



Ombudsman's remarks – August 8, 2013

André Marin

The tragic events of July 27 have brought some longstanding issues into sharp focus. While the facts of the police shooting of Sammy Yatim remain under investigation and are yet to be determined, the very public nature of this case has also raised important questions about broader issues. These issues are ideal for an Ombudsman investigation.

Therefore, in accordance with the *Ombudsman Act*, I have notified the Ministry of Community Safety and Correctional Services that I am launching an investigation into the direction it provides to Ontario police for de-escalating situations that could result in the use of force.

Since this incident was first reported, my staff have conducted a thorough case assessment. We have done a preliminary review of some provincial guidelines and some police practices and training. We have reviewed some similar cases from the past, and in other jurisdictions. This has convinced me a full investigation is warranted, and I have asked my Special Ombudsman Response Team to complete it within the next six to 12 months.

The Ministry has the power to set standards for police training or procedures across the province, for example, as was done in B.C. after the police-involved death of Robert Dziekanski. There have also been recommendations from many Ontario coroner's inquests into similar deaths over the past two decades. What has been done? What should be done? We'll focus on that.

My office has already received more than 60 complaints, inquiries and submissions relating to this case, from a wide range of concerned citizens and people with expertise and experience in law enforcement and dealing with these types of situations. We are asking anyone who has information relevant to this investigation to contact us confidentially.

I want to stress that this investigation will not affect the ongoing criminal investigation by the Special Investigations Unit in any way. If issues arise in that investigation that are relevant to problems that I discussed in my previous reports on the SIU – such as issues with police co-operation, etcetera – I will consider them at the appropriate time.

For now, I am pleased to say that I spoke yesterday with the chair of the Toronto Police Services Board and he welcomed my investigation. I will be inviting police services to share information with us relating to this investigation, and I look forward to their voluntary co-operation.

Questions?