16 the opportunity to become the Central Region Planning
17 Officer where I was involved in a variety of
18 responsibilities, some of which include facilitating
19 strategic and operational planning, program development and
20 implementation and evaluation, monitoring and reporting
21 detachment and regional performance, regional business
22 planning, preparation of briefing notes and correspondence
23 and procurement processing and tracking.

24 Following that, I had an opportunity to
25 switch gears, so to speak, and move from more of an

1 operational perspective to more of a corporate support
2 role. I was successful in a competition for a sergeant
3 position, a confirmed sergeant position. I was the
4 Accommodation Liaison Officer for the Infrastructure
5 Support Bureau. Essentially, what I was involved in there
6 was developing a strategic facilities renewal plan for the
7 OPP encompassing the entire province, both at a detachment
8 level and specialized field unit level. Some of those
9 duties included analyzing facility requirements relative to
10 existing and potential sites and to assist clients meeting
11 their business objectives and business goals.

12 Subsequent to that, in a similar role but an
13 expanded scope; in April of 2001, I was promoted to Staff
14 Sergeant and was responsible for -- I held the position of
15 Manager of Facilities Management Section, Corporate
16 Services Command. In this capacity, essentially it was an
17 expanded role, more of an implementation process. So I
18 moved from a strategic planning position in the
19 organization to an implementation position where we were
20 responsible exclusively for detachments, detachment
21 buildings, operational units and DHQ facilities issues.

22 Subsequent to that, in September of 2003, I
23 successfully competed for a general manager's position,
24 responsible for Fleet and Asset Services. So that
25 encompassed a variety of responsibilities but essentially I

1 was looking after the fleet and all supply matters for the
2 organization.

3 In February of 2005, I found myself being
4 transferred to the position of Director of the provincial
5 police academy. I am currently in that role now.

6 **MR. DUMAIS:** You hold the rank of Inspector,
7 correct?

8 **INSPECTOR MEDVED:** That's correct.

9 Promotion to Inspector occurred in September
10 of 2003.

11 **MR. DUMAIS:** Now, I understand that you've
12 completed a number of courses over the years, from February
13 1985 to November 2003; some of them being in November of
14 1994, Scenes of Crime Officer course; June 1995, Sergeant
15 Leadership/Management Credit; November of 1997, Project
16 Management; September 1999, Supervisors Advanced Patrol
17 Training as well as November of 2003, Advanced Management
18 Course. Is that correct?

19 **INSPECTOR MEDVED:** That's correct, sir.

20 **MR. DUMAIS:** I also note, from those list of
21 courses that you may be proficient in French. You can give
22 your evidence in French, if you would prefer.

23 **INSPECTOR MEDVED:** I prefer English. Thank
24 you.

25 **MR. DUMAIS:** All right.

1 As well, you've noted the different
2 committees and associations -- and that's at the last page
3 of your CV, that you're presently a member of, as well as
4 your community involvement.

5 **INSPECTOR MEDVED:** Correct.

6 **MR. DUMAIS:** Now, if I can then take you to
7 Volume 9 of the same exhibit at Tab 1, which is your
8 outline and if you can firstly start by giving us just a
9 general overview of the OPP approach or commitment to
10 training; just as a general introduction.

11 **INSPECTOR MEDVED:** Mr. Commissioner, from a
12 general introduction perspective, I can indicate to you
13 that, from the early years and certainly from a historical
14 perspective in the early '20s, the commitment to education
15 and learning within the organization speaks for itself and
16 certainly from the early days and to what we see now.

17 Would you like me to speak to the history,
18 sir?

19 **MR. DUMAIS:** Certainly.

20 **INSPECTOR MEDVED:** Okay. I'll back up.

21 When I talk about commitment to continuous
22 learning, so much so that the organization has made it a
23 point of making it part of its core values. So from a core
24 value statement perspective, it's found its way there; from
25 the beginning and certainly in modern days from a core

1 value statement, as indicated by previous witnesses in the
2 Promise.

3 **MR. DUMAIS:** All right. So one of the five
4 core values of the OPP is continuous learning?

5 **INSPECTOR MEDVED:** That's correct.

6 **MR. DUMAIS:** All right.

7 Now, I understand that over the years, the
8 present police academy in Orillia has changed and perhaps
9 you can give us an idea -- or a brief history of how that
10 has evolved over the years starting with the 1920s.

11 **INSPECTOR MEDVED:** Certainly. In the 1920s,
12 the Training Branch, as it was known then, initially opened
13 and -- forgive me, I stand corrected. It initially opened
14 and it was named the School of Instruction. Officers
15 attended that School of Instruction for a period of at
16 least five weeks, for initial training.

17 In February of 1929, the Training Branch was
18 renamed the Ontario Provincial Police Training School.
19 Both recruits and senior officers received training at the
20 Training School located in the Ontario Parliament buildings
21 in Toronto.

22 The Ontario Provincial Police Training
23 School was closed in 1935 as part of a cost-saving plan and
24 replaced by a new provincial and municipal police training
25 school, with a class of 32 members of the Toronto Police

1 Force, one from Kingston Police Department and five
2 provincial constables.

3 In 1944, the provincial and municipal police
4 training school closed down. The OPP had established an
5 Ontario Provincial Police training school at general
6 headquarters in the Parliament buildings, where new
7 recruits underwent a course of training before they were
8 posted -- subsequently posted to their detachments.

9 In 1949, the facility moved to Ajax for a
10 period of one year.

11 In 1950, it moved to Shelbourne Street in
12 Toronto, where it remained until 1981.

13 In 1974, if I can back up one point -- in
14 1974, the OPP training school was renamed the OPP Training
15 and Development Centre. A larger premises was sought at
16 that time to accommodate expanding training needs. In
17 1981, the OPP Training and Development Centre moved to a
18 100-acre facility located in Brampton.

19 Finally and most recently, in 1998, the new
20 OPP Headquarters with its academy in Orillia opened.
21 Currently, we have -- our structure is we have five
22 classrooms, seven breakout rooms and we have the ability to
23 accommodate -- we have a residence with 72 rooms with the
24 ability to accommodate approximately 120 students.

25 **MR. DUMAIS:** Now, you've alluded to basic

1 training, Inspector. Can you give us an idea in 2006 if
2 someone wants to be employed by the Ontario Provincial
3 Police what process he has to go through?

4 **INSPECTOR MEDVED:** Certainly. Once the
5 candidates have successfully completed a human resources
6 process and are hired or given a letter of offer, an
7 employment letter offering employment, we receive the new
8 candidates initially for a period of one week of
9 orientation at the Provincial Police Academy. The first 12
10 months of employment with the OPP is a probationary period.
11 During this time, the recruit receives academic training
12 and field instruction under the supervision of a training
13 officer, also referred to as a coach officer.

14 OPP recruits spend the first week at the
15 Academy, as I indicated, and during that first week, it's
16 an initial week of orientation and I can expand on that.

17 **MR. DUMAIS:** Inspector, if we can start
18 firstly with the probationary period, you've indicated that
19 it's for a period of 12 months. And does that mean that
20 the employment is not confirmed until such time as the 12
21 months has expired?

22 **INSPECTOR MEDVED:** That's correct.

23 **MR. DUMAIS:** Right. And is there a process
24 of evaluation to make that determination at the end of the
25 12 months?

1 **INSPECTOR MEDVED:** There is. On a monthly
2 basis, Mr. Commissioner, once -- from the day they arrive,
3 they are being evaluated and assessed from a training
4 perspective. What's key of course is once they've
5 successfully completed their basic training, the evaluation
6 dial, if you will, gets turned up significantly in the
7 real-life circumstances of on-the-road policing. That's
8 under the careful and close watch of a coach officer and
9 during that period of time, we have a very detailed process
10 with respect to evaluation and assessment of each of the
11 candidates.

12 There are series of checkboxes and series of
13 must-dos, must-haves with respect to their initial training
14 and they have to be able to demonstrate that they have a
15 level of proficiency in a variety of different areas.

16 **MR. DUMAIS:** When new recruits apply for
17 employment, do they do so at a specific detachment or is
18 that a provincial hub?

19 **INSPECTOR MEDVED:** The Human Resources
20 Bureau for our organization resides at General Headquarters
21 in Orillia. They are certainly -- our point of contact, if
22 you will, is at any detachment location across the
23 province. So a member of the public can come into the
24 detachment and inquire about employment right at the front
25 desk.

1 **MR. DUMAIS:** All right. But these new
2 recruits are not deployed to any specific detachment until
3 such time as their basic training, if I can call it such,
4 is completed. Is that correct?

5 **INSPECTOR MEDVED:** That's correct.

6 **MR. DUMAIS:** Now, you've indicated that the
7 first step is a one-week training at the Academy. Can you
8 tell us a little more about that?

9 **INSPECTOR MEDVED:** Certainly and I'll refer
10 to Tab 2, OPP Academy Pre OPC Recruit Syllabus, Tab 2. Day
11 1, morning 1, we conduct a physical inspection of the
12 recruits, followed -- we have a series of sessions.
13 Essentially, it's a classroom-based learning model at that
14 point and during the course of the week -- this is their
15 first glance at the organization from a front row centre
16 perspective if you will as a member of the organization.

17 So initially during day 1, morning 1, we
18 have an inspection. We do a detailed introduction if you
19 will into the organization, followed by a variety of
20 administrative activities, including QM Stores. So day 2 -
21 - for example, day 2, 0745 hours, we take the recruits to
22 the Quarter Master Stores and we outfit them with their
23 necessary equipment, uniform and equipment needs and
24 photograph. We expose them to the museum again -- again
25 from the organizational awareness perspective.

1 And if you tab down, we also introduce them
2 to a number of organizational programs. You can see at
3 1500 hours on day 2 in the afternoon, we bring in staff
4 from the Human Resources Bureau that are specialized in
5 Employee Assistance Programs. Subsequent to that, there
6 are a number of other areas that we expose them to.

7 **MR. DUMAIS:** Is it fair to say, Inspector --
8 sorry, I didn't want to cut you off.

9 **INSPECTOR MEDVED:** Go ahead.

10 **MR. DUMAIS:** Is it fair to say, Inspector,
11 that essentially that first week is a general orientation
12 week where you provide general type of information to
13 different recruits and you don't essentially get into
14 training per se?

15 **INSPECTOR MEDVED:** Not the training in the
16 sense perhaps that one would look at. It's all encompassed
17 in training. This week is critical in terms of
18 establishing context for the new recruits and we instil in
19 them -- the idea at the end of the week is that they
20 understand completely what they've signed up for and that
21 they understand completely what the organization is about,
22 what our core values are and that we -- and in terms of
23 expectation, in terms of their professionalism, the conduct
24 and the subsequent training weeks.

25 **MR. DUMAIS:** Now, I understand that their

1 formative training is presently conducted at the Ontario
2 Police College in Aylmer. Is that correct?

3 **INSPECTOR MEDVED:** That's correct.

4 **MR. DUMAIS:** Right. And after they complete
5 their one-week training or introduction at the Academy,
6 they are transferred directly to the OPC?

7 **INSPECTOR MEDVED:** That's correct. They
8 will spend a total of 12 weeks and they engage in the Basic
9 Constable Training program as provided by the Ontario
10 Police College.

11 **MR. DUMAIS:** And my understanding is that as
12 a result of recent regulation, all recruits have to
13 complete the training at the Ontario Police College.

14 **INSPECTOR MEDVED:** That's correct.

15 **MR. DUMAIS:** And you have enclosed at Tab 3
16 just a general information sheet as to what consists the
17 Basic Constable Training program. I'm not going to ask you
18 to go through the summary of the program but I'd like to
19 point your attention to Fees/Duration. It indicates that
20 the program costs \$7,500 and is 60 training days.

21 I guess firstly with the \$7,500, are the
22 individuals responsible for the payment of that or does the
23 OPP pay for that?

24 **INSPECTOR MEDVED:** The individuals today are
25 responsible for paying that \$7,500 on an individual basis.

1 **MR. DUMAIS:** So never reimbursed?

2 **INSPECTOR MEDVED:** No.

3 **MR. DUMAIS:** Now, the duration of the Basic
4 Constable Training refers to 60 training days.

5 **INSPECTOR MEDVED:** Correct.

6 **MR. DUMAIS:** At five a week, that would
7 represent the 12 weeks that you've alluded to. Is that
8 correct?

9 **INSPECTOR MEDVED:** That's correct.

10 **MR. DUMAIS:** All right. Now, what rank do
11 these individuals hold at that point in time?

12 **INSPECTOR MEDVED:** Well, their official rank
13 doesn't come into play until they are sworn in at the
14 conclusion of their training and that occurs in post OPC
15 training at the end of their stay with the Academy. We
16 have them for an additional four weeks after OPC training
17 but their status if you will within the organization is --
18 they're paid as fourth class constables but their status
19 within the organization is as a recruit at that point. But
20 officially, their position doesn't take effect until
21 they're sworn in.

22 **MR. DUMAIS:** Perhaps you can explain to us
23 the difference between the recruits, the cadets, the direct
24 hires and amalgamation officers.

25 **INSPECTOR MEDVED:** Certainly. A recruit, as

1 we've discussed already, is just that, a recruit, never
2 before a police officer. They are in the stream of
3 becoming a regular uniformed frontline member of the
4 organization. A cadet within the OPP is a member who is a
5 non-sworn member. They are sworn to secrecy; however, they
6 are detailed specifically to frontline detachment
7 administrative duties. So you'll see a cadet sitting at
8 the front desk of a detachment, answering the phone, taking
9 information over the front desk, a cadet.

10 A direct hire, as the name suggests, is a
11 direct hire from another police service and they'll come
12 into the organization as a police constable. And lastly,
13 you wanted to know about ---

14 **MR. DUMAIS:** The amalgamation officer.

15 **INSPECTOR MEDVED:** Amalgamation officers are
16 officers who are involved in, if there's a contract that's
17 been struck with the municipality and an existing police
18 service is amalgamated, then we have an Orientation in
19 Training, two-week Orientation in Training program with
20 respect to those officers. They do not have to go back to
21 OPC for basic training. They're already serving members,
22 experienced members in another service, so they're
23 amalgamation status.

24 **MR. DUMAIS:** Now, you've indicated to us
25 that there's a probation period of 12 months for new

1 recruits where they're affected or attached to a field or
2 coach officer.

3 **INSPECTOR MEDVED:** Correct.

4 **MR. DUMAIS:** And does the coach officer
5 begin his training with this new recruit once he is
6 deployed to the new detachment?

7 **INSPECTOR MEDVED:** They are -- the short
8 answer is yes. The training with the coach officer begins
9 when the two of them meet for the first time and in many
10 cases they meet before that occurs. Coach officers are
11 also trained themselves to engage in training of recruits.

12 **MR. DUMAIS:** So all of your coach officers
13 have completed the requirements at the Ontario Provincial -
14 - Ontario Police College for coach training?

15 **INSPECTOR MEDVED:** Not at the Ontario Police
16 College. The Provincial Police Academy has a coach
17 officers' training course.

18 **MR. DUMAIS:** All right.

19 **INSPECTOR MEDVED:** And as you can
20 appreciate, the coach officer has a significant role to
21 play in an officer's career and we will train them first
22 and then they will engage in a coach officer -- or the
23 recruit training program, field program as such.

24 **MR. DUMAIS:** Is the program that you're
25 offering at the Academy similar to the one offered at the

1 Ontario Police College?

2 **INSPECTOR MEDVED:** Yes, it is.

3 **MR. DUMAIS:** Okay. And is it a prerequisite
4 that all coach officers complete that program before
5 undertaking that responsibility?

6 **INSPECTOR MEDVED:** Yes, it is.

7 **MR. DUMAIS:** All right. Now, you've
8 indicated that this coach officer performs academic
9 training and field instruction. Does that essentially mean
10 that that coach officer will be with that probationary
11 recruit or constable for a period of 12 months?

12 **INSPECTOR MEDVED:** Correct.

13 **MR. DUMAIS:** Does the coach officer give any
14 -- what do you mean by "academic training"?

15 **INSPECTOR MEDVED:** As you can appreciate,
16 while in the field environment, there are a number of
17 things -- I'll just back up. Basic Constable Training at
18 the Ontario Police College and then subsequent to that at
19 the Provincial Police Academy has been described as we give
20 the recruits a licence if you will and at that point, then
21 they're going to go out and they're going to be learning
22 how to drive, so to speak, under the careful mentorship of
23 a training officer, which obviously will set the tone for
24 the balance of their career. So it's key that this be done
25 properly, that it be done carefully.

1 **MR. DUMAIS:** So does this coach officer do
2 any academic training with this new recruit?

3 **INSPECTOR MEDVED:** Yes.

4 **MR. DUMAIS:** All right. And what form does
5 that take?

6 **INSPECTOR MEDVED:** There are a number of
7 publications and resources available to the coach officer.
8 The coach officer will act as an interpreter, as a teacher
9 on the frontline.

10 **MR. DUMAIS:** Okay. Are there set standards
11 or specific -- specific things that this coach officer
12 needs to show this new recruit?

13 **INSPECTOR MEDVED:** Yes, there is.

14 **MR. DUMAIS:** All right. And are all of
15 these -- these are all evaluated at the end of the 12-month
16 probationary period?

17 **INSPECTOR MEDVED:** They're evaluated on a
18 monthly basis.

19 **MR. DUMAIS:** All right. And is the coach
20 officer involved in that evaluation?

21 **INSPECTOR MEDVED:** They are directly
22 involved in the evaluation of the recruit in concert with
23 the first line supervisor which is typically a sergeant.

24 **MR. DUMAIS:** So, then who has the ultimate
25 decision of deciding whether this new constable becomes a

1 full-time constable with the Ontario Provincial Police?

2 **INSPECTOR MEDVED:** Ultimately, the
3 Commissioner, of course.

4 **MR. DUMAIS:** M'hm.

5 **INSPECTOR MEDVED:** But that authority, if
6 you will, has been delegated down to the Regional
7 Commander.

8 **MR. DUMAIS:** And do you know what the
9 evaluation process is?

10 **INSPECTOR MEDVED:** I am not sure what you're
11 asking.

12 **MR. DUMAIS:** The 12-month period is
13 completed. Is there one day set for testing? Do they go
14 through the different evaluation of the last 12 months?
15 How is that determined?

16 **INSPECTOR MEDVED:** The Coach Officer
17 Training Program, as for the Field Training Program, is --
18 and I am not an expert in it, but I can tell you that it is
19 done on a monthly basis. There are evaluation or
20 measurement criteria that the recruit has to meet or exceed
21 specific standards within that program booklet.

22 **MR. DUMAIS:** All right.

23 Now, you have indicated to us that the
24 recruit completes a 12-week program at the Ontario Police
25 College. After that 12-week is over, the recruit returns

1 to the Academy for a two-week further training period.

2 INSPECTOR MEDVED: Four (4) weeks.

3 MR. DUMAIS: Four (4) weeks, sorry.

4 INSPECTOR MEDVED: Yes.

5 MR. DUMAIS: Can you just, in general, give
6 us an idea of what goes on during that four-week period?

7 INSPECTOR MEDVED: Certainly.

8 And I'll refer you to Tab 4.

9 MR. DUMAIS: Yes.

10 INSPECTOR MEDVED: And this is the
11 Provincial Police Academy Post OPC Recruit Syllabus.
12 Essentially, what we're attempting to achieve in this
13 regard is to bring together everything that they have been
14 taught at the Ontario Police College.

15 And as you can appreciate, at the Ontario
16 Police College they approach from a very general, generic
17 perspective. At the Academy, we give local procedures and
18 policies with respect to the organization. They are
19 specific to the organization.

20 We want them to be familiar with our
21 organization, our processes, our expectations in addition
22 to what they have learned at OPC on a basic constable
23 training perspective.

24 Additionally, we have some programs that are
25 unique to us. Two that I can mention very specifically are

1 First Nations Awareness Training. We also have three
2 weapon systems, long gun weapon systems within the
3 organization that are unique to us, that they need to be
4 trained on before they are deployed.

5 **MR. DUMAIS:** Now, when you mention that the
6 Ontario Police College has a generic approach to training,
7 you mean by that that they will not specifically look at
8 the weapons, for example, that the Ontario Provincial
9 Police specifically uses.

10 **INSPECTOR MEDVED:** They'll teach to the
11 provincial firearm standard for police officers, which is
12 pistol training.

13 **MR. DUMAIS:** Yes.

14 **INSPECTOR MEDVED:** And we have -- as I
15 indicated, we have other weapon systems unique to our
16 organization that the recruit needs to be exposed to.
17 In addition to that, we have a radio system, a records
18 management system that they need to be trained on and
19 become aware of.

20 We also have some corporate initiatives that
21 we feel are important to the recruit, Diversity Training.
22 Also, we do additional Ethics Training, and again, as
23 indicated, First Nations Awareness Training because of our
24 police environment.

25 **MR. DUMAIS:** All right.

1 Inspector, I note that there appears to be a
2 significant portion of the training that's spent on the
3 Record Management System.

4 Can you just give us an idea of what that
5 comprises?

6 **INSPECTOR MEDVED:** Essentially, that is the
7 reporting system, so incident reporting system for the
8 organization.

9 **MR. DUMAIS:** Yes.

10 **INSPECTOR MEDVED:** And the initial training
11 for that is three days, and that training is provided by
12 the program area responsible for the Organizational Records
13 Management System.

14 We've -- that course, if you will, is an
15 end-user course; so how to use it from a reporting
16 perspective.

17 **MR. DUMAIS:** And is it through this Record
18 Management Training that new recruits learn about policies
19 and procedures with the -- which are specific to the OPP?

20 **INSPECTOR MEDVED:** Not exclusively.
21 Throughout their training, if there are specific policies
22 and procedures, you know, we'll make sure that they are
23 made aware of it, but it is not exclusive through that
24 particular course, if you will.

25 I mean there are policies and procedures

1 specific to RMS, Records Management Systems, but there are
2 others in relation to some of the other programs we
3 deliver.

4 **MR. DUMAIS:** All right.

5 And after they complete that four-week
6 training at the Academy, they are then deployed to
7 different detachments. Is that correct?

8 **INSPECTOR MEDVED:** That's correct.

9 **MR. DUMAIS:** All right.

10 Now, I understand that that does not -- at
11 the end of the training for any police constables with the
12 OPP, you do have ongoing training, the first of which is
13 Block Training Courses.

14 Can you explain to us what Block Training
15 Courses are?

16 **INSPECTOR MEDVED:** Certainly.

17 Block Training is a training system that
18 came into place in 1999 and, essentially, what that is, on
19 an annual basis we're required to re-qualify in a number of
20 elements; primarily, use of force and firearm.

21 In addition to that, within that Block
22 Training -- and the reason -- I will back up a little bit.

23 The reason they call it Block Training is
24 because we do everything in one block, a one-week block,
25 for purposes of efficiency and, in the end, it's proving to

1 be quite effective.

2 During that week, we do the mandatory re-
3 qualifications. We do -- we also deliver an Advance Patrol
4 Training Program, as provided by the Ontario Police
5 College, and that's on a three-year cycle basis ---

6 **MR. DUMAIS:** M'hm.

7 **INSPECTOR MEDVED:** --- in order for the
8 officers to get their accreditation from Advanced Patrol
9 Training perspective.

10 We also do fire -- excuse me -- First Aid
11 Training as well, which is, again, mandatory and there are
12 certain re-qualification elements that have to be included.

13 **MR. DUMAIS:** All right.

14 And this Block Training, does it change from
15 year-to-year or is it essentially the same topics?

16 **INSPECTOR MEDVED:** It changes from year-to-
17 year, Mr. Commissioner, in that there are -- the
18 introduction of new topics, certainly from a case law
19 perspective, that are pertinent to frontline policing, that
20 they need to know these changes and how it affects their
21 day-to-day business; that changes.

22 The organization may have some new training
23 initiatives if they feel important for the membership to be
24 exposed to. We use the Block Training vehicle for that
25 purpose.

1 The things that don't change, again, are the
2 mandatory re-qualification items, such as firearms, use of
3 force.

4 **MR. DUMAIS:** And your Block Training is
5 mandatory for all police officers?

6 **INSPECTOR MEDVED:** All members, yes.

7 **MR. DUMAIS:** All right.

8 And can you give us an idea of the contents
9 of the Block Training given? You have enclosed the 2005
10 block overview at Tab 5. Is that correct?

11 **INSPECTOR MEDVED:** Certainly.

12 **MR. DUMAIS:** All right.

13 And is this Block Training completed at the
14 Academy?

15 **INSPECTOR MEDVED:** No, it's not. We have 16
16 deployed in-service units across the province for very
17 obvious reasons. To bring members in from the four corners
18 of the province is logistically quite difficult. So a
19 network of in-service training units have been established
20 as a result of this Block Training vehicle and it's
21 delivered at a local level.

22 **MR. DUMAIS:** And, as well, you've mentioned
23 in your outline that some training is completed through
24 operational field briefings.

25 **INSPECTOR MEDVED:** Correct.

1 **MR. DUMAIS:** Explain to us what they are.

2 **INSPECTOR MEDVED:** In January of 1999, it
3 was recognized that there was a need for additional
4 information-sharing, if you will, additional training at a
5 local level.

6 And so along the way, between Block Training
7 sessions, a lot can change and there are issues of extreme
8 importance that we need to get out to our membership.

9 One of the best ways we discovered, of
10 course, in the age of technology, is to develop operational
11 field briefings. And those topics are -- come to us in a
12 variety of different ways, but I have an Instructional
13 Design and Standards Unit that build, on a monthly basis,
14 operational field briefings, and they could be, again, in a
15 variety of topics.

16 These briefings are -- they come in the form
17 -- it's electronic format and they are disseminated to the
18 regions and they are subsequently disseminated to
19 individual detachment and business unit levels.

20 The responsibility of which the unit
21 commander, be it a detachment commander or a sergeant in
22 charge of a specialty unit, is responsible for ensuring
23 that their membership is made aware of the contents of
24 these operation field briefings; they are up to speed and
25 up to date that way.

1 **MR. DUMAIS:** And, again, this is mandatory
2 training for all officers?

3 **INSPECTOR MEDVED:** Yes.

4 **MR. DUMAIS:** Now, you may -- you've made
5 reference, at this point, to Tab 6 of your outline, which
6 is Ontario Provincial Police Order 6.8, which deals with
7 Skills Development/Learning.

8 **INSPECTOR MEDVED:** Correct.

9 **MR. DUMAIS:** And is that the Police Order
10 that deals with all training for the Ontario Provincial
11 Police, all facets of training?

12 **INSPECTOR MEDVED:** Correct.

13 **MR. DUMAIS:** All right.

14 And it does make reference to the operation
15 field briefing and responsibilities of the --
16 responsibilities of both members, and with respect to their
17 obligation to convey the contents of the operational field
18 briefing to different officers.

19 Is that correct?

20 **INSPECTOR MEDVED:** That's correct.

21 **MR. DUMAIS:** All right. And this Ontario
22 Provincial Police Order deals, as well, and explains the
23 status of a probationary constable, which we've dealt with
24 already?

25 **INSPECTOR MEDVED:** Yes.

1 **MR. DUMAIS:** And it deals, as well, with
2 matters involving use of force re-qualification, which
3 we've dealt already as well?

4 **INSPECTOR MEDVED:** Correct.

5 **MR. DUMAIS:** Now, if I can take you back to
6 page 3 of your outline and the final type of training that
7 you've alluded to in that section is the Intranet site.

8 Can you explain to us what that is?

9 **INSPECTOR MEDVED:** The Provincial Police
10 Academy, through a link, or OPP -- excuse me -- Intranet
11 page as a link, and Chief Superintendent Ryder made
12 reference to it in earlier testimony this week, and you can
13 access the Intranet site through the homepage of the OPP,
14 and a number of screen shots were brought forward by the
15 Chief Superintendent in that regard.

16 And on that site, we provide a number of
17 information items. We have the latest case law. We will
18 have archived operational shift briefings. So members can
19 go back and refer back to shift briefings they've had, you
20 know, 6, 8, 10, 12 months ago and there was an item that
21 was brought forward by way of a shift briefing and they can
22 access it.

23 So the reference is a few clicks away, if
24 you will.

25 **MR. DUMAIS:** That access to training is done

1 on a voluntary basis?

2 **INSPECTOR MEDVED:** Correct.

3 **MR. DUMAIS:** All right.

4 So it's not monitored or there is no
5 obligation to spend a certain amount of time per month or
6 per day on that particular site?

7 **INSPECTOR MEDVED:** It's not mandatory.

8 **MR. DUMAIS:** Now, the next item of training
9 is a specialized training and the first area that you've
10 looked at is how provincial legislation and standards has
11 shaped specialized training, and the first matter that
12 you've made reference to is the adequacy and effectiveness
13 of Police Services Regulation 3/99, and how has that shaped
14 the training of the Ontario Provincial Police?

15 **INSPECTOR MEDVED:** I'm not sure what -- what
16 you mean. How it shaped the training? Is that what you
17 said?

18 **MR. DUMAIS:** How -- what obligation does
19 that Regulation provide or what are the responsibilities of
20 the Ontario Provincial Police to comply with the
21 Regulation?

22 **INSPECTOR MEDVED:** Certainly.

23 We have, obviously, an obligation to comply
24 with that Regulation and the Regulation will find its way
25 into our course design and standard at the end of the day.

1 **MR. DUMAIS:** All right.

2 Now, there's -- I take it that the first
3 obligation of any police services is to setup a Development
4 Learning Plan. Is that correct?

5 **INSPECTOR MEDVED:** That's correct.

6 **MR. DUMAIS:** All right. And is a
7 Development and Learning Plan in place for the Ontario
8 provincial Police?

9 **INSPECTOR MEDVED:** Yes, it is.

10 **MR. DUMAIS:** All right. And is the Learning
11 Plan one that is set up for the whole province or is there
12 a different plan for different detachments?

13 **INSPECTOR MEDVED:** Learning and Development
14 Plans find their way into the organization on number of
15 different levels. On a personal level, when an officer --
16 local officer level, they will have their learning and
17 development plans. At a bureau or regional level, there
18 will be plans. At the provincial level, the organizational
19 level, it presents itself in the Academy in the form of the
20 Academy Business Plan and Annual Course Training Calendar.

21 **MR. DUMAIS:** Now, these individual
22 development and learning plan, are they forwarded to
23 yourself and do you then submit a generalized plan for the
24 year or for three years?

25 **INSPECTOR MEDVED:** No, as you can

1 appreciate, 5,500 individual plans would be fairly
2 cumbersome. So, no, we don't get the individual plans.
3 What we do get is a very good sense through consultation
4 with staffing and development officers at a regional level.
5 They will give us -- through an annual needs' analysis
6 process that we do, they'll give us a good sense of what
7 their training requirements are.

8 So those individual plans don't get past the
9 region, if you will, but we will get a good sense of where
10 their needs are through that process. Then we will develop
11 our Annual Course Training Calendar.

12 **MR. DUMAIS:** All right. I understand as
13 well that this new regulation provided for a minimum of
14 skills, knowledge and abilities to be completed for anyone
15 to become a criminal investigator. Is that correct?

16 **INSPECTOR MEDVED:** That's correct, sir.

17 **MR. DUMAIS:** And that's provided at Section
18 33 -- sorry, Section 9(4) of the Adequacy Regulation, which
19 you've enclosed at Tab 7 of your Book of Documents?

20 **INSPECTOR MEDVED:** That's correct.

21 **MR. DUMAIS:** And you make reference to Core
22 Competencies and Ministry Accredited Standards that the
23 Ontario Police College has identified. Perhaps you can
24 talk to us about that and how that has influenced the
25 Academy's views on certifying criminal investigators?

1 **INSPECTOR MEDVED:** Certainly.

2 There are, Mr. Commissioner, 14 identified
3 Core Competencies that you have before you. Would you like
4 me to go through them, sir?

5 **MR. DUMAIS:** No, just in general perhaps,
6 Inspector.

7 **INSPECTOR MEDVED:** In general. And behind
8 those Core Competencies, there are a number of subsets, if
9 you will, you know, what exactly does Case Management
10 Principles and Practices mean. Certainly behind that,
11 there are a number of items listed. But from an Academy
12 training perspective, we needed to ensure that our criminal
13 investigations courses were in alignment with those Core
14 Competencies. As you can appreciate, the expectations are
15 clearly articulated here, and it was my responsibility or
16 the director of the day's responsibility to ensure that the
17 course training standards were, as indicated, in alignment
18 with those competencies.

19 **MR. DUMAIS:** All right. And I further
20 understand that these Core Competencies are not only used
21 to make up the standards for the courses and develop the
22 courses but they are used to evaluate police officers to
23 determine whether or not they have the equivalent
24 qualifications or skills. Is that correct?

25 **INSPECTOR MEDVED:** That's correct.

1 **MR. DUMAIS:** So a police chief has the
2 discretion to make an appraisal or an evaluation of any of
3 his police officers and determine whether or not he has the
4 present skills and, if he does, he can grant the
5 designation of a criminal investigator. Is that correct?

6 **INSPECTOR MEDVED:** That's correct.

7 **MR. DUMAIS:** All right.

8 Now, if we move to the next item at the
9 bottom of page 4, "The Ontario Provincial Police and
10 Available Specialized Training Resources", I understand
11 that pursuant to the Ontario Provincial Police Orders that
12 we've previously referred to at Tab 6 of your Book of
13 Documents, the Academy has the responsibility of
14 developing, delivering and supervising the curriculum of
15 each OPP training program. Is that correct?

16 **INSPECTOR MEDVED:** That's correct.

17 **MR. DUMAIS:** And one of these programs is
18 the Block Training Program, which you briefly spoke to
19 earlier. Is that correct?

20 **INSPECTOR MEDVED:** That's correct, sir.

21 **MR. DUMAIS:** And the responsibility for
22 setting up and running this Block Training is deferred to
23 the regional in-service training coordinator. Is that
24 correct?

25 **INSPECTOR MEDVED:** Correct.

1 **MR. DUMAIS:** And are these regional in-
2 service training coordinators located at each of the 16
3 sites?

4 **INSPECTOR MEDVED:** There are individual unit
5 commanders at the in-service training sites. At the
6 regional level, there is a staffing development and
7 training officer, if you will.

8 **MR. DUMAIS:** Are these regional sites
9 permanent sites?

10 **INSPECTOR MEDVED:** Yes, they are.

11 **MR. DUMAIS:** And they do have a physical
12 building?

13 **INSPECTOR MEDVED:** Yes, they do.

14 **MR. DUMAIS:** Do they have facilities
15 comparable to the Academy, and by that I mean do they have
16 overnight accommodations?

17 **INSPECTOR MEDVED:** No, they don't.

18 **MR. DUMAIS:** So it's strictly for one-day
19 training and if they must return on the following day,
20 accommodations are made at a local hotel, something of that
21 sort?

22 **INSPECTOR MEDVED:** That's correct.

23 **MR. DUMAIS:** Who is responsible for the
24 attendance of different police officers to those Block
25 Training?

1 **INSPECTOR MEDVED:** Well, the individual
2 members certainly have personal responsibility to attend,
3 but they obviously will be held accountable by their
4 immediate supervisor, be it a shift sergeant or a
5 detachment commander.

6 **MR. DUMAIS:** Do these Block Training have to
7 be completed within each 12-month period or can there be an
8 overlap if something happens and the training cannot be
9 completed?

10 **INSPECTOR MEDVED:** The answer -- part A, I
11 believe, of your question is yes, it has to be completed
12 annually within a 12-month period. If there are
13 extenuating circumstances, Mr. Commissioner, for example,
14 someone is on maternity leave, parental leave or sickness
15 of some description, then certainly the individual member
16 will be granted authority to go into the next calendar year
17 to catch up.

18 **MR. DUMAIS:** Where is the record of training
19 kept? Is that kept regionally or is that kept at
20 Headquarters?

21 **INSPECTOR MEDVED:** The individual in-service
22 training units maintain training records.

23 **MR. DUMAIS:** Are those records transferred
24 or sent to Headquarters?

25 **INSPECTOR MEDVED:** Eventually, they get to

1 Headquarters, but on a region-to-region basis, they're kept
2 at the regions up through the IST Units.

3 **MR. DUMAIS:** Now, the next item you had
4 discussed is the Ontario Police College and you've
5 described some of the different elective training courses
6 that the Ontario Police College offers. And perhaps before
7 we deal with that, you can just explain to us what your
8 relationship is with the Ontario Police College and by you,
9 I mean the Academy.

10 **INSPECTOR MEDVED:** Certainly. The
11 relationship in very general terms, Mr. Commissioner, is
12 quite positive I must say. We rely heavily on the Ontario
13 Police College as the primary conduit for training products
14 to our officers. Many of our course training standards are
15 theirs. They were developed in concert with police
16 agencies and other stakeholders by the Police College. And
17 so we deliver a number of their programs on their behalf to
18 our organization. It's a matter of capacity, if you will.

19 So we have a very good working relationship
20 with the Ontario Police College. We look to them and they
21 look to us at different times and in different
22 circumstances for leadership with respect to training
23 initiatives. It's a very positive partnership.

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MR. DUMAIS: Now, you described six particular courses that the Ontario Police College offers, which you felt were relevant to this inquiry. Can you just simply go through them and indicate why and give us a brief description of the course.

INSPECTOR MEDVED: Certainly.

As it's indicated here in the outline, course number 1, General Investigative Training Course, which is a course of 10 days in duration, and I will read from the course outline if I may, Mr. Commissioner.

THE COMMISSIONER: M'hm.

INSPECTOR MEDVED: "This course is designed to prepare police officers to conduct general criminal investigations. This course is a prerequisite to most other investigative courses [at the Ontario Police College].

1 Number 2, Investigating Offences Against Children. It's a
2 course again offered by the Ontario Police College. It is 10
3 days in duration.

4 "This course is designed for police
5 officers whose area of responsibility
6 includes the investigation of offences
7 against children. The Policing
8 Standards Manual (2000) LE-027 requires
9 the Chiefs of Police to develop and
10 maintain 'a policy on investigations
11 into physical and sexual abuse of
12 children'. In addition investigative
13 protocols must be followed to minimize
14 repeated traumatization of the victims
15 and promote the best interests of the
16 child in all regards."

17 Item number two is listed here.
18 Investigative Interviewing Techniques Course. Again, an OPC,
19 if I may, may I be permitted to use that acronym?

20 **MR. DUMAIS:** Okay.

21 **INSPECTOR MEDVED:** Investigative
22 Interviewing Techniques Course, five-day course provided by
23 the OPC.

24 "This course serves as a practical
25 guide to the newest techniques involved

1 in the fields of interviewing and
2 interrogation. It focuses on the law
3 and relation to confessions,
4 understanding and application of
5 interpersonal skills, gathering of
6 reliable information derived from the
7 interviewing process, how memory
8 functions, cognitive interviewing
9 techniques, verbal and non-verbal
10 behaviour frequently associated with
11 truth or deception and interrogation
12 techniques."

13 Item number 4, it's Ontario Major Case Management Course.
14 It's 14 days in duration.

15 "The Ontario Major Case Management
16 Course will provide a competent and
17 astute investigator with the knowledge
18 and skills required to manage the
19 resources, direction, speed and flow of
20 a coordinated investigative team using
21 a multi-disciplinary approach. The
22 course is not designed to train the
23 Major Case Investigator. The functions
24 of Investigators, although closely
25 entwined with that of the manager,

1 constitute separate and distinct
2 responsibilities."

3 And that's attached to a memorandum, All
4 Chiefs Memorandum dated 1998.

5 Item number 5, Sexual Assault Investigation
6 Course, nine days, provided both at the OPC and the
7 Provincial Police Academy.

8 "This course is designed to assist
9 experienced investigators in developing
10 attitudes, skills and knowledge as they
11 relate to the investigation of sexual
12 assault incidents. Training methods
13 include audio/video, presentations,
14 case study exercises and lectures."

15 We provide a similar course. The
16 distinction between the PPA and OPC course is that we have
17 a field component instead of a second week, which is a
18 scenario-based training. So we do week two in the field
19 under the supervision of an area crime sergeant.

20 **MR. DUMAIS:** Does that mean that an officer
21 of the OPP that wishes to obtain training in the sexual
22 assault investigation will complete the course at the
23 Academy rather than at the Ontario Police College?

24 **INSPECTOR MEDVED:** We can access both. So
25 if we find ourselves in a position of having seat

1 allocations at the OPC course, we will most definitely send
2 members. And of course, as an added bonus if you will, we
3 have the capacity to deliver the same material in a
4 slightly different way at the PPA.

5 **MR. DUMAIS:** And finally the last course
6 that you have alluded to in your outline is the
7 Transitional Major Case Management Course, which is a 10-
8 day course.

9 **INSPECTOR MEDVED:** Correct.

10 **MR. DUMAIS:** And perhaps if you can just
11 give us an indication of the difference between the Ontario
12 Major Case Management Course and the Transitional Major
13 Case Management Course?

14 **INSPECTOR MEDVED:** The Transitional Major
15 Case Management Course essentially is a -- its focus is on
16 the Major Case Management software, which is PowerCase, and
17 it's a very specific course, if you will, in relation to
18 that and separate apart from the general Major Case
19 Management Course, but it's certainly a part of the MCM.

20 **MR. DUMAIS:** All right, Inspector, you've
21 been reading from Tab 9, summaries taken out of the Ontario
22 Police College Calendar, and I'm just looking at the first
23 page, the General Investigation Training Course, and again
24 there's an \$850 fee associated with that course.

25 So once a police officer completes the 12

1 months probation, are those training fees covered by the
2 OPP?

3 **INSPECTOR MEDVED:** Correct. Any fees
4 associated to OPC courses are covered by the organization.

5 **MR. DUMAIS:** All right. And are the
6 training fees covered by the different budgets of different
7 detachments? Does it come out of local budgets?

8 **INSPECTOR MEDVED:** Training budgets, Mr.
9 Commissioner, are -- reside in a number of different places
10 in the organization. Certainly, the first most obvious
11 place is the Academy. I have a training budget associated
12 to core Academy courses. Individual regions and bureaus
13 will also have a portion of their budgets dedicated to
14 training and development.

15 **MR. DUMAIS:** Now, under that same heading
16 Fees/Duration, right under \$850, there is a \$40 fee
17 associated with the "Police service delivered". Do you
18 know what that means?

19 **INSPECTOR MEDVED:** My understanding of that
20 is if it's delivered at a local level by accredited
21 trainers, so in other words, on an outreach basis, the OPC
22 course is delivered locally, then it's a \$40 course fee.

23 **MR. DUMAIS:** All right. So then if you take
24 an OPC-accredited course and if you deliver it at the
25 Academy, the cost to you is \$40 which must be paid to the

1 Ontario Police College. Is that -- did I understand that
2 correctly?

3 **INSPECTOR MEDVED:** Well, let me just try and
4 clarify that. What you get for your \$850, as I understand
5 it, certainly, if you attend the Ontario Police College, at
6 \$850 there is a certain amount allocated to course
7 administration. A good balance of that -- the balance of
8 which speaks to accommodations and meals and the general
9 operation of the OPC.

10 Now, if it's offsite, those costs,
11 obviously, aren't incurred and so those costs are typically
12 collected by the individual service. Sometimes they are;
13 sometimes they are not.

14 **MR. DUMAIS:** So then if the course is
15 delivered by the Academy, the cost that the Academy has to
16 pay to the Ontario Police College is \$40 per training. Is
17 that fair?

18 **INSPECTOR MEDVED:** It's fair.

19 **MR. DUMAIS:** And I'm still looking at that
20 General Investigation Training Course, your last heading
21 "Police service delivered" and I take it that -- oh, yes,
22 it's indicated at the bottom that this page is taken out of
23 the 2006 Ontario Police College Course Calendar and OPP
24 appears to be one of the police services that delivers this
25 course this year.

1 **INSPECTOR MEDVED:** That's correct.

2 **MR. DUMAIS:** Now, if I look at the second
3 page of that tab, Investigating Offences Against Children,
4 again, last heading "Course Dates/Location", and that
5 course appears to be only delivered at the OPC.

6 **INSPECTOR MEDVED:** That's correct.

7 **MR. DUMAIS:** Same with the next page,
8 Investigative Interviewing Techniques Course.

9 **INSPECTOR MEDVED:** OPC, correct.

10 **MR. DUMAIS:** But the Ontario Major Case
11 Management Course ---

12 **INSPECTOR MEDVED:** Yes.

13 **MR. DUMAIS:** --- is delivered by the OPP at
14 the Academy?

15 **INSPECTOR MEDVED:** That's correct.

16 **MR. DUMAIS:** But the Sexual Assault
17 Investigation Course is not delivered at the Academy and
18 you've explained that earlier on that it's not exactly the
19 same type of course. Is that correct?

20 **INSPECTOR MEDVED:** It's the same from the
21 course content. So the teaching points and the objectives
22 in the course training standards that the OPC require us to
23 follow are contained in our course. It's just set up a
24 little differently.

25 **MR. DUMAIS:** All right. But this course

1 does follow the standards of the Ontario Police College and
2 it is an accredited course, right?

3 **INSPECTOR MEDVED:** Yes, it is. Yes, it
4 does.

5 **MR. DUMAIS:** So anyone completing that
6 course there and wants to complete or do a sexual assault
7 investigation complies with adequacy, correct?

8 **INSPECTOR MEDVED:** Correct.

9 **MR. DUMAIS:** And finally, I think the last
10 course that or the last summary that you've included in
11 your material is the Transitional Major Case Management
12 Course and that's offered at the Academy as well.

13 **INSPECTOR MEDVED:** That's correct.

14 **MR. DUMAIS:** All right.

15 Now, I'm looking at the top of page 6 of
16 your outline and I'll read your statement:

17 "Unfortunately, the number of seats
18 allocated by OPC to OPP personnel for
19 many programs vital to maintaining an
20 appropriate level of police services,
21 has been very limited."

22 Can you just, firstly I guess, give us an
23 idea of how seat allocation for the OPP works with the
24 Ontario Police College?

25 **INSPECTOR MEDVED:** The Ontario Police

1 College and the OPP have an agreement with respect to
2 minimum allocations and the number that we deal with
3 specifically in this regard, Mr. Commissioner, is 25 per
4 cent.

5 So the two biggest consumers of OPC training
6 products are the Ontario Provincial Police and the Toronto
7 Police Service and we're treated in the same way with
8 respect to commitment to seat allocation. It's 25 per
9 cent. And then the rest, if you will, the remaining 75 per
10 cent of the seats are allocated across the province to
11 other police services.

12 **MR. DUMAIS:** All right. And do you know how
13 the allocation is done? Do you have to fill out a demand
14 survey every year or are 25 per cent of the seats for every
15 course offered at the Ontario Police College strictly
16 reserved for OPP officers?

17 **INSPECTOR MEDVED:** The manner in which the
18 seats are allocated at the OPC, we start off with the 25
19 per cent window, if you will, and on an annual basis, we
20 participate in a needs' analysis. It's sent out. It's a
21 needs' survey, a needs' analysis by the OPC and they'll,
22 essentially, ask us, you know, what are your needs or your
23 requirements?

24 That is responded to from the Registrar's
25 office at the Academy and we will have that information in

1 advance of that survey because we've done a similar process
2 without our organization to the regions bureaus.

3 So we'll have our numbers in hand. They'll
4 ask us how many seats do you need and what kinds of
5 different courses do you need? And then they'll go off and
6 they'll start assigning the allocation the best they can.

7 **MR. DUMAIS:** But fair to say that despite
8 the demand survey that always -- there's always a 25 per
9 cent portion of the seats that is reserved for OPP?

10 **INSPECTOR MEDVED:** I wouldn't describe it as
11 always, but I would say this, Mr. Commissioner. It's very
12 rare that we won't reach that target. The OPC are very
13 good about -- they recognize the size of our organization
14 and Toronto Police Service. They recognize it, you know.
15 That's going to impact on their decisions with respect to
16 seat allocations.

17 **MR. DUMAIS:** Now, the next item that you've
18 dealt with is "train the trainer".

19 **INSPECTOR MEDVED:** Yes.

20 **MR. DUMAIS:** Can you explain to us what that
21 is?

22 **INSPECTOR MEDVED:** The Outreach Programs
23 that we've talked about, the Outreach Courses, as you can
24 appreciate, the OPC is not resourced to deploy trainers to
25 the various different services and training sites.

1 So police services, including the OPP, will
2 have members selected to deliver the training and these
3 selection -- selection criteria are done -- members will be
4 looked at from sort of an interest perspective and also an
5 area of expertise perspective.

6 **MR. DUMAIS:** And then so long as the courses
7 -- the course is evaluated by the OPC and approved and so
8 long as the trainer has followed the training program and
9 is an approved trainer, if the course is delivered, the
10 police officer that follows the course does receive credit
11 without ever attending the OPC. Is that correct?

12 **INSPECTOR MEDVED:** That's correct.

13 **MR. DUMAIS:** All right. It essentially
14 permits training of police officers off site.

15 **INSPECTOR MEDVED:** That's correct.

16 **MR. DUMAIS:** Now, if we look more
17 specifically, Inspector, to the Provincial Police Academy
18 and more specifically with the Academy or the courses that
19 the Academy offers, perhaps if you can start with the
20 mandate of the Academy.

21 **INSPECTOR MEDVED:** Certainly.

22 **THE COMMISSIONER:** Well, perhaps we could do
23 that after that break?

24 **MR. DUMAIS:** Yes, certainly, Mr.
25 Commissioner.

1 **THE COMMISSIONER:** All right.

2 **THE REGISTRAR:** Order; all rise. À l'ordre;
3 veuillez vous lever.

4 The hearing will resume at 3:30.

5 --- Upon recessing at 3:18 p.m. /

6 L'audience est suspendue à 15h18

7 --- Upon resuming at 3:37 p.m. /

8 L'audience est reprise à 15h37

9 **THE REGISTRAR:** Order; all rise. À l'ordre;
10 veuillez vous lever.

11 This hearing of the Cornwall Public Inquiry
12 is now in session. Please be seated. Veuillez vous
13 asseoir.

14 **INSPECTOR EDWARD MEDVED, Resumed/Sous le même serment:**

15 --- **EXAMINATION IN-CHIEF BY/INTERROGATOIRE EN-CHEF PAR MR.**
16 **DUMAIS, (cont'd/suite):**

17 **MR. DUMAIS:** Inspector, we were looking at
18 page 6 of your outline and I had asked you to discuss the
19 mandate of the Provincial Police Academy, as well as the
20 structure.

21 **INSPECTOR MEDVED:** Certainly. Some of the
22 mandate bullet points, Mr. Commissioner, we have spoken to
23 already but I will just indicate bullet point number 3
24 under PPA Mandate.

25 "The PPA's mandate is to provide the

1 highest quality training and education
2 to its members in a timely, efficient
3 and effective manner.

4 The obligation to assist members in
5 supporting core police service delivery
6 to the communities of this province is
7 paramount.

8 A recent review of the PPA mandate has
9 resulted in the creation of a new motto
10 which appropriately reflects its
11 ultimate goal [of the Academy];"

12 And that, simply put, is "Training for Confidence,
13 Competence and Credibility" of our members.

14 From a structure perspective, the PPA,
15 including myself, has a total of 26 staff members and three
16 separate distinct business units. There is a -- and we
17 have 15 dedicated instructors. The three business units
18 include General Patrol Training, which includes recruits,
19 criminal investigations, cadets, supervisor, coach officer
20 course.

21 We have a Specialized Field Training Unit
22 which is responsible for more tactical applications,
23 tactical training, sniper training, ATV training,
24 snowmobile, motorcycle, winter survival and the like. And
25 then, finally, our last business unit is the Instructional

1 Design and Standards Unit and those are the folks who do a
2 lot of research and development of training standards for
3 the PPA.

4 **MR. DUMAIS:** All right. And what distinct
5 training does the Provincial Police Academy deliver that
6 differs from the OPC?

7 **INSPECTOR MEDVED:** Page 7 of the outline,
8 the Provincial Police Academy, I've titled it here what
9 distinct training does it do: ad hoc training with respect
10 to upgrade training, specifically case law; training on new
11 use of force equipment, C8 Rifles, our new C8 Rifles,
12 Tazer, being the most recent two examples; training on
13 policy and procedures specific to the OPP; mandatory annual
14 re-qualification and maintenance training that I spoke of
15 earlier; recruit training, of course.

16 I'll tab down here: education specific to
17 core values and, again, I spoke to this earlier, very
18 specific and unique to our organization that we feel
19 important and we spend time training in diversity and first
20 nations awareness; also training records management
21 service, and course training standards specific to the OPP.

22 **MR. DUMAIS:** Fair to say, Inspector, that
23 most of the training at the Academy consists of, firstly,
24 the Ontario Police College courses which you deliver at
25 your site and then most of the other courses are training

1 courses that are very specific to the OPP?

2 **INSPECTOR MEDVED:** Correct.

3 **MR. DUMAIS:** Now, the next bullet discusses
4 your Coach Officers Training Program and I believe you've
5 alluded to that program earlier on in your presentation.

6 **INSPECTOR MEDVED:** That's correct.

7 **MR. DUMAIS:** Now, you've indicated in your
8 next bullet point that other smaller police services often
9 rely on the OPP for training or courses or -- what has been
10 the Academy's involvement with other police services with
11 respect to training?

12 **INSPECTOR MEDVED:** I can indicate that,
13 certainly, at the PPA, if there are requests by smaller
14 police services for individual seat allocations, we welcome
15 other police services from across the province with open
16 arms. We happily have them on board in our training
17 programs.

18 We also conduct ourselves in the same way
19 from an in-service training perspective. We have a number
20 of smaller services in further remote locations in the
21 province that use our in-service training vehicle, our
22 training model, to upgrade their officers on an annual
23 basis.

24 It's more cost-effective and in many
25 instances, as you can appreciate, in those jurisdictions

1 these officers are standing shoulder-to-shoulder with our
2 own members, and what better way to have an effective
3 police service all around by training together?

4 **MR. DUMAIS:** Do you send out publicity or
5 demand survey from year-to-year or is that just done by
6 having a police service contact the Academy?

7 **INSPECTOR MEDVED:** Well, we'll be contacted
8 directly by -- and we have some Service Level Agreements in
9 place with some services. Others are Gentlemen's
10 Agreements with respect to having them attend.

11 **MR. DUMAIS:** And there is, of course, a cost
12 associated with training officers from another police
13 service?

14 **INSPECTOR MEDVED:** There are. In some
15 instances, they cover off -- it is a simple matter if they
16 bring their own lunch, if you will. In other matters, they
17 will offset some costs associated with the Training Program
18 by bringing -- they'll supply the ammunition in some
19 instances.

20 **MR. DUMAIS:** All right.

21 Now, you've listed the courses that you
22 thought were relevant to the Inquiry, being taught by the
23 Ontario Police College.

24 On page 8, you've referred to the courses
25 that the Academy delivers, that you believe to be relevant.

1 The first one being the General Investigative Techniques
2 Course, and that is the same course or the same standards
3 that the Ontario Police College uses?

4 **INSPECTOR MEDVED:** That is correct.

5 **MR. DUMAIS:** All right.

6 And the Sexual Assault Investigation Course
7 is slightly different and I believe you've explained that
8 to us already.

9 **INSPECTOR MEDVED:** Yes.

10 **MR. DUMAIS:** And, finally, the last one is
11 the Transitional Ontario Major Case Management Course, and
12 you have indicated that this is a 14-day course.

13 Is the Transitional Major Case Management a
14 10-day course; is that just a typo?

15 **INSPECTOR MEDVED:** They're showing it on the
16 screen here, between the two.

17 **MR. DUMAIS:** The ---

18 **INSPECTOR MEDVED:** It's a typo.

19 **MR. DUMAIS:** The fact that it's 14 days and
20 the one that the Ontario Police College is 10 days.

21 **INSPECTOR MEDVED:** It's a typo.

22 **MR. DUMAIS:** Okay.

23 So the other Major Case Management Course is
24 a 14-day course?

25 **INSPECTOR MEDVED:** Correct.

1 **MR. DUMAIS:** All right.

2 Now, you've gone into a little more details
3 with the General Investigative Techniques Course and you've
4 explained how the course has evolved at the Academy over
5 the years, and you are making a comparison between the
6 first type of course or I don't know if it's the first one,
7 but the one being offered between 1986 to 1994 and the
8 modified version course being taught between 1994 and 2000.

9 Perhaps you can just explain to us what the
10 difference between the two courses are.

11 **INSPECTOR MEDVED:** Certainly.

12 Prior to the General Investigative
13 Techniques Course, we offered a Criminal Investigations
14 Course and the difference there, of course, is -- it's just
15 in the title -- it's a general versus a specific Criminal
16 Investigations Course and along the way, there are elements
17 -- there have been elements of -- introduced in the course
18 as the course revisions were made.

19 You can see here, along page 8, two previous
20 versions in the OPP Criminal Investigations Course showed
21 active dates of '86 through 1994 and then '94 to 2000.

22 During the transition of 1986 to the '94
23 version, Criminal Investigations Course topics such as
24 sexual assault investigations, child development, and
25 interviewing children were added.

1 One of the learning objectives of the --
2 setout in the Sexual Assault Investigation Session requires
3 officers to know how to assist and support a victim from
4 the initial contact through to the final Court proceedings.

5 This seven-hour session -- this is a seven-
6 hour session within the overall CI course, the Criminal
7 Investigations Program.

8 **MR. DUMAIS:** So the -- at the end of those
9 two topics is, essentially, the only change from the two
10 versions?

11 **INSPECTOR MEDVED:** Correct.

12 **MR. DUMAIS:** All right.

13 Do you know, Inspector, if 1986 was the
14 first time that the Academy was delivering that course?

15 **INSPECTOR MEDVED:** I can't say.

16 **MR. DUMAIS:** All right.

17 Now, the second course which you've gone
18 into in a little more detail is the Sexual Assault
19 Investigation Course and perhaps you can just explain how
20 the Academy came about to developing this new course.

21 **INSPECTOR MEDVED:** Certainly.

22 We touched on it a little bit before, Mr.
23 Commissioner, but certainly, as a result of coming into
24 force, Adequacy and Effectiveness of Police Services
25 Regulation, the PPA, in consultation with the OPC, as I

1 indicated previously, designed a five-day training program
2 specific to upgrading all experienced investigators.

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

4 **INSPECTOR MEDVED:** By the end of 2002, the
5 OPC had revised its two-week Sexual Assault Training
6 Program, but could not accommodate the numbers of officers
7 in the OPP -- that the OPP required to train.

8 In response to this, we have what we see
9 today in the PPA is the one-week course with the Field
10 Practicum, which has to be completed within six weeks of
11 attending the one-week course.

12 **MR. DUMAIS:** Inspector, do you recall how
13 many officers you had to train at the end of 2002?

14 **INSPECTOR MEDVED:** I don't have that
15 specific number. I know there were a great number.

16 **MR. DUMAIS:** And the specific reason for
17 that was the recent coming into force of the Adequacy
18 Regulations early in 2001, that provided that you could not
19 conduct a sexual assault investigation without having
20 completed the Ministry accredited course.

21 Is that correct?

22 **INSPECTOR MEDVED:** Correct.

23 **MR. DUMAIS:** All right.

24 Therefore, as a result of that, you set up
25 this course and a number of police officers were trained at

1 the Academy.

2 Is that correct?

3 **INSPECTOR MEDVED:** Correct.

4 They are both given the volume and, again, I
5 don't have the specific number, Commissioner, but I can
6 indicate that there was a great number of officers that
7 needed to be upgraded, and that it was done at a
8 centralized location, by way -- through the PPA and also on
9 an outreach basis at the regional level.

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

11 **MR. DUMAIS:** And my understanding is that
12 one of your colleagues will be discussing that specific
13 course further on next week.

14 Is that correct?

15 **INSPECTOR MEDVED:** That's correct.

16 **MR. DUMAIS:** Okay.

17 And that is the same for the next topic
18 which is the regional training topic and one of your
19 colleagues will be addressing item 3 of your outline.

20 Is that correct?

21 **INSPECTOR MEDVED:** That's correct, sir.

22 **MR. DUMAIS:** All right.

23 Now, if we look then, at item 4, which is at
24 page 10 of your outline, you have indicated that there are
25 other resources that the OPP uses for training.

1 **INSPECTOR MEDVED:** Correct.

2 **MR. DUMAIS:** What are examples of those
3 other resources?

4 **INSPECTOR MEDVED:** We use -- certainly in
5 the information age that we live in currently there are a
6 number of sources available to us. One (1) that I can give
7 you, with specific example is the J.E. Reid Interrogation
8 and Interviewing Course. It is outside of traditional
9 police training circles.

10 It is not a CPC, Canadian Police College or
11 OPC or PPA course, and it is accessed by some of our
12 members around the province on an as-needed basis, we
13 certainly use other police services should the put on a,
14 for example, a Homicide Investigator Seminar, Metro Toronto
15 Police may do that.

16 We'll access that, again, in much the same
17 way we welcome other services to our training venues. They
18 do the same for us, and we certainly go State side; in some
19 instances, to the FBI Academy.

20 **MR. DUMAIS:** And are there any specific
21 arrangements made, for example, with the Canadian Police
22 College or is it the Academy that makes a specific request
23 to their college for a certain number of seats?

24 **INSPECTOR MEDVED:** Yes. At the CPC, similar
25 to the OPC, there are seat allocation requests made. All

1 of that activity, the hub of that activity at the PPA is
2 done through the Registrar's office.

3 Requests will come in from program areas and
4 then we'll reach out to CPC or OPC and further that
5 request. We do a lot of facilitative work that way.

6 **MR. DUMAIS:** Now, the last topic, Inspector,
7 that you've developed in your outline is training
8 perspectives for the future.

9 Perhaps you can start by just indicating
10 what current training models you use to deliver your
11 courses at the Academy.

12 **INSPECTOR MEDVED:** Certainly.

13 The current training model within the OPP
14 Academy has existed for a number of years. It's a
15 traditional classroom-based learning model with both
16 practical exercise and scenario training.

17 We have scenario sites at the Academy, on
18 campus, if you will, at the General Headquarters where we
19 do live scenario training. We use simuniton and the like.

20 Operational members -- in addition to that,
21 operational members attend these venues both at the OPC and
22 the PPA for that purpose.

23 In some cases, pre-study or pre-course study
24 material is provided to them by way of the Internet or
25 email in order to make the learning experience more

1 beneficial to them. They showed up that much more prepared
2 for the learning experience.

3 Innovations within the PPA, I can say that
4 in -- I want to make sure I get this correct -- I launched
5 an e-learning project within the Academy in early 2006 --
6 forgive me -- end of 2005, December 2005.

7 Essentially, what we're trying to do there
8 is to try and embrace to the extent possible, within the
9 police sector, online e-learning training.

10 Right now we're in the early stages of our
11 project. We'd like to -- in addition to that, we'd like to
12 automate to the extent possible. We want to have the
13 ability to provide some of this training, which lends
14 itself well to online training, to do just that, and for
15 obvious reasons. There is tremendous efficiencies to be
16 realized in that regard.

17 But the police work being what it is, we
18 recognize through our analysis to this point that we will,
19 at the end of the day, have a blended learning approach.
20 So there will be elements of online learning ---

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

22 **INSPECTOR MEDVED:** --- coupled with the
23 traditional classroom-based learning.

24 There is just simply some things you can't
25 do over the Internet. You need to have hands-on.

1 And we also recognize that there -- the
2 information sharing between investigators and officers
3 during a training event, if you will, is something that is
4 virtually impossible to duplicate online.

5 **MR. DUMAIS:** And you're presently conducting
6 a feasibility study.

7 Is that correct?

8 **INSPECTOR MEDVED:** That's correct.

9 We just submitted our initial report to
10 senior executives within the organization and they're in
11 the process of consuming that report and I expect some
12 comments back shortly after I return.

13 **MR. DUMAIS:** As part of that feasibility
14 study, has the Academy run any pilot projects?

15 **INSPECTOR MEDVED:** We've run a short number
16 of pilot projects; one with respect to our Supervisors'
17 Course. We took an element of the Supervisors' Course and
18 we put it online. There was some pre-study material that
19 they had to review and then they did an online test and
20 then they were re-tested when they arrived and it was
21 specific to human rights.

22 What we wanted to do is we wanted to test
23 the waters to see if, indeed, the -- just how ready is the
24 police culture for this type of training?

25 It's -- as everyone knows, it's been in

1 place for some time now but in the police -- in policing
2 environments we need to catch up; we need to be on the
3 cutting edge in this regard given -- particularly, given
4 the speed at which information is coming at us.

5 **MR. DUMAIS:** Certainly, that would permit
6 you to train a greater number of officers at a lesser cost.

7 **INSPECTOR MEDVED:** That's correct, and we
8 can also ensure, if you will, we can also gain a higher
9 degree of confidence in what we're actually training the
10 folks. And along the way, we want to also attach some
11 measurement mechanisms. So who did we train? What did we
12 train them in?

13 And then, further down the road, it's my
14 desire to be able to actually do some further evaluation in
15 terms of "Okay, well did it, you know, was it meaningful?
16 How are you applying it in your real world environment in
17 Timmins, Ontario, or Moose -- Moose Factory, for that
18 matter"?

19 **MR. DUMAIS:** Finally, Inspector, what is the
20 state of organizational learning at the Academy?

21 **INSPECTOR MEDVED:** The state of
22 organizational learning within the organization is quite
23 frankly much the same way it's been for many years. In my
24 experience of course, in my 21st year, I know that there's a
25 constant hum, if you will, and that hum comes from the

1 consumption of learning. There's no shortage of demand for
2 learning and education within the organization and
3 ultimately the PPA is responsible to satisfy that need.

4 At any given moment, we have no trouble
5 filling seats, either at the PPA or others at the OPC or
6 CPC. There are, at any given moment, there are a number of
7 waiting lists to get on programs if somebody can't make it
8 for some reason in the 11th hour, we can fill it almost
9 immediately.

10 **MR. DUMAIS:** Is that solely for the programs
11 offered at the Academy or at the Ontario Police College as
12 well?

13 **INSPECTOR MEDVED:** Both.

14 **MR. DUMAIS:** All right. Thank you,
15 Inspector.

16 These are my questions, Commissioner.

17 **INSPECTOR MEDVED:** Thank you.

18 **THE COMMISSIONER:** All right. Thank you.

19 Mr. Wardle.

20 **MR. WARDLE:** I have no questions.

21 **THE COMMISSIONER:** Thank you.

22 Mr. Lee.

23 **MR. LEE:** I have no questions either, Mr.
24 Commissioner.

25 **THE COMMISSIONER:** All right.

1 Mr. Chisholm.

2 **MR. CHISHOLM:** Thank you, Mr. Commissioner.

3 Good afternoon, Inspector Medved. My name
4 is Peter Chisholm. I am counsel for the local Children's
5 Aid Society.

6 **INSPECTOR MEDVED:** Good afternoon.

7 --- CROSS-EXAMINATION BY/CONTRE-INTERROGATOIRE PAR MR.

8 **CHISHOLM:**

9 **MR. CHISHOLM:** Just a couple of quick
10 questions with respect to the present circumstances with
11 respect to joint training between the Ontario Provincial
12 Police and outside service agencies such as any Children's
13 Aid Societies.

14 Do you at present have any such courses in
15 existence?

16 **INSPECTOR MEDVED:** With the Children's Aid
17 Society?

18 **MR. CHISHOLM:** Yes. Specifically I'm
19 interested in child sexual abuse investigation courses.

20 **INSPECTOR MEDVED:** Not at the PPA.

21 **MR. CHISHOLM:** And are you aware of any at
22 the Ontario Police College?

23 **INSPECTOR MEDVED:** I couldn't say, I'm
24 sorry. I couldn't say if the Children's Aid Society is at
25 the table. I couldn't say.

1 **MR. CHISHOLM:** Now, I use it as an example,
2 do you have any outside agencies -- you told us about joint
3 training that you conduct in Orillia with respect to
4 outside police services coming to Orillia. Is that right?

5 **INSPECTOR MEDVED:** Correct.

6 **MR. CHISHOLM:** Do you have any outside
7 agencies apart from police services coming to Orillia?

8 **INSPECTOR MEDVED:** We have outside agencies
9 such as VICARS, for example. In recent days, they're
10 putting together a training program that involves our
11 organization. So that's an example I can give you.

12 **MR. CHISHOLM:** And you told us -- you spoke
13 of the advantage in terms of when the outside police
14 services and the OPP get together, you indicated that you
15 have a better, more effective police service all around as
16 a result of the joint training. Is that right?

17 **INSPECTOR MEDVED:** Yes.

18 **MR. CHISHOLM:** Would you agree with me that
19 that would be the case with respect to joint training
20 offered or set up with the Ontario Provincial Police and
21 Children's Aid Societies?

22 **INSPECTOR MEDVED:** Yes.

23 **MR. CHISHOLM:** And where would one turn to
24 within the Ontario Provincial Police with respect to
25 establishing such a training program?

1 **INSPECTOR MEDVED:** Certainly our most
2 obvious point of entry, if you will, to the organization is
3 through the Commissioner's office. Ultimately, that would
4 be delegated to my position at the Academy to further.

5 **MR. CHISHOLM:** And you've mentioned the 10-
6 day program or 10-day course titled "Investigating Offences
7 Against Children". Do you see any room in that program to
8 allow for joint training?

9 **INSPECTOR MEDVED:** I'm reluctant to speak to
10 that because it is an OPC course. OPC would most
11 appropriately be able to speak to that in terms of the
12 ability to change that program.

13 **MR. CHISHOLM:** Now, I take it, given the
14 benefits that you see with respect to the joint training of
15 police services, would I be correct in concluding that you
16 would see some benefit with respect to joint training with
17 Children's Aid Societies?

18 **INSPECTOR MEDVED:** Yes.

19 **MR. CHISHOLM:** Thank you. Those are my
20 questions.

21 **THE COMMISSIONER:** Thank you.

22 Ms. Im?

23 I'm sorry. No. Probation and Corrections?
24 Any questions?

25 **MR. ROSE:** No, but apparently I have to say

1 that I'm here.

2 **THE COMMISSIONER:** Well, I suppose so.

3 **MR. ROSE:** No questions.

4 **THE COMMISSIONER:** We don't want you to
5 seize up sitting there all afternoon.

6 (LAUGHTER/RIRES)

7 **THE COMMISSIONER:** Mr. Hannah-Suarez?

8 Did I miss somebody? Yes, I missed
9 somebody. No, no, come on up. Too far a walk.

10 **MR. HANNAH-SUAREZ:** Just a couple of
11 questions.

12 **THE COMMISSIONER:** Yes.

13 **MR. HANNAH-SUAREZ:** So my understanding is
14 somebody is going to be coming and speaking specifically to
15 the courses on sexual assault and the Investigating
16 Offences Against Children courses or not?

17 **MR. DUMAIS:** The last witness will be
18 speaking to regional training and the last witness will be
19 addressing the Sexual Assault Investigation course that was
20 redesigned in 2002, that meets the standards of the OPC.

21 **INSPECTOR MEDVED:** Delivered at a regional
22 level.

23 **MR. HANNAH-SUAREZ:** So that will keep my
24 questions a lot shorter then.

25 --- CROSS-EXAMINATION BY/CONTRE-INTERROGATOIRE PAR MR.

1 **HANNAH-SUAREZ:**

2 **MR. HANNAH-SUAREZ:** Just in terms of the
3 outlines provided for those OPC and PPA courses. They
4 appear to lack in some detail and I was just wondering if
5 we were going to be able to get something that has more --
6 maybe the written materials that are used in those courses
7 at a later date? I'm not too sure if we get that from you
8 or from another witness.

9 **INSPECTOR MEDVED:** The course training
10 standards?

11 **MR. HANNAH-SUAREZ:** No, the actual materials
12 that are used in these courses.

13 **MS. LAHAIE:** I might be best suited to
14 answer that question, Mr. Commissioner.

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

16 **MS. LAHAIE:** If I may, the course materials
17 have not been vetted, in terms of protecting the various
18 investigative techniques employed and things of that nature
19 and that is the reason that those course materials were not
20 reproduced in their entirety in the outline.

21 **MR. HANNAH-SUAREZ:** So I guess, just my
22 questions at this point are going to be directed in terms
23 of the update on training and my questions are; you would
24 agree that especially in the areas of, for instance, child
25 interview techniques, there are some broad changes that

1 occur over the years into what is considered the proper
2 investigatory practice. Would you agree with that?

3 **INSPECTOR MEDVED:** Yes.

4 **MR. HANNAH-SUAREZ:** In terms of those
5 changes, you would agree that some of the old interview
6 practices for instance, have been discarded because they
7 tend to potentially lead to tainting of the witness and
8 inaccurate reportings. Would that be accurate?

9 **INSPECTOR MEDVED:** Yes.

10 **MR. HANNAH-SUAREZ:** Now, in terms of those
11 techniques, obviously the tainting could extend to such a
12 degree that they could even include entirely false
13 allegations of sexual assault, again if -- and that's why
14 the techniques were discarded in the past?

15 **INSPECTOR MEDVED:** I couldn't speak to that.
16 I'm not a specialist in that regard.

17 **MR. HANNAH-SUAREZ:** Okay. No, that's fair
18 enough.

19 I just, in essence, wanted to go into some -
20 - just a few questions on this area. Now, I guess my
21 question is this: what efforts are taken by the OPP to
22 ensure that the training that is being used in everyday
23 practice is up to date and, in particular, my concern with
24 that is, obviously these techniques change all the time and
25 my understanding is that certain courses are required to be

1 able to undertake investigation into sexual assault. Is
2 that correct?

3 **INSPECTOR MEDVED:** Correct.

4 **MR. HANNAH-SUAREZ:** And into child sexual
5 abuse as well. Is that correct?

6 **INSPECTOR MEDVED:** Correct.

7 **MR. HANNAH-SUAREZ:** Now, my understanding is
8 that that's a one-shot thing. Once somebody has that
9 qualification, be it five years ago, that's it, they've met
10 that requirement. Is that correct?

11 **INSPECTOR MEDVED:** Correct.

12 **MR. HANNAH-SUAREZ:** And so then, are there
13 no mandatory refresher courses that are ever taken in terms
14 of ensuring that this person is out there using the most
15 up-to-date techniques?

16 **INSPECTOR MEDVED:** There are no mandatory
17 refresher courses. I do know that individuals involved,
18 officers involved in those types of investigations and all
19 officers, for that matter, regardless of their area of
20 expertise, engage in upgrading their skill sets, if you
21 will, through local conferences, workshops, provided by
22 either the private sector or other police agencies.

23 **MR. HANNAH-SUAREZ:** Now, if, as you've
24 indicated before, some of these older techniques can result
25 in tainting, why aren't the updates mandatory?

1 **INSPECTOR MEDVED:** Could you repeat the
2 question, please?

3 **MR. HANNAH-SUAREZ:** You indicated previously
4 that some of the older techniques that are used -- again,
5 the example I use is in interviewing child witnesses, can
6 lead to witness tainting and inaccurate information being
7 gathered, so why aren't up-to-date techniques mandatory,
8 just as there is, for instance, the annual gun training.
9 Why isn't there mandatory every couple of years training to
10 make sure that the techniques are up to date? The ones
11 being used.

12 **INSPECTOR MEDVED:** I couldn't answer that.
13 I couldn't answer why that is.

14 **MR. HANNAH-SUAREZ:** Okay.
15 Thank you very much. Those are my
16 questions.

17 **THE COMMISSIONER:** Thank you.

18 Ms. Im?

19 **MS. IM:** I'm stretching my legs and advising
20 that I have no questions.

21 **THE COMMISSIONER:** Thank you.

22 Mr. Ducasse?

23 **MR. DUCASSE:** No questions, Mr.
24 Commissioner.

25 **THE COMMISSIONER:** The other advantage as

1 well, is having everyone come up, is they can go on the Web
2 cast.

3 (LAUGHTER/RIRES)

4 MR. DUCASSE: I'm in the line of vision in
5 any event.

6 THE COMMISSIONER: There you go.

7 Not when you're standing there.

8 Let's see now. Mr. Callaghan? Knowing that
9 Mr. Kozloff has a 4:15 ---

10 MR. CALLAGHAN: Yes, I know, I can ask
11 anything I want and never have a follow-up.

12 Good morning, sir. My name is John
13 Callaghan. I act for the Cornwall Police.

14 INSPECTOR MEDVED: Good afternoon, sir.

15 --- CROSS-EXAMINATION BY/CONTRE-INTERROGATOIRE PAR MR.

16 CALLAGHAN:

17 MR. CALLAGHAN: I just want to just touch a
18 little bit on the history of sexual assault training. Your
19 outline indicates that transition periods from '86 to '94,
20 versions of sexual assault training were included in the
21 Criminal Investigation course. Correct?

22 INSPECTOR MEDVED: Yes.

23 MR. CALLAGHAN: Is that throughout that
24 period or somewhere in that period?

25 INSPECTOR MEDVED: Somewhere within that

1 period.

2 **MR. CALLAGHAN:** Somewhere within that
3 period. So it's fair to say that the level of awareness of
4 the need for sexual assault education sort of has risen
5 since the late '80s forward. Correct?

6 **INSPECTOR MEDVED:** Yes.

7 **MR. CALLAGHAN:** And I take it, are you aware
8 of Mr. Justice Campbell's findings in the Bernardo report,
9 regarding training in sexual assault area?

10 **INSPECTOR MEDVED:** Not specifically but I am
11 aware of the report.

12 **MR. CALLAGHAN:** You weren't aware that he
13 found the training to be lacking across the province?

14 **INSPECTOR MEDVED:** I'm not personally aware
15 of that.

16 **MR. CALLAGHAN:** All right. And I take it,
17 the improvement that last counsel indicated there's been
18 further refinement on the original and you talked about a
19 course in 2002, the latest course at the OPC. Correct?

20 **INSPECTOR MEDVED:** Correct.

21 **MR. CALLAGHAN:** All right. And in terms of
22 the OPC, you're aware that that is largely the place where
23 most municipal forces get their training?

24 **INSPECTOR MEDVED:** It is. Yes.

25 **MR. CALLAGHAN:** All right. And if I could

1 ask -- I've asked Madam Registrar to locate a document in
2 the training manual at Tab 11, and it's about midway
3 through. It's not numbered, so hopefully we've got the
4 right one.

5 She does.

6 And you talked about getting places in the
7 OPC and I take it. Am I to understand that 25 per cent are
8 allotted to the OPP and 25 per cent to Toronto or combined
9 25 per cent?

10 **INSPECTOR MEDVED:** 25 per cent each.

11 **MR. CALLAGHAN:** So you have 50 per cent of
12 courses that are going to those two agencies?

13 **INSPECTOR MEDVED:** That's the target.

14 **MR. CALLAGHAN:** All right. And then you've
15 got other big forces, such as Peel, London, Niagara region.
16 They get an allotment?

17 **INSPECTOR MEDVED:** They do.

18 **MR. CALLAGHAN:** All right. And so, the
19 smaller forces get a smaller and smaller allotment, as they
20 get smaller?

21 **INSPECTOR MEDVED:** It's all proportioned but
22 I am reluctant to speak to it because it's certainly an OPC
23 matter in terms of their allocations.

24 **MR. CALLAGHAN:** All right. You're familiar
25 with allocations because you have to work with them?

1 INSPECTOR MEDVED: Correct.

2 MR. CALLAGHAN: You're familiar with the
3 fact that you don't get your first allocations in all cases
4 ---

5 INSPECTOR MEDVED: Not in all cases.

6 MR. CALLAGHAN: Right. And I take it that
7 on occasion you do have regional courses?

8 INSPECTOR MEDVED: We do.

9 MR. CALLAGHAN: Right. And I've brought up
10 one that appears to be in your material, from Smith Falls.

11 INSPECTOR MEDVED: Correct.

12 MR. CALLAGHAN: And I take it, when you do a
13 regional course, you might invite other forces to
14 participate.

15 INSPECTOR MEDVED: Yes.

16 MR. CALLAGHAN: All right. This one, I take
17 it, you have -- the letter confirms that you have 69
18 spaces?

19 INSPECTOR MEDVED: That's what's indicated.

20 MR. CALLAGHAN: And thereafter, we have a
21 class list. Do you see that?

22 INSPECTOR MEDVED: I don't have it in front
23 of me. The screen?

24 MR. CALLAGHAN: Yes, if you could.

25 And you'll see there's page 1, if you go on

1 down. If you were to look at this, you'd see there are 69
2 OPP with some scratch-outs, and there are 75 people. I
3 take it then, that there's a waiting list for those that
4 want to go on these courses?

5 **INSPECTOR MEDVED:** That's the normal
6 practice.

7 **MR. CALLAGHAN:** And so if I could take you
8 down to the next name on that list, is Wilson-King, Emma
9 Wilson-King is a constable at Cornwall. Do you see that?

10 **INSPECTOR MEDVED:** Yes.

11 **MR. CALLAGHAN:** So she likely would have
12 billeted for the course, was put on a standing list and
13 waited for one of these people not to show. Correct?

14 **INSPECTOR MEDVED:** Correct.

15 **MR. CALLAGHAN:** All right.

16 Those would be my questions.

17 **THE COMMISSIONER:** Thank you.

18 Mr. Wallace.

19 **MR. WALLACE:** Yes.--- **CROSS-EXAMINATION**

20 **BY/CONTRE-INTERROGATOIRE PAR MR. WALLACE:**

21 **MR. WALLACE:** Inspector, we've met before.
22 My name is Mark Wallace.

23 **INSPECTOR MEDVED:** Good afternoon, sir.

24 **MR. WALLACE:** I am appearing this afternoon,
25 on behalf of the Ontario Provincial Police Association.

1 I just have a few questions. The first is
2 that the training of OPP officers has evolved over time?

3 **INSPECTOR MEDVED:** Yes, it has.

4 **MR. WALLACE:** And the documents that you
5 have put together or that have been put together for this
6 Inquiry including the syllabus or syllabi for the courses
7 represents the state of the courses in the year 2005-2006.
8 Is that a fair statement, sir?

9 **INSPECTOR MEDVED:** That's fair.

10 **MR. WALLACE:** And the only reference that I
11 could find in the materials with respect to historical
12 sexual assaults is found at Tab 9 on the page dealing with
13 Sexual Assault Investigation Course.

14 **INSPECTOR MEDVED:** Yes.

15 **MR. WALLACE:** And are you aware of the point
16 in time when historical sexual assaults became part of the
17 Ontario Police College course on Sexual Assault
18 Investigations?

19 **INSPECTOR MEDVED:** No, I'm not.

20 **MR. WALLACE:** But what you can say is in the
21 year 2006, it was part of the course?

22 **INSPECTOR MEDVED:** Certainly.

23 **MR. WALLACE:** And you're not aware of the
24 fact that it was part of the course in the 1980s or 1990s?

25 **INSPECTOR MEDVED:** I can't speak to that,

1 no.

2 **MR. WALLACE:** And just as a general
3 statement, the specialized training courses that are
4 contained at Tab 9, for example, the General Investigation
5 Training Course ---

6 **INSPECTOR MEDVED:** Yes.

7 **MR. WALLACE:** At what point, I see under the
8 prerequisites, there are no prerequisites for that course.

9 **INSPECTOR MEDVED:** Correct.

10 **MR. WALLACE:** When after an officer
11 completed their basic training at the Police College and
12 back at your Academy, how long after that would the person
13 be eligible to take that course?

14 **INSPECTOR MEDVED:** Well, in theory, almost
15 immediately. Once they've successfully completed their
16 probationary period, from a basic constable perspective, in
17 theory, they could be eligible; but in practice, it's been
18 the organizational practice that they need time to season,
19 if you will, to mature in a uniform capacity from a
20 frontline service delivery perspective before they engage
21 in any specialized investigations or training courses of
22 the like.

23 **MR. WALLACE:** Are you in a position to give
24 us sort of a rough average of how much service an officer
25 would have before he or she would practically speaking be

1 taking this course?

2 **INSPECTOR MEDVED:** I couldn't -- three to
3 five years, I've seen that occur.

4 **MR. WALLACE:** Okay. And the other courses
5 appear to be built on having taken that first course?

6 **INSPECTOR MEDVED:** Correct.

7 **MR. WALLACE:** Okay. So an officer would be
8 on the job at least three to five years prior to taking the
9 subsequent courses?

10 **INSPECTOR MEDVED:** Potentially, yes.

11 **MR. WALLACE:** Okay. Thank you. Those are
12 my questions.

13 **THE COMMISSIONER:** Thank you. Ms. Lahaie.

14 --- CROSS-EXAMINATION BY/CONTRE-INTERROGATOIRE PAR MS.

15 **LAHAIE:**

16 **MS. LAHAIE:** Thank you. Being very
17 conscious by definition of Mr. Kozloff's needs with the
18 4:15 deadline and the fact that he and Ms. Brannan's things
19 are in my vehicle, I will be brief, Your Honour.

20 The outline at page 3, Inspector, indicates
21 that once on the job, OPP members receive continuing police
22 training, every member -- I'm sorry, the following bullets,
23 "Officers are kept apprised of
24 legislative changes and new case law by
25 way of operational field briefings sent

1 out on a monthly basis," ---

2 INSPECTOR MEDVED: Yes.

3 MS. LAHAIE: ---

4 "by the PPA to Detachment Commanders
5 who pass them on to Members."

6 INSPECTOR MEDVED: Correct.

7 MS. LAHAIE: I understand that there is, in
8 fact, in Police Orders, in policy, at Tab 6 ---

9 INSPECTOR MEDVED: Yes.

10 MS. LAHAIE: --- mandatory language in that
11 regard in terms of both the duties of the member and the
12 detachment commander with respect to these operational
13 field briefings?

14 INSPECTOR MEDVED: Correct.

15 MS. LAHAIE: And could you indicate what
16 those responsibilities are both your responsibility as the
17 director, the member's responsibility and that of the
18 detachment commander?

19 INSPECTOR MEDVED: Certainly. I'll read
20 directly from the policy.

21 "The Director of the Provincial Police
22 Academy shall establish and maintain a
23 monthly Operational Field Briefing
24 system to communicate topical and
25 changing issues to front-line members

1 and shall: ensure appropriate
2 consultations with ORDB, [Operational
3 Research and Development Bureau] and
4 relevant program area managers are
5 undertaken as part of the Operational
6 Field Briefing system; and establish
7 and maintain an archive of Operational
8 Field Briefings.

9 From the member's perspective, Mr. Commissioner,

10 "The member shall review each
11 Operational Field Briefing as soon as
12 possible, after it has been
13 released/received."

14 And,

15 "The detachment commander shall
16 establish and maintain monthly
17 Operational Field Briefing procedures
18 to ensure distribution to and review by
19 all members, and where applicable
20 civilians under their command."

21 **MS. LAHAIE:** And so in answer to my friend,
22 Mr. Hannah-Suarez, this question with respect to the need
23 to upgrade, you indicated that this was the mechanism by
24 which legislative changes in new case law was communicated
25 to members on a monthly basis. Is that correct?

1 **INSPECTOR MEDVED:** Yes.

2 **MS. LAHAIE:** And that is, in fact,
3 communicated and required to be read and meted out or
4 provided to the members.

5 **INSPECTOR MEDVED:** That's correct.

6 **MS. LAHAIE:** Thank you.

7 **THE COMMISSIONER:** Is there any test done to
8 ensure that people do read these materials?

9 **INSPECTOR MEDVED:** Contained within the
10 Field Briefings, sir, there are Q&As provided.

11 **THE COMMISSIONER:** Right.

12 **INSPECTOR MEDVED:** So a shift sergeant, if
13 you will, will stand before his platoon and talk about the
14 topic and there are a series of questions and answers.
15 There are no mandatory written tests and evaluations that
16 way, but there's certainly a learning experience taking
17 place.

18 **THE COMMISSIONER:** Thank you.

19 **MS. LAHAIE:** Thank you, Mr. Commissioner.
20 Those are all my questions.

21 **THE COMMISSIONER:** Thank you. Mr. Kozloff,
22 any parting shots before we leave?

23 **MR. KOZLOFF:** If Mr. Dumais has any re-
24 examinations.

25 **MR. DUMAIS:** I have none, Commissioner.

1 **THE COMMISSIONER:** Mr. Dumais, I'm
2 disappointed. I thought that we could have gone on at
3 least until a quarter to five.

4 All right, on that note, we come back
5 Tuesday, at two o'clock in the afternoon. Thank you.

6 **THE REGISTRAR:** Order. All rise. À
7 l'ordre. Veuillez vous lever.

8 This hearing is now adjourned. L'audience
9 est ajournée.

10 --- Upon adjourning at 4:19 p.m./

11 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